



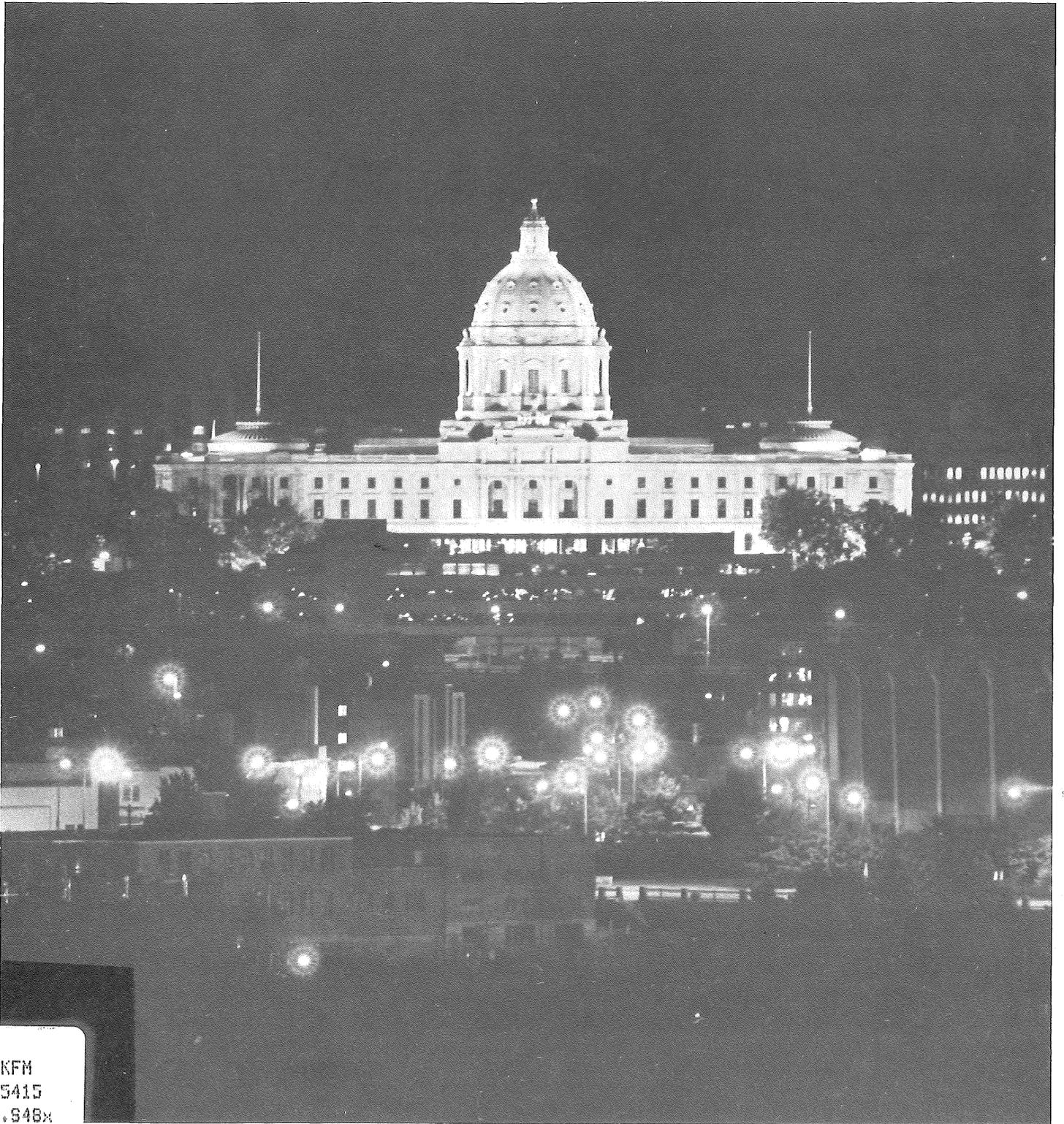
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Session Review

A Publication about the Minnesota State Senate

Vol. 13, No. 3



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n '87: Bill highlights and summaries

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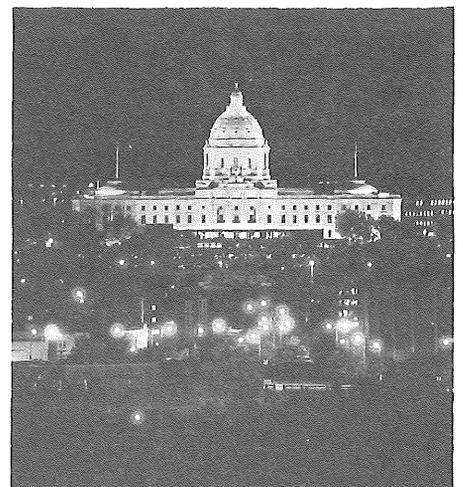
Session Review

This edition of Session Review includes highlights of the 1987 regular and special legislative sessions. Brief summaries outline the major tax provisions enacted this year, spending plans for the coming biennium, and many of the major bills signed into law. In addition, this issue provides a complete listing of all new laws along with chapter and bill indexes.

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On the cover:

This evening photograph of the Capitol is taken from St. Paul's new high bridge, which opened in July. Photo by David J. Oakes.

During the final days of the regular session, state lawmakers review the negotiated tax proposal, which was agreed upon by a Senate and House conference committee. Seated from left to right, Senate Majority Leader Roger Moe, House Majority Leader Robert Vanasek and Representative Dee Long. Above, from left to right, Senator Lawrence Pogemiller, Senate Tax Chair Douglas Johnson and Senator LeRoy Stumpf.

photo by Tom Olmscheid



Tax reform headlines revenue plan

The Legislature followed the initiatives of Gov. Rudy Perpich's base-broadening tax reform plans and passed a tax package that will fund the state's financial operations over the next two years. The final law makes monumental changes in reforming individual and corporate income taxes, items subject to the sales tax, insurance taxes and local government aids. In addition, the Senate chose to follow through on a provision which had seemed too large in scope to tackle in an already hectic session—that of property tax reform. But following dozens of committee, division, floor and conference committee hearings, the Senate plan prevailed and property tax classifications have been narrowed down to nine from about 68.

Although the new law raises \$690.5 million in new revenue, Sen. Douglas Johnson,

of the bill and chair of the Taxes and Tax Laws Committee, described the plan as having the smallest increase in state spending in 20 years.

Throughout its development, legislators responsible for seeing the plan through the process said they were seeking simplification, progressivity, stability, enforceability and conformity with the federal tax system.

Individual and corporate income taxes

By conforming with federal tax law, \$660 million in federally collected income taxes will be returned to the state, and in turn, be used to reduce the state's tax rates. The top rate of 14 percent is cut to 8 percent and,

effective for 1988, will be applied to taxable income over \$19,000. A second rate of 6 percent will be used for taxable income below \$19,000. In addition, 125,000 low income Minnesotans will not pay any income tax. Overall, the lower rates moves Minnesota's individual tax rate from fifth to 15th highest in the nation.

Through adoption of federal taxable income as the base for determining Minnesota's income tax liability, the state will broaden its tax base and will use increased personal exemptions and standard deductions. Minnesota also will maintain the tuition deduction and child care credit.

The new law, Chapter 268, eliminates the two-wage-earner deduction, capital gains exclusion, unemployment compensation exclusion, military pay exclusion and the

pensions exclusion (which will be replaced with a new senior citizens credit). The sales tax deduction and the passive loss deduction also have been eliminated. And, IRA deductions, deductions for interest, medical expenses and unreimbursed business expenses have been tightened.

Corporate tax rates were lowered from 12 percent to 9.5 percent but more businesses will come under the umbrella of business taxes through implementation of a new alternative minimum tax. Alternative minimum taxes, implemented to insure that all businesses pay their share of taxes, will be based on volume of sales, payroll and property. New businesses and businesses with under \$5 million in assets are exempt from the alternative minimum tax. In addition, the federal rules governing the deduction of net operating losses are adopted. However, the three year carryback deduction for operating losses is eliminated. Additional business taxes include extension of the two percent gross premiums tax to domestic mutual insurance companies.

Property taxes and local government aids

Property tax reform involves narrowing the number of classifications from around 68 to

9. The property tax changes will reduce the tax burden in cities and counties where economic conditions have caused property taxes to rise sharply to make up for declines in the overall tax base. Consequently, communities with wealthier tax bases will see a rise in property taxes.

By implementing a three percent ceiling on new property tax levies and increasing local government aids to distressed counties, local governments will have an incentive not to overspend budgets. When overspending occurred in the past, the expenditures were reimbursed by the state. The levy limits will be in place during 1988 only and do not apply to levies implemented to repay debts.

The new tax law changes the homestead credit and school agriculture credit from a program tied to fluctuations in property tax bills to a state aid program financed by a fixed appropriation in the state budget. Local governments will continue to receive state aid equal to the amount of homestead credit and school agriculture credit they currently receive. As a result, local governments will not have to raise added property taxes caused by the change in the program from a credit to state aid. Local governments experiencing a reduction in property values caused by the narrowing of tax classifications will receive additional

state aids to compensate for the reduction.

Sales taxes

Extension of the state's six percent sales tax will take effect June 1 with the addition of non-prescription drugs, admissions to public recreation areas, tanning parlors, and weight reducing centers, meals to employees at a reduced cost, long distance telephone calls, state government purchases, purchases of motor vehicles by non-profit and government entities, and purchases of railroad cars, petroleum products and the leasing of aircraft to flying club shareholders. In addition, liquor, beer and wine wholesalers will see an increase in taxes. The taxes vary depending on cost and alcoholic content.

On July 1, car washing and cleaning, rust proofing, undercoating, towing, parking services and pet grooming services will be subject to the tax. Sales of Minnesota born and bred horses will be taxable starting August 1 and on October 1, cleaning, maintenance, laundry, dry cleaning, lawn care, security and detective agency services will fall under the tax.

A fifteen cent increase of the cigarette tax to take effect July 1 raises the tax from 23 to 38 cents per pack.



One of the major provisions of the tax plan, Chapter 268, includes property tax reform. The new law narrows the number of property classifications from about 68 to 9.

Senators and staff gather in the Senate chamber May 5 to attend the extraordinary educational seminar on Acquired Immune Deficiency Syndrome (AIDS). Sponsored by Majority Leader Roger Moe and Minority Leader Duane Benson, the program was intended to provide leadership by example in educating the public about the disease. Dick Hanson, a featured speaker at the seminar, spent the last months of his life as an advocate on behalf of AIDS patients. Hanson died July 25 after a year long battle with the disease.



photos by David J. Oakes

Lawmakers set priorities, finalize state budget

In addition to determining future tax policy, the 1987 Legislature was busy setting funding priorities for fiscal years 1988 and 1989. The final result is a spending plan that will total \$11.6 billion during the coming biennium. About a quarter of the total amount will help fund elementary and secondary education throughout the state. Another 22 percent will be returned to Minnesotans through property tax credits and aids. The third largest area for state spending is health and human services, which will receive 17 percent of the approved state dollars. Nearly 14 percent of total state funding will support public post-secondary institutions, while an additional 10 percent will cover the cost of state government operations.

The following paragraphs highlight some of the major spending initiatives for the coming biennium.

Health and Human Services

Several initiatives designed to help welfare recipients become self-sufficient were part of the \$2.2 billion health and human services spending plan passed this session.

The new law, Chapter 403, increases funding for child care assistance, adds dollars for work and training projects, maintains the state's wage subsidy employment program, and institutes child support pilot projects. In the area of health, the law provides more money for community mental health services, offers health insurance for pregnant women and young children, increases funding for the Women, Infants and Children Nutrition Supplement Program, and gives more dollars to AIDS programs.

Overall, the law provides a biennial appropriation of \$1.88 billion for the Department of Human Services, \$196 million for the Department of Health and \$68 million for the Department of Jobs and Training. However, the law eliminates the Office of Full Productivity and Opportunity, which was established to coordinate jobs programs.

To remove some of the employment barriers for welfare recipients with dependent children, the new law provides \$25.7 million in child care funding for fiscal years 1988-89. That amount is nearly double the funds appropriated for the current biennium. In addition, one cent from the added cigarette tax will be used for a children's health insurance plan. Under the program, health care services are offered to

pregnant women and children under age 6 who have income under 185 percent of the federal poverty guideline and do not have health coverage. Furthermore, \$12.7 million will fund a program whereby long-term welfare recipients with children over 6 years of age will be required to enter an educational, training or job program.

State lawmakers disagreed with the governor's recommendation to eliminate the state's wage-subsidy employment program and instead authorized \$18 million in funding over the next two years. The program, called the Minnesota Employment and Economic Development (MEED) program, provides state subsidies to companies who hire unemployed workers.

A pilot project allowing counties to institute mandatory withholding of child support payments also is part of the new law. Under the program, any county may volunteer to partake in the program, but at least five must be chosen.

Carried by Sen. Don Samuelson, the new law also increases mental health service funds by \$13.6 million, which brings the total appropriation to \$39.8 million. The additional money will enable counties to offer the variety of mental health services required under law.

Further, the new law provides \$2.7 million

for AIDS programs, \$1.2 million will be used for cancer surveillance, and \$1.3 million is for emergency medical services.

Medical Assistance and General Assistance Medical Care appropriations total \$882.3 million, and the Community Social Services Block Grant (CSSA) is increased by \$3 million to \$99.4 million.

Medical Assistance is extended to people with incomes at 115 percent of the AFDC standard of need as well as to families and children having incomes at 133.33 percent of the AFDC standard.

State Departments

A \$946 million package that will fund the operation of state agencies and departments was the final spending plan to pass the Legislature this session. Among the changes, the new law creates 22 judgeships, increases hunting and fishing license fees, and maintains a two-year commitment in funding for the Minnesota Zoo.

Nearly all of the new judgeships—21 in total—are for the district courts. These positions will be distributed among the districts according to caseload need. In addition, the law adds a judge to the state court of appeals.

To increase revenue for fish and wildlife management and enforcement, the law raises hunting and fishing license fees for both Minnesotans and non-residents. The fee increases range from two to five dollars. And, senior citizens will be charged \$4 for a fishing license; however, they can apply for a refund and continue to fish for free. The Department of Natural Resources estimates that the senior citizen fishing fee will raise about \$400,000 in state revenue. More importantly, it will secure available federal dollars for fish and wildlife management.

The governor originally proposed to make substantial cuts in the budget for the Minnesota Zoo. Zoo officials claimed the reductions would cause several attractions to close. They argued that state support should be continued as they attempt to become more self-sufficient. The final law keeps the \$2 million in cuts proposed by the governor. The law also makes available \$16 million in projects recommended by the Legislative Commission on Minnesota Resources. The governor's budget plans contained no money for LCMR projects.

The new law also modifies salary increases recommended by the State Compensation Council for state constitutional officers, judges and legislators. Under the plan, salaries will be increased by five percent in 1989 and again in 1990. Also, commissioners

and state agency heads will gain salary increases, which were recommended by the Legislative Commission on Employee Relations. Included are pay increases for directors of the Metropolitan Council, the Waste Control Commission, Board on Judicial Standards, Bureau of Mediation Services, and members of the Public Utilities Commission and the Transportation Regulation Board.

Sponsored by Sen. Carl Kroening, chair of the Finance Division on State Departments, the new law, Chapter 404, adds funds for low-income people to help meet their housing needs, increases veteran services in the areas of direct care and provides money for the remodeling of veteran facilities at the Minneapolis Veteran Home and the home in Hastings.

The appropriations law also provides counties with state funds to help them provide legal assistance to persons requesting public defense. The funding, which totals \$718,000 for the biennium, will be handled by the State Board of Public Defense.

Higher Education

Nearly \$1.66 billion will fund public post-secondary institutions during the coming biennium under the new spending plan put into law this session. Compared to the last biennium, higher education spending was increased 11.1 percent, which includes a 11.7 percent budget increase for the University of Minnesota.

Under Chapter 401, carried by Sen. Gene Waldorf, State AVTI's gained an 8.4 percent budget increase with a \$310.4 million appropriation. The biennial budget for state community colleges is set at \$135.7 million, which is an 11.2 percent increase; state universities received a 12.5 percent increase in their budget with a \$271 million spending allocation; and the Higher Education Coordinating Board was given a biennial appropriation of \$148.4 million, an 11.7 percent increase over last biennium's allocation. Of the HECB budget, \$123 million is for scholarships and grants.

During the legislative session, University of Minnesota President Kenneth Keller

1988 Fishing and Hunting License Fees

<u>Resident Fishing</u>	<u>New fee</u>
Senior Citizen Angling	\$4
Individual Fishing	\$13
Combination Fishing	\$17
24-hour license	\$8
Trout Stamp	\$5
<u>Resident Hunting</u>	
Senior Citizen Small Game	\$9.50
Small Game	\$14
Deer (firearms; bow and arrow)	\$21
Individual Sportsman	\$21
Combination Sportsman	\$27
Trapping (18 years and older)	\$17
Junior Trapping (over 13, under 18)	\$6
<u>Non-Resident Fishing</u>	
Individual Fishing	\$21.50
Family Fishing	\$34
14-Day Married Couple	\$26
7-Day Fishing	\$18.50
3-Day Fishing	\$15.50
<u>Non-Resident Hunting</u>	
Small Game	\$56
Deer (firearms; bow and arrow)	\$101
Furbearer	\$126
Migratory Waterfowl Stamp	\$5
Pheasant Stamp	\$5

(Source: Dept. of Natural Resources. Issuing fees included in price.)

explained the University's goal of raising instructional funding to a level equivalent to a third or fourth ranking among comparable institutions, principally within the Big 10. To achieve the goal, the University would need about \$60 million for the biennium. Because of the large budget request, the University recommended increasing the instructional funding by about \$24 million and reducing student enrollment in the various instructional programs. The governor's budget included the \$24 million budget request, the Senate trimmed that figure to \$22 million, but the House of Representatives did not fund the program. In the compromise version of the two spending bills, \$6 million was given to the "Commitment to Focus" program. Also, the law requires the University to reduce undergraduate enrollment.

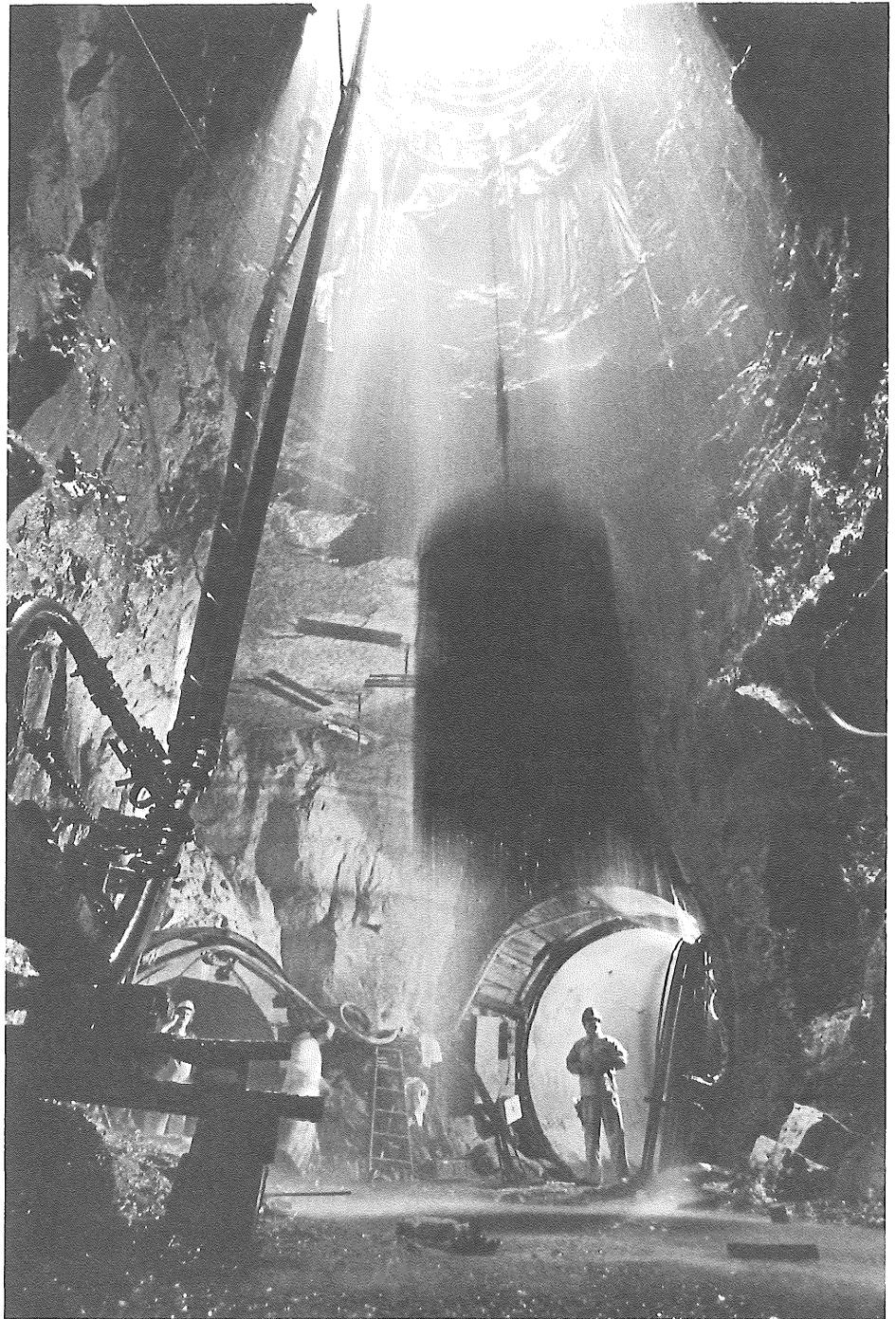
Contained in the allocation for the State University System is money for an engineering program at Winona State University. The law also places the administration of the Jobs Skills Partnership Program under the Higher Education Coordinating Board and creates a task force to examine the feasibility of instituting a common course numbering system for all public post-secondary schools.

Agriculture, Transportation and Semi- State Agencies

Significant highway funding measures failed to gain legislative approval this session, but lawmakers provided an additional \$16.7 million for highway construction and maintained the same level of transit funding. To do this, Chapter 358, a \$2 billion spending measure, includes provisions increasing drivers license fees 50 percent and transferring 5 percent of the Motor Vehicle Excise Tax to the highway user and transit assistance fund.

The new law appropriates about \$1.7 billion to the Department of Transportation, most of which is for planned highway development projects. Also, \$19.5 million is appropriated to the Department of Agriculture, \$3.6 million to the Public Utilities Commission, \$19.4 million to the Department of Commerce, \$12.5 million to the Department of Public Safety, \$19.4 million to the Historical Society and another \$6 million to the State Arts Board.

Under new law, \$7.5 million will fund a newly-reorganized board responsible for soil and water conservation. The reorganization plan consolidates the Soil and Water Conservation Board, the Water Resources Board and the Southern Minnesota River Basin Council into one public board.



Over \$70 million in bond proceeds is designated for waste water treatment projects. Some of the money, \$47 million, will be spent on projects in rural Minnesota, while \$16.5 million will help resolve the combined sewer overflow problem in the metropolitan area.

In general, the new law raises several fees to cover the cost of services. In particular, the Historical Society may keep revenue from historical site admission fees to help pay for the maintenance of the facility. Other fee increases include a raise in fees for livestock market agency and dealer licenses, fees for nursery dealers, fees for wholesale produce dealers, fees for food licensing and dairy plant operation, fees for professional fund raisers, and licensing fees for collection agencies.

The law also permits the Humanities Commission to establish a resource center,

and a \$1 surcharge on birth certificates is dedicated for a children's trust fund, which will be used to address child abuse problems. And, a toll-free telephone line is established for child abuse consultation.

Bonding

During the legislative session, Governor Rudy Perpich proposed a bonding bill to fund capital projects that totalled more than \$700 million. The final package, completed by a conference committee of both Senate and House members, reached about \$492

million, which, according to law sponsor Sen. Michael Freeman, is divided nearly equally between metropolitan and outstate projects.

Traditionally, the capital budget has funded building improvement projects at higher educational institutions, and this year 39 percent of the package is dedicated to similar purposes. Of the total \$183.4 million bonding authorization, \$33.2 million is for Area Vocational Technical Institutions, \$35 million for community colleges, \$52.5 million for state universities, and \$47.8 million for the University of Minnesota.

Included in the higher education bonding authorization is money for the construction of child care facilities at community colleges and AVTI's, \$8.5 million for the construction of a recreational building at Bemidji University and \$5.4 million for an addition to the engineering building at the University of Minnesota.

The package includes \$54.7 million for historical society projects. Almost all of the amount—\$50 million—is for a new state history center, which is to be located near the Capitol Building. Other money is authorized for the Leduc Historical Site, the Indian Cultural Center at Mille Lac, and the Red River Valley Center. The Judicial Building is another significant project to be built near the Capitol. The law authorizes \$32.5 million in bond proceeds for the project; however, some of that appropriation will not be released without private donations. And, \$61.5 million will help fund restoration projects within the Capitol Building and remodeling of the Centennial Building.

In the area of parks and recreation, the final bonding measure, Chapter 400, grants \$15.5 million for improvements to metropolitan regional parks, \$14 million for Greater Minnesota recreational facilities, and \$19 million for the state's Reinvest in Minnesota (RIM) program. Furthermore, \$14.7 million will help build a track and field complex in Blaine. In addition, several Olympic Training Facilities will be built if approved by the U.S. Olympic Committee. The facilities are a \$9.5 million ice hockey center at St. Cloud University, a \$3 million swimming center—site to be chosen—and the Giants Ridge ski area in Biwabik with a \$2.2 million expansion. Also included in the bonding are \$1.2 million for a Duluth Convention Center, \$2 million for a railroad right of way acquisition from Duluth to Two Harbors, and \$6 million for access to Lake Minnetonka.

A major portion of the authorized bonding proceeds will help strengthen the state's effort in treating waste water. Over \$70.7 million is authorized for waste water treatment projects, \$47 million of which is

designated for projects in rural Minnesota and another \$16.5 million for resolving the combined sewer overflow problem in the metropolitan area.

Another \$5 million in bond proceeds for local bridge repair is authorized in the new law, as well as \$3.8 million for federal transportation demonstration projects. And, \$9.4 million will fund improvements and construction of district transportation headquarters and truck stations.

To help improve correctional institutions and medical facilities, the final bonding measure authorizes the expenditure of \$10.7 million from the bond proceeds. And, \$4.2 million is slated for construction of the High School and Resource Center for the Arts.

Education aids

A nearly \$3 billion package redistributing funds to Minnesota's 435 school districts over the next two years was enacted into law after several months of testimony and debate.

The law, sponsored by Sen. Randolph Peterson, simplifies the foundation aid formula and equalizes funding among elementary and secondary schools in the state by removing a complex structure of tier and categorical aids.

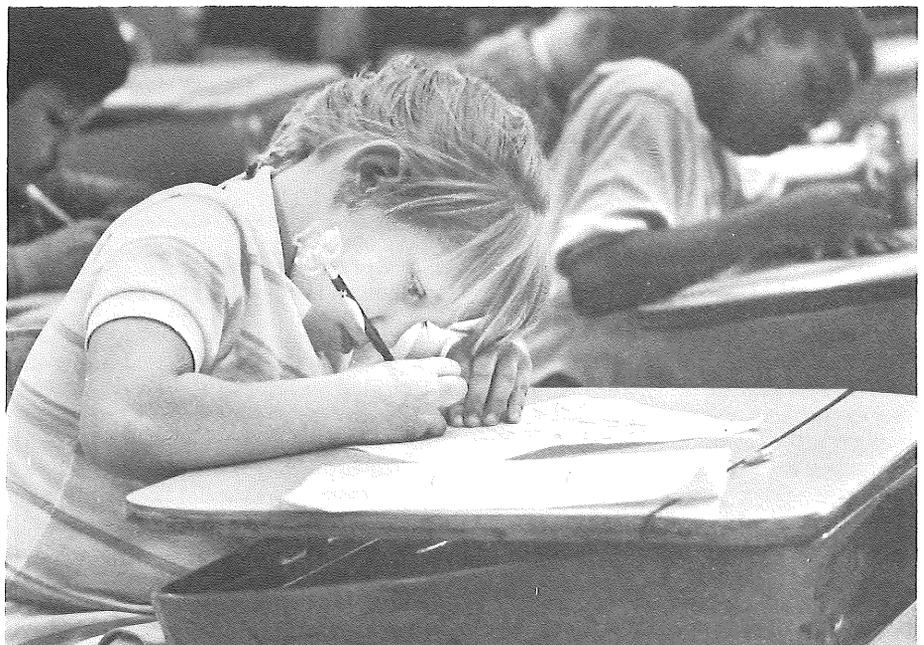
By setting the state aid at \$1,720 per pupil unit in the 1987-1988 school year and by folding the tier, a number of categorical aids and Teacher Retirement Assistance/Social Security aid into a new formula in 1988-1989,

the mill rate will be set at 35 mills, increasing the formula allowance to \$2735, and the capital expenditure allowance to \$153 per pupil unit. The law shifts the financing burden slightly from state taxes to property taxes.

Overall, kindergarten through 12th grade spending will increase by 14 percent across the state but the total allocation is \$1.3 million less than the governor initially recommended.

The education package also includes a funding appropriation of \$4.8 million for a state arts school and resource center, \$25.2 million for the Department of Education, and \$12.7 million for the Faribault academies. The legislation also allocates funding for school district reorganization, mentorship programs, open enrollment, special education services for children ages birth to two years, reduces regular, summer school, and secondary vocational handicapped special education aid from 70 percent to 66 percent, sets a two year inflation rate at 4.9 percent in fiscal year 1988 and 4.1 percent in fiscal year 1989 for transportation aid, and provides \$5.2 million for desegregation transportation grants to Minneapolis and St. Paul school districts.

The law, Chapter 398, also allows students whose parents have relocated to another school district to remain in the same school district if they are in 11th or 12th grade, creates an academic league promoting excellence, requires that schools with more than 1,000 students employ a full time licensed school nurse, and requires that the board of education redesign teacher education programs.



The Legislature this year appropriated nearly \$3 billion to help fund Minnesota's 435 school districts. The new law, Chapter 398, also simplifies the foundation aid formula and equalizes funding among elementary and secondary schools.

Bill Highlights

photos by David J. Oakes



With the approval of the commissioner of natural resources, individuals in the state will be able to raise fish for commercial sale as well as fingerlings and fry for stocking lakes. The law, Chapter 318, attempts to encourage agricultural and business diversification.

Aquaculture program

One of the ways the Legislature attempted to encourage agricultural and business diversification this session was to pass a law establishing a commercial fish farming program in the state.

With the approval of the commissioner of natural resources, individuals may raise fish to be sold commercially and may raise fingerlings and fry to be used for stocking lakes. A license to operate a fish farm is \$250 and a license to take sucker eggs from public waters for a fish farm is \$150 for the first 100 quarts taken.

The law, Chapter 318, also states that the commissioner of natural resources will make at least two percent of the game fish

eggs collected by the DNR available to private hatcheries at current market values.

To insure that diseased fish or fish that compete with existing fish populations are not introduced into Minnesota lakes, the law, sponsored by Sen. Charles Berg, prohibits persons operating a fish farm or hatchery from obtaining fish or fish eggs from outside the state unless approved by the DNR. The DNR will inspect commercial fish farms and hatcheries and will assess a fee to cover the cost of the inspection.

An advisory committee is established to develop and promote the program. Representatives from the University of Minnesota, commissioners of the departments of natural resources, agriculture, energy and economic

development, the state planning agency director, representatives of the private fish raising industry and the chairs of the environment and Natural Resources Committees of the House and Senate will make up the advisory committee.

Interest rate buy-down extension

A two-year extension of the interest rate buy-down program for eligible farmers was signed into law by Gov. Rudy Perpich April 7. The governor received the bill after three weeks of conference committee deliberations by House and Senate agriculture committee members.

The loan subsidy program appropriates \$17

sites for household hazardous wastes.

The Waste Management Board is directed to encourage the development of facilities and services that provide a market for recyclable materials. The board is authorized to make grants to persons seeking to develop or operate facilities or services that need recyclable material. The board also must implement a strategy for the reduction of industrial wastes.

The law also requires the board to institute a program of general public education on waste management. The objectives of the program are to increase public awareness of environmentally sound waste management methods.

The board and the Pollution Control Agency are required to prepare a report on solid waste management policy outside the metropolitan area. The report must include an estimate on the anticipated amount of solid waste generated in Greater Minnesota and the manner in which it is likely to be handled. The report also must judge the programs and facilities that will be available and needed in the future for proper waste management in Greater Minnesota.

Authored by Sen. Gene Merriam, the law also permits local governments to require source separation of solid wastes for organized collections. The law further requires each metropolitan county to submit a local recycling implementation strategy to the Metropolitan Council. The strategy must identify the materials that will be recycled in the county, including at least yard waste and three other materials. And, the Metropolitan Council is directed to encourage the development of permanent local recycling programs throughout the metropolitan area. The council is authorized to make grants to metropolitan counties for planning, developing and operating yard waste composting and recycling programs.

The law provides grants for "low-tech" solid waste management projects, and the grants are to cover 50 percent of the project's capital costs, up to \$2 million.

Pipeline Safety

Several initiatives intending to avoid another pipeline tragedy, as experienced by the city of Mounds View last year, passed both bodies of the Legislature and were signed into law by the governor. The pipeline safety measures, contained in Chapter 353, reflect many of the recommendations offered by the governor's commission, which studied pipeline issues in detail last interim.

To better prepare firefighters and local governments for handling pipeline



With the help of the State Pipeline Commission, the 1987 Legislature enacted into law several provisions intended to avoid another pipeline tragedy, which occurred, in part, on this street in Mounds View last year.

emergencies, the new law establishes procedures to be followed by governmental units and pipeline companies. An office of pipeline safety is created within the Department of Public Safety and is responsible for maintaining a data base on pipeline releases and coordinating emergency response efforts. Pipeline operators are to file maps of the pipeline systems with the new office, the Department of Transportation, and local governments. The operators also must file emergency response plans with the office and sheriffs in the counties being crossed by the pipelines.

The new law, carried by Sen. Steven Novak, further establishes a one-call notification center. The center will respond to inquiries concerning pipeline locations for the prevention of damage to the underground facilities. And, the Environmental Quality Board will issue routing permits for new pipelines.

The Department of Public Safety also is required to adopt a model setback ordinance. This ordinance is to determine how far new development should be located away from pipelines. By August 1, 1989, each local government that has planning and zoning authority and has a pipeline within their boundaries must adopt a setback ordinance that at least meets the model's standards.

In case of a pipeline release, the operator is required to report by telephone to the emergency response center established by the department of public safety. Upon notice, the department then is required to notify the release to the local emergency units and the Pollution Control Agency.

Pesticide regulation

A new state law that regulates how we use pesticides — including their transportation, storage, labeling, distribution and disposal — took effect July 1, 1987. Sponsored by Sen. Charles Berg, Chapter 358, was enacted to minimize pesticide pollution. Under the new law, which preempts local ordinances, a person may not use, store, handle or dispose of pesticides in a manner that could endanger lives, damage the environment or harm agricultural products.

Among several provisions in the new law, persons applying pesticides must post warning signs if the pesticide label prescribes hourly or daily intervals for human reentry following application. Fields being treated with pesticides through irrigation systems must be posted throughout the period of pesticide treatment. All commercial or noncommercial applicators who apply pesticides to turf areas must post warning signs on the property where applied. The warning signs must be rain-resistant and be in place for at least 48 hours from the time of initial application. The sign must also be posted on a lawn or yard between two feet and five feet from the sidewalk or street. In parks, golf courses, athletic fields, playgrounds or other recreational property, the signs must be posted adjacent to the areas where applied and near the entrances to the property.

The law prohibits pesticides from being stored without adequate safeguards to prevent the escape or movement of the pesticides from the site. And, the law regulates the use, cleaning and disposal of pesticide equipment.

Persons responsible for accidental pesticide releases must take immediate action to minimize the release and to recover the pesticides. The incident also must be reported to the Department of Agriculture. If the party does not act to stop the release and to recover the pesticide, the department may take necessary corrective action and charge the party for the clean-up.

The law further designates the Department of Agriculture as the lead agency for pesticide regulation and requires the commissioner to set rules and regulations covering pesticide use and handling.

Elk herd

In an attempt to resolve the problem with the elk herd grazing in Northeastern Minnesota, state legislators enacted a law allowing the commissioner of natural resources to declare an elk hunting season when the precalving population exceeds 20 animals. The fee for the license is set at \$200 for party of up to two people, and the licenses are to be determined by a drawing.

For farmers who experience crop damage caused by the elk, the new law, Chapter 373, provides compensation for their losses. To qualify, the crop owner must submit a claim with the Department of Agriculture. The claim is only applicable to crop damages that occurred after enactment of the law. The crop owner may be compensated for damages that exceed \$100 and may receive up to \$20,000.

The law, carried by Sen. LeRoy Stumpf, requires the Department of Natural Resources to adopt an elk management plan. The plan must recognize the value and uniqueness of the elk, provide for integrated management of an elk population in harmony with the environment, afford optimum recreational opportunities, and restrict elk to non-agricultural land in the state.

Petroleum clean-up

To expedite action in cleaning-up petroleum spills that result from leaky tanks, a new state fund is established in Chapter 389 for providing financial assistance to tank owners who need to take corrective action.

To help finance the fund, petroleum distributors must pay a fee of \$10 for every 1,000 gallons of gasoline provided during the months of September and October, 1987. The money will be placed in the fund, which is administered by a newly-created board. The tax may again be levied when the fund falls below \$1 million.

The board is responsible for reimbursing owners for part of their clean-up costs. To



Chapter 170 allows bow hunters to use this hand-held mechanical release aid, provided the archer's own strength draws, holds and releases the bowstring.

be eligible for reimbursement, the owner must have taken action necessary to adequately address the release. The amount of assistance is set at 75 percent on the portion of the total clean-up costs that are greater than \$10,000 and less than \$100,000.

Before receiving assistance, the owner had to have complied with the state and federal regulations applicable to owning a tank. The owner also must have given notice of the release to the Pollution Control Agency and must have cooperated with the agency in responding to the release.

Also under the law, sponsored by Sen. Steven Novak, the PCA has the authority to take corrective action for spills if the responsible person cannot be identified or has not complied with the law. The responsible party, however, is liable for the costs incurred by the agency in cleaning-up the spill. The agency also may order a party to take "reasonable and necessary corrective actions."

Metro Mobility standards

To improve quality and service, a law enacted this session sets more stringent requirements for the Regional Transit Board's Metro Mobility program.

Due to many problems and complaints from Metro Mobility passengers, a new law requires special transportation service providers to enforce driver training requirements, meet the Minnesota Department of Transportation's (Mn/DOT) annual inspection requirements, and improve safety regulations.

The commissioner of transportation is directed to establish qualifications for drivers. The commissioner must also set up annual inspections of the vehicles and provide for unannounced quarterly inspections of at least five percent of all the vehicles used by the special service providers. If a vehicle fails to meet inspection requirements, the provider must take the vehicle out of service.

The law, sponsored by Sen. Steven Novak, also requires the Regional Transit Board to submit annual reports detailing complaints of the system and accidents. The board also is to report on how the system responded and the remedies undertaken. The board must consult with a newly-created advisory committee concerning system changes. The law further requires that at least one-half of the committee's members be disabled or elderly persons, or representative of the handicapped and disabled.

Within 90 days of its enactment, the law, Chapter 88, requires that the board hold a public hearing on standards for provider eligibility, performance, compliance, fare policies, and service areas and hours.

Light rail transit

After years of discussion, Hennepin County was finally given the go-ahead to begin planning for a \$100 million light rail line.

The new measures requires that by July 1, 1988, the Hennepin County Regional Rail Authority develop a comprehensive plan for a light rail system in Hennepin County and that at least three primary corridors be

considered, including a southwest corridor, a northern corridor, and a southern corridor.

While no state money was allocated for the plan this session, the legislation allows county officials to pay for the construction of the line by levying up to two mills each year, generating approximately \$18 million, and by selling bonds.

The law, Chapter 405, sponsored by Sen. William Luther, allows the Metropolitan Council to review the county's light rail plan, but does not give the council the authority to stop the project.

Parking fines

Persons without proper authorization parking in a handicapped parking zone may be fined as much as \$200, according to a law passed this session.

The legislation, sponsored by Sen. Donna Peterson, allows cities to set and increase violation penalties anywhere between \$100 and \$200. The previous fine was between \$25 and \$100.

A physically handicapped person is defined as one who cannot walk without significant risk of falling; one who cannot walk 200 feet

without stopping to rest; one who cannot walk without the aid of another person, walker, crutches, wheelchair or other device; or one who is restricted by a respiratory disease or has cardiac conditions. In order to obtain a permit, a handicapped person must submit a physicians statement. Fraudulent certification or unauthorized use of the special plates are considered misdemeanors and subject to a \$500 fine.

The law, Chapter 355, further requires property owners or managers to keep the parking spaces free from obstruction, such as snow. Failure to do so also is considered a misdemeanor.

School bus safety

In an attempt to improve school bus safety measures, legislators put into law a requirement that driver activated student control warning systems include a high-intensity red flashing signal, an audible warning signal, and an amber "proceed-with-caution" signal.

The law, Chapter 48, sponsored by Sen. Darril Wegscheid, changes the previous law by requiring that an amber "proceed-with-caution" signal, not green, be activated whenever a school bus stops.

Another law, Chapter 389, requires the commissioner of public safety and the commissioner of education to adopt a training program for school bus drivers. The program will be conducted by school districts, bus contractors or driver training schools. The law appropriates \$50,000 for the program

The new law, also carried by Wegscheid, further permits non-profit charities to obtain tax-exempt license plates for vehicle used to transport handicapped persons to educational classes.

Minneapolis school board structure

Another bill signed into law this session, Chapter 218, restructures the Minneapolis School Board. The measure, sponsored by Sen. Allan Spear, increases the size of Special School District No. 1 from seven to nine members, beginning with the 1989 election.

The law directs a question to the voters in the Minneapolis school district on whether the directors should be elected to represent the district at large or whether six directors should be elected to represent six different districts with School District No. 1.

As a result of the legislation, the term of the directors elected in 1987 will be limited to



Drivers illegally parking in handicapped zones may be fined as much as \$200, according to Chapter 355.

two years instead of four years, in order to elect all nine directors for four-year terms in 1989.

Ramsey County home rule option

With the enactment of Chap. 103, sponsored by Sen. Marilyn Lantry, Ramsey County was given the option of developing a home rule charter and becoming an independent governmental unit.

Ramsey County judges will appoint 17 members, nominated by legislators, consisting of two from each commissioner district and three at-large members. By December 31, 1988, the charter commission will provide Ramsey County commissioners with either a report that the present form of government is adequate or a draft for a new charter. The proposed charter must be consistent with the Minnesota constitution. The charter may provide for the establishment and administration of all county government departments with the exception of personnel.

After receipt of the proposed charter, the county board will submit it for voter approval at the 1990 general election. If approved, the new charter will take effect in 1992.

Ramsey County court locations

The long running controversy over the locations of suburban Ramsey County courts was resolved with the passage of Chap. 145. The new law, sponsored by Sen. Steven Novak, represents a compromise worked out by several communities to settle the disagreement about where suburban courts should be located. Under the new statute, regular terms of court are to be held at two locations outside the city of St. Paul. One location is to be in the city of New Brighton. The second location is to be in the city of Maplewood within a one mile radius of the intersection of White Bear Avenue and County Road D. The new chapter also sets a time frame of no later than four months from the effective date of the law for the resumption of court functions conducted at suburban court sites prior to Dec. 31, 1986 to be held at the new suburban court sites. Implied consent hearings through, are to be resumed within 30 days at all current suburban court locations.

The new law further specifies that when suburban court locations are reduced to two sites, the cities of White Bear Lake and North St. Paul will be reimbursed by the court for any additional expenses for police and prosecutorial expenses necessitated by the change in court locations.

Finally, the bill specifies that the court may cease to be held at any of the locations named upon adoption of resolutions by the city councils of the cities of Maplewood, New Brighton, North St. Paul and White Bear Lake and a majority of the judges in Ramsey County.

DWI changes

Lawmakers continued to strengthen the laws against drunk driving in Minnesota. Several bills were enacted this session tightening up the DWI and implied consent provisions of the statutes. A bill sponsored by Sen. Richard Cohen, which became Chap. 63, for example, includes highway workers in the DWI laws and implied consent laws. Previously, highway workers were exempt from those provisions. Chapter 123, sponsored by Sen. Allan Spear, clarifies that a violation of a local DWI ordinance is counted for purposes of drivers' license revocation just as violation of state law is counted. In addition, Chap. 123 also requires courts to report juvenile traffic violations to the Department of Public Safety. Chap. 136 requires courts to furnish information relating to previous convictions in gross misdemeanor prosecutions of the DWI law. The new law, sponsored by Sen. Tad Jude, also prescribes a misdemeanor penalty on persons who violate the conditions of a limited driver's license.

A second year of probation would be allowed under Chap. 220, sponsored by Spear. Currently the probation period under a stay of execution of sentence is one year for misdemeanor cases involving driving under the influence. The new law would allow the court to order a second year of probation in DWI and assault cases. Chapter 225, authored by Sen. Ember Reichgott, requires a blood or urine test when a peace officer has probable cause to believe there is impairment by a controlled substance. The chapter clarifies the conditions under which alternatives must be offered and is designed to provide evidence that would not be available through the use of a breath test.

One of the proposals that became law this year requires repeat DWI offenders to undergo chemical use assessment and, if the assessment so indicates, requires the court to order chemical abuse treatment. Chap. 315, authored by Spear, also imposes a chemical dependency assessment charge of \$75 on persons convicted of DWI or a DWI related offense in order to finance the assessments.

Chapters 368 and 59 both deal with BWI, or boating while intoxicated, provisions of the law. Chapter 59, carried by Sen. A. W. "Bill" Diessner, clarifies that the attorney in the jurisdiction in which the violation occurred is responsible for the prosecution of gross

misdemeanor violations of the BWI laws as well as for the prosecution of the misdemeanor violations. Chapter. 368, authored by Sen. Donna Peterson, provides for the enforcement of sanctions for operation of snowmobile, all-terrain vehicles and motorboats while under the influence. The new law also provides for the revocation of the privilege of operating a snowmobile or all-terrain vehicle as a sanction for violation of the implied consent laws.

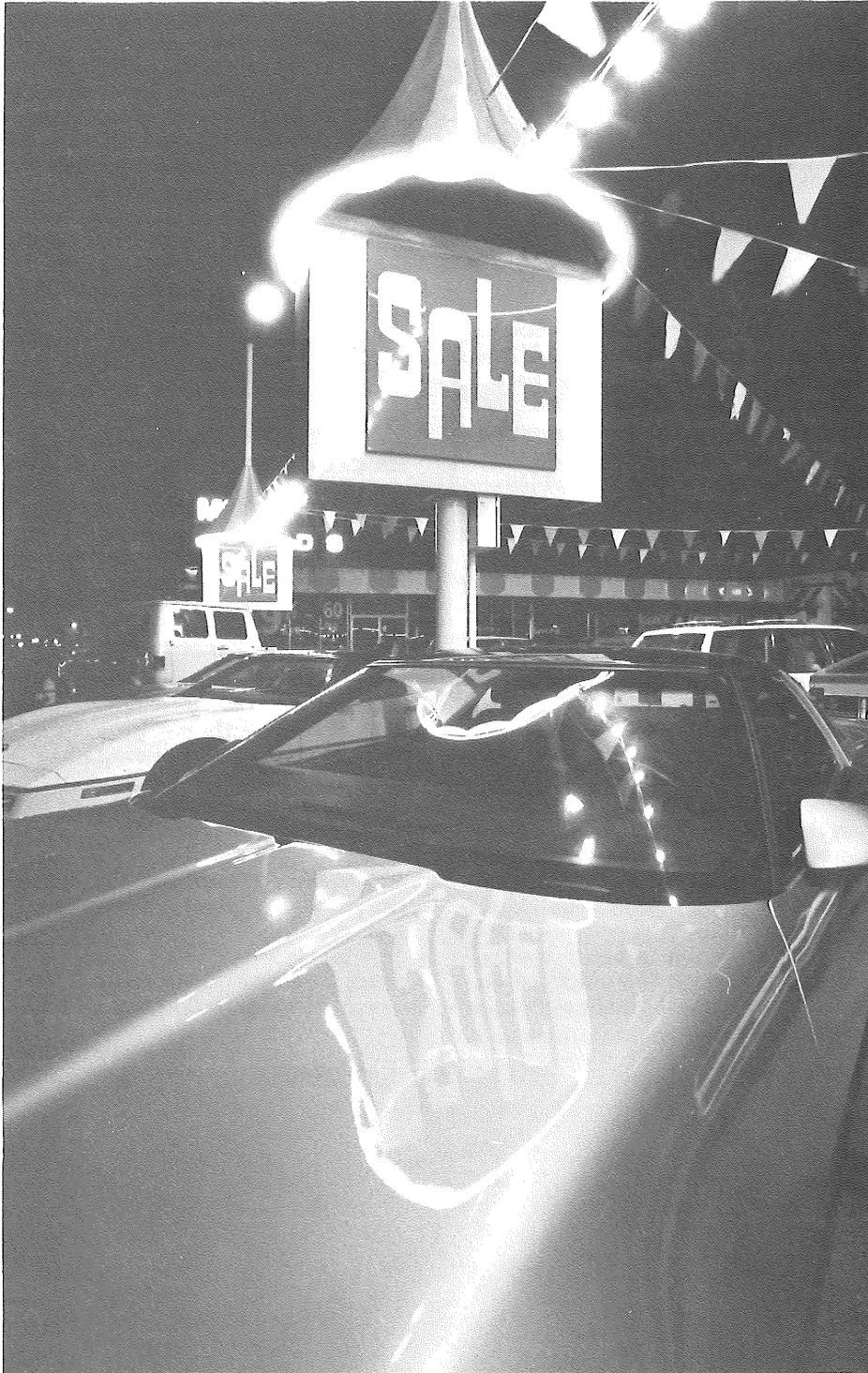
Another new provision would allow homemakers to obtain a limited license after a revocation. Chapter 171, sponsored by Sen. William Belanger, takes into account the necessity of a drivers' license for women who need to drive in order to meet medical, nutritional, or educational needs of other family members.

Gross misdemeanor theft

Categories of theft and damage to property were changed with the passage of Chap. 329. Under the new law, sponsored by Sen. Allan Spear, theft under \$200 is a misdemeanor, from \$200 to \$500 is a gross misdemeanor, over \$500 is a felony and over \$2,500 is a more serious felony. In addition, the new law specifies that in cities with more than 10,000 population, city attorneys will prosecute gross misdemeanors for the crimes of theft, credit and bank card fraud, check forgery and damage to property.

Other changes brought about by the new law include raising the maximum penalty for most petty misdemeanors from \$100 to \$200. In addition, the statute allows a prosecuting attorney to treat an alleged misdemeanor violation as a petty misdemeanor if the prosecutor believes that it is in the interest of justice that the defendant not be imprisoned if convicted. The defendant's consent to the certification as a petty misdemeanor is not required. However, if the offense is for misdemeanor DWI, fifth degree assault, prostitution, theft, or indecent exposure, the defendant must consent to the certification of the violation as a petty misdemeanor. The law also prohibits the use of a conviction for a violation that was originally charged as a misdemeanor, and treated as a petty misdemeanor, for use as the basis for charging a subsequent violation as a gross misdemeanor rather than as a misdemeanor.

In addition, the new statute provides that if an offender commits a second misdemeanor assault against any person within two years of conviction of misdemeanor assault, the assault becomes a gross misdemeanor. Laws concerning check forgery and credit card and bank card fraud are also rewritten under Chap. 329. According to the statute, forgery and fraud under \$200 are gross



correct problems with the vehicle within the two year time period. Another new provision states that if the manufacturer offers the consumer a replacement vehicle, the consumer has the option of rejecting the offer in favor of a cash refund. Similarly, persons leasing a vehicle are entitled to a refund of lease payments made on a faulty vehicle.

The law also requires all manufacturers doing business in the state to operate or participate in an informal dispute settlement program to be approved and directed by the attorney general. The informal dispute or arbitration program allows each party involved to appear and make oral presentations unless the consumer agrees to submit the dispute by documentation or by telephone.

The decision issued in an informal dispute settlement is non-binding on the parties involved unless agreed to in writing by the parties. Any party may apply to take the decision to a district court for a new trial.

Chap. 52 also provides for treble damages for a party that has presented evidence in bad faith. If one of the parties asserts a claim or defense that is frivolous and costly to the other party, or has asserted an unfounded position solely to delay recovery by the other party, then the court will award damages three times the amount of the actual damages sustained together with attorney's fees.

Modification of corporate directors liability

The personal liability of corporation directors may be modified or eliminated by a vote of the shareholders under a new law enacted this session. Chapter 2, sponsored by Sen. Ember Reichgott and applicable to corporations organized under Chap. 302 of the Minnesota statutes, allows for the modification or elimination of a director's personal liability for monetary damages for breach of fiduciary duty. The shareholders must vote to modify or eliminate liability under the articles of the corporation.

However, the chapter goes on to specify that the articles shall not eliminate or limit the liability of a director for any breach of the director's duty of loyalty to the corporation or its shareholders; for acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of the law; for any transaction for which the director derived an improper personal benefit; or for any act or omission occurring prior to the date when the provision in the articles eliminating or limiting liability becomes effective.

The measure will make it easier for corporations to attract directors because

State lawmakers added protection for new car buyers with the enactment of Chapter 52. The new law strengthens the 1986 Lemon Car Law.

misdemeanors, over \$200 are felonies and over \$2,500 more serious felonies.

Finally, the amounts charged for bail are increased under the law. The maximum bail for a misdemeanor or a gross misdemeanor is double the highest cash fine that may be imposed for the offense. For offenses such as DWI, domestic abuse, misdemeanor assault, bringing stolen goods into the state and fleeing a police officer, the maximum bail is up to four times the highest fine that may be imposed.

Lemon Car Law changes

New car buyers will gain more protections under Chap. 52, a law strengthening the Lemon Car Law of 1986.

The new provisions, sponsored by Sen. Gregory Dahl, extend the time frame that manufacturers are bound for repair of faulty vehicles under warranty from one year to two years. The two year time period may be extended an additional year if the consumer made a reasonable number of attempts to

directors will not have to be concerned about being sued for their personal assets as a result of good faith decisions. In addition, the measure provides an incentive for corporations to remain in Minnesota rather than moving to states, such as Delaware, where directors are already exempt from personal liability under certain circumstances.

Organ transplant protocols

Hospitals will be required to establish procedures for organ procurement for transplants under newly enacted Chapter 32. The new law requires hospitals to establish written protocols for the identification of potential organ donors for transplantation; to assure that families of potential organ donors are made aware of the option of organ and tissue donation and of their option to decline; to require that an organ procurement agency be notified of potential organ donors; and to establish medical criteria and practical considerations concerning the suitability and feasibility of organ donation for transplants.

The new law also requires notification of relatives of the option of organ or tissue donation and specifies that relatives be informed of their option to decline. Further, the new law specifies that the hospital administrator or the designated representative of the administrator attempt to locate the person's driver's license, organ donation card, or other documentation of the person's desire to be an organ donor. If located, the documentation constitutes consent if there is no objection from the relative or guardian or if no relative or guardian can be located. Notification as well as any identified contradiction to organ donation must be documented in the patient's medical record, which must also include the name of the person to notify and that person's relationship to the decedent. Priority and order of persons to be notified are: the spouse; an adult child; either parent; an adult brother or sister; or a guardian of the decedent's person at the time of death.

The measure also specifies that the family of an individual whose organ is donated for transplantation is not financially liable for costs related to the evaluation of donor organ suitability or retrieval of the organ. Finally, the new law specifies that the commissioner of health shall work with hospital representatives and other interested persons to develop guidelines for training hospital employees who may notify persons of the option to make an organ donation and the procedure to be used in executing the donation and for ensuring that each tissue or organ is tested for possible disease before being made available for transplantation.

Notification of adopted child's death

A woman's struggle to learn the fate of the child she gave up for adoption resulted in both an emotional court case and a new law in Minnesota statutes. The birth mother, Gerrie Sherwood testified before several legislative committees and succeeded in convincing members of the merits of the new proposal.

Under Chapter 173, sponsored by Sen. Pat Piper, an agency authorized to place a child for adoption must inform parents who adopt a child on or after Aug. 1, 1987, that they must notify the agency if the child dies. The agency must also notify the adoptive parents that the adoptive parents of an adopted child under age 19 or adopted person age 19 or older may maintain a current address on file with agency and indicate a desire to be notified if the agency receives information of the death of a genetic parent. The agency must inform genetic parents who are entitled to notice that the agency will notify them of the child's death and the cause of death, if known, provided that the genetic parents desire notice and maintain current addresses on file with the agency. The agency must also inform genetic parents entitled to notice that they may designate individuals to notify the agency if a genetic parent dies and that the agency receiving information of the genetic parent's death will share it with adoptive parents, if the adopted person is under age 19, or an adoptive person age 19 or older who has indicated a desire to be notified of the death

of a genetic parent and maintains a current address on file with the agency.

The new law also specifies that the notice be provided through personal contact rather than through a letter. Further, the law specifies that adoptive parents living in Minnesota whose child was adopted through an agency in another state must notify the agency if the child dies.

The new law also specifies that the same procedures be used in cases of terminal illness if the various parties had requested notification.

Home health care licensure

Regulation of home health care providers became a reality with the passage of Chap. 378 this session. The new law, sponsored by Sen. Linda Berglin, provides that the agencies and individuals who provide care in homes of the sick, aged and disabled are to be licensed and regulated by the state. Hospice programs providing services to the terminally ill will also fall under the scope of the new statute. The new law is in response to the growing demand for an alternative to nursing home care and to concerns about the quality of care available to a vulnerable population.

Services included in the definition of home care services, for licensing purposes, are spelled out in the new statute. Physical therapy, nutritional counseling, nursing care, occupational therapy, personal care, speech therapy, respiratory therapy, home

photo by David J. Oakes



Persons who provide care in homes of the sick, aged and disabled are to be licensed by the state, according to Chapter 378. The new law is initiated to assure quality home nursing care.

management services, medical social service and the provision of medical supplies and equipment are all included under the law.

The measure also spells out a home health care bill of rights and specifies that the bill of rights must contain information on where and how to file a complaint. In addition, home health care providers are required to disclose the criminal history of their employees and administrators and those persons who have been convicted of a crime relating to home care services are prohibited from working for or operating a home care agency. Complaints about home care providers are to be directed through the Office of Health Facility Complaints. The statute also requires that information and referral services be available through the state.

According to the law, home care providers must register with the state beginning July 1, 1987. The department is charged with promulgating rules and after the rules are implemented, home care providers will be required to be licensed. Persons providing care to a relative or to a non-relative on a voluntary basis are exempt from licensure. In addition, individuals who are already licensed, such as doctors, nurses, personal care attendants, and physical therapists, are also exempt from the licensing requirements.

Finally, the new law requires hospitals providing hospice care to obtain a separate hospice license.

Omnibus Health Department provisions

A new law containing numerous provisions relating to the Department of Health generated considerable discussion over sections dealing with the disease AIDS. Chapter 209 spells out the authority of the commissioner of health in regards to non-compliant behavior on the part of an individual with a communicable disease. Under the new law, the commissioner has the authority to detain a person who is knowingly infecting others and refuses to modify his or her behavior.

The statute specifies that once the commissioner receives a report from a licensed health care or human services professional that an individual is engaging in non-compliant behavior, a written notice is sent requesting cooperation with health authorities to prevent the spread of the disease. If the individual refuses, the commissioner may file a petition in district court to seek a remedy. Under the statute, the remedy may include commitment to a state institution however, the law specifies that the remedy be the least restrictive to

achieve the purpose of controlling the spread of the disease. Further, the new law spells out safeguards to protect the individual and the individual's rights to due process. The law provides that the court cannot order commitment to a state facility unless that decision has been considered by a commitment review panel and that if commitment is ordered there must be a plan for treatment. Finally, the new law provides for the classification of information to ensure privacy rights.

Mental health ombudsman

A second initiative in the area of mental health was the passage of a measure creating the office of ombudsman for mental health and mental retardation. Chapter 352, sponsored by Sen. Linda Berglin, provides for the establishment of the office and outlines the responsibilities of the new position. Under the new law, the function of mental health and mental retardation client advocacy in the Department of Human services is transferred to the office of ombudsman and the ombudsman is required to maintain at least one client advocate in each regional center.

Other responsibilities include the gathering of information about decisions, acts, and other matters of an agency or facility affecting clients and prescribing the methods by which complaints are to be made, reviewed, and acted upon. The measure also emphasizes that in selecting matters for review by the office, the ombudsman is to give particular attention to unusual deaths or injuries of a client served by an agency or facility. In addition, the ombudsman must also give attention to actions of an agency or facility that may be contrary to law or rule, may be unreasonable, unfair, oppressive, or inconsistent with a policy or order of an agency or facility that may result in abuse or neglect of a person receiving treatment.

The office also has the responsibility of making recommendations to agencies or facilities upon finding that a complaint has merit. Under the new chapter, the ombudsman may receive a complaint from any source concerning an action of an agency or facility.

The new law also creates an ombudsman committee of 15 members to advise and assist the ombudsman in selecting matters for attention, to develop policies and programs to carry out the ombudsman's functions and powers and to make recommendations for changes designed to improve standards of competence, efficiency, justice and protection of rights. At least five members of the committee are to be designated to serve as medical review

subcommittee to determine if the death of a client that has been brought to its attention is unusual and warrants investigation. Additional duties of the medical review subcommittee are also detailed in the new law.

Finally, the new law includes the ombudsman as a party to be notified in the mandatory reporting of abuse of a child or vulnerable adult who is a mental health or mental retardation client.

Mental health division

The needs of Minnesota's mental health system were addressed through several new laws enacted this session. One of the new laws, Chapter 342, establishes the office of assistant commissioner of mental health and creates a mental health division within the department of human services. The new division is charged with, in addition to duties already specified in the law, the review and evaluation of local programs and the performance of administrative and health personnel. In addition, the new division is to make recommendations to county boards and program administrators.

The mental health division also is to provide consultative staff service to communities and advocacy groups to assist in determining local needs and in planning and establishing community mental health programs. In addition, the division is to adopt rules for minimum standards in community mental health services and cooperate with the commissioners of health and jobs and training to coordinate services and programs for people with mental illness. The new division is also charged with evaluating the needs of people with mental illness in terms of assistance payments, medical benefits, nursing home care and other state and federally funded services; studying alternative reimbursement systems and making waiver requests that are deemed necessary; and providing technical assistance to county boards to improve fiscal management, accountability and quality of mental health services. Finally, the new division is also required to develop and maintain a data collection system to provide information on the prevalence of mental illness, the need for specific services, funding sources for those services, and the extent to which state and local areas are meeting the need for services.

The new law also creates a 25 member state advisory council on mental health to advise the governor, the Legislature, and heads of state agencies about policy, programs and services; to develop innovative mechanisms for providing and financing services to people with mental illness; and to provide advice on all phases of the development of mental health aspects of the biennial budget.

Telephone service for communication impaired

Establishment of a program to provide telephone devices to the communication impaired is the goal of Chapter 308. The new law, sponsored by Sen. John Marty, creates a telecommunication access board to establish and administer a program to distribute communication devices to eligible communication-impaired persons and to create and maintain a message relay service. The new board is to consist of 12 persons and will determine the priority of eligible applicants for initial distribution of devices, establish a method to verify eligibility, spread information about the program, enter contracts for the establishment and operation of the message relay service, administer the fund established for the program and conduct studies.

Under the new law, the fund will be supported by a surcharge of no more than ten cents for each customer access line, including trunk equivalents. Every telephone company providing local service will collect the charges and transfer the amount to the commissioner of administration.

To be eligible to receive a communications device, the new law requires that a person be at least five years old, communication impaired, a resident of the state, a resident in a household that has a median income at or below the applicable median household income in the state and a resident in a household that has a telephone service or that has made application for service. An exception to the income requirement is made for a deaf and blind person applying for a telebraille unit by specifying that the household may have a median income of no more than 150 percent of the applicable median household income.

Further, the new law specifies that the distribution of the devices be free of charge and that initial distribution be made on a priority basis as determined by the board.

Finally, the law requires the establishment of a third-party message relay service with an "800" number to enable telecommunication between communication-impaired persons and non-communication impaired persons.

Social workers licensure

A bill providing for the licensure of social workers, the regulation and licensure of marriage and family therapist and regulation of unlicensed mental health services

became Chapter 347 upon the governor's signature. The new law establishes an office of social work and mental health boards and establishes the board of social work, the board of marriage and family therapy and the board of unlicensed mental health providers. The office of social work and mental health boards will coordinate the functions of the three boards.

Under the new law, education and experiential standards are established for the licensure of social workers and marriage and family therapists. In addition, the statute requires that clients be given a "patients bill of rights" and that all three groups of mental health care providers abide by a code of conduct. Penalties are prescribed for practicing without a license and for violations of the code of conduct.

Social workers who are employed in the public sector and those who work for private hospitals and nursing homes are exempt from licensure. And, licensure is voluntary for those who are employed by federally recognized tribes, or by private nonprofit agencies whose primary service focus addresses ethnic minority populations.

Finally, the Department of Health is required to report to the Legislature by January 15, 1991, on the need for registration or licensure of unlicensed mental health service providers and or the need to retain the Unlicensed Mental Health Service Providers Board.

Minimum wage increase

Starting January 1, 1988, minimum wage



The state's minimum wage, which is now \$3.35 per hour, will be increased January 1, 1988, when a two-tier minimum wage law takes effect.

workers, currently earning \$3.35 per hour, will see an increase in their paychecks when a two-tier minimum wage law takes effect.

Under the law, Chapter 324, sponsored by Sen. Marilyn Lantry, the minimum wage will be raised 45 cents per hour for adult employees of smaller firms and 60 cents per hour for those employed with firms with sales over \$365,500 annually.

Employees under the age of 18 working for large businesses will see a 54 cent an hour increase and those employed at smaller businesses will receive 40 cent per hour increases. Workers under age 18 currently receive at least \$3.02 per hour.

All increases will be phased in over a three year period beginning January 1, 1988 and ending January 1, 1990.

Parental leave

Some new parents who work will be entitled to a six-week unpaid leave of absence following the birth or adoption of a child under a law passed this session.

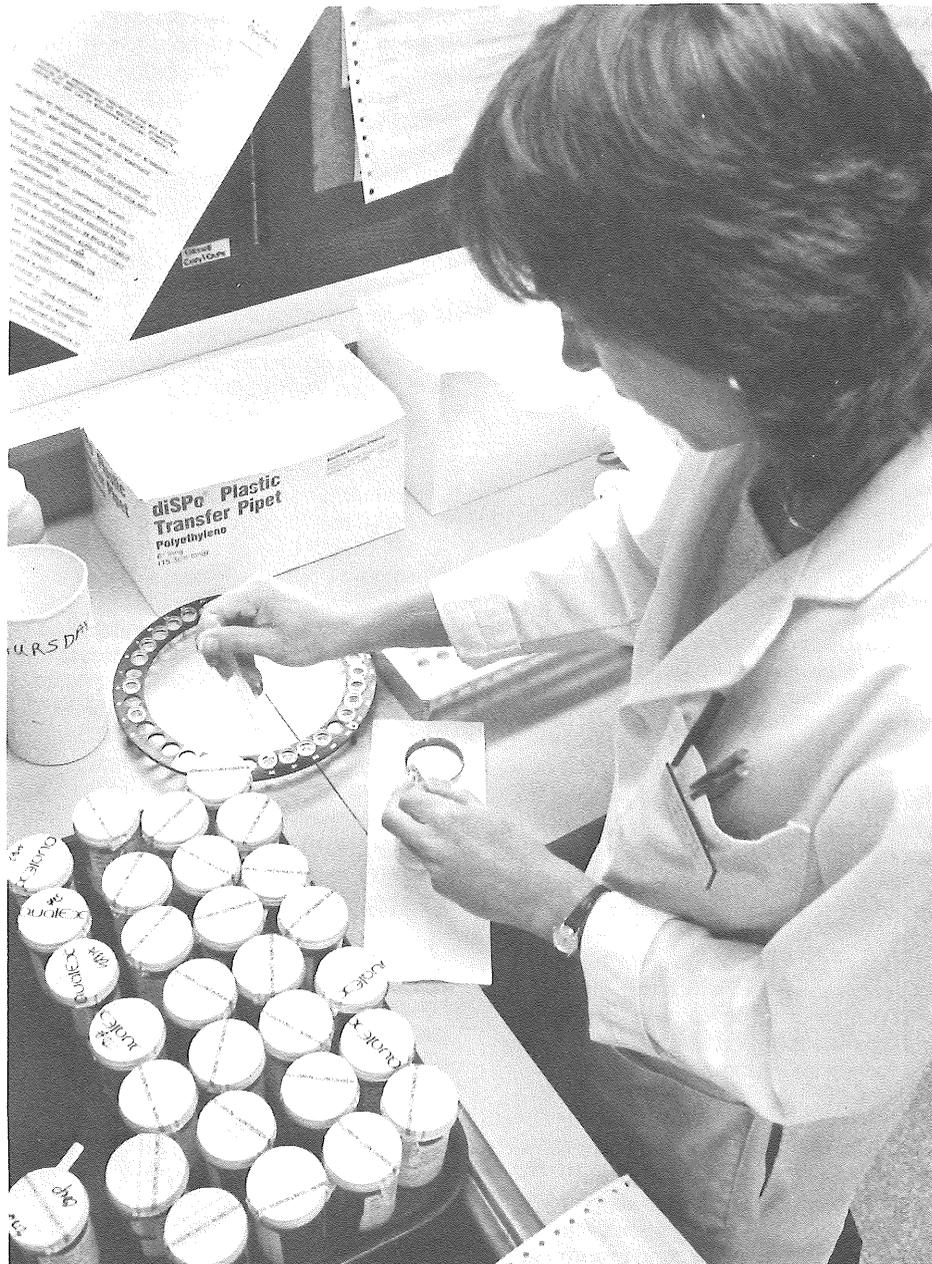
If a parent has been employed for at least one year and works at least 20 hours per week at a firm employing 21 or more workers, the new law, Chapter 359, states that he or she may take maternity or paternity leave and be assured that their job, or a comparable job, will be waiting for them at the end of the leave.

Sponsored by Sen. Donna Peterson, the law allows that one or both parents may use the leave provision as long as it is taken within six weeks of the birth or adoption.

Drug testing

This session, Minnesota became only the second state, after Utah, to pass a drug testing law. The new law, effective September 1, places restrictions on companies choosing to test their employees for drug and alcohol abuse and provides several safeguards for employees and job applicants. Before an employer may implement drug testing procedures, a written policy must first be developed and distributed to employees and job applicants. Tests may only be conducted in a laboratory licensed by the Department of Health.

Under Chapter 388, carried by Sen. Florian Chmielewski, random testing is prohibited except in "safety-sensitive" jobs. Other employees may be tested no more than once per year following at least a two week written notice to the employees that a test is to take place. The new law further provides that tests are allowed when the employer has reasonable suspicion that an employee is under the influence of drugs or alcohol;



Chapter 388 places restrictions on companies choosing to test their employees for drug and alcohol abuse and offers safeguards for employees and job applicants.

has violated work rules relating to the possession and use of drugs and alcohol; has caused another employee to sustain a personal injury; or has caused a work related accident. Testing also may be conducted if an employee has been referred for chemical dependency treatment by the employer. The testing may be conducted during treatment and two years thereafter.

If an employee is found to have a positive test result on an initial test, a second confirmatory test is required by the testing laboratory. An employee may request a confirmatory retest at their own expense.

An employee showing a positive test result from the second test may not be discharged from their job unless they refuse to take part in counseling or rehabilitation programs.

Costs of the counseling or rehabilitation will be borne by the employee. If a job applicant has received a job offer contingent upon passing a drug test, the employer may not withdraw the offer based on a positive result from an initial test.

With the new law, drug tests are considered private and confidential data and may not be disclosed to any third party.

Certain employers are exempt from the law's provisions. Federal employers and those under contract with the federal government remain under federal drug test provisions. Nothing in the law interferes with the right of employee organizations to collectively bargain a drug testing policy that meets or exceeds those outlined in the law.

New economic development initiatives

Legislators enacted into law a \$38.5 million program this session to promote economic development in Minnesota.

The plan, sponsored by Sen. Roger Moe, appropriates \$25 million from the state's general fund and \$13.5 million in existing money for development projects. While originally intending to serve only rural areas of the state, the law now creates an urban revitalization program to assist distressed neighborhoods in the cities of Minneapolis and St. Paul.

The law, Chapter 386, establishes the Greater Minnesota Corporation, a non-profit entity, which will serve to encourage economic development, through grants and loans, for research projects and investments in new products and companies that have potential to bring jobs into the state. The Greater Minnesota Corporation's initial board members will be appointed by the governor. Subsequent directors will be appointed by the board itself.

The non-profit organization may make grants for research and development to any state higher education system, acquire equity interests, and provide financial assistance to new and expanding businesses.

The new measure also creates a Rural Development Board which will coordinate and evaluate rural development activities and provide technical assistance to businesses and institutions in rural Minnesota.

Programs under the direction of the Rural Development Board include a rural rehabilitation pilot project to support farm-related rural development projects, the implementation of a rural investment guide, and a challenge grant program.

The challenge grant program provides for the establishment of revolving loan funds in six regions of the state. The funds will be administered by regional non-profit organizations and be distributed to new and expanding businesses in rural areas.

The new law also establishes the Minnesota Public Facilities Authority under the community development division of the Department of Trade and Economic Development. The authority will assist state and local jurisdictions in financing waste water treatment projects. In addition, the authority will be responsible for a district heating program, school energy loan program and a health care equipment loan program.

The law requires that \$4 million be appropriated for an agricultural product

utilization research center to promote the use and sale of state farm products. To assist the economically depressed areas of Northern Minnesota, the plan allocates nearly \$2 million for forestry programs, \$1 million for mineral programs, and \$4 million to the Iron Range Resources and Rehabilitation Board (IRRB) for economic development activities. And, Minneapolis and St. Paul will receive about \$9 million for development of blighted neighborhoods.

The legislation also abolishes the Minnesota Energy and Economic Development Authority, shifts programs among state agencies and creates some new entities such as the State Independent Grants Program, the Mineral Coordinating Committee, and the Minnesota Development Board.

The new law also changes the Minnesota Job Skills Partnership emphasis to concentrate on customized training programs in rural areas and requires that the Higher Education Coordinating Board (HECB) provide staff and administrative support services to the board. In addition, the law provides state supplemental education grants, through the HECB, to pay costs for displaced rural workers enrolled in farm management programs.

Detached bank facilities

Chapter 161 allows banks to establish more detached facilities. According to the new law, banks in Greater Minnesota may establish up to five facilities within a 100 mile radius of the main office. Banks in the Metropolitan area can exceed the limit of



Minnesota banks can establish more detached facilities under Chapter 161.

five if the new facilities are located within the metro area.

The law, sponsored by Sen. Allan Spear, also allows federal and state financial institutions to offer Minnesota residents the opportunity to apply for a savings account free of service charges or fees if the accounts average a monthly balance of more than \$50.

DEED reorganization

The Department of Energy and Economic Development will undergo a change and become the Minnesota Department of Trade and Economic Development, according to Chapter 312. The reorganized agency will consist of three divisions—business promotion and marketing, community development, and trade—and will be responsible for two offices—tourism and policy analysis.

Sponsored by Sen. William Luther, the new law adds responsibilities to the Department of Public Service. The Energy Division that was within DEED is transferred to the agency, and the agency also will work with other departments on the shade tree disease program, the DNR management plan, flood plain management, waste management and the environmental quality council.

The Department of Trade and Economic Development along with the Minnesota Trade Division have primary responsibility for international promotional activities. However, the new law requires the commissioners of agriculture, trade and economic development and the director of the Minnesota trade division to work cooperatively to promote Minnesota's agricultural products. The Department of Agriculture will remain responsible for promoting agricultural interest of producers, state agricultural markets, and agricultural and marketing interest of Minnesota in cooperation with the federal government and other states.

The governor's Washington D.C. office is transferred to the Department of Trade and Economic Development. Furthermore, the Department of Jobs and Training will now be responsible for the state juvenile justice plan and for grants-in-aid to youth intervention programs, which were administered by DEED. And, the law transforms the World Trade Center Board into a public corporation.

Unemployment compensation reform

An unemployment compensation insurance measure, introduced during the final days of the session, was signed into law by Gov. Rudy Perpich.

Bill sponsor Sen. Florian Chmielewski said the law will create long-term solvency for the unemployment compensation fund. Chap. 362 shifts the insurance tax burden from companies that seldom lay off workers to those who do and cuts employee benefits by about four percent over the next five years. Supporters also say the insurance fund will no longer have to rely on federal loans to maintain the benefit system.

The new law changes the base period for determining the amount of benefits from the 52 weeks immediately preceding the lay-off to the first four weeks of the last five completed calendar quarters preceding the job termination. An alternative base period based on the "high quarter"—or quarter with the highest earnings—may also be used to determine benefits.

The law establishes a five year benefit cost rate which determines the amount employers contribute to the unemployment insurance fund. The cost is based on a minimum rate and a maximum rate for employers with a history of job lay-offs. Minimum rates are set at eight-tenths of a percent in 1988; seven-tenths of a percent in 1989; and six-tenths of a percent in 1990 and thereafter. Maximum rates are eight percent in 1988; 8.5 percent in 1989; and nine percent in 1990 and thereafter. Both rates are set contingent upon a minimum balance being maintained in the unemployment compensation fund.

If the amount in the fund dips below the established amount for any given year, employers will be required to pay a quarterly solvency assessment based on the amount of the quarterly taxable payroll multiplied by 1.10.

The law provides for additional unemployment compensation benefits for those employees who lose their jobs provided that they work for firms employing at least 100 workers, 50 of whom are laid off; the employer does not intend to rehire the employees; and the shut down occurs in a county where the unemployment rate is 10 percent or more. The additional benefit provision is retroactive to July 1, 1985.

The law requires employers to provide more detailed wage reports than are currently required. A minimum penalty of \$25 may be charged for employers not filing wage detail reports or for providing erroneous information on the forms.

Anti-takeover provisions

Legislators were called into a surprise special session Thursday, June 25, to enact legislation protecting Minnesota corporations from hostile takeover attempts. The language of corporate finance—"greenmail" and "golden parachutes"—



Charitable organizations may keep five percent more of the gambling net profits to cover allowable expenses. Under Chapter 327, 55 percent of the profits can cover bingo expenses, while 45 percent of the profits can cover expenses from other forms of gambling, such as pull-tabs.

became common in the halls of the Capitol as lawmakers from both Senate and House struggled to develop a bill to cope with a threat to one of Minnesota's leading retail institutions. The result, Chap. 1 of the Special Session, makes changes in the existing anti-takeover provisions of the law.

The new law, for instance, amends the Minnesota Take-Over Act, amends the control share acquisition statute, and sets forth new provisions in the law regulating certain business transactions—combinations—between a corporation and interested shareholders. Specifically, the law would prohibit takeover forces from selling assets within five years and using the money to pay off the takeover costs.

In addition, the new law amends the section dealing with the standard of conduct of corporate directors by allowing directors to consider the interests of constituencies outside the corporation and its shareholders in making corporate decisions. Thus directors could take into account the effects on employees, customers, suppliers, creditors, the state's economy, and the community.

An amendment to the law dealing with special shareholder meetings increases the percentage, from 10 to 25, of shareholders needed to call a special meeting for the purpose of considering action relating to a business combination.

The new law also contains language to curb management practices that often occur in the face of a hostile take over bid such as the anti-"greenmail" and "golden parachute" provisions. Specifically, the law prevents publicly held corporations from purchasing

their shares from persons who owned more than five percent of the voting power for less than six months at an amount above the average market price, unless the purchase was okayed at a shareholder meeting or the corporation made an offer to buy all shares of the same class or series for at least the same amount. The "golden parachute" provision would prohibit a publicly held corporation from entering into agreements increasing the compensation of corporate officers or directors during a tender offer.

Most of the provisions of the new law were retroactive to June 1, 1987. However the "golden parachute" section became effective the day after the bill was signed into law and the "greenmail" sections is not effective until March 1, 1988.

Charitable gambling revisions

State lawmakers this session made several changes in the state's charitable gambling laws, including raising the amount of proceeds that may be used to cover expenses and permitting organizations to conduct more bingo events per week.

Sponsored by Sen. Bob Lessard, the new law, Chapter 327, allows charitable organizations to keep five percent more of their gambling net profits for payment of allowable expenses. Thus, 55 percent of profits from bingo can cover legally defined expenses. For other forms of gambling, such as pull-tabs, the organizations may keep up to 45 percent of the profits for expenses. Another change increases the amount of bingo occasions that an organization may conduct per week from

two to six. Furthermore, bingo hall owners can allow up to 18 bingo occasions to be conducted on their premises per week.

The law also prohibits a city or county from directing more than 10 percent of an organization's gambling net profits to a specific charity.

Organizations may consider federal and state tax liabilities as allowable expenses, according to a new provision in the law. But, no more than one-third of the annual premium on a policy of liability insurance acquired by the organization may be taken as an allowable expense.

The law also grants the Charitable Gambling Control Board the authority to suspend gambling licenses when the board discovers that a person has violated charitable gambling laws. A hearing process is then established to allow the violator to contest the license suspension.

Also under the new law, no distributor or employee authorized to sell gambling equipment may be directly involved in the gambling operation. And, all gambling equipment purchased by a licensed distributor for resale in Minnesota must first be unloaded into a facility located within the state. Distributors also must keep their business records on file in a Minnesota office.

The board may prescribe—by rule—limits on the amount of rent which an organization may pay to a lessor for premises leased for lawful gambling.

Telephone services deregulation

One of the new laws passed this session, Chap. 340, begins the process of telephone service deregulation. Under the new statute, sponsored by Sen. Ron Dicklich, twenty-three services, mostly business and intrastate long-distance, are deemed emerging competitive and may be partially deregulated. According to the statute, emerging competition means that alternative providers are available to at least 20 percent of the customers for that service. Under the law, companies providing the services must file a price list with the PUC and may lower rates with 10 days notice to customers and the PUC. The companies may raise rates after giving 30 days notice to customers and the PUC and providing the PUC with a cost study, however, the PUC may order the increase rolled back.

A second tier of regulation relates to companies that can prove that "effective competition" exists for a service. The company may then petition to have that



Persons qualifying for the safe house for children program will display this "McGruff" symbol, which serves notice to children that they may seek shelter in that home when in trouble.

service deregulated. According to the statute, effective competition means that 50 percent of the company's customers have alternative providers of the service available to them. Under the law, the company may raise rates with 30 days notice to customers and may decrease rates without notice.

The third tier of regulation provides that basic residential and small business services are noncompetitive and are to be regulated by the PUC until the service providers can prove "emerging" or "effective" competition.

The new law also sets up a program to provide low-income and elderly persons with a subsidy on their phone service. The mechanism for the program, a surcharge of between five and six cents per month per phone line, will subsidize up to 50 percent of the cost of service for low income and elderly persons.

Other provisions include a prohibition on the discontinuation of services without PUC permission, a requirement that telephone companies offer uniform rates across the state, a prohibition on the cross-

subsidization of services by a telephone company, a requirement that access charges paid by long-distance companies to local companies be fair and reasonable, the establishment of regulation for shared telecommunications services, an increase in the number of customers required for a telephone company to be classified as local and a requirement that telephone companies maintain records of all transaction in excess of \$50,000 made with affiliated companies for three years.

McGruff safe houses

Minnesota homeowners will have the opportunity to participate in the safe house for children program, under Chapter 208, sponsored by Sen. Richard Cohen. The new law allows local law enforcement authorities to supply "McGruff" symbols to persons qualifying for the program. Homeowners who have been investigated by the local authorities and approved for the program must display the symbol so that it is visible from the outside of their home. The symbol, which remains the property of the local law enforcement authority, serves as a notice to children that they may seek shelter in that house when in trouble.

In addition, the new law requires the Department of Public Safety to adopt a standard "McGruff" symbol, publicize the program, require that the local law enforcement agencies maintain a register of safe house participants, and cooperate in conducting background checks on persons who apply to have their home designated as a safe house.

Police and fire pension voluntary consolidation

A measure providing for the voluntary consolidation of local police or firefighters relief associations with the Public Employees Retirement Association Police and Fire Plan subsequently became Chap. 296, which provides a mechanism for funds to merge with the PERA-P&F. Under the law, sponsored by Sen. Darril Wegscheid, the consolidation could be initiated by petition by association membership. A referendum of the membership would then be held and a majority vote would be needed. The governing body of the municipality would also have to approve. Only four funds are specifically mentioned in the new law as qualifying for consolidation and member funds of the Minnesota Police Pension Council and the Minnesota Professional Firefighters Pension Council are excluded.

Under the statute, once consolidation is effective, individual members or survivors may choose to stay in their local plans and receive benefits in effect before consolidation or to transfer into PERA-P&F.

Those individuals choosing to transfer into PERA-P&F will continue to be eligible for benefits under the local plan, but will receive PERA post-retirement increases. Active members transferring into PERA-P&F will accrue benefits under PERA's formulas. The new law clearly prohibits any comingling of funds from separate plans.

Telemarketing regulations

If you've been receiving numerous telephone-sales solicitations or are an employer of a telemarketing company, a new law passed this session regulates telemarketing practices.

According to the new law, Chapter 294, sponsored by Sen. Allan Spear, telephone-sales solicitations may be made only between 9:00 a.m. and 9:00 p.m. If recorded calls are used for cold call sales, they must be preceded by a live operator disclosing the name of the organization and its purpose. In addition, machines making recorded calls must disengage within 10 seconds after the customer has hung up.

Harness racing track

A new law allows the Minnesota Racing Commission to authorize the construction of a harness race track; however, the facility cannot be located within 20 miles of Canterbury Downs. Chapter 68 states that the new track can only be used for harness racing and that the track can not be more than five-eighths of a mile long. Furthermore, the track cannot be owned or operated by a governmental entity or a nonprofit organization. The law was sponsored by Sen. Darril Wegscheid.

Precinct caucus time changes

Minnesota precinct caucuses, changed in 1984 to the third Tuesday in March, will again be held on the fourth Tuesday in February.

Chapter 263, sponsored Sen. Richard Cohen, also changes the caucuses convening time from 8:00 p.m. to 7:30 p.m.

Next year, the Minnesota precinct caucuses will be held one week after the New Hampshire primary and two weeks after the Iowa precinct caucuses.

Minnesota Humane Society

The Minnesota Humane Society is abolished and replaced by a state federation of county and district humane societies, according to Chapter 394. Under the reorganization plan, the Minnesota Humane Society is to be dissolved as a non-profit organization and its assets transferred to a state federation of county and district societies.

The federation is to act independently of the state and must assist in the enforcement of the laws for the prevention of cruelty to animals, assist in organizing district and county societies and promote the protection of animals.

The new law, authored by Sen. David Frederickson, further allows a county humane society to be formed in any county and allows any two or more counties to form a district humane society.



The Minnesota Racing Commission may authorize the construction of a harness race track, but the facility cannot be located within 20 miles of Canterbury Downs, under the provisions of Chapter 68.

Session Law Summaries

Agriculture

Interest rate buydown

Chapter 15-H.F. 1 Extends the interest rate buy-down program one year for traditional loans and two years for loans guaranteed by the Farmers Home Administration (FmHA). Sets the maximum operating loan amount at \$60,000. Sets the state, farmer and lender interest share for the loans. Defines farmer and lender eligibility. Effective date: April 8, 1987. OLSON, K, DAVIS.

Adulterated milk and cream

Chapter 20-S.F. 137 Clarifies laws prohibiting the manufacturing of food from adulterated milk or cream to allow use of adulterated milk and cream if permitted under the federal Food, Drug and Cosmetic Act and similar federal regulations. Effective date: August 1, 1987. WEGSCHEID, KRUEGER

Vending machine inspection fees

Chapter 58-H.F. 469 Sets the annual inspection fee for coin-operated vending machines at \$15. Sets inspection fees for nut vending machines at \$5. Prohibits home rule charter or statutory cities from charging a food inspection or licensing fee in excess of the state fee. Effective date: August 1, 1987. MCEACHERN, WEGSCHEID.

Seed potato disease standards

Chapter 124-H.F. 436 Establishes minimum standards for the planting of seed potatoes. Prohibits seed potatoes from being planted in the state in lots of ten or more acres unless the seed meets the minimum disease standards prescribed by the commissioner of agriculture. Permits seed potatoes to be planted without certification if they have had at least field inspection as required for certified seed potatoes, have passed the field inspection standards of disease tolerance, and are free from ring rot. Requires growers to keep records of each lot of seed potatoes planted. Establishes penalties for violations. Effective date: January 1, 1989. LIEDER, MOE, R.D.

Grain dispute arbitration

Chapter 199-H.F. 1120 Relates to grain grading and testing. Provides that state grades and test results may be the basis for market price. Effective date: August 1, 1987. BROWN, FREDERICKSON, D.J.

Mortgage redemption alterations

Chapter 230-H.F. 1207 Alters mortgage redemption provisions. Allows a mortgagor or the mortgagor's personal representatives to redeem land within 12 months after its sale if the mortgage was executed prior to July 1, 1967; the amount claimed to be due and owing as of the date of the notice of foreclosure sales is less than 66⅔ percent of the original principal amount secured by the mortgage; the mortgage was executed prior to July 1, 1987 and the mortgaged premises exceeded ten acres in size; the mortgaged premises, as of the date of the execution of the mortgage, exceeded ten acres in size and was in agricultural use; and the mortgaged premises, as of the date of the execution of the mortgage, exceeded 40 acres in size. Effective date: August 1, 1987. LASLEY.

Farmer-lender mediation act revisions

Chapter 292-S.F. 89 Amends the farmer-lender mediation act. Requires judgments for debts on agricultural property to be executed within three years from the date the judgment was entered. States that a judgment for the unpaid balance of a debt on agricultural property owned by a farm debtor does not attach to real personal property that is acquired by the farm debtor after the judgment is entered. Modifies notice requirements and clarifies that a debt that is in default will be mediated only once. Requires a debt mediation request to be filed within 14 days after notification. Provides for liens for the rental value of farm machinery and of agricultural production property for vendors of contract for deed during the mediation period. Provides for lien attachment, and perfection. Excludes property leased from the debtor from the definition of agricultural property. Defines the term financial analyst and changes the term credit analyst to financial analyst.

Increases the amount of allowable necessary living expenses. Allows service of process by mail. Clarifies the applicability of the act to creditors and excludes certain debt from applicability. Clarifies mandatory mediation proceedings provisions including notice and request requirements, mediator assignment and debt enforcement conditions. Requires an orientation session for the debtor, financial analyst and mediator prior to the first mediation meeting. Provides for mediator conflict of interest. Requires mediators to witness and sign mediation agreements. Requires the signing of a termination statement at the end of mediation. Provides for the release of

necessary living and operating expenses.

Requires and provides for district court determination. Defines debtor lack of good faith for mediation purposes. Provides a procedure for court review of a lack of good faith finding. Provides for creditor inspection of agricultural property used as collateral. Excludes debtors from mediation eligibility concealing. Removes or transfers secured agricultural property under specified conditions. Provides for creditor retention of purchase money security interest under certain conditions. Transfers rulemaking authority from the state court administrator to the commissioner of agriculture. Prohibits waiver of mediation rights. Removes the authority of the commissioner of commerce to exempt financial institutions under cease and desist orders for the act. Exempts mortgage and contract for deed moratorium provisions. Effective date: Various dates. BERG, SCHOENFELD.

Fish farm program

Chap. 318-S.F. 69 Requires the commissioner of agriculture to establish and promote a program for the commercial raising of fish. Specifies licensing requirements. Requires the commissioner of natural resources to dispose of game fish eggs and fry according to specified priorities. Requires commissioner approval for fish farm or hatchery acquisition of fish or fish eggs outside the state. Requires commissioner fish farm operation and maintenance rules and an inspection and disease certification fee for fish farms and hatcheries. Effective date: August 1, 1987. BERG, BROWN.

Commercial code filing system

Chap. 356-S.F. 652 Requires the secretary of state to develop and implement a statewide computerized filing system and central data base for uniform commercial code financing and lien statements and other documents for information dissemination purposes. Requires county recorder access for entry and retrieval. Provides for county recorder entry of information. Authorizes private party viewing only on a fee basis. Provides immunity from liability for informational errors. Imposes a surcharge on certain filings or searches. Establishes the uniform commercial code account for the deposit of fees and surcharges. Effective date: Requires computerized filing system to be implemented and operational by November 1, 1988. Effective dates for other provisions vary. PETERSON, R.W., MILBERT.

Ethanol development fund

Chap. 390-H.F. 777 Extends the expiration date of the ethanol development fund to July 1, 2000. Appropriates money for promoting ethanol (gasohol) fuel usage. Effective date: July 1, 1987. COOPER, FREDERICKSON, D.J.

Omnibus agriculture bill

Chap. 396-H.F. 303 Article I-Rural Finance Authority Authorizes the commissioner of agriculture to use the beginning farmer program to dispose of defaulted property and to sell or lease property acquired under the family farm security program. Provides for restricted or exclusive agricultural use. Changes the name of the Minnesota Rural Finance Administration to the Minnesota Rural Finance Authority. Authorizes and provides for the establishment of a homestead redemption program to assist farmers in the repurchase of farm homesteads, of programs for state participation in other agricultural loans and of a beginning farmer program. Requires family farm advisory council review of beginning farmer loan application. Removes appraisal and approval requirements for loan restructuring. Prohibits the refinancing of restructured loans. Authorizes the authority to charge interest on restructured loans at less than cost. Removes the requirement for authority sharing of part of the responsibilities common to a loan participation agreement. Allows restructured loans to be transferred to anyone meeting the general eligibility requirements. Expands authority powers. Provides an exception to the revenue bond "A" rating requirement. Requires the commissioner of finance to transfer all money and securities from the security account to the state bond fund. Changes investment requirements. Authorizes and provides for the issuance of general obligation bonds to purchase participation in qualified agricultural loans. Repeals provisions relating to default.

Article II-Right of first refusal Clarifies and modifies the requirement for state or federal agencies or corporations selling or leasing foreclosed agricultural land or farm homesteads to offer the land for sale or lease to the immediately preceding former owner including owners filing bankruptcy. Provides for prima facie evidence of property as agricultural land or farm homestead, of an acceptable price and of the termination of an offer to sell or lease. Provides for the offering of time-price offers by third parties.

Changes the deadlines for former owner to exercise the right to lease or buy the land. Specifies notice requirements.

Article III-Waiver of debtor's rights Voids waivers of statutory rights of agricultural debtors in contracts or loan or security agreements. Provides for the recovery of damages for violation.

Article IV-Designation of homesteads, separate agricultural tracts Clarifies provisions relating to designation of a homestead in foreclosure proceedings. Provides for the designation and sale or redemption of separate tracts of agricultural land.

Article V-Data collection task force Extends the expiration date of the agricultural data collection task force.

Article VI-Minnesota grown Requires a license from the commissioner of agriculture for the use of the Minnesota grown logo or labeling statement. Establishes the Minnesota grown account for deposit of the license fees and penalties. Specifies authorized logo or labeling statement uses. Requires the commissioner to adopt licensing and use rules. Establishes the Minnesota Grown Matching Account consisting of contributions from private sources matched with state funds.

Article VII-Agricultural preserves Extends the deadline for pilot counties to submit plans and official controls to the commissioner of agriculture. Authorizes increased fees for agriculture land preservation pilot counties. Provides for use of county conservation accounts. Allows commercial and industrial operations within metropolitan agricultural preserves by permit. Modifies a density restriction.

Article VIII-Agricultural commodities utilization Requires the commissioner of agriculture to establish a program of agricultural diversification.

Article IX-Low livestock productivity Requires the University of Minnesota or another institution or organization selected by the commissioner of agriculture to study electrical and non-electrical causes of low productivity and poor animal health. Creates an advisory board. Provides for site selection.

Article X-Agriculture and trade Requires cooperation in and specifies agricultural promotion duties of the commissioner of agriculture, the director of the Minnesota trade division and the commissioner of trade and economic development. Transfers agricultural industry promotion and development responsibilities from the commissioner of agriculture to the commissioner of trade and economic development. Prohibits programs or services duplication.

Article XI-Agriculture department Expands the shade tree disease control program to include disorders affecting the growth and life of shade trees. Imposes penalties for failure to obtain required food handling licenses. Allows the commissioner of agriculture to waive the late renewal penalty. Modifies food handler license fees and penalties. Updates statutory provisions under the food law to federal food additive regulations. Removes the limit on the amount of insurance allowed to be procured by soil and water conservation districts for office contents. Eliminates duties of the commissioner relating to cooperative marketing associations and county agricultural societies.

Article XII-Appropriations Appropriates money to the Agricultural Data Collection Task Force, the Minnesota Grown Matching Account, the metropolitan agricultural preserve deficiency, the agricultural land preservation planning guide, the Interstate Compact on Grain Marketing, a sustainable agriculture chair at the University of Minnesota, sweet sorghum research, wild rice research, the State Board of Vocational Technical Education, the Rural Finance Authority, the Department of Agriculture for promotion of agricultural interests of the state, the dairy sheep demonstration project at the University, the Animal Board of Health for pseudorabies control and the commissioner of agriculture for the low livestock productivity study.

Effective date: Various dates. NELSON, STUMPF.

Commerce

Bowling center liquor licenses

Chap. 5-S.F. 211 Allows cities to issue on-sale liquor licenses to bowling centers. Includes bowling centers in the establishments which may be issued nonintoxicating liquor licenses. Allows counties to issue on-sale liquor licenses to bowling centers. Effective date: March 18, 1987. ADKINS, JACOBS.

Architects, engineers, land surveyors license exemption change

Chap. 8-S.F. 208 Makes a technical change in the licensing exemption for architect, engineer, land surveyor and landscape architect by eliminating \$100,000 cap on cost and removing language on rules. Effective date: August 1, 1987. PETERSON, R.W., SIMONEAU.

St. Louis County off-sale liquor license

Chap. 24-S.F. 117 Authorizes St. Louis County to issue off-sale liquor

licenses to a premise located within Sturgeon township and to a premise located in Clinton township. Effective date: Local approval. DICKLICH, RUKAVINA.

Moorhead on-sale liquor license

Chap. 25-S.F. 245 Authorizes the city of Moorhead to issue an on-sale intoxicating liquor license to the Red River Valley Center-Hjemkomst Heritage Interpretive Center. Effective date: Local approval. LANGSETH, KLUDT.

Restaurant intoxicating malt liquor authorization

Chap. 27-S.F. 128 Authorizes municipalities to permit restaurants holding both on-sale wine and nonintoxicating malt liquor licenses to sell intoxicating malt liquors. Effective date: August 1, 1987. SPEAR, JAROS.

County seasonal on-sale liquor licenses

Chap. 29-S.F. 291 Allows counties to issue up to ten seasonal on-sale intoxicating liquor licenses to restaurants or clubs in unorganized or unincorporated areas of the county. Provides that seasonal licenses are valid for a period specified by the county board, not to exceed six months. Prohibits more than one license for any one premise during any consecutive 12 month period. Effective date: April 17, 1987. STUMPF, TUNHEIM.

Collector and collection agency regulation

Chap. 37-S.F. 457 Regulates collection agencies and those acting under the authority of a collection agency. Sets fee for each license and renewal as collection agency at \$100 and sets fee for each license and renewal as collector at \$10. Allows cash deposits in lieu of the required bond. Prohibits practice of communicating with a debtor by use of a recorded message utilizing an automatic dialing announcing device unless the recorded message is immediately preceded by a live operator who discloses prior to the message the name of the collection agency and the fact the message intends to solicit payment and the operator obtains the consent of the debtor to hearing the message. Prescribes the enforcement powers of the commissioner. Effective date: August 1, 1987. LUTHER, LASLEY.

EFT location, availability and advertising

Chap. 41-H.F. 28 Extends the electronic financial terminal law to terminals located on the premises of a financial institution. Provides options for a financial institution relating to the availability of an electronic financial terminal for other financial institutions. Permits any advertising, whether on or off the site, relating to electronic financial terminals, or the services performed at the electronic financial terminals located on the premises of the main office, or any office or detached facility of a financial institution. Effective date: August 1, 1987. SKOGLUND, COHEN.

Lemon law revisions

Chap. 52-S.F. 793 Requires the repair, refund, or replacement of new motor vehicles under certain circumstances. Prescribes arbitration mechanisms for all automobile manufacturers doing business and offering express warranties on their vehicles sold in Minnesota. Provides that arbitrator decisions are not binding. Provides for consumer participation in arbitration. Effective date: August 1, 1987. DAHL, BEGICH.

Automobile replacement parts

Chap. 64-S.F. 341 Regulates unfair settlement practices of automobile insurers. Requires repairs with original equipment parts but provides for an exception. Regulates insurance appraisals. Revises the truth-in-repairs act to require disclosure of whether new parts are original equipment parts. Effective date: May 7, 1987. LANTRY, SKOGLUND.

Fire and casualty insurance agency contracts cancellation

Chap. 92-S.F. 482 Regulates terminations of contracts between agencies and agents. Requires companies to attempt to rehabilitate agents before terminating their appointment. Regulates the rehabilitation agreements. Effective date: May 13, 1987. METZEN, MILBERT.

Clarification of school district self insurance

Chap. 97-H.F. 1230 Clarifies that school districts are among the political subdivisions that may self-insure for property and casualty coverage. Effective date: May 14, 1987. MCEACHERN, ADKINS.

Local government joint self insurance pool regulation exemption

Chap. 102-S.F. 123 Expands the local government unit joint self insurance pool regulation exemption to the Minnesota Association of Townships insurance and bond trust. Exempts the trust and the member townships from the requirement to hold a certificate of surety authorization issued by the commissioner of commerce. Effective date: May 14, 1987. ADKINS, WENZEL.

Real estate trust fund deposits

Chap. 105-S.F. 751 Authorizes the deposit of trust funds received by real estate brokers or salespersons in savings and loan associations and credit unions. Effective date: August 1, 1987. SAMUELSON, SCHEID.

Liquor liability assigned risk premium requirement

Chap. 107-S.F. 1313 Regulates liquor liability assigned risk plan premiums. Requires that assigned risk premiums must be on an actuarially sound basis and that the rating plan approved by the commissioner must provide for surcharge factors based upon claims reported and losses paid. Effective date: August 1, 1987. ADKINS, OSTHOFF.

Health insurance reimbursements

Chap. 113-S.F. 833 Authorizes the payment of differing amounts of reimbursement to insured under individual policies. Effective date: August 1, 1987. SOLON, STANIUS.

American Swedish Institute liquor license

Chap. 116-S.F. 1183 Authorizes the city of Minneapolis to issue an on-sale liquor license to the American Swedish Institute. Effective date: Local approval. JUDE, SCHREIBER.

Unregulated eyeglass sales clarification

Chap. 125-H.F. 466 Requires the seller of unregulated eyeglasses to prominently display a sign on the counter or rack or other display device where the spectacles are offered for sale that reads as follows: "If you have experienced a vision loss, the selection of these glasses should not take the place of an eye exam." Permits the sale of non-prescription magnifying eyeglasses with a magnifying power of up to 3.5 to be sold by any retailer. Effective date: August 1, 1987. SARNA, KROENING.

Motor vehicle franchise regulations

Chap. 150-S.F. 406 Regulates the distribution and sale of motor vehicles. Limits the granting or relocating of new motor vehicle dealership franchises. Specifies the circumstances to be considered. Removes certain regulations on nonrenewals. Effective date: August 1, 1987. DAHL, SPARBY.

Dram shop act amendments

Chap. 152-H.F. 285 Eliminates vicarious criminal liability for the employer of an individual who violates a liquor law. Reenacts Minnesota Statutes, Chapter 340A, as published in Minnesota Statutes 1986. Provides for the liability of professional review organizations. Effective date: Various dates. ORENSTEIN, SAMUELSON.

Investment interest rate advertisement regulation

Chap. 153-H.F. 450 Regulates the advertisement of interest rates of investment products. Provides definitions. Prescribes content for advertisement for various forms of investment products. Provides for penalties. Effective date: August 1, 1987. BERTRAM, REICHGOTT.

Membership camping practices act modification

Chap. 154-H.F. 487 Makes changes to regulations governing membership camping practices. Prohibits advertising that offers travel, accommodations, gifts, meals, or entertainment published to induce prospective purchasers to visit a campground or attend a sales presentation that does not prominently set forth all eligibility requirements; describes offers of travel, accommodations, gifts, meals or entertainment as "prizes," "awards," or by words of similar import or describes prospective purchasers as "winners" or words of similar import; contains the words "free" or "no obligation" unless the offer is unequivocally without conditions; states or implies that prospective purchasers have been specially selected; does not specifically state that gifts will be provided at the time the prospective purchaser visits the campground or attends the sales presentations; does not disclose the retail market value of the travel, accommodations, gifts, meals or entertainment provided; does not specifically and prominently disclose that the purpose is to induce prospective purchasers to visit a campground or attend a sales presentation; does not completely disclose rules, procedures and odds of "sweepstakes," "giveaways" or similar contests; does not prominently disclose the name address and phone number of the membership camping operator on whose behalf the advertisement is distributed; and that has the advertisement printed on the stationery of a person other than the membership camping operator so that there is a likelihood of confusion, misunderstanding or deception. Requires establishment of escrow accounts. Regulates subdivided land sales practices. Sets forth similar prohibitions on the advertising practices for subdivided land sales. Effective date: August 1, 1987. PETERSON, NOVAK.

Establishment of detached banking facilities

Chap. 161-S.F. 743 Permits the establishment of five detached facilities within 100 miles for banks in Greater Minnesota. Permits the establishment of more than five detached facilities for banks in the seven county metropolitan area if the detached facilities are also in the seven county area. Provides that a federal or state chartered financial institution, including, but not limited to, a bank, savings and loan association, savings bank, or credit union, must offer to a Minnesota resident a savings account to promote thrift that has no service charge or fee, if such an account has an average monthly balance of more than \$50. Provides for the acquisition of banks for operation as detached facilities. Effective date: August 1, 1987. SPEAR, WYNIA.

Credit card surcharge limit, prohibition

Chap. 172-H.F. 240 Allows a seller of goods or services to impose a surcharge on a purchaser who elects to use a credit card in lieu of payment by cash, check or similar means, provided the seller informs the purchaser of the surcharge both orally at the time of sale and by a sign conspicuously posted on the seller's premises and provided the surcharge does not exceed five percent of the purchase price. Prohibits a surcharge if a seller of goods or services establishes and is responsible for its own customer credit card. Establishes a civil penalty of not more than \$500 and the refund of the surcharge to each buyer. Effective date: August 1, 1987. SARNA, DAHL.

Manufactured home park regulations

Chap. 179-H.F. 574 Provides definitions. Clarifies that there may be the termination of a park lease for substantial annoyance to other residents. Allows new or amended rule violations to be cured by compliance with the new or amended rule within 10 days instead of eviction. Regulates park closings. Requires a written notice. Provides for a public hearing and clarifies remedies. Requires the Metropolitan Council to conduct a feasibility study on the establishment of a metropolitan manufactured home park development fund to provide low interest development loans to persons interested in constructing manufactured home parks within the seven county metropolitan area. Effective date: August 1, 1987. RIVENESS, MERRIAM.

Small group credit union membership

Chap. 181-H.F. 792 Permits small groups to be certified by the commissioner of commerce as eligible to petition for membership in an existing credit union capable of serving the group. Requires the commissioner of commerce to adopt rules. Effective date: August 1, 1987. VOSS, SPEAR.

Insurance company investment authority

Chap. 189-H.F. 1267 Regulates investments of domestic insurance companies. Provides definitions of terms. Provides additional investment authority in any additional securities or property of any kind with the written order of the commissioner, at the discretion of the commissioner. Effective date: May 21, 1987. OTIS, REICHGOTT.

Risk retention group formation

Chap. 192-H.F. 1421 Regulates the formation and operation of risk retention groups formed under the federal Liability Risk Retention Act of 1986. Sets forth definitions. Prescribes the powers and duties of the commissioner of commerce. Prescribes penalties. Effective date: May 21, 1987. CARRUTHERS, LUTHER.

Little Falls temporary on-sale license

Chap. 193-H.F. 1495 Allows the city of Little Falls to issue a temporary on-sale intoxicating liquor license to permit the sale of liquor at the Little Falls high school in conjunction with the observance of Lindbergh Days. Effective date: Local approval. WENZEL, SAMUELSON.

Manufactured home park shelters

Chap. 195-H.F. 196 Requires manufactured home park owners to provide underground shelter for residents during severe weather. Requires the commissioner of administration to conduct a study by January 15, 1988, to determine the feasibility of requiring emergency storm shelters in all new construction for above-grade single family housing. Effective date: Various dates. O'CONNOR, DAHL.

Insurance coverage for hair prostheses

Chap. 202-S.F. 292 Requires insurance coverage for scalp hair prostheses worn for hair loss suffered as a result of alopecia areata. Effective date: August 1, 1987. PETERSON, D.C., TUNHEIM.

Hearing aid repair bills

Chap. 204-S.F. 94 Requires an itemized billing for hearing aid repairs. Effective date: August 1, 1987. DAVIS, BAUERLY.

Retail sales refund requirements

Chap. 205-S.F. 153 Prohibits sellers from refusing to give cash refunds to a consumer for goods that are acceptable for return unless the seller has written notice of the seller's cash refund policy clearly and conspicuously display on the premises. Requires that the notice be written in boldface type of a minimum size of 14 points. Provides for exceptions. Provides for enforcement. Effective date: August 1, 1987. LANTRY, LASLEY.

Funeral and burial expense insurance trade practices

Chap. 233-H.F. 444 Prohibits insurers or agents from promoting any funeral establishment or cemetery or fees or commissions to entities with interest in such establishment. Allow persons to select funeral or burial services and supplies of their choice. Effective date: August 1, 1987. SPARBY, FREEMAN.

Little Canada on-sale liquor license issuance

Chap. 240-H.F. 1365 Authorizes the city of Little Canada to issue two additional on-sale intoxicating liquor licenses to establishments within the city. Effective date: Local approval. VALENTO, HUGHES.

Low volume liquor brewers licensing

Chap. 249-S.F. 1053 Provides for the licensing of low-volume brewers. Allows low volume brewers to be granted an on-sale intoxicating liquor or nonintoxicating malt liquor license. Effective date: May 27, 1987. MCQUAID, OLSEN, S.

Credit card disclosure

Chap. 256-H.F. 822 Requires that credit card applications contain specific disclosures about any periodic rate or rates that may be applied to the account expressed as an annual percentage rate. Requires that if the account is subject to a variable rate the disclosure may be as of a specific date and may indicate that the rate may vary or may identify the index and any amount or percentage added to, or subtracted from, that index and used to determine the rate. Requires disclosure of any membership, participation, or similar fee that may be imposed as a condition of the issuance or renewal of a credit card, expressed as an annual amount. Requires disclosure of any minimum, fixed, transaction, activity, or similar charge. Requires disclosure of any other fees that may be charged to the account, including late payment fees and charges for exceeding credit limits. Requires disclosure of the date or occasion upon which the finance charge, if any, begins to accrue on a transaction. Requires disclosures to be written in plain language, in boldface type of a minimum size of 10 points, and set apart from the remaining portions of the credit card application or other written material. Permits additional disclosures. Provides penalties and provides for remedies. Effective date: January 1, 1988. O'CONNOR, LUTHER.

Lake County seasonal on-sale liquor licenses, St. Louis County board

Chap. 262-H.F. 1281 Allows Lake County to issue seasonal on-sale intoxicating liquor licenses. Provides that members of boards and commissions in St. Louis County may be compensated at an amount determined by the Board of County Commissioners of up to \$50 per day but not to exceed \$1,500 in any one year. Effective date: Local approval. BATTAGLIA, JOHNSON, D.J.

Insurance agents contracts cancellation restriction

Chap. 288-H.F. 1304 Regulates the cancellations of insurance agency contracts. Provides that an insurer may not cancel a written agreement with an agent or, without the agent's written approval, reduce or restrict an agent's underwriting authority with respect to property or casualty insurance, based solely on the loss ratio experience on that agent's book of business. Limits applicability to agents who write insurance business exclusively for one company and are not in the direct employ of the company. Effective date: January 1, 1987. MILBERT, LUTHER.

Homeowners insurance on other structures

Chap. 293-S.F. 80 Provides flexibility in the amount of coverages other than for the dwelling under a homeowner's insurance policy. Requires every insurer writing homeowner's insurance to make available at least one form of homeowner's policy for each level of peril coverage offered by the insurer in which the insured has the option to specify the dollar amount of coverage provided for structures other than the dwelling and for personal property. Effective date: January 1, 1988. WALDORF, MCLAUGHLIN.

Liquor trade practices

Chap. 310-S.F. 1152 Limits imports by individuals to persons over 21 years of age and specifies that excess amounts may be imported only by a licensee holding the appropriate license as manufacturer, wholesaler, or importer. Permits brewers and wholesalers to engage in cooperative advertising agreements with a retailer in connection with the sale of nonalcoholic beverages. Provides that a variable volume price offered by a wholesaler to a licensed retailer on sales of distilled spirits or wine may not be for a quantity of more than 25 cases. Provides for notice of credit delinquent retailers. Authorizes counties to issue seasonal on-sale licenses. Specifies counties which may issue licenses in certain locations. Permits wine auctions. Prohibits persons under 18 years of age from serving or selling intoxicating liquor in a retail intoxicating liquor establishment. Specifies that the issuing authority or the commissioner may impose administrative penalties for violations by retailers. Authorizes inspections of licensed premises by the commissioner of public safety. Repeals affirmation law, wholesale price filing and percentage requirements for malt barley in beer. Effective date: August 1, 1987. SOLON, JACOBS.

Franchise nonrenewal regulation

Chap. 317-S.F. 830 Regulates terminations, cancellations, failures to renew and transfers of franchises. Effective date: May 29, 1987 PEHLER, GRUENES.

County temporary on-sale liquor licenses

Chap. 328-H.F. 294 Permits brewers and wholesalers to enter into cooperative advertising agreements with a retailer in connection with the sale of nonalcoholic beverages. Authorizes counties to issue temporary on-sale licenses. Authorizes cities to issue temporary off-sale licenses for the sale of vintage wine at auctions. Effective date: May 30, 1987. BISHOP, SOLON.

Securities and financial planning regulations

Chap. 336-S.F. 463 Provides for regulation of the business of financial planning. Provides for enforcement powers of commissioner of commerce. Regulates securities. Restricts charges made by investment advisors and broker dealers. Provides for disclosure of interest rate or discount point agreements. Provides for the denial, suspension, and revocation of licenses and the censure of licensees. Exempts the sale of certain stock of a closely-held corporation. Exempts certain industrial revenue bond transactions. Regulates real estate brokers and salespersons. Prohibits commission splitting and rebating on timeshare and other recreational lands. Provides for continuing education of brokers. Regulates licensees acting as principals. Regulates abandoned property. Establishes a presumption of abandonment for certain profits or sums held by a cooperative. Regulates the transfer and storage of abstracts of title to real property. Transfers the powers and duties of the commissioner for the regulation of social and charitable organizations to the attorney general and provides for further regulation of such organizations. Effective date: Various dates. LUTHER, SPARBY.

Omnibus insurance provisions

Chap. 337-S.F. 478 Requires notification of group life or health coverage changes. Allows mandatory temporary insurance agent licenses. Requires those who solicit insurance to act as agent for the insurer. Regulates insurance continuing education. Provides for the definition of an ineligible surplus lines insurer. Regulates insurance plan administrators. Regulates trust funds. Regulates the renewal, nonrenewal, and cancellation of commercial liability and property insurance policies. Authorizes employers to jointly self-insure for property or casualty liability and regulates these plans. Provides continued group life coverage upon termination or layoff. Provides for the establishment and operation of the insurance guaranty association and the life and health guaranty association.

Regulates accident and health insurance. Regulates joint self-insurance employee health plans. Requires the treatment of pregnancy-related conditions in the same manner as other illnesses. Mandates coverage of temporomandibular joint disorder and craniomandibular disorder. Clarifies coverage for handicapped dependents. Provides continued group accident and health coverage upon termination or layoff. Requires coverage of current spouse and children. Imposes surety bond or security requirements on certain health benefit plans. Regulates Medicare supplement plan premium refunds. Regulates long-term care policies. Provides for the establishment and operation of the comprehensive health association, the medical joint underwriting association and the joint underwriting association. Provides comprehensive health insurance coverage for certain employees not eligible for Medicare.

Regulates fraternal benefit associations and automobile insurance. Provides for exemption from certain legal process of cash value, proceeds, or benefits under certain life insurance or annuity contracts. Limits the cancellation of fire insurance binders and policies. Provides for administration of the FAIR plan. Requires accident prevention course premium reductions. Limits the grounds for cancellation or reduction in limits during the policy period. Requires the commissioner to set rates for cooperative housing and neighborhood real estate trust insurance. Regulates no-fault automobile insurance. Provides for the priority of security for payment of basic economic loss benefits. Extends basic economic loss benefit protection. Requires coverage for former spouses. Specifies membership on the assigned claims bureau. Extends no-fault benefits to pedestrians who are struck by motorcycles.

Regulates township mutual insurance companies. Provides for mandatory arbitration of certain claims. Authorizes investments in certain insurers. Regulates rental vehicle personal accident insurance. Regulates trade practices. Requires life and health insurers to substantiate the underwriting standards they use. Provides assigned risk plan coverage for certain vehicles used by the handicapped. Establishes a demonstration project to provide medical insurance to certain low income persons. Regulates certain self-insurance by political subdivisions. Clarifies the statute of limitations applicable to actions regarding manufacturers or suppliers of material containing asbestos. Grants immunity from liability for volunteer coaches, managers, and officials. Requires a home health care study. Prescribes penalties. Effective date: Various dates. LUTHER, SKOGLUND.

Open end loan account charges

Chap. 341-S.F. 800 Authorizes charges on open-end loan account arrangements. Authorizes fees for cash advances from automated teller machines, for late fees on accounts with no annual fee, for late fees for exceeding maximum approved credit limit, for lost or stolen cards. Effective date: August 1, 1987. WEGSCHEID, WYNIA.

Omnibus banking provisions

Chap. 349-H.F. 291 Regulates the incorporations and operations of banks. Requires prior written approval by the commissioner of commerce for lease arrangements if the lessor has an existing direct or indirect interest in the management or ownership of the bank, trust company, savings bank, or

building and loan association. Requires securities that are to be deposited to the commissioner to be deposited with the state treasurer. Provides that no bank, trust company, savings bank or savings association may purchase or sell real property, personal property, improvements or equipment of a value of \$25,000 or more if the purchaser or seller other than the bank, trust company, savings bank, or savings association has an existing direct or indirect interest in the institution without prior written approval by the commissioner. Provides for penalties against lenders for violations of the laws concerning assigning or selling mortgage loans.

Regulates transfer and closing of deposit accounts. Regulates real estate holdings by a bank. Provides for exclusions to certain usury limits. Regulates acquisitions by bank holding companies. Revises the definition of feeder livestock loans for bank lending limit purposes. Authorizes the commissioner to borrow money to satisfy obligations of certain closed institutions. Authorizes indirect investments in eligible securities for state banks. Regulates bank or trust company investments. Regulates claims against liquidated institutions. Provides for the organization of credit unions. Regulates interest and dividends paid on deposits. Regulates industrial loan and thrifts. Regulates interstate branch banking. Provides for the submission of certain reports. Modifies the maximum allowable interest rate on certain loans used to satisfy the balances owed on contracts for deed. Regulates consumer credit transaction contracts. Requires the periodic examination of debt prorate companies. Modifies the examination requirement for safe deposit companies and insurance premium finance companies. Regulates motor vehicle installment sales. Regulates bank applications. Regulates electronic financial terminals and unauthorized use of financial transaction cards. Effective date: Various dates. WINTER, PETERSON, D.C.

Consumer education account

Chap. 366-H.F. 943 Creates a consumer education account. Provides that the money credited to the account be expended to prepare and distribute education materials to inform the public regarding consumer protection laws and consumer rights; to underwrite educational seminars and other forms of education projects for the benefit of consumers and businesses; to contract for or conduct educational or research projects in the field of consumer protections; and to assist the commissioner of education in establishing curriculum guidelines for elementary and secondary schools in the areas of consumer protection and consumer literacy. Provides for administration of the account. Effective date: July 1, 1987. MILBERT, METZEN.

Registration of health, buying and social clubs

Chap. 367-H.F. 949 Requires the registration of health, buying and social referral clubs. Sets forth definitions. Provides for bonding and alternative security requirements. Regulates bond claims. Appropriates money. Effective date: July 1, 1987. CARRUTHERS, LUTHER.

Miscellaneous alcoholic beverage and liquor license provisions

Chap. 381-S.F. 1114 Limits rule-making authority of commissioner to prohibit a rule requiring the use of new containers in aging whiskey and to prohibit a rule requiring cordials or liqueurs contain in excess of 2½ percent by weight of sugar or dextrose or both. Adds cork screws, books and videos on the use of alcoholic beverages in the preparation of food to the list of items that may be sold in exclusive liquor stores. Specifies counties where certain restrictions on license location apply. Prohibits coin-operated amusement devices in establishments licensed solely for the off-sale of intoxicating liquor or municipal stores which sell only at off-sale. Provides for the continuation of specific licenses in Douglas county. Repeals restrictions on beer content. Effective date: Section 5 - Local Approval, All other sections - August 1, 1987. SOLON, JACOBS.

County off-sale liquor license

Chap. 402-H.F. 735 Removes a restriction on issuance of off-sale liquor licenses in Kanabec County. Imposes a restriction on the issuance of off-sale liquor licenses in Carver and Red Lake Counties. Permits the establishment of a fire protection district for the city of Moose Lake and surrounding territory. Effective date: With respect to Kanabec County - July 1, 1987, with respect to Carver and Red Lake Counties - Local approval, with respect to Moose Lake - June 13, 1987. PETERSON, CHMIELEWSKI.

Economic Development and Housing

Economic development statutes recodification

Chap. 291-S.F. 170 Recodifies provisions governing housing and redevelopment authorities, port authorities, economic development

authorities, area redevelopment, municipal development districts, mined underground space development, rural development finance authorities, public development debt, enterprise zones, tax increment financing and other local economic development tools.

Concerns housing and redevelopment authorities. Includes acquisition of open, unused or inappropriately used land as authorized redevelopment projects. Modifies partial property tax exemption provisions relating to development contracts. Continues existing redevelopment company provisions for redevelopment companies. Removes service persons preference provisions.

Concerns port authorities. Grants port authorities dedicated powers relating to mined underground space development. Provides for construction and equipment contracts. Enumerates local port authority provisions for several cities.

Concerns rural development finance authorities. Clarifies the definition of agriculture to include forestry and timber production and to exclude agricultural land acquisition.

Concerns municipal industrial development. Enumerates investigative, assistance and advisory authorities and duties of the Department of Energy and Economic Development.

Concerns enterprise zones. Alters the definition of employment property. Eliminates provisions relating to special enterprise zones and an area to be sued by a single corporation for a new manufacturing facility.

Recodifies provisions relating to economic development agreements with subdivisions and corporations of other states. Provides for deferred property taxation for private redevelopment; first class city employment bureaus; municipal market bonds and municipal commercial rehabilitation loans. Provides for conveyance of lands to promote industry and employment, information and publicity bureaus and expenditures and local lodging taxes. Makes several technical amendments. Effective date: August 1, 1987. POGEMILLER.

DEED reorganization

Chap. 312-S.F. 1203 Article I Establishes an energy division in the Department of Public Service and transfers related functions of the Department of Energy and Economic Development to the division. Specifies additional powers and duties of the director of public service. Expands the membership of the Waste Management Technical Advisory Council and the Environmental Quality Board to include the director.

Changes the name of the Department of Energy and Economic Development to the Department of Trade and Economic Development. Reduces the number of the divisions within the department to the business promotion and marketing division, the community development division and the Minnesota trade division and provides for the offices of tourism and policy analysis. Specifies required qualification of the deputy commissioner of the trade division. Requires cooperation with the commissioner of agriculture and trade and economic development in promoting beneficial agricultural interests. Divides certain promotional duties and prohibits programs or services duplication. Provides for appointment of employees to the Washington, D.C. state promotional office by and specifies trade promotion duties of the commissioner of trade and economic development. Exempts publication fees from requirements and specifies administrative support requirements.

Requires the governor to designate the Department of Jobs and Training as the preparatory and administrative agency for the juvenile justice plan and the Juvenile Justice Advisory Committee as the supervisory board for the department in the preparation and administration of the plan and the awarding of grants. Requires and provides for commissioner grants for the establishment and administration of youth intervention programs.

Article II Establishes the Minnesota World Trade Center Corporation as a public corporation to promote the Minnesota World Trade Center and to facilitate center programs and services. Provides for a board of directors and membership. Specifies powers and duties. Repeals the World Trade Center Fund and establishes the World Trade Center Corporation Fund for the deposit of receipts and the payment of expenses. Establishes priority use for international trade programs and activities. Establishes transitional board membership provisions. Provides for transfer of world trade center association membership. Transfers assets and liabilities from the former world trade center board to the corporation. Effective date: July 1, 1987. LUTHER, ANDERSON, G.

Scientific and technological research review

Chap. 314-S.F. 1437 Provides for the review of state funded scientific and technological research for economic development purposes. Establishes the Committee on Science and Technology Research and Development. Specifies membership, qualifications and duties. Requires the Department of Energy and Economic Development to divide the rural areas of the state into a number of regions for representation purposes. Authorizes ad hoc advisory committees. Requires the commissioner of energy and economic

development to establish an Office of Science and Technology within the department to assist the committee. Specifies duties of the office relating to reports to the legislature, information collection and dissemination, review of and recommendations on technological development potential and other research related functions. Requires peer review of state funded science and technology research and sets committee guidelines. Authorizes committee evaluation of legislation funding science and technology research grants or loans. Requires the committee to review state funded projects. Requires the commissioner of finance to establish budget objects of expenditure. Abolishes the council on biotechnology. Effective date: August 1, 1987. BRANDL, REDING.

Minnesota Council on Quality and Productivity

Chap. 316-S.F. 1479 Establishes the Minnesota Council on Productivity and Quality and assigns its powers and duties. Requires the council to conduct research into education programs relating to productivity and quality, new production technologies, methods of quality control, innovative strategies for marketing goods and services and issues relating to the quality of the workplace and developments in labor-management relations. Requires the council to compile a list of consultants experienced in productivity and quality techniques and education and to provide the names of appropriately qualified consultants to businesses or labor organizations. Allows the council to establish a grant program to assist business or labor organizations in need of consulting services but unable to pay the consulting fee. Effective date: August 1, 1987. LUTHER, OTIS.

Housing Finance Agency powers

Chap. 350-H.F. 508 Provides for Housing Finance Agency allocation of the state low income housing credits under the internal revenue code to cities or counties for projects involving qualified nonprofit organizations. Authorizes and provides for HFA participation in housing projects for low and moderate income persons and families and formation of or membership in nonprofit corporations. Authorizes the acquisition and sale or rental of housing property. Provides for the issuance of bonds and notes as securities. Exempts agency note or bond contracts from state treasurer or Administration Department review or approval. Effective date: June 2, 1987. JEFFERSON, MORSE.

Rural Economic Development Act

Chap. 386-S.F. 1 Article I-Rural Development Board Creates the Rural Development Board to investigate and evaluate new methods to enhance rural development through private enterprise. Authorizes the establishment of advisory task forces. Requires the board to establish a rural rehabilitation pilot program to award grants to organizations to support farm related pilot projects for rural development. Requires projects to be designed to benefit low income persons. Provides for review of state agency rural development programs. Requires annual reports to the legislature. Establishes the Regional Advisory Committee to administer the rural rehabilitation pilot project program, develop priorities for state projects and activities related to rural development, to advise the Rural Development Board regarding the challenge grant program and to coordinate certain plans and programs of the regional development commissions. Requires the commissioner of energy and economic development to contract for the distribution of grant funds to projects selected by the committee. Requires the board to adopt a comprehensive rural investment guide to aid state agencies in establishing and implementing rural development programs and to administer a challenge grant program to encourage private investment, provide jobs for low income persons and to promote rural economic development. Requires board selection of nonprofit corporations to receive grant funds. Specifies agreement requirements and sets forth corporation qualifications. Requires the organizations to establish revolving loan funds and requires the board to establish interest rates and implementation rules. Authorizes loans to local governmental units. Provides for assignment to a new participant of interest in a family farm loan guarantee executed before a set date. Repeals the governor's Rural Development Council.

Article II-Greater Minnesota Corporation Enacts the "Greater Minnesota Corporation Act" to foster economic growth through cooperative research and development and investments in new products and businesses. Creates the Greater Minnesota Corporation as a public corporation. Requires board member disclosure of political contributions to the Ethical Practices Board. Authorizes corporate financial assistance to businesses or organizations and equity investments. Authorizes the board to establish a number of regional research institutes to be located at or near post-secondary educational institutions and to provide applied research and development services to individuals, businesses or organizations. Provides for research contracts and product development grants. Authorizes the appointment of regional research institute advisory boards. Requires the corporation to establish an agricultural utilization research institute as one of the regional institutes to promote the establishment of new products and

product uses and the expansion of existing markets for agricultural commodities and products. Authorizes matching grants and establishes an advisory board to identify priorities. Requires the board to establish a research advisory board to provide assistance to the board and the research institutes. Authorizes the board to make matching grants to public and private post-secondary educational institutions for applied research and development purposes. Creates the Greater Minnesota Fund for use by the corporation and the Agricultural Project Utilization Fund for use by the institute. Requires annual audits of the corporation, a comprehensive operation plan and reports to the legislature and governor. Authorizes the greater Minnesota Corporation Board and the University of Minnesota Board of Regents to examine the feasibility of jointly administering or transferring the Natural Resources Research Institute from the university to the corporation. Requires the corporation to study the effect of the establishment of a for-profit venture capital corporation to invest in local capital venture pools. Transfers loan programs from the Energy and Economic Development Authority to the Department of Energy and Economic Development and provides for loan administration.

Article III-Minnesota Public Facilities Authority Enacts the "Minnesota Public Facilities Authority Act" to provide for financing of public facilities and water supply and waste water treatment systems. Creates the Minnesota Public Facilities Authority under the community development division of the Department of Energy and Economic Development to make capital project loans. Transfers the financial administration of the independent waste water treatment grants program from the Pollution Control Agency to the authority. Specifies PCA authority concerning eligibility determination and project certification. Changes eligible cost provisions and grant limits or restrictions. Provides for reimbursement grants. Requires the authority to establish a Water Pollution Control Revolving Fund to provide loans for federally authorized pollution control purposes. Establishes a separate state matching fund to be used in compliance with federal matching requirements and a state grant and loan fund to provide funding to local government units for construction of treatment works. Requires a capitalization grant agreement with the Environmental Protection Agency. Requires the PCA to prepare and submit to the EPA an intended use plan. Transfers the responsibilities of the Energy and Economic Development Authority relating to the health care equipment, public school energy conservation and district heating and qualified energy improvement loan programs to the Public Facilities Authority. Provides for administration of the programs and for the division of responsibilities between the commissioner of energy and economic development and the director of public service.

Article IV-Community development Creates the community development division in the Department of Energy and Economic Development to administer state and federal community development and assistance programs. Transfers responsibilities of the Energy and Economic Development Authority relating to community development corporations and of the State Planning Agency relating to the main street, community improvement and the Minnesota beautiful programs and transfers the governor's design team to the commissioner of energy and economic development.

Article V-Minnesota Energy and Economic Development Authority Abolishes the Minnesota Energy and Economic Development Authority. Transfers responsibilities to the PCA, the Minnesota Development Board, the community development division of DEED, and the Public Facilities Authority.

Article VI-Urban revitalization programs Provides for the establishment of urban revitalization action programs involving state assistance for distressed neighborhoods in the cities of Minneapolis and St. Paul. Authorizes city designation by resolution of targeted neighborhoods and sets forth neighborhood eligibility requirements. Requires city preparation of a comprehensive revitalization and financing program for each targeted neighborhood for state assistance purposes. Requires targeted neighborhood residents participation in revitalization program development and implementation. Authorizes the establishment of an advisory board. Specifies review, approval and certification requirements. Provides for the allocation of funds, match requirements, and uses.

Article VII-Natural resources Establishes the Mineral Coordinating Committee to provide for diversified mineral development, and specifies membership. Sets plan and program requirements. Appropriates money to the commissioner of natural resources for mineral resources acceleration purposes, for county forestry assistance programs and for forestry management.

Article VIII-IRRRB Appropriates money to the Iron Range Resources and Rehabilitation Board for economic development and employment purposes in the taconite tax relief area. Authorizes loans, loan guarantees and interest buydowns. Limits investment in private enterprise. Provides for annual IRRRB approval of projects. Requires submission of project lists to the

Legislative Advisory Commission for review and to the governor for approval. Provides for approval of supplemental projects. Requires commissioner appointment of a technical advisory committee for each proposal for evaluation and recommendation purposes. Authorizes the use of money in the Northeast Minnesota Economic Protection Trust Fund for investment in venture capital funds and enterprises. Changes the minimum rate of interest on certain loans.

Article IX-Minnesota Agricultural and Economic Development Program Changes the Agricultural Resource Loan Guaranty Program to an Agricultural and Economic Development Program. Renames the Agricultural Resource Loan Guaranty Board and fund the Minnesota Agricultural and Economic Development Board and fund. Alters the membership of the board, designates the board as the legal successor to the Agricultural Resource Loan Guaranty Board and the Energy and Economic Development Authority relating to the small business finance agency loan programs. Expands the definitions of agricultural resource project and lender and defines eligible small business and small business development loan. Provides for board participation in loans to finance agricultural resource projects and small business development. Specifies small business development loan preferences. Eliminates an application filing fee. Transfers responsibilities under the small business development loan. Certifies development company and hazardous waste processing facility loan programs transferral from the Energy and Economic Development Authority to the board. Provides for the crediting of loan repayments and for the transfer of funds from the Economic Development Fund to the Agricultural and Economic Development Fund.

Article X-Education and training programs Extends the life of the Job Skills Partnership and reduces and changes the membership of the board, removes the commissioner of education and adds the state director of vocational technical education. Specifies a rural business preference for the training program. Transfers the responsibility for providing staff and administrative services for the board from the commissioner of jobs and training to the Higher Education Coordinating Board. Requires the HECB to administer a grant program to pay the costs for dislocated rural workers enrolled in adult farm management or training programs. Specifies institution and applicant eligibility and institution selection of recipients. Effective date: Various dates. MOE, R.D., SCHOENFELD.

Education

Mailed summaries of school board proceedings

Chap. 42-H.F. 235 Authorizes a school board of a district that has no newspaper within the boundaries of the district and no newspaper with a circulation of more than one-third of the residents, to mail summaries of board proceedings to each resident of the district. Effective date: August 1, 1987. HARTLE, FREDERICK.

Intermediate School District #916 bond issue

Chap. 66-S.F. 698 Authorizes Intermediate School District #916, northeast metropolitan, to issue school building bonds for a separate secondary vocational and special education facility. Provides that the total cost of the project must not exceed \$1.6 million and that proceeds of state bonds must not be used for the project. Requires voter and State Board of Education approval. Effective date: Local approval. HUGHES, KOSTOHRZY.

Independent School District #206 elections

Chap. 96-H.F. 1193 Provides for school board elections by district or at large in Independent School District #206, Alexandria. Effective date: Local approval. NELSON, C., BERG.

School fund transfer prohibition

Chap. 143-H.F. 1185 Prohibits the transfer of funds from school debt redemption funds. Clarifies permitted transfers from the general fund to other operating funds in cases of deficiency. Effective date: August 1, 1987. COOPER, FREDERICKSON, D.R.

AVTI directors appointment

Chap. 160-H.F. 1590 Clarifies the authority of school boards to appoint directors and the right of individuals to be appointed as directors of area vocational technical institutes on the basis of seniority or order of employment in the district. Effective date: May 16, 1987. DORN, STUMPF.

Compulsory attendance modifications

Chap. 178-H.F. 432 Modifies provisions of the compulsory school attendance laws. Establishes parental responsibility for a child's acquisition of minimal knowledge and skills essential for effective citizenship. Defines school. Provides that every child between seven and 16 years of age shall receive instruction for at least 170 days each year. Provides that every child under the age of seven who is enrolled in a half-day kindergarten, or a full-day kindergarten program on alternate days, or other kindergarten

programs shall receive instruction at least equivalent to 170 half days. Provides that a parent may withdraw a child under the age of seven from enrollment at any time. Establishes basic curriculum requirements. Prescribes minimum requirements for instructors. Requires and provides for annual performance assessments of students not enrolled in public schools. Provides for exceptions. Specifies reporting and notice requirements.

Provides for on-site monitoring of unaccredited nonpublic schools, homes or other institutions where children are receiving instruction. Provides for fact finding and mediation services from the commissioner of education. Provides for criminal complaint and prosecution of violations. Changes the Nonpublic Advisory Committee to the Council on Nonpublic Education. Authorizes State Board of Education and council recognition of education accrediting agencies. Expands penalties for neglect of duty to include any school office, truant officer, public or nonpublic school teacher, principal, district superintendent or person providing instruction other than a parent. Effective date: August 1, 1987. MCEACHERN, PEHLER.

Minneapolis school board election procedure

Chap. 218-H.F. 490 Increases the size of the school board of Special School District #1, Minneapolis, from seven to nine. Provides for the election of six members by the individual districts within the special district and for the reapportionment of boundaries upon voter approval. Sets forth the ballot question. Requires compliance with election campaign financing and disclosure requirements. Effective date: Local approval. MCLAUGHLIN, SPEAR.

High school league extracurricular conference membership

Chap. 243-H.F. 96 Requires the State High School League to arrange membership in athletic or other extracurricular conferences upon the request of member high schools. Requires the league to develop criteria for arranging conference membership. Provides for notice and hearing requirements. Specifies that the league decision is binding. Effective date: August 1, 1987. MCKASY, COHEN.

Braille reading and writing instruction requirement

Chap. 247-S.F. 911 Requires school districts to make instruction in Braille reading and writing available to blind pupils. Requires periodic reading and writing assessments of blind children. Sets forth assessment requirements. Requires the commissioner of education to adopt rules. Specifies individual education plan content requirements. Designates instruction in Braille reading and writing as a service included in special instruction and services. Effective date: August 1, 1987. HUGHES, RUKAVINA.

Post-secondary vocational technical provisions

Chap. 258-H.F. 983 Removes area vocational technical schools from the classification and definition of public school. Adds post-secondary vocational technical representation to the Uniform Financial Accounting and Reporting System Advisory Council and the ESV Computer Council. Grants the Vocational Technical Education Board statewide management information system delegation powers. Authorizes school boards to grant purchasing authority to technical institute directors. Allows technical institute classes on Saturdays. Requires vocation technical education board approval of courses. Authorizes the board to accept and use gifts for the benefit of AVTIs. Removes the requirement for state director approval of expenditures. Repeals a provision regulating the length of the school year and day. Changes the name "AVTI," "Area Vocational Technical Institute," "vocational technical institute," "vocational school," "vocational technical school," "vocational school," "vocational institute," "technical school" and "school," and the plurals of each to "technical institute" or "technical institutes." Effective date: August 1, 1987. RUKAVINA, MORSE.

Fond du Lac Higher Education Center

Chap. 274-H.F. 899 Establishes the Fond du Lac Higher Education Center as a pilot project to be governed by the State Board for Community Colleges and administered by the Arrowhead Community College. Specifies project class and workshop offerings requirements. Continues the Higher Education Center Task Force. Requires the State Board for Community Colleges to report to the Higher Education Coordinating Board and the legislature on the progress of establishing the center. Effective date: July 1, 1987. OGRIN, CHMIELEWSKI.

Chemical abuse preassessment teams

Chap. 295-S.F. 300 Requires every public school and every nonpublic school that participates in a school district chemical abuse program to establish chemical abuse preassessment teams to provide standards for reporting and evaluating chemical (drug or alcohol) abuse. Requires superintendents, with school board advice, to establish school and community advisory teams to address chemical use problems in the district. Specifies membership requirements. Specifies community advisory team duties relating to the development of communication and understanding among schools, students, parents, and local law enforcement agencies. Provides requirements for chemical abuse reporting by teachers. Requires

school district policies on student discipline and removal from class to provide procedures for detecting and addressing student chemical abuse problems on school premises. Effective date: August 1, 1987. COHEN, KELLY.

Animal research and dealer provisions

Chap. 380-S.F. 1057 Article I - Requests that the University of Minnesota study the feasibility of establishing a center for alternative method to animal testing. Requires the consideration of specific functions of the center. Requires a report to the legislature. Encourages the Center for Urban and Regional Affairs Conflict and Change Project to analyze the effectiveness of mediation in resolving issues relating to child custody and support, maintenance and property division in marriage dissolution cases. Requires a report to the legislature.

Article II - Permits and provides for joint financing of public library construction among local government units. Requires that the portion of the debt to be discharged by taxation in each unit must be set by agreement. Allows transfer of unobligated funds. Requires elector approval for town participation. Authorizes special levies.

Article III - Provides a civil penalty for dog or cat transfers or possession with owner consent. Provides for jurisdiction in the county and municipal courts. Provides for disposition of fines. Defines terms. Includes cats in provisions relating to dogs. Requires the licensing of dealers. Increases the kennel license fee and provides for a dealer license fee. Specifies additional board of animal health rule. Provides for kennel and dealer notice and additional recordkeeping requirements. Requires kennels and dealers to be open to the public on a regular basis at least four hours between 7:00 a.m. and 10:00 p.m. on at least four of the seven days of each week including at least one Saturday or Sunday. Modifies license revocation provisions. Removes exceptions to the regulatory provisions. Effective date: July 1, 1988. PIPER, CLARK.

Omnibus Education Aids

Chap. 398-H.F. 753 Article I - Foundation and general education

revenue Increases the percentage of certified levy recognizable as revenue. Redefines AFDC pupil units. Provides for redistribution of teacher retirement aid among cooperating school districts. Sets the formula allowance for the 1987-88 school year at \$1,720 per pupil unit. Provides for basic foundation aid with equalizing factor and basic maintenance levy for districts off the formula. Provides for general education revenue. Provides that levy and aid for subsequent school years consist of basic, compensatory education, training and experience, and sparsity revenues. Requires commissioner of revenue mill rate establishment. Increases the formula allowance for the 1988-89 school year. Provides for a phase in of levy equity for districts off the formula. Provides for supplemental revenue, levy and aid for minimum revenue guarantee purposes. Folds certain categorical aids, including retirement and FICA, into the formula. Requires revenue, aid and levy reduction under certain conditions. Requires a percentage of basic revenue to be reserved for programs. Provides mill rate adjustment aid for districts with levy increases over a specific amount. Requires the commissioner of education to annually estimate the statewide average foundation or general education revenue per pupil unit and to provide the information to school districts. Limits administrative costs of school districts failing to file pay equity plans and provides for a corresponding aid reduction. Repeals the basic maintenance mill rate and levy, the tier and declining pupil unit aids and levies, basic foundation and minimum aids. Repeals the Council on Quality Education. Repeals various statutory programs aids and levies and specifies effect.

Article III - Special Programs Requires special instruction and services for handicapped children from birth. Expands the definition of handicapped children. Requires identical high school diplomas for handicapped and nonhandicapped students. Requires the instruction and services to be based on the assessment and individual education plan. Sets forth plan requirements. Establishes an interagency coordinating council for implementation of programs of early intervention services for the children and families. Changes interagency early learning committees to intervention committees. Modifies membership requirements and duties. Requires county human services agencies to maintain services. Authorizes agreements with school districts for service and funding purposes. Clarifies third party obligation to pay. Requires the establishment of community transition interagency committees for handicapped youth and families. Specifies duties. Clarifies the definition of pupil units relating to handicapped prekindergarten pupils. Reduces aids for limited English proficiency programs, handicapped regular, summer school and secondary vocational education, contracted services, supplies, equipment, travel and residential services and secondary vocational education. Clarifies the status of the State Academies for the Deaf and Blind in the city of Faribault as residential schools and resource centers. Specifies educational requirements. Establishes a resource center for hearing impaired and visually impaired pupils at the academies for provision of summer programs, teacher

workshops and school district assistance. Requires fees collected to be deposited in the revolving fund to defray expenses of services, seminars and conferences. Modifies or increases levy authority of intermediate school districts. Lists Independent School District numbers 12 and 16, Anoka County, and Independent School District #833, south Washington County as members of Intermediate School District #916, Ramsey and Washington Counties. Reduces special education levy authority. Provides for levy adjustments. Appropriates money to the Legislative Commission on Public Education for a comprehensive study of special education; to Independent School District #707, Nett Lake, for liability insurance premiums and unemployment compensation; to Independent School District #166, Cook County, for the Grand Portage Elementary School; to Independent School District #309, Pine Point, for unemployment compensation and school bus purchase; for American Indian education programs; scholarships and other special education programs and services.

Article IV - Community and adult education Requires the State Board of Education to appoint a community education advisory task force for goal promotion and opportunities expansion purposes. Sets forth task force responsibilities. Modifies membership requirements of local community education advisory councils. Removes the limit on handicapped adult program revenue authorized for approval by the Department of Education and increases the aid allowance and levy limit for the programs. Eliminates a reduction requirement and allows school district levies for amount reduced due to aid proration for certain fiscal years. Authorizes district advisory councils to prepare youth development plans. Provides for additional community education revenue after plan approval by the school board. Changes an early childhood health and developmental screening reporting requirement. Specifies adult basic and continuing education program requirements. Requires commissioner of education approval. Sets forth criteria. Authorizes contracts for supplemental services. Prohibits tuition and fees. Retains the current aid formula. Changes the community education aid formula and levy. Defines maximum revenue for early childhood family education programs beginning in fiscal year 1988. Appropriates money for the early childhood family education and health and development screening programs.

Article V - State agency services Appropriates money to the Board of Teaching for teacher assessment and education programs; to the Department of Education for educational programs and PER assistance; and to the Department of Employee Relations to develop a plan to allow teachers and school boards the option of participating in a state health benefits program. Requires plan submission to the legislature.

Article VI - Other aids and levies for school districts Requires Department of Education notice to school districts of the need to prorate nonpublic educational aid in the event the appropriation is not sufficient to meet the required payments in any fiscal year. Authorizes payment of full entitlement of regional management information center subsidies and Indian post-secondary preparation and desegregation grants. Provides for an exceptional need aid and levy and specifies eligibility. Increases the capital expenditure allowance and reduces the mill rate. Specifies authorized revenue uses. Creates a new hazardous substance capital expenditure aid and levy formula beginning in fiscal year 1989. Requires applications to contain a plan for the removal, encapsulation or cleanup of asbestos, PCB and heating or transportation fuels. Maintains the chemical use, gifted and talented, tobacco use prevention and school lunch aids. Authorizes a desegregation levy by Independent School District #625, St. Paul. Authorizes an additional health insurance subsidy levy by Special School District #1, Minneapolis. Increases the levy authority of Independent School District #712, Mountain Iron-Buhl, for operating expenses. Makes permanent the authority of the commissioner of finance to modify the schedule for payments to school districts to avoid short term borrowing by the state. Provides desegregation grants to Independent School District #625, St. Paul, Independent District #709, Duluth, and Special School District #1, Minneapolis. Specifies plan submission and report requirements. Appropriates money to the Department of Education for abatement, arts education, capital expenditure, exceptional need, chemical abuse programs, gifted and talented, interdistrict cooperation, nonpublic pupil, school lunch, tobacco use prevention aids and the maximum effort school loan fund.

Article VII - Miscellaneous Alters school district depository requirements. Permits 11th and 12th grade students to remain in a district upon relocation of the parent or guardian to another district with nonresident district board approval. Allows school boards to comply with board of education curriculum rules by offering elective secondary courses during the summer. Requires the Academic Excellence Foundation to develop a plan for an academic league to promote excellence through organized challenges. Specifies consultation and report requirements. Modifies alternative finance system use provisions. Permits school district maintenance of a percentage of severance pay attributable to sick leave in a

designated account to pay health insurance premiums for former employees. Requires the Department of Education to maintain a list of essential data elements relating to the management information system. Adds Department of Education representation to the membership of the ESV Computer Council and transfers responsibility for support services from the board of education to the commissioner. Requires districts to employ a full time licensed school nurse or to contract with a public health agency for nursing services. Provides for the administration of medication. Provides for school site management agreements. Requires excess appropriations to be allocated proportionately. Requires commissioner proration. Modifies the definition of teachers and examination requirements for licensure purposes. Removes the physical education requirement from teacher education programs. Modifies the basis for determination of need by the Higher Education Coordinating Board for summer scholarships. Requires the distribution of information. Requires a cost to school districts for courseware package duplication and distribution. Specifies that money from the sales are to be used by the department to purchase additional packages. Authorizes the use of money in the alcohol impaired driver education account for traffic safety education program administration purposes. Appropriates money for venture fund grants, extended leaves of absence, the comprehensive arts planning program and summer program scholarships. Repeals teacher early retirement incentive provisions and exceptions to part time teacher TRA participation.

Article VIII - Access to Excellence Requires the Department of Education to evaluate the performance of regional educational effectiveness providers. Authorizes and provides for the establishment of education districts to increase educational opportunities. Specifies agreement requirements and options. Provides that governance is to be by district boards with the assistance of appointed advisory councils. Provides for teaching positions. Authorizes bond issue for facilities. Provides for the selection of superintendents by school boards sharing services. Establishes a school district enrollment options program. Provides for foundation aid adjustments for students attending nonresident districts. Requires the board of teaching to evaluate the effectiveness of teacher education programs, to adopt rules for redesign of the programs and to design and implement an assessment system. Establishes a teacher assistance through mentorship program. Requires commissioner appointment of a teacher mentoring task force for incentive development purposes and provides for grants. Establishes an administrators academy for assessment and assistance purposes. Establishes a high school graduation incentives program and specifies eligibility. Authorizes Department of Education provision of career options and dropout prevention materials and services to school districts and educational agencies. Requires the board of education to develop a curriculum planning, evaluation and reporting process and procedures for school districts. Requires adoption of learner outcomes. Requires commissioner appointment of a state curriculum advisory committee. Requires school board policies adoption and curriculum advisory committees establishment. Requires assessments and reports. Provides for the establishment of staff development advisory committees and plans through the use of reserved revenues. Provides for program improvement grants, specifies eligibility, specifies limits and sets forth levy requirements. Authorizes school district establishment of area learning centers to provide secondary students and adults with academic, vocational and work skill programs and services and to serve as resource centers for other organizations. Provides for planning grants, exemplary centers and evaluation. Establishes an advisory task force to assist the board of teaching relating to teacher centers for teaching skill improvement purposes. Provides for grants, policy board powers and duties and center functions. Repeals teacher institute, improved learning program, regional instructional computing coordinator and courseware package evaluation provisions.

Miscellaneous ballot provisions

Chap. 175-H.F. 334 Requires identification and statements before public access to registration files or absentee ballot materials or records. Prohibits use of absentee ballot material or records for purposes unrelated to elections, political activities, or law enforcement. Restricts the delivery of absentee ballots. Prohibits the listing of names of candidates on official ballots if the filing fee payment is made by a check with insufficient funds. Provides that the candidate is liable for costs of name removal. Eliminates the requirement of the secretary of state to transmit affidavits of challenged voters to county auditors. Specifies requirements and restrictions relating to retention of voted ballots. Modifies information requirements of election judges. Includes gray ballots in unused and spoiled ballot return requirements. Alters county canvassing board membership requirements relating to designees. Removes the ceiling on the bond requirement for ballot printers and specifies that the amount required be no greater than the value of the purchase. Provides for the determination by lot of name alternation on voting machines when the number of names to be alternated exceeds the number of precincts. Requires municipal clerk or county

auditor notice to the secretary of state of changes to plans relating to electronic voting systems. Authorizes the use of ballot cards in lieu of paper ballots when an optical scan voting system will be in use. Eliminates the requirement for a copy of an election contest notice to be sent to the county auditor in contests relating to an irregularity in the conduct of an election or canvass of votes. Provides for early preparations for special elections so that a successor may be elected at the earliest possible time. Effective date: August 1, 1987. ORENSTEIN, HUGHES.

City or town combinations for election purposes

Chap. 212-H.F. 230 Provides for the combining of up to four cities or towns contained in the same legislative, congressional and county commissioner district into one precinct for elections purposes. Provides for election judge appointment, precinct boundary map preparation and polling place designation. Sets forth a sunset provision. Authorizes towns with fewer than 400 registered voters located outside the metropolitan area to apply to the county auditor for mail balloting. Provides for procedures and requires the secretary of state to adopt rules. Effective date: August 1, 1987. TUNHEIM, STUMPF.

Article IX - Libraries Allows public library board member per diems in place of expenses. Requires county financial support of public library services and county participation in regional library systems. Appropriates money for library grants and for the installation of an online computer based library catalog system in state agency libraries.

Article X - State agencies appropriations for education

Appropriates money to the Department of Education for educational, administration and financial services; to the Faribault residential academies and resource center and to the School and Resource Center for the Arts. Permits specific fund transfers. Requires the commissioner to develop a department organizational management plan for implementing education policies established by the legislature. Specifies plan requirements. Requires evaluation by the Administration Department management analysis team and requires a report to the legislature. Requires the commissioner to contract for regional curriculum specialists to assist school districts in meeting the requirements in the planning, evaluating and reporting process. Requires the state management effectiveness division to provide risk management and program cost analyses and school bus safety services. Appropriates money for services relating to Acquired Immune Deficiency Syndrome (AIDS) and for the secondary vocational student organization. Discontinues the Governor's Council on Youth. Modifies provisions relating to the Minnesota School for the Arts and Resource Center and changes the name to the Minnesota School and Resource Center for the Arts. Grants the governing board additional powers and duties. Establishes an arts high school fund. Authorizes board admission and operation rules. Effective date: Various dates. NELSON, K., PETERSON, R.W.

Elections and Ethics

Women candidate name and title use

Chap. 39-H.F. 312 Repeals the provisions allowing married or widowed political candidates to use a title and the name or initials of their husband on election ballots, nominating petitions and affidavits of candidacy. Effective date: August 1, 1987. SCHEID, SAMUELSON.

Miscellaneous elections provisions

Chap. 62-S.F. 248 Changes the times for soil and water conservation district secretary submittal of supervisor candidates' names and terms to the county auditor. Changes the times for the filing of affidavits of candidacy in city elections. Changes the time for filing applications for school district office candidates. Applies absentee voting and ballot provisions to school district elections held in conjunction with statewide or county or municipal elections. Changes the time limits for adoption by cities or towns of ordinances or resolutions to choose nominees at a primary election and for holding the primary election. Effective date: August 1, 1987. PETERSON, D.C., PRICE.

Miscellaneous ballot provisions

Chap. 175-H.F. 334 Requires identification and statements before public access to registration files or absentee ballot materials or records. Prohibits use of absentee ballot material or records for purposes unrelated to elections, political activities, or law enforcement. Restricts the delivery of absentee ballots. Prohibits the listing of names of candidates on official ballots if the filing fee payment is made by a check with insufficient funds. Provides that the candidate is liable for costs of name removal. Eliminates the requirement of the secretary of state to transmit affidavits of challenged voters to county auditors. Specifies requirements and restrictions relating to retention of voted ballots. Modifies information requirements of election judges. Includes gray ballots in unused and spoiled ballot return requirements. Alters county canvassing board membership requirements

relating to designees. Removes the ceiling on the bond requirement for ballot printers and specifies that the amount required be no greater than the value of the purchase. Provides for the determination by lot of name alternation on voting machines when the number of names to be alternated exceeds the number of precincts. Requires municipal clerk or county auditor notice to the secretary of state of changes to plans relating to electronic voting systems. Authorizes the use of ballot cards in lieu of paper ballots when an optical scan voting system will be in use. Eliminates the requirement for a copy of an election contest notice to be sent to the county auditor in contests relating to an irregularity in the conduct of an election or canvass of votes. Provides for early preparations for special elections so that a successor may be elected at the earliest possible time. Effective date: August 1, 1987. ORENSTEIN, HUGHES.

Resignation provisions

Chap. 200-H.F. 1515 Specifies that the effective date of resignations of public officials is when the resignation is received by the officer, body, or board authorized to receive it. Provides for exception. Provides for withdrawal of resignations by a written statement signed by the officer and submitted in the same manner as the resignation, before it has been accepted by resolution of the body or board or a written acceptance of the officer authorized to receive it. Provides for appeal of election contests relating to statewide offices and questions to the supreme court. Effective date: May 22, 1987. SCHEID, MORSE.

City or town combinations for election purposes

Chap. 212-H.F. 230 Provides for the combining of up to four cities or towns contained in the same legislative, congressional and county commissioner district into one precinct for elections purposes. Provides for election judge appointment, precinct boundary map preparation and polling place designation. Sets forth a sunset provision. Authorizes towns with fewer than 400 registered voters located outside the metropolitan area to apply to the county auditor for mail balloting. Provides for procedures and requires the secretary of state to adopt rules. Effective date: August 1, 1987. TUNHEIM, STUMPF.

Experimental mail elections

Chap. 213-H.F. 281 Provides for experimental mail elections. Specifies that between August 1, 1987 and March 30, 1989, the secretary of state may authorize experimental mail elections. Provides that a county or municipality submitting questions to the voters at a special election may apply to the secretary of state for approval of an election by mail with no polling place other than the office of the auditor or clerk. Sets limits. Specifies no offices may be voted on. Provides for procedure. Requires a report to the legislature. Effective date: August 1, 1987. STEENSM, HUGHES.

Campaign disclosure and contribution limits

Chap. 214-H.F. 283 Strengthens the restriction on public disclosure of complaints or investigations before the ethical practices board. Increases campaign contribution disclosure limits. Revises the formulas for and method of calculating campaign expenditure limits. Eliminates a certification duty of the state demographer and the use of estimated population figures. Exempts county office candidates from recording or reporting contributions or donations in kind. Effective date: August 1, 1987. JOHNSON, A., FRANK.

Primary election requirements

Chap. 222-H.F. 638 Requires election judges to inform voters of the effect of attempting to vote in more than one party primary. Specifies that if a voter has not indicated a party preference and places a mark beside the names of candidates of more than one party on the partisan ballot, the ballot is totally defective and no votes on it shall be counted. Provides that if a voter has indicated a party preference at a primary, only votes cast for candidates of that party shall be counted. Specifies electronic voting system partisan primary election requirements. Requires different colors of partisan primary ballot booklet pages and specifies available colors. Provides that selection of colors to be by major political party chairs in a random drawing to be conducted by the secretary of state. Requires partisan primary ballots and ballot booklets to be designed for party preference indications. Effective date: August 1, 1987. MINNE, DICKLICH.

Precinct caucuses date change

Chap. 263-H.F. 1327 Provides that precinct caucuses will be held at 7:30 p.m. on the fourth Tuesday in February. Provides for postponements. Specifies that nominations for the election of permanent officers and delegates shall remain open for at least the first quarter hour of the caucus. Specifies that election of delegates and alternates must begin within one hour of convening a caucus and that the election of delegates and alternates may begin one-half hour after the convening of the caucus. Effective date: January 1, 1988. SKOGLUND, COHEN.

School district election provisions

Chap. 266-H.F. 239 Article I - Election laws Provides for the application

of Minnesota election law to independent, special and county school district elections. Authorizes school boards to, by resolution, require eligible voters to maintain residence in the district for a certain period of time prior to voting in a district election. Specifies school district number or name appearance requirements. Requires school districts to assist county auditors in determining the district of residence. Includes school district clerks in the definition of municipal clerk for absentee voting purposes. Requires polling places to be designated and ballots to be distributed to provide one polling place to vote in a school district and municipal election held on the same day. Requires separate ballot boxes or voting machines for each school district. Specifies school district compensation setting and cost payment requirements. Provides for the delivery of school district returns and materials for elections held in conjunction with a state election to the appropriate district clerk by the county auditor or municipal clerk. Includes school board members in the definition of candidate for fair campaign practices purposes. Creates a separate statutory chapter relating to school district elections. Provides for primary, general and special elections. Provides for the filing of affidavits of candidacy. Specifies election notice and ballot requirements. Provides for the setting of voting hours. Specifies procedures for the preparation of materials, the conduct of elections and the canvassing of returns. Authorizes the combining of precincts in school district elections not held on the day of a statewide election. Provides for school board election districts. Specifies petition requirements.

Article II - Organic laws of school districts. Makes conforming statutory amendments. Authorizes the holding of a special election in conjunction with the general election to fill a school board vacancy occurring before the first day to file affidavits of candidacy for the next school district general election and having more than two years remaining in the unexpired term. Effective date: July 1, 1988. MINNE, DICKLICH.

Election district redistricting

Chap. 297-S.F. 397 Sets times for changing election precincts and redistricting election districts. Specifies that a city that elects its council members by wards may not redistrict those wards in a year ending in one or before the legislature has been redistricted in a year ending in two. Specifies that the wards must be redistricted within 45 days after the legislature has been redistricted or by May 10 in the year ending in two, whichever is first. Provides that other local government election districts may not be redistricted until precinct boundaries are re-established according to statute or by May 10 in a year ending in two, whichever comes first. Specifies that election districts must be redistricted within 65 days of the time when the legislature has been redistricted or by June 1 in the year ending in two, whichever comes first. Effective date: August 1, 1987. PETERSON, D.C., SCHEID.

Computerized central voter registration system

Chap. 361-H.F. 523 Requires the secretary of state to develop, implement and maintain a statewide computerized voter registration system for registration facility and central information purposes. Requires county linkup and accessibility. Requires the secretary of state to adopt system administration rules. Provides for voter registration cards with state income tax forms or booklets and as part of drivers license or identification card applications. Specifies county auditor and secretary of state duties relating to the registration system. Specifies commissioner of revenue duties relating to insertion in income tax forms or booklets of postpaid registration forms and Department of Public Safety duties relating to changing drivers license and identification card applications to serve as voter registration cards. Requires computerized drivers license records to be accessible by the secretary of state and to interact with the voter registration system. Requires municipal or town approval of county auditor delegation of duties to municipal or town officials. Requires state agencies and community based public agencies or nonprofit corporations contracting with the agencies to provide voter registration services for employees and the public. Effective date: July 1, 1987. OGREN, LUTHER.

Employment

Employer bankruptcy notice requirements

Chap. 38-H.F. 134 Requires an employer to notify employees and job applicants of bankruptcy proceedings. Effective date: August 1, 1987. PRICE, LANTRY.

Mediation services provisions

Chap. 45-H.F. 1028 Relates to the Bureau of Mediation Services. Transfers the authority to appoint special mediators, fact finding commissions, labor referees and arbitrators from the governor to the director. Increases the per diem for special mediators, commissioners and labor referees. Requires director proceedings rules. Sets a deadline for the meeting of fact finding commissions after appointment and modifies the requirements for

extension of original period of limitation. Requires report filing and distribution. Provides for hearings before labor referees for violations of the Labor Union Democracy Act and for labor organization suspension by the director for noncompliance with orders. Provides for removal or charges or suspension. Effective date: August 1, 1987. SIMONEAU, PIPER.

Occupational safety and health violations

Chap. 46-H.F. 1049 Clarifies occupational safety and health inspection or enforcement rights of the Department of Labor and Industry and the Department of Health. Requires the posting of notice of intent to contest a citation for correction of violations. Clarifies employee right to bring suit in the district court. Effective date: August 1, 1987. JOHNSON, A., PIPER.

Boiler regulations

Chap. 70-S.F. 1015 Permits appointment of a deputy chief of the division of boiler inspecting in the Department of Labor and Industry. Requires the chief and deputy chiefs of the division to have a certain number of years of boiler inspection experience. Provides conditions for the certification of boilers or show engines. Requires inspections of hobby boilers or show engines. Authorizes the commissioner of labor and industry to set fees for the inspection of traction engines, show boilers and show engines. Provides a penalty for violation of inspection requirements. Requires license application fees for traction engineers and pilots. Eliminates expired fee and fee forfeiture requirements. Alters pressure vessel regulation exception provisions. Effective date: August 1, 1987. LANTRY, BEGICH.

Workers compensation insurance fund

Chap. 72-H.F. 26 Requires the workers compensation insurance fund to be organized as a domestic mutual insurance company. Provides for powers. Authorizes the State Board of Investment to invest in guaranty fund certificates, surplus notes or debentures issued by domestic mutual insurance companies. Adds the manager of the fund as an ex officio member of the board of directors. Effective date: May 12, 1987. SIMONEAU, CHMIELEWSKI.

Employee terminations

Chap. 76-H.F. 823 Prohibits employer retribution for employee reporting or participating in investigations or for refusing to participate in activities relating to suspected employer violation of laws, rules or regulations. Prohibits public or law enforcement officials disclosure of the identities of reporting employees without employee consent. Requires written reasons for employee termination upon request and prohibits use for employer defamation purposes. Requires the Department of Labor and Industry to adopt rules for employer notice of employee rights. Provides for recovery of damages through civil action. Provides a penalty for employer violations. Effective date: August 1, 1987. GUTKNECHT, WEGSCHEID.

Disability for loss of taste, smell

Chap. 87-S.F. 916 Provides a permanent partial disability rating for losses of taste or smell that occurred after December 31, 1983, and before November 12, 1985. Effective date: May 12, 1987. BELANGER, BLATZ.

Pipefitters, piping requirements

Chap. 132-H.F. 656 Modifies the definition of high pressure piping. Requires the commissioner of labor and industry to set a municipal surcharge and requires deposit into the special revenue fund. Requires department adoption of rules for the examination and licensing of pipefitters and for issuance of permits for the installation of high pressure piping. Requires the passage of a written examination for licensing purposes and requires the commissioner to set conditions for renewal. Alters license revocation provisions. Prescribes a penalty for violations. Effective date: May 15, 1987. O'CONNOR, KROENING.

Interior designers, decorators task force

Chap. 231-H.F. 1366 Creates the Minnesota Task Force on Interior Designers and Decorators. Requires the task force to study the necessity of licensure and to assess interaction with other related professions. Requires report to the legislature and the commissioner of commerce. Effective date: May 27, 1987. KINKEL, WEGSCHEID.

Disabled civil service employment

Chap. 232-H.F. 1475 Provides for employment opportunities in state government civil service for persons with physical or mental health disabilities or mental retardation. Authorizes the service worker category to include disabled persons. Requires a number of persons with severe disabilities and their job coaches to be allowed to demonstrate job competence as a unit through the on-the-job trial work experience examination procedure. Provides for a supported work program for persons with severe disabilities. Effective date: August 1, 1987. JEFFERSON, CHMIELEWSKI.

Firefighting volunteers pay deduction

Chap. 242-H.F. 14 Limits unemployment benefit charges to fire

departments and emergency transportation services. Regulates the receipt of benefits. Provides that wages for volunteer firefighter or ambulance services not be deducted for benefit calculation purposes. Effective date: August 1, 1987. BEGICH, REICHGOTT.

Plumbers advertising restrictions, alarm installer application

Chap. 279-H.F. 1073 Expands the scope of advertising restrictions for plumbers. Extends the deadline for alarm and communication systems contractor and installer license application. Effective date: Plumbers advertising restrictions, January 1, 1988; application extension, May 29, 1987. O'CONNOR, KROENING.

Workers compensation calculation for town officials

Chap. 301-S.F. 641 Requires that the commissioner of commerce in setting the assigned risk plan rates for insurers to compute workers compensation insurance premiums for elected or appointed town officials based on actual annual wages. Effective date: August 1, 1987. CHMIELEWSKI, MURPHY.

Minimum wage increase

Chap. 324-H.F. 3 Increases the minimum wage in stages. Provides different minimum wage requirements for federally covered employers and state covered employers. Sets a separate minimum wage for employees receiving an amount of gratuities per month. Effective date: January 1, 1988. KELLY, LANTRY.

Workers compensation revisions

Chap. 332-H.F. 913 Provides general administrative reform to the workers compensation system. Clarifies administrative hearing procedures. Requires the deposit of securities or surety bonds by self-insurers and specifies bond form. Adds the chair persons of the rehabilitation review panel and the medical services review board to the membership of the Advisory Council on Workers Compensation. Exempts the special compensation fund from liability for payment of benefits to employee of uninsured employers. Alters review and appeal determination authority of the rehabilitation review panel and provides for hearings under contested case procedures. Grants the panel disciplinary and penalty imposition authority. Allows decisions of the panel to be appealable to the Workers Compensation Court of Appeals. Authorizes rehabilitation plan modification based on perceived lack of continued benefit to the employee. Creates an exception to the prohibition on consultants as rehabilitation vendors and authorizes commissioner approval of vendors.

Requires continuing education and training for compensation judges. Provides for commissioner initiation of contested case proceedings relating to medical services review. Modifies duties of the Medical Services Review Board and expands the authority of the board to appoint subcommittees, impose penalties and make final decisions. Permits the special compensation fund to conduct financial audits of reported indemnity claim payments and assessments. Requires the crediting of recoveries to the fund. Limits reimbursements from the special compensation fund to employers and insurers for failure to report or to make payments due. Provides for apportionment of fund liability among all injuries and limits the liability of the fund for expenses attributable to subsequent injuries. Restricts the designation of cardiac disease as physical impairment. Clarifies employer liability for treatment costs. Modifies second surgical opinion requirements. Sets a commencement of payment deadline and alters penalties for failure to comply.

Requires the submission of itemized statements and copies of medical records or reports by health care providers. Provides for provider recovery of medical fees deemed excessive by the employer or insurer. Specifies additional employer notice posting requirements. Requires employer payment of examination costs and requires an examination report prior to the initiation of proceedings. Prohibits the application of credit against medical expenses due or payable. Increases the penalties for failure to secure insurance and authorizes court orders compelling compliance. Requires business license renewal withholding for evidence of insurance coverage and specifies information required for evidence. Provides for payment of amounts recovered from self insurers to the special compensation fund. Permits the commissioner to require proof of authority to self insure or of insurance coverage for workers compensation liability. Provides for records inspection and employer investigation powers of the commissioner for insurance requirement compliance purposes. Sets forth employer and employee participation provisions.

Prescribes a penalty for improper employer withholding relating to the payment of insurance costs by the employee. Authorizes the issuance of temporary orders in cases of dispute. Specifies prohibited practices. Requires notice, hearing order and written answers relating to complaints under license suspension or revocation provisions. Provides for record examination powers of the special compensation fund for administration purposes. Makes optional a license revocation requirement of the commissioner of commerce. Provides for substitute filing of an employer injury report. Requires employer notice to or service of petition on the

employee of intent to discontinue temporary total, temporary partial or permanent total compensation. Provides for employee objection to discontinuance and expedited hearing or administrative conference. Specifies interim payment liability provisions. Provides for proof of document service or filing. Specifies additional dispute petition requirements. Provides for direct reference by the district court of actions to the chief administrative law judge for assignment. Provides for settlement and pretrial conferences on petitions filed with the workers compensation division of the Department of Labor and Industry.

Changes procedures for the filing of affidavits of prejudice against a compensation judge and provides for petitions for reassignment of a case. Specifies additional requirements of answers to petitions and alters provisions relating to cases involving no filed answer. Provides for the continuation of petition hearing and for expedited hearings upon a showing of significant financial hardship. Provides for the admissibility of reliable hearsay as evidence in hearings and investigations. Provides for cross appeals to the Workers Compensation Court of Appeals. Authorizes the chief administrative law judge to require payment for transcription costs prior to transcript preparation. Transfers responsibility of the commissioner of labor and industry relating to the administration and payment of workers compensation benefits to state employees and officers to the commissioner of employee relations. Eliminates a rule requirement relating to suitable gainful employment and a restriction on payments from the state compensation revolving fund. Repeals the advisory council to the medical service review board. Requires the commissioner of labor and industry to make recommendations to the legislature proposing changes in the workers compensation system to reduce employer insurance premiums. Effective date: Various dates. SIMONEAU, CHMIELEWSKI.

Parental leave

Chap. 359-H.F. 234 Establishes unpaid leave of absences for parents with the birth or adoption of a child. Prohibits employer retribution for requesting or obtaining leave. Requires employers to continue to make insurance coverage available during leave. Requires reinstatement after leave to former or comparable position. Provides for cause of civil action to recover damages and costs relating to employer violations. Effective date: August 1, 1987. MCLAUGHLIN, PETERSON, D.C.

Unemployment compensation provisions

Chap. 362-H.F. 715 Relates to unemployment compensation. Redefines base period and specifies extensions and extension limits. Extends the benefit year for claimants. Defines wages paid and redefines wage credits. Changes employer contribution rates and eliminates rate limits and changes minimum and maximum rates. Provides for an unemployment compensation fund solvency assessment. Changes the weekly benefit amount based on earned wage credits. Eliminates references to credit weeks and average weekly wage. Changes the maximum weekly benefit amount. Provides for seasonal employment and the establishment of a second benefit year. Prohibits employer charging for benefits under specified conditions. Provides for additional benefits relating to reduced operations at facilities and establishes eligibility conditions and benefit amounts.

Limits waiting week reimbursement. Increases the earnings necessary for re-qualification after disqualification for voluntary quit or misconduct or for failure to apply for suitable work. Eliminates notice and filing requirements relating to appeals and provides for employer filing of protest to monetary entitlement or to raise an issue of ineligibility or disqualification. Provides for commissioner of jobs and training certification of wages earned upon employer failure to provide wage information and authorizes modification based on subsequently received corrected information. Sets penalties for employer failure to report and for filing an erroneous report. Provides for the crediting of the return of erroneous payments to the economic security contingent account. Modifies reporting requirements and provides for contribution and wage detail reports. Effective date: Various dates. RIVENESS, CHMIELEWSKI.

Unemployment compensation programs

Chap. 376-H.F. 1621 Appropriates federal money received to the commissioner of jobs and training for unemployment compensation programs and facilities. Specifies a contingency appropriation for job search and self assessment unemployment insurance eligibility system. Effective date: June 3, 1987. MCLAUGHLIN, POGEMILLER.

Steam turbines regulation exception

Chap. 382-S.F. 1232 Excepts steam powered turbines at paper making facilities powered by steam generated by remote municipal steam district facilities from boiler regulations. Effective date: August 1, 1987. SOLON, JAROS.

Unemployment compensation revisions

Chap. 385-H.F. 1542 Clarifies the definitions of employing unit, employment, valid claim, wage credits and credit week. Includes sickness

and accident disability payments in the definition of wages and specifies excluded disability payments. Defines wages paid. Alters employer contribution rates and eliminates adjustments from contribution rate determination. Changes the computation of employer experience ratios. Modifies the charging of employer accounts and experience rating record transfer provisions. Provides for refund of voluntary employer contributions. Provides for payment of benefits due deceased persons. Excludes receipt of holiday pay in excess of a certain amount from benefit eligibility. Subjects back pay deductions to past due contributions collection procedures. Excepts individuals separated from employment based on a provision in a collective bargaining agreement vesting discretionary authority in another person and individuals separated from part-time employment under conditions from benefit disqualification. Provides for interest on unpaid judgments. Modifies reporting requirements and provides for contribution and wage detail reports. Sets penalties for employer failure to report, for filing an erroneous report and for dishonored checks. Provides for the crediting of penalties to the administration fund.

Creates a lien for benefit overpayments, and removes the homestead exemption. Specifies lien perfection, priority and enforcement provisions. Provides for the liability of successor employers for contributions due and unpaid and of third parties for payment of amounts due from contractors, subcontractors and employee leasing firms. Requires and provides for unemployment tax clearance from the commissioner of jobs and training for business license issuance, transfer or renewal. Specifies licensing authority duties. Provides for the withholding of benefits for unpaid contributions, interest, penalties and costs and for the cancellation of delinquent contributions after a number of years. Limits single deductions from benefit overpayments. Authorizes the commissioner to enter into reciprocal agreements with the federal government for recovery by offset of overpayments. Specifies false representations or statements to obtain benefits as the crime of theft. Specifies the amount of benefits incorrectly paid. Provides for the crediting of employer penalties relating to termination of trainees to the job search and relocation fund and provides for penalty waiver. Cites the statutory chapter relating to unemployment compensation as the "Minnesota Jobs and Training Law." Effective date: August 1, 1987. O'CONNOR, CHMIELEWSKI.

Drug testing

Chap. 388-H.F. 42 Prohibits employer testing of employees or job applicants for drugs or alcohol without a written testing policy. Specifies policy requirements. Requires employer notice upon policy adoption to affected employees and job applicants. Limits routine physical examination and random testing. Authorizes chemical dependency treatment program participation testing and reasonable suspicion testing. Requires use of laboratories licensed by the commissioner of health. Requires commissioner rules governing licensing, testing standards and procedures. Requires an annual license fee to defray costs. Authorizes employer use of nonlicensed testing laboratories prior to adoption of rules and license issuance and sets minimum laboratory requirements. Specifies laboratory confirmatory testing, test result reporting and sample retention requirements. Prohibits employer charging of employees for testing costs. Specifies employer chain of custody procedures compliance requirements. Specifies employee and job applicant rights and employer notice requirements relating to test results. Provides for confirmatory retest at employee or job applicant expense. Limits employer discharge or discipline of or discrimination against employees based on positive test results. Provides for employee protections under collective bargaining agreements. Provides for civil actions and injunctive relief against employers or laboratories for violations. Effective date: September 1, 1987. PAPPAS, CHMIELEWSKI.

Environment and Natural Resources

State land conveyance—St. Louis County

Chap. 17-H.F. 166 Provides for the conveyance of state land in St. Louis County to private individuals. Provides for the reservation of mineral rights. Effective date: April 8, 1987. BATTAGLIA, JOHNSON, D.J.

Tax-forfeited land sale—St. Louis County

Chap. 31-H.F. 11 Provides for the sale of tax-forfeited land in St. Louis County to a private individual. Effective date: April 17, 1987. BEGICH, JOHNSON, D.J.

Tax-forfeited land sale—Cook County

Chap. 34-H.F. 348 Provides for the private sale of tax-forfeited land in Cook County. Effective date: April 17, 1987. BATTAGLIA, JOHNSON, D.J.

Deer hunting limits

Chap. 35-H.F. 400 Makes permanent the experimental season allowing the commissioner to permit the taking of two deer. Effective date: August 1, 1987. NELSON, D., MERRIAM.

Conveyance of state easement—city of Faribault

Chap. 43-H.F. 505 Provides for the conveyance of a state easement in the city of Faribault to the adjoining landowners. Effective date: May 1, 1987. RODOSOVICH, FREDERICK.

Deer by archery hunting license for foreign exchange students

Chap. 47-S.F. 73 Permits nonresident high school foreign exchange students to obtain deer by resident archery hunting licenses. Effective date: August 1, 1987. BENSON, REDALEN.

Sale of tax-forfeited land—city of East Grand Forks

Chap. 57-H.F. 750 Provides for the sale of tax-forfeited land in the city of East Grand Forks. Effective date: May 7, 1987. LIEDER, MOE, R.D.

Raccoon dog field trials

Chap. 81-S.F. 333 Allows raccoon dog field trials to be conducted between April 16 and July 14 with a special permit issued by the commissioner of natural resources. Effective date: May 12, 1987. MERRIAM, CARLSON, D.

Chordane pesticide prohibition

Chap. 82-S.F. 345 Prohibits the sale, use or application of the pesticide chlordane or the derivative heptachlor within the state. Effective date: August 1, 1987. JUDE, NELSON, D.

State timber sales and cutting permits

Chap. 109-S.F. 461 Authorizes the commissioner of natural resources to offer certain state timber unsold at public auction for private sale at appraised value. Extends the duration of permits for cutting state timber sold at public auction. Reduces the allowable extension period and changes the interest rate on extensions. Provides for a certain purchaser surety bond requirement option and for cash deposit payment by personal check. Repeals timber cutting notice and penalty provisions. Repeals provisions relating to white pine blister rust. Eliminates a limit on the value of timber taken in trespass upon state or timber lands for settlement purposes. Effective date: June 13, 1987. WILLET, KINKEL.

Migratory waterfall resting areas

Chap. 119-S.F. 1308 Removes the restriction on the number of lakes authorized for designation as migratory waterfowl feeding or resting areas by the commissioner of natural resources. Permits the use of watercraft or aircraft with small electric motors in the areas. Effective date: August 1, 1987. MARTY, ROSE

Elk breeding

Chap. 121-H.F. 340 Permits elk to be bred on game and fur farms. Effective date: August 1, 1987. SCHAFER, RENNEKE.

State park, wayside modifications

Chap. 128-H.F. 569 Permits food service and room cleaning employees at restaurant and lodging facilities in Itasca State Park to accept tips. Authorizes additions to Glacial Lakes State Park in Pope County and Scenic State Park in Itasca County. Changes the name of Tower Soudan State Park in St. Louis County to Soudan Underground Mine State Park. Abolishes Old Crossing Treaty State Wayside and provides for the transfer of state lands within the wayside to Red Lake County and the University of Minnesota. Requires operation of the remaining land as a state wildlife management area by the commissioner of natural resources. Abolishes Rice Lake State Wayside in Scott County and authorizes the exchange of state lands within the wayside for federal land for inclusion in Glacial Lakes State Park. Authorizes sale and consumption of wine by the drink at the restaurant in Douglas Lodge in Itasca State Park. Effective date: May 15, 1987. RUKAVINA, STUMPF.

Trapping provisions

Chap. 131-H.F. 653 Authorizes the use of artificial light while tending traps. Restricts the possession or use of firearms when tending traps. Removes the duration restriction on open otter seasons. Changes the restriction on the setting of traps near water before the mink and muskrat season. Effective date: August 1, 1987. REDING, BERG.

Lost River State Forest

Chap. 137-H.F. 836 Revises the boundaries of Lost River State Forest. Effective date: May 15, 1987. TUNHEIM, STUMPF.

Tax-forfeited land sale-St. Louis County

Chap. 140-H.F. 947 Provides for the private sale of tax-forfeited lands in St. Louis County to a company in the city of Floodwood for facility construction purposes, to individuals in the city of Duluth, and to the city of Winton for a waste water treatment facility pond system. Provides for the private sale of tax-forfeited land in Lake County to the city of Two Harbors for airport

expansion and nondirectional radio beacon installation. Effective date: May 15, 1987. BEGICH, JOHNSON, D.J.

State land sale-Steele County

Chap. 146-H.F. 1376 Provides for the sale of state land in Steele County to the city of Owatonna. Effective date: May 15, 1987. HARTLE, FREDERICK.

Game and fish law revisions

Chap. 149-S.F. 385 Article I Recodifies wild rice management account provisions. Clarifies the definition of enforcement officer and unloaded firearm. Includes brown trout in the definition of game fish. Authorizes the commissioner of natural resources to use money in the game and fish fund for enforcement division activities. Removes requirements for game refuge boundary posted notices. Removes the expiration date for muskrat farm licenses. Changes the date for licensee reports. Modifies the requirement for marking of harvested game. Extends burden of proof establishment in prosecutions to animals received as gifts. Modifies provisions relating to hunting while under the influence of alcohol or a controlled substance. Allows the issuance of more than one license per year except for big game and trapping. Exempts persons licensed to mount specimens of wild animals from the report requirement and requires records to be kept in a book supplied by the commissioner. Allows nonresident minors to purchase nonresident fishing licenses and to take and possess fish. Eliminates provisions relating to license application oath administration. Clarifies a provision relating to package marking by persons storing protected wild animals. Changes requirements relating to the transfer or possession of protected wild animals. Requires written proof of acquisition by gift for license exemption purposes. Removes restrictions on the transport of big game animals. Allows a number of shipments of the possession limit of one species of fish per license year. Expands provisions relating to transport of game birds. Prohibits trespassing on agricultural land to retrieve wounded game after notice by the owner or lessee not to do so. Eliminates restrictions on the taking of wild animals with a firearm. Allows possession of shotgun shells and shot in deer areas. Clarifies provisions allowing the taking of raccoons with lights at night and the use of dogs to pursue and tree raccoons during the closed season. Authorizes the commissioner to restrict the taking of pine marten and opossum. Eliminates the requirement for a license and seal to take beaver damaging property. Prohibits the taking of protected birds by using fire. Specifies the time for possession of nets and spears to take fish. Eliminates the presumption of illegal taking of protected wild animals. Repeals a provision relating to nonresident licenses for boundary water hunting or fishing.

Article II Corrects obsolete cross references. Effective date: August 1, 1987. MERRIAM, TRIMBLE.

Lakeshore lot sales extension

Chap. 158-H.F. 1412 Extends the time limit for the sale of state lakeshore lots to persons leasing cabins on the lots. Effective date: May 16, 1987. BATTAGLIA, JOHNSON, D.J.

Water diversion restrictions

Chap. 159-H.F. 1507 Prohibits without approval the diversion or consumptive use of state waters from the basin of origin to places outside the state if the diversion exceeds a set amount. Prohibits the diversion without the commissioner of natural resources determination and legislative approval. Requires notice of the diversion to Great Lakes states and Canadian officials prior to issuance of the permit for diversion or consumptive use of the waters. Effective date: August 1, 1987. MUNGER, WILLET.

Mechanical release aids

Chap. 170-H.F. 102 Allows a bow hunter to use a mechanical release aid attached to the bowstring if the person's own strength draws, holds and releases the bow. Effective date: August 1, 1987. STANIUS, LAIDIG.

Environment laws enforcement

Chap. 174-H.F. 332 Provides for Pollution Control Agency assessment and collection of administrative penalties for uncorrected violations of certain provisions, standards, rules, variances, order, stipulations or permits relating to hazardous waste and provides for immediate assessment under specified conditions. Provides for review of orders, mediation and hearings before an administrative law judge or in district court and for attorney general enforcement of penalties. Effective date: August 1, 1987. NELSON, D., MARTY.

Big game arrowhead requirements

Chap. 183-H.F. 809 Changes the requirement for arrowheads used in big game hunting. Effective date: August 1, 1987. JOHNSON, A., MARTY.

Water aeration operations

Chap. 184-H.F. 909 Provides an exclusion from government tort liability for public water aeration operations by permittees of the commissioner of natural resources. Changes posting and public notice requirements for aeration operations. Effective date: August 1, 1987. BROWN, BERG.

Metropolitan counties ground water protection

Chap. 207-S.F. 353 Expands the metropolitan surface water management program to include ground water management. Authorizes the preparation and adoption of ground water plans by counties or soil and water conservation districts. Prescribes general standards for and required contents of the plans. Requires review and comment by soil and water conservation districts, towns, cities, watershed management organizations, the Metropolitan Council, the commissioners of natural resources and health and the director of the Pollution Control Agency. Requires plan approval by the water resources board. Requires metropolitan area watershed district assessment notices to property owners and corporations affected by improvements prior to assessment. Authorizes prepayment of assessments. Requires watershed management plans to be revised following adoption of a ground water plan. Requires county review for consistency and provides for council mediation to resolve differences among local governmental agencies. Effective date: August 1, 1987. JUDE, NELSON, D.

Forest management services receipts

Chap. 226-H.F. 834 Deposits receipts from private forest management services into the forest management fund rather than the general fund. Appropriates money in the forest management fund to the commissioner of natural resources for private forest management services. Effective date: July 1, 1987. SOLBERG, WILLET.

Drainage law revisions

Chap. 239-H.F. 1078 Defines and provides for drainage projects. Requires permanent grass strips. Requires a compliance notice or orders and provides for the collection of compliance expenses. Requires informal meeting relating to drainage proceedings. Provides for the payment of attorney fees to prevailing parties on appeals initiated and lost by the natural resources commissioner. Prescribes general procedures for petitions for drainage projects or repair. Sets bond requirements. Modifies petition requirements for new drainage systems, drainage system improvements and laterals. Authorizes and provides for delays in drainage proceedings and drainage project construction. Requires county attorney review or petition and bond. Specifies certain engineering requirements. Requires certain adjourned hearings to be reconvened. Requires ditch rights-of-way to include grass strip areas. Changes viewer requirements. Prescribes conditions for assessments against property within a municipality of town. Prescribes the extent of damages and benefits. Requires viewer reports to include a benefits and damages statement. Requires county auditor preparation of property owners reports from viewer reports.

Requires drainage authority notice and property owner blockage of unauthorized outlets into drainage systems. Requires blockage to remain in effect until outlet fee payment and drainage authority petition approval. Sets compliance order provisions. Provides for the recording of drainage liens against tracts of property. Changes interest rate paid during drainage proceedings. Modifies the definition of repair and specifies requirements for repairs affecting public waters. Requires drainage authorities to inspect drainage systems for violations of permanent grass strip maintenance requirements. Alters repair of maintenance work bid requirements. Provides for repair by the installation of erosion control measures. Provides for apportionment of repair costs and authorizes additional assessments for agricultural practices on permanent grass strips and special assessments on property in violation of county soil loss ordinances. Removes district court authority in provisions relating to the transfer of drainage system authority. Requires the commissioner of natural resources in cooperation with the Department of Agriculture, the Pollution Control Agency and the association of watershed district managers and counties to prepare a report relating to state assumption of a federal permitting program. Repeals the Drainage and Conservancy Act of Minnesota. Effective date: August 1, 1987. JENNINGS, DECRAMER.

State park permits

Chap. 253-H.F. 554 Provides for the issuance of a park permit for a family's second vehicle. Allows Minnesota to enter into a reciprocity agreement with the state of Wisconsin concerning admittance to Interstate Park by Taylors Falls. Authorizes the commissioner of natural resources to adopt rules regulating the use of state parks. Allows commissioner to stage state park pageants and charge a pageant admittance fee. Sets state park permit fees. Requires fees to be charged for parking, campsite and park use. Changes the date for park permit issuance and sets display requirements. Effective date: June 27, 1987. RUKAVINA, PEHLER.

Fire fighting billing waiver

Chap. 264-S.F. 1099 Waives the requirement for the commissioner of natural resources to bill the federal government, other states or Canadian provinces for indirect costs of providing emergency fire fighting services and the requirement for reimbursement of the costs to the general fund under reciprocity agreements. Effective date: May 29, 1987. LESSARD, SOLBERG.

Hazardous waste penalties

Chap. 267-H.F. 401 Sets criminal penalties for the violation of laws and rules regulating the transport, delivery, treatment, storage and disposal of hazardous waste. Provides for proof of knowledge, indictment or complaint and for the aggregation of offenses. Sets felony penalty for a person found guilty of knowingly transporting, treating, storing, or disposing of hazardous waste in violation of the law or knowingly placing another person in imminent danger of great bodily harm by improper handling of hazardous waste. Sets felony penalty for unlawful disposal. Sets felony penalty for unlawful treatment, storage, transportation or delivery of hazardous waste. Effective date: August 1, 1987. NELSON, D., DAHL.

Forest fire expense recovery, reward increase

Chap. 271-H.F. 601 Requires forest firefighting expenses recovered by the state to be restored to the fund of origin for original use purposes. Increases the amount of reward granted for information leading to the conviction of forest fire crimes. Clarifies provisions relating to the burden of proof and evidence of negligence. Eliminates the burden of proof in refuting prima facie evidence of guilt under a provision relating to prosecution for unlawfully starting fires. Effective date: August 1, 1987. SOLBERG, DAHL.

Waste water treatment grants, loans

Chap. 277-H.F. 1030 Provides for grants and loans to local governments for construction and rehabilitation of waste water treatment facilities and systems. Increases the amount of state expenditure under the independent grants program for small local units of government. Eliminates certain grant basis requirements. Increases the percentage of project reimbursement to local units. Authorizes and provides for the PCA to set aside portions of the independent grants for capital cost component or corrective action grants and for reimbursing owners of individual on-site waste water treatment systems for upgrading or replacing costs. Provides for state matching grants for a waste water treatment facility at a federal correctional institution. Effective date: August 1, 1987. MUNGER, DAHL.

Sale of tax-forfeited land—St. Louis County

Chap. 280-H.F. 1119 Authorizes the sale of tax-forfeited land in St. Louis County to the city of Biwabik. Effective date: August 1, 1987. RUKAVINA, DICKLICH.

Acid rain assessment

Chap. 304-S.F. 865 Assesses public utility companies for 60 percent of the costs incurred by the Pollution Control Agency in achieving, maintaining and monitoring compliance with acid deposition control standards. Bases the assessment on kilowatt-hour sales greater than 4 million kilowatt-hours in the previous calendar year. Requires the director of the PCA to prepare a work plan and budget for submission to the PCA board for approval and to the Legislative Commission on Minnesota Resources for its review and recommendations. Effective date: Various dates. DAHL, TRIMBLE.

Flood hazard mitigation

Chap. 306-S.F. 909 Establishes a state flood hazard mitigation grant program to enable counties, cities, towns and watershed or lake improvement districts to conduct floodplain damage reduction studies and to implement flood mitigation measures. Requires the commissioner of natural resources to conduct a statewide inventory and flood damage assessment of flood prone structures and lands. Specifies grant limits and award considerations. Changes the qualifications for the office of director of the DNR division of waters, soils and minerals. Increases the limit for dam repair and reconstruction costs or grants without legislative approval and eliminates the approval responsibilities of the Executive Council. Requires Legislative Advisory Commission approval of emergency repairs upon request of the commissioner of finance. Effective date: Various dates. STUMPF, JENNINGS.

Radioactive waste facility site selection

Chap. 311-S.F. 1202 Requires that a board be established to select a site for a low-level radioactive waste facility when the governor issues an executive order that a facility be sited. Requires the governor to determine whether a low-level radioactive waste facility should be sited when Minnesota is designated as a host state by the interstate commission under the Midwest Interstate Low Level Radioactive Waste Compact, when Minnesota volunteers as a host state for a regional facility under the compact or Minnesota withdraws from the compact. Establishes the chair of the Environmental Quality Board as the chair of the siting board and specifies board membership. Specifies siting criteria and requires maintenance of health, safety and environmental considerations. Specifies a preference for a volunteer site. Provides for county resolutions of interest for feasibility investigation purposes. Requires the commissioner of energy and economic development to analyze the economic development impact. Authorizes use of the nonvolunteer siting process. Authorizes the use of fees assessed by the Pollution Control Agency against generators of low level radioactive waste for the payment of siting costs, and for fee deposit change from general to

special revenue fund. Transfers siting process development responsibilities from the PCA to the siting board. Effective date: May 29, 1987. PEHLER, KAHN.

Timber trust funds

Chap. 323-S.F. 905 Appropriates money to the commissioner of natural resources to replace income lost to state trust funds due to timber permit cancellations. Releases timber covered by the cancelled permits from the trust for a period upon permanent school fund receipt of the appropriation. Requires the commissioner to attempt to sell, recycle or dispose of the timber and requires the generated income to be divided between the general fund and the forest suspense account. Effective date: May 30, 1987. LESSARD, NEUENSCHWANDER.

Waste management amendments

Chap. 348-H.F. 794 Requires the Waste Management Board to encourage improved management of nonhazardous and industrial waste. Requires the board to provide for the development and implementation of public education programs on waste management in cooperation and coordination with other agencies. Deletes the public hearing requirement for hazardous waste management draft plan revision and requires a public meeting. Requires the commissioner of administration to determine the waste disposal cost savings associated with recycling and reuse activities and credits the savings to the resource recovery revolving account. Extends the technical and research assistance program and waste processing and collection facilities development grants to generators of industrial waste. Requires the Waste Management Board and the PCA to prepare and adopt a biennial report on solid waste management policy excluding the metropolitan area.

Requires the board to assist and encourage the development of facilities and services necessary to provide markets for recyclable materials and authorizes grants. Eliminates PCA responsibilities under the solid waste management demonstration program and provides for the inclusion of additional projects. Prohibits land disposal of lead acid batteries and used oil. Provides a system for organized collection of solid waste by cities, towns and counties. Requires the PCA to establish a household hazardous waste management program. Authorizes Energy and Economic Development Authority loans to businesses for the purchase of used oil processing equipment and grants to counties for installation of storage tanks to collect used oil. Authorizes money for waste tire recycling. Includes PCA voluntary uncompensated workers in the definition of employee for workers compensation purposes. Changes motor oil retailer collection notice requirements and requires automotive lead acid battery retailer collection for recycling purposes. Specifies Public Service Department weights and measures division inspection and enforcement powers and duties.

Changes the date for the Metropolitan Council annual report to the LCWM on land disposal abatement. Requires metropolitan area counties to submit for council approval local recycling implementation strategies. Alters the authorized uses of the metropolitan landfill abatement fund. Requires county approval of resource recovery grants or loans to cities or towns for conformance with the county master plan. Provides for council grants for local recycling development programs. Requires the council to submit budget and work programs to the LCWM for recommendations prior to the expenditure of funds. Requires the council to recommend to the legislature future management and use of the abatement fund. Requires the PCA to design and implement a pilot project for the collection and disposal of waste pesticides in consultation and cooperation with the commissioner of agriculture. Requires the commissioner of administration to provide for the establishment of a program to test the purchase of recycled paper. Requires the PCA to annually submit to the LCWM a budget and work program for metropolitan landfill contingency action fund expenditures for recommendation purposes. Makes the Waste Management Board permanent. Eliminates financial assistance for solid waste management planning by local government units. Sets forth provisions relating to reduced solid waste bond debt service payments and landfill abatement cost recovery by metropolitan area cities and towns. Effective date: July 1, 1987. LONG, MERRIAM.

Pipeline Safety Act

Chap. 353-S.F. 90 Regulates the safety of pipelines transporting hazardous liquids. Prohibits construction without a pipeline routing permit issued by the Environmental Quality Board and specifies construction only on designated routes. Requires the EQB to adopt routing rules and issue routing permits. Requires the Public Utilities Commission to include public utility pipeline safety program compliance costs in rate change determinations. Requires notice to excavators and underground facility operators upon excavation permit issuance. Provides for the creation of a statewide notification center for underground excavation. Transfers duties relating to intrastate gas pipeline safety from the state fire marshal to the commissioner of public safety. Requires the commissioner to act as an agent for the U.S. secretary of transportation in implementing federal pipeline safety

regulations. Creates an Office of Pipeline Safety. Specifies inspector qualification and training requirements. Requires the commissioner of public safety to adopt a model ordinance requiring a setback from pipelines in residential or developmental areas. Requires cities, towns and counties to adopt setback ordinances meeting or exceeding the model ordinance's standards.

Creates the Pipeline Safety Council. Provides criminal penalties for operators or employees of operators failing to report emergency releases to the emergency response center established by the commissioner of public safety. Requires operator maps detailing the location of pipelines and appurtenances and emergency response plans. Specifies filing and content requirements. Specifies operator testing and pipeline product notice requirements. Requires line markers. Requires local government unit response plans. Provides for the adoption of federal pipeline inspection rules. Requires and provides for an annual pipeline inspection fee to be paid by operators. Prescribes penalties for vandalism and unauthorized pipeline disposal after release. Provides for civil penalties, injunctive relief and other remedies. Establishes a pipeline safety account for the deposit of fees and penalties. Effective date: Various dates. NOVAK, KNUTH.

Conservation reserve and water bank program

Chap. 357-S.F. 841 Modifies the conservation reserve program. Changes the definition of landowner. Alters eligible land provisions to include wetlands, lands with windbreaks, adjacent croplands and lands owned by relatives of the landowner. Bases the allowable percentage of enrolled land on the number of acres with priority to permanent easements. Increases the limited duration period of conservation easements for acquisition purposes and increases the required period of renewal. Requires landowners to agree to restore drained wetlands, to grant the state permanent easement for the wetlands and to lengthen the duration of the easement under specified conditions. Alters the calculation of payments to landowners. Provides for technical assistance from the commissioner of agriculture and natural resources for forestry practices and hydrologic and hydraulic design and requires the commissioner of transportation to advise and assist the commissioners on the planting of windbreaks adjacent to highways.

Modifies supplemental payment provisions. Deletes references to cost share. Allows the commissioner of agriculture to supplement payments made under federal land retirement programs. Authorizes supplemental payments use to increase payments for land enrollment. Makes the Minnesota critical habitat private sector matching account a separate account in the Reinvest in Minnesota resources fund. Requires the commissioner to establish a priority process for critical habitat acquisition or improvement. Authorizes the expenditure of money in the RIM fund for matching funds with federally recognized Indian tribes and bands for acquisition and improvement of fish and wildlife habitat. Requires the commissioner of natural resources, in consultation with the commissioner of agriculture, to annually submit a work plan for expenditure of money from the RIM fund to the legislature for review and comment. Requires the commissioner to establish a native prairie bank, to determine the locations of native prairie land and to prescribe native prairie bank eligibility requirements. Authorizes acquisition of native prairie by easement. Provides for payments to landowners and easement renewal. Modifies wetland drainage restrictions under the waterbank program. Expands the authority of the commissioner under the program to acquire or enter into easement agreements with the landowners for the conservation of wetlands. Increases the required easement duration and renewal periods, authorizes permanent easements and changes payment requirements. Requires subsequent owners of lands under easement to continue the easement under the same terms or conditions. Appropriates money to the commissioner of agriculture for the conservation reserve program and to the commissioner of natural resources for the fish and wildlife resources management plan and wildlife habitat improvements. Effective date: July 1, 1987. NOVAK, MUNGER.

Elk hunting season, crop compensation

Chap. 373-H.F. 1351 Allows the commissioner of natural resources to authorize an elk hunting season if the pre-calving population reaches a certain limit. Provides for separate selection for landowners where elk are grazing. Requires persons obtaining licenses in the separate selection to permit public elk hunting on land owned during the season. Requires the commissioner to prepare an elk management plan. Requires and provides for compensation by the commissioner of agriculture to crop owners for crop damage caused by the elk. Requires compensation reduction by amounts received from insurance policies covering crop losses or from other sources. Provides for discretion of landowners receiving compensation in permitting hunting on the land. Provides for appeal of denied compensation claims to the county court. Effective date: June 3, 1987. TUNHEIM, STUMPF.

Petroleum tank release cleanup fund

Chap. 389-H.F. 606 Establishes a program for the cleanup of petroleum

tank releases. Authorizes the director of the Pollution Control Agency to order corrective action to protect the public health and welfare or the environment in case of release. Authorizes the PCA, director or attorney general corrective action under specific conditions. Declares a release a public nuisance. Authorizes PCA investigations, provides for access to information and property and classifies certain data. Specifies response cost liability. Provides for PCA cost recovery and civil penalty. Establishes the Petroleum Tank Release Compensation Board and the Petroleum Tank Release Cleanup Fund for compensation purposes. Sets a minimum balance for the fund. Imposes a petroleum tank release cleanup fee on tank use and places receipts into the fund. Provides for partial reimbursement to responsible persons for corrective action costs. Provides funding for PCA clean-up actions. Requires the PCA to adopt rules for standards of competence for installers of tanks containing regulated substances. Authorizes fees and training programs for tank installers and appropriates money to the PCA and the Department of Commerce for administration purposes. Effective date: Various dates. KNUTH, NOVAK.

Hazardous waste claims

Chap. 391-H.F. 872 Establishes financial responsibility for claims against bankrupt owners or operators of hazardous waste facilities. Authorizes claims against the guarantor. Sets liability limits. Effective date: August 1, 1987. LONG, MERRIAM.

Clean Water Partnership Act

Chap. 392-H.F. 887 Establishes a clean water partnership program to protect and improve surface and ground water from nonpoint sources of pollution. Requires the Pollution Control Agency to conduct an assessment of state waters polluted by nonpoint sources and geographical areas with waters having a high potential for pollution. Requires the Metropolitan Council to conduct the assessment in the metropolitan area. Authorizes the PCA to award grants and provide technical assistance for development and implementation of diagnostic studies and plans. Establishes financial or technical assistance eligibility requirements. Requires the PCA to develop a state plan for the control of nonpoint source pollution meeting the requirements of the federal Clean Water Act. Requires the director of the PCA to establish and chair a project coordination team to advise the PCA in rule preparation, to evaluate and recommend projects for financial or technical assistance and to review and assist in coordination of approved projects. Effective date: July 1, 1987. KNUTH, WILLET.

Finance

Claims against the state

Chap. 251-S.F. 1524. Provides payment for various claims against the state. Effective date: July 1, 1987. DAHL, KALIS.

Omnibus transportation and semi-states appropriation

Chap. 358-S.F. 1516 Appropriates money to the Department of Transportation for highway development, highway operations, technical services, non-metropolitan transit assistance, program management, general support, and aeronautics. Appropriates money to the Regional Transit Board for regular transit route service, metro mobility, small urban, rural and replacement services, test marketing of new services, light rail transit studies, administration, planning and programs. Appropriates money to the Transportation Regulation Board. Appropriates money to the Department of Public Safety for administration and related services, emergency services, criminal apprehension, fire safety, Capitol Security, driver and vehicle licensing, liquor and liquor control. Appropriates money to the Board of Peace Officer Standards and Training for general operations and management. Appropriates money to the Department of Agriculture for protection services, family farm security, administrative support and grants. Appropriates money to the Board of Water and Soil Resources and includes money for grants to soil and water conservation districts for cost-sharing contracts for erosion control and water quality management. Appropriates money to the Board of Animal Health and includes money for payment of indemnities.

Appropriates money to the Department of Commerce for financial examinations, registration and analysis, administrative services, enforcement and licensing, farm loan interest buy-down, and to the Legislative Coordinating Commission. Appropriates money to non-health-related boards, including the Board of Abstractors, the Board of Accountancy, the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, the Board of Barber Examiners, the Board of Boxing, and the Board of Electricity. Appropriates money to the Public Utilities Commission for utility regulation, weights and measures, administrative services and energy services. Appropriates money to the Racing Commission, the Charitable Gambling Control Board, the Ethical Practices Board, the

Minnesota Municipal Board, the Minnesota-Wisconsin Boundary Area Commission, the Uniform Laws Commission and Voyagers National Park Citizens Committee. Appropriates money to the Minnesota Historical Society for society operations, repair and replacement, historic grant-in-aid and archaeology. Appropriates money to the society's fiscal agents, including the Sibley House Association, the Minnesota Humanities Commission, the Minnesota International Center, the Minnesota Military Museum, the Minnesota Air National Guard Museum and the Government Learning Center. Appropriates money for the State History Center.

Appropriates money to the Board of the Arts, the Minnesota Horticultural Society, the Minnesota Academy of Science, the Science Museum of Minnesota, the Minnesota Safety Council and the Veterans of Foreign Wars. Appropriates money to the general contingent account and tort claims.

Requires the commissioner of transportation to assume responsibility for operating the Anchor Lake Travel Information Center. Prohibits the RTB from altering fare policies before submission of plans to the legislature. Authorizes the commissioner of public safety to charge tuition for Criminal Apprehension Bureau training courses. Permits state troopers to donate vacation time to the union representative. Allows the PUC to assess for certificate of need applications for expansion of spent nuclear fuel rods storage capacity. Restricts the use of the master lease program. Requires the maintenance of a set balance in the export finance authority working capital account. Permits the governor to designate the Hazardous Substance Notification Advisory Committee to serve as and perform the functions of the state emergency response commission. Creates a Transportation Finance Study Commission. Provides for division of drivers license fees and alters the division of motor vehicle excise tax proceeds among the transit assistance, trunk highway and general funds. Increases power plant assessments for nuclear safety preparedness costs. Increases agribusiness, insurance company, subdivided lands registration, professional fund raisers, collection agency and drivers license fees. Strengthens the laws regulating the registration, labeling, distribution, sale, storage, handling, transportation, use, application, and disposal of pesticides. Creates the State Board of Water and Soil Resources and abolishes the State Soil and Water Conservation Board and the Water Resources Board. Requires the commissioner of agriculture to contract with the new board to implement the conservation reserve program. Abolishes EQB duties relating to the Southern Minnesota Rivers Basin. Dedicates fees collected by the Historical Society for historic site operation.

Credits fees collected by the Board of Electricity to a special account for board use. Authorizes the Minnesota Humanities Commission to establish a humanities resource center. Requires the commissioner of public safety to contract for a statewide toll free 24-hour child abuse professional consultation telephone line, which is to be funded through a portion of the increased fee for certified copies of birth certificates. Changes child abuse prevention trust fund disbursement plan requirements. Authorizes the acceptance of proceeds from the sale of promotional materials. Requires the commissioner of public safety to charge an annual fee for applications for quarterly fuel tax reporting by Minnesota based interstate carriers. Increases Metropolitan Council authority for financial assistance to the Metropolitan Transit Commission. Requires the deposit of amounts received for state subrogation relating to crime victims reparations to be placed in the crime victim and witness account. Increases the membership of the Peace Officer Standards and Training Board, requires sheriffs to be licensed as peace officers and eliminates the tuition prohibition for peace officer training school attendance. Effective date: Various dates. MERRIAM, ANDERSON, G.

Bonding bill

Chap. 400-H.F. 919 Authorizes the issuance of state building bonds and appropriates money for the acquisition and betterment of public lands and buildings and other public capital improvements for state departments, semi-state agencies, community colleges, state universities, the University of Minnesota and various school districts.

Authorizes expenditures for a judicial building. Authorizes expenditures for the removal of asbestos in state buildings and to provide handicapped persons access to state buildings. Authorizes expenditures for renovation of the Capitol and state office buildings, for the demolition of Mechanic Arts High School and the construction of surface parking. Authorizes money for the relocation of state agencies, and for planning and construction of a telecenter facility. Authorizes expenditures for the acquisition of critical natural habitat and acquisition and betterment of public outdoor recreation lands. Approves money for dam safety projects, for acquisition and improvement of fish and wildlife habitat, and for aspen recycling. Okays expenditures for the construction or purchase of a building to house the Minerals Division's Core Library in Hibbing, Minnesota. Appropriates money for Waste Management Board grants and administrative and technical support for local unit development of solid waste disposal alternatives. Provides funds for the planning and construction of athletic facilities. Okays funds for the Duluth zoo, military and veterans facilities, the conservation

reserve program, truck stations, and bridge replacement. Authorizes funds for the construction of a state history center. Okays expenditures for vocational technical education, community college, state university and the University of Minnesota facilities. Provides funds for correctional facilities and regional treatment center improvements. Authorizes expenditures for a Red Lake nursing home and Indian youth chemical dependency treatment center.

Establishes a general obligation special tax bond debt service account. Provides for the addition of Mystery Cave to Forestville State Park. Enacts the "Cooperative Secondary Facilities Grant Act" to encourage secondary facility cooperation in the provision of educational programs, services and facilities. Enacts the "Desegregation Capital Improvement Grant Act" for building or site remodeling or improvement. Creates the Minnesota Amateur Sports Commission for promotion and development of amateur sports. Subjects sports or athletic club association memberships to the sales tax and provides for revenue deposit in a separate fund to be designated as the sports and health club sales tax revenue fund. Grants additional capital improvements bonding authority to independent school district #625, St. Paul. Authorizes the city of Minneapolis to issue general obligation bonds for land acquisition relating to the great river road project. Expands the use of Red River dike funds. Appropriates money for plan and site preparation for the Minnesota Learning Center for the Arts. Effective date: June 12, 1987. VOSS, MERRIAM.

Higher education appropriations

Chap. 401-S.F. 1515 Appropriates money to the Higher Education Coordinating Board, the vocational technical education, community colleges, and state university boards, the University of Minnesota and the Mayo Medical Foundation. Extends the life of the Job Skills Partnership and places the partnership program under the Higher Education Coordinating Board (HECB). Establishes a task force to develop guidelines for interpretation of independent student status. Provides funding for scholarships, grants and living expenses. Institutes an income contingent loan repayment program to assist resident medical, dental, pharmacy, chiropractic medicine, public health and veterinary medicine students in repaying debt. Requires the HECB to examine expansion of the repayment program. Provides for area vocational technical institute customized training services to Minnesota employers, veteran farmer cooperative training programs and handicapped students' services. Expands upper division programs at Metropolitan State University. Restricts the development of state university doctoral level programs. Provides funding for a new materials science and engineering program at Winona State University. Provides funds for the University of Minnesota's Commitment to Focus program. Requires the University to maintain an advisory council system for each agricultural research experiment station.

Provides repair and replacement aid for all systems. Changes the percentage of direct appropriation for instructional services for AVTIs. Requires system tuition rates to be established on a credit hour basis. Requires the HECB to establish an agenda, determine schedules for accomplishing the agenda and develop criteria for the intersystem plan. Specifies HECB documentation consideration requirements in awarding capital project contracts. Defines independent student for scholarship and grant-in-aid purposes. Modifies part-time student grant-in-aid provisions. Requires the HECB to equalize work study job opportunities, provides funding requirements and restrictions. Expands the scope of eligibility for the HECB career guidance program and expands the membership and duties of the task force on post-secondary education for adults. Provides for high school student assessments and for information relating to planning and preparing for post-secondary opportunities to residents from eighth grade through adulthood. Authorizes the State Board of Vocational Technical Education to charge fees for seminars, conferences, workshops and instructional materials. Eliminates direct appropriations for the University of Minnesota Hospitals. Requires the University to counsel student applicants regarding post-secondary plans. Establishes a task force on post-secondary quality assessment and sets up pilot projects. Establishes a task force on common course numbering in post-secondary education. Requires the HECB to convene a task force to coordinate the development of state level policy for using new instructional technology and prescribes duties. Requires the Career Guidance Advisory Task Force to study and recommend methods to provide assistance to adults considering beginning or returning to post-secondary studies. Effective date: Various dates. ANDERSON, G., MERRIAM.

Omnibus health and human services appropriations

Chap. 403-H.F. 243 Article I Appropriates money to the commissioner of human services for community social services, child care, subsidized adoption, semi-independent living, case management, chemical dependency, hearing impaired and protection services and income maintenance programs. Appropriates money to the Office of Full Productivity and Opportunity for the first half of the biennium, to the commissioner of jobs

and training for wage subsidies, summer youth employment and surplus agricultural commodities storage, transportation and distribution and requires the commissioner to develop a youth education, employment and service opportunities plan. Provides for the use of home energy assistance and community services block grants money and provides for the funding of Olmsted and Freeborn County Community Action Agencies. Appropriates money to the commissioner of corrections for Community Corrections Act subsidies, a Hennepin County American Indian juvenile residential facility and the West Central Juvenile Center in Moorhead. Appropriates money to the Sentencing Guidelines Commissioner and to the Corrections Ombudsman. Appropriates money to the commissioner of health for Alzheimers disease research, community health services, the WIC program, emergency medical services, services to children with handicaps and to the Hazardous Substance Injury Compensation Fund and the health licensing boards.

Article II Eliminates the Office of Full Productivity and Opportunity. Imposes a certificate of authority renewal fee on health maintenance organizations. Authorizes the commissioner of health to charge fees for voluntary certification and for services to medical and environmental laboratories. Increases the diagnostic laboratory specimen fee. Requires the commissioner to establish a statewide cancer surveillance system. Increases the nursing and boarding care home license application or renewal fee to fund the development and education of resident and family advisory councils. Increases the fee for drivers license reinstatement after conviction for DWI offenders and changes the distribution percentages between the trunk highway fund and the county probation reimbursement account. Enacts the "Minnesota Comprehensive Mental Health Act." Requires the commissioner of human services to create and ensure coordination of a comprehensive mental health service system. Provides for local service delivery systems and for emergency, outpatient, community support, residential treatment and inpatient services. Requires the commissioner of human services to establish an information management system for collecting data relating to persons with mental illness receiving publicly funded services. Provides for equalization aid to counties for income maintenance expenditures. Provides for state facility costs of care determination and payment. Changes the term state hospital to regional treatment center. Provides reimbursement for costs of semi-independent living services for persons with mental retardation or related conditions. Includes nursing homes in community residential facilities provisions. Requires the commissioner of human services to develop and administer an intake, referral and inventory system to provide access to a statewide data base to match client needs with employment opportunities and services. Extends community work experience demonstration programs. Establishes children's health plan for low income pregnant women and children. Limits reimbursement under medical assistance and general assistance medical care for inpatient hospital services. Creates the office of Ombudsman for Older Minnesotans and provides for an in-home services advisory task force. Provides for joint trials for the crime of wrongfully obtaining assistance and for division of recovered amounts. Requires a second medical opinion for medical assistance reimbursement for elective surgeries. Alters the method for calculation of payment for formulary drugs and authorizes dispensing fees. Includes case management services in the definition of medical care. Authorizes the commissioner of human services to establish prepaid health plans for medical assistance recipients. Requires competitive bidding for drugs. Alters medical assistance and GAMC eligibility requirements. Removes restrictions on sanctions against vendors of nursing home care for providing unnecessary services. Provides for the recovery of costs from the estate of the surviving spouse. Permits nursing homes in a specified geographical group to choose higher medical assistance operating cost limits. Requires the commissioner of human services to avoid double payments to nursing homes for ancillary services and requires certification of appropriate treatment. Provides for GAMC payment reductions below the cost per service unit and sets maximum payment for new vendors. Regulates property transfers under the general assistance program. Changes the distribution formula for state reimbursement to counties of public assistance administrative costs. Prohibits the use of supplemental aid to pay negotiated rates for adults with mental illness in facilities and exempts boarding care facilities from the negotiated rate limit. Revises the Minnesota Indian Family Preservation Act. Alters weatherization assistance eligibility requirements for rental units. Expands the definition of eligible entity under community action agency provisions. Modifies emergency jobs program wage subsidy provisions. Increases or alters mortgage registry and deed taxes for county welfare fund purposes. Provides for county agency collection by affidavit of personal property after death and for disbursement of collected proceeds. Authorizes the admittance to state institutions of wards or conservatees for outpatient services or temporary care. Provides for the training of welfare fraud prosecutors and investigators. Provides for the allocation of oil overcharge funds for low income energy conservation programs. Requires studies and reports relating to low-level ionizing radiation, care and

treatment of persons with mental illness, veterans nursing care, inpatient hospital rates for psychiatric care, negotiated rate facilities reimbursement and needs of elderly persons with mental retardation or related conditions.

Article III Requires the commissioner to form an advisory committee to implement ways to reduce verification procedures for Aid to Families with Dependent Children. Creates a work incentive subsidized housing program for employed AFDC recipients. Specifies priority groups for participation in AFDC employment and training services. Provides for contracts with county agencies for child care payments on behalf of AFDC recipients eligible for employment special needs funds. Requires the commissioner to establish an employment search program. Provides for the allocation and use of state money for employment and training services. Requires the commissioner to establish a grant program for projects to address dependence on AFDC and specifies project design requirements. Creates AFDC income disregards for all educational grants and loans and for insurance settlements used to pay medical, funeral and burial expenses. Establishes a service delivery improvement pilot project under the Strive Toward Excellence Program (STEP) administered by the Department of Administration for the redesign and improvement of employment and training and income maintenance delivery systems. Provides for child support incentive awards to counties for nonpublic assistance collections. Specifies private accident and health insurance coverage as primary coverage under medical assistance. Changes standards for general assistance recipients. Alters the definition of family and expands eligibility to functionally illiterate persons and children. Requires and provides for occupational and vocational literacy training programs for general assistance recipients. Requires counties to provide work readiness programs for recipients and to provide a percent of the costs for work readiness services direct participation expenses and administrative costs. Modifies work readiness assistance disqualification for voluntary quit and disqualification notice requirements. Authorizes earned income savings accounts for general assistance recipients in residential chemical dependency treatment programs. Requires case management plans for services to minor parents. Creates a presumption of biological fatherhood within the declaration of parentage for purposes of the Parentage Act. Sets a time limit for actions to declare the nonexistence of the father and child relationship presumed under certain conditions. Makes the public agency responsible for child support enforcement a party to cases involving AFDC. Requires the child to be a party under specified conditions. Provides for the admissibility into evidence at hearings relating to positive blood test results or blood or genetic test results without certain proof. Makes the granting of immunity from criminal liability mandatory for witnesses ordered to testify in paternity cases. Alters Jobs and Training Department employment and training programs provisions. Alters child care sliding fee program provisions, requires coordination of the use of federal funds with the AFDC employment special needs program and provides for set-aside amounts for AFDC priority groups and post-secondary students. Changes county contribution requirements and provides a fair hearing process to resolve complaints. Transfers the responsibility for child care resource and referral programs from the commissioner of jobs and training to the commissioner of human services. Provides for judgments against a homestead for child support or maintenance arrearages. Requires a level of group dependent health insurance coverage availability before exoneration of obligor duty to provide health and dental insurance and requires the court to order obligor liability for medical or dental expenses not covered by required health or dental plans. Creates a presumption of ability to pay court ordered maintenance or support and specifies disobeying of the order a prima facie evidence of contempt. Requires the court to order maintenance or support payments to be made to the public agency responsible for child support enforcements in cases of application for the collection services. Establishes as administrative process child support pilot project. Provides for mandatory, automatic income withholding of child support or maintenance as a demonstration project in counties to be designated by the commissioner of human services. Specifies conditions for retroactive modification decreasing court ordered maintenance or child support. Requires the commissioner to establish a demonstration project to determine the effectiveness of establishing special procedures for providing assistance to persons without a verified residence address applying for or receiving general assistance.

Article IV Prohibits the commissioner of health from renewing licenses for boarding care or nursing home beds in resident rooms with more than four beds. Provides exceptions to the nursing home bed moratorium for replacement, relocation, relicensure, recertification, project or continuing care retirement community purposes. Requires review of proposals requiring exceptions to the moratorium by the Interagency Board for Quality Assurance and approval by the commissioner of health. Requires licensure of human services to include payments in lieu of real estate taxes as nursing home operating costs under medical assistance. Requires rate adjustment for nursing homes meeting special dietary needs criteria. Authorizes and provides for contracts with nursing homes to provide

services to ventilator dependent persons and authorizes operating cost payment rate adjustment. Authorizes nursing homes with reduced licensed bed capacity to aggregate the applicable investment per bed limits based on the number of beds licensed prior to the reduction and to establish capacity days for rate years following the reduction for property related payment rate determination purposes. Provides for depreciation recapture payments resulting from sales of nursing homes. Provides for plant and maintenance costs as allowable expenses for rate determination purposes. Provides for special payment rates for facilities. Changes requirements for appeal of appraised value. Requires the interagency board to study issues relating to nursing home beds and alternative care services. Increases the maximum balance in the special projects account.

Article V Establishes service principles and rate setting procedures for day training and rehabilitation services for adults with mental retardation and related conditions. Makes developmental achievement center services available only to children and authorizes establishment of the centers by any governmental entity. Includes the adult services under public welfare licensing requirements for day care facilities. Specifies duties of the commissioner of human services, responsibilities of county boards and of vendors under contract with county boards to provide the services. Establishes county board payment rate requirements. Requires the commissioner to establish an advisory task force for rulemaking process recommendations. Requires the director of the state planning agency to form a task force to review the roles of developmental achievement centers and sheltered workshops in providing supported work opportunities to persons with disabilities. Effective date: Various dates. ANDERSON, G., MERRIAM.

State departments appropriations

Chap. 404-H.F. 1315 Appropriates money to the legislative, judicial and executive branches of state governments, state departments, agencies, boards and councils. Requires the Revisor of Statutes to reindex Minnesota Statutes over a period of time. Requires the Supreme Court to study and report on gender bias in the state judicial system. Appropriates money to the attorney general for litigation costs. Requires the commissioner of administration to contract for a needs assessment and report relating to a child day care and latch key center in the capitol complex. Provides grants for public radio and television and to the World Theater Corporation. Provides for the establishment of statewide fringe benefit plan for school district employees. Appropriates money to the Department of Natural Resources for copper-nickel test drilling, minerals research, peat marketing and promotion, flood damage reduction, forest improvement program cost sharing, payments in lieu of taxes on park and wildlife lands, acid rain research and for implementing the comprehensive plan for the upper Mississippi River and to the University of Minnesota and other natural resources agencies for land and water projects and programs. Requires the integration of data collected into the land management information system data bases. Requires Pollution Control Agency and Metropolitan Airports Commission consideration of a differential landing system or user fees for aircraft using the Minneapolis-St. Paul International Airport.

Appropriates money to the PCA for waste tire dumps cleanup. Transfers nonregulatory waste management programs of the PCA to the Waste Management Board. Provides for tourism marketing and promotion. Requires refund of a hydroelectric project application deposit to the city of Hastings. Requires the commissioner of energy and economic development to examine and report on the feasibility of designating metropolitan area parks as state parks. Provides for an invention support system. Requires the state planning director to coordinate state policy relating to children. Provides for insurer direct computer access to workers compensation data for a fee. Ratifies salary increases and limits manager aggregate performance increases. Requires the commissioner of employee relations to assess managerial pay practices of state and metropolitan agencies. Appropriates money to public retirement systems and provides post-retirement adjustment lump sum payments. Reimburses the White Earth band of Chippewa Indians for costs incurred in the land claim settlement. Provides a special appropriation for application to the federal Department of Energy for location of the superconducting supercollider. Restricts the use of the master lease program to finance large equipment.

Requires the commissioner of administration to study the management and operation of the Minnesota Veterans Home and to assess the care and services needed by the residents. Authorizes additional judgeships in state judicial districts. Alters the membership of the Legislative Advisory Commission. Requires the Legislative Coordinating Commission to represent the legislature in accommodating visitors. Subjects the elective state officers retirement plan to actuarial valuations and financial adequacy studies. Requires the Legislative Commission on Pensions and Retirement (LCPR) to assess retirement plans for actuarial valuation and experience study costs. Creates the Legislative Committee on Planning and Fiscal Policy to study and evaluate state government expenditures. Authorizes the

secretary of state to impose a surcharge on over-the-counter expedited services. Modifies attorney general assessments provisions. Increases the salary ranges of department heads and the executive director of the Judicial Standards Board. Sets the salaries for the chair of the Metropolitan Waste Control Commission and requires the higher education and medical examiners boards to submit proposed chancellor or director salary increases to the Legislative Commission on Employee Relations for approval. Requires the LCC to set the salary of the commissioner of the Iron Range and Resources and Rehabilitation Board.

Exempts the Department of Natural Resources from agency indirect cost requirements. Allows payment of expenses to small business procurement advisory council members. Creates the Office of Information Systems Management in the Department of Administration. Requires the appointment of an advisory task force. Requires fees charged to local government units for intergovernmental information systems advisory council administrative costs to be credited to an account in the special revenue fund. Provides for the control of purple loosestrife. Authorizes the commissioner of agriculture to quarantine and destroy noxious weeds on any infested land and requires landowners to reimburse a percentage of the eradication costs. Creates a statewide public employees life and health insurance plan. Requires reduction of the total amount available for fire and police state aid from insurance premium proceeds by audit or exam costs. Requires the commissioner of natural resource to employ an additional assistant commissioner. Prohibits the commissioner from purchasing land for more than the appraised value. Authorizes the commissioner to bill organizational units for equipment costs and establishes a fleet management account.

Increases wild rice harvesting fees. Requires the commissioner to plan for the active management of native prairie land to establish and maintain landscape reserves for wildlife management purposes and to study the feasibility of establishing private or public prairie plant seed production areas within prairie land locations. Provides for cross country ski passes in lieu of licenses. Requires investment income and losses attributable to investment of the zoo fund to be credited to the fund. Requires reimbursement by local government units to the DNR for transportation of forest fighting equipment. Requires a public hearing before closure of state forest campgrounds. Modifies the sale procedures for lakeshore lots on trust fund lands. Creates the mineral lease account for mineral diversification. Requires commissioner payments to counties with public hunting areas and game refuges to be made from the game and fish fund. Provides for the funding of conservation officer training. Permits moose, elk and caribou to be bred on game and fur farms. Authorizes the commissioner to designate the date for "take a kid fishing" weekend. Prohibits the commissioner from selling licenses outside the state. Increases hunting and fishing license fees. Provides for short-term fishing licenses. Imposes a fishing license fee for person age 65 and older and permits the fee to be refunded. Requires deer killed by motor vehicles on public roads to be removed by the road authority. Prohibits the commissioner from selling walleye fry for less than fair market value. Sets an ending date for the Rainy River fishing season.

Establishes waste facility operator and inspector training fees. Provides compensation for Mississippi River Parkway Commission members. Removes location restrictions on the payment of tax exempt vehicle administrative and plate fees. Places Workers Compensation Court of Appeals law clerks in the unclassified service. Authorizes the commissioner of labor and industry to require agency advance payments to the compensation revolving fund. Increases fees for election candidate filing and interstate motor carrier services process fees. Authorizes the assignment of retired tax or district court judges to hear cases and specifies pay and expense provisions. Authorizes the commissioner of energy and economic development to approve an application to amend the boundaries of an enterprise zone. Increases the amount of gasoline designated for motorboat use for unrefunded gas tax purposes. Increases corporate or business filing or license fees. Creates a 911 emergency telephone service account in the special revenue fund for deposit of fees. Authorizes the Housing Finance Agency (HFA) to make grants to municipalities or housing and redevelopment authorities to provide rental housing for very low income persons. Requires metropolitan area regional parks receiving grant money for maintenance and operation costs to sell recreational passes and provide drinking water supplies. Requires state court administrator review of judicial district office equipment plans to determine eligibility for state funding or reimbursement. Authorizes the Supreme Court to sell or license computer software products or systems. Increases or imposes filing fee surcharges. Authorizes the publication of appeals court decisions and provides for the citing of unpublished opinions. Creates a client security account for payment of client security board and claims expenses. Provides for nonbinding alternative dispute resolution in commercial or personal injury liability cases in the Fourth Judicial District. Requires courts to impose specified minimum fines on persons convicted of assault or criminal sexual conduct. Requires proceeds to be distributed to local victim assistance programs and the crime

victim and witness advisory council for the establishment of new victim assistance programs. Makes the Asian-Pacific Minnesotans Council permanent. Repeals the business license revolving fund and the sunset on funding for metropolitan area regional parks. Effective date: Various dates. ANDERSON, G., MERRIAM.

General Legislation and Public Gaming

Public cemetery care

Chap. 18-H.F. 364 Increases the limit on the cemetery permanent care and improvement fund from \$15,000 to \$25,000. Effective date: August 1, 1987. MCPHERSON, LAIDIG.

Harness race track

Chap. 68-S.F. 863 Allows the racing commission to issue an additional license for a racetrack in the seven-county metropolitan area but requires the track only to be used for standard-bred racing. Further requires that the facility be located more than 20 miles from any other racetrack in existence as of January 1, 1987. Prohibits the track from being larger than five-eighths of a mile in circumference. Prohibits the track from being owned or operated by a governmental entity or a non-profit organization. Requires that the track have a current road or highway system adequate to facilitate present and future vehicular traffic expeditiously to and from the facility if more than one party is applying for the license. Prohibits an application for an additional class A license within the seven-county metropolitan area from delaying an application for a class A license outside the seven-county metropolitan area. Prohibits the assigning of racing days and time of racing to the facility licensed under this act from preventing the commission from assigning to a racetrack in existence January 1, 1987, the same or overlapping days or times. Effective date: August 1, 1987. WEGSCHEID, REDING.

Horse racing provisions

Chap. 69-S.F. 922 Prohibits any horse participating in a race from carrying in its body any substance foreign to the natural horse. Raises fines imposed on licensees for violations of law or commission rules from \$500 to \$2,000 and allows a license to be suspended up to 90 days. Allows fees to be charged to cover the costs of medical testing of horses. Effective date: May 8, 1987. LESSARD, REDALEN.

Division of emergency management

Chap. 71-S.F. 1349 Renames the Department of Public Safety's Division of Emergency Services the Division of Emergency Management. Effective date: August 1, 1987. VICKERMAN, OLSON, K.

Zoo board membership

Chap. 206-S.F. 167 Increases the size of the Minnesota Zoological Board from 15 to 30 public and private sector members. Requires 14 members to be appointed by the governor after consideration of a list supplied by board members serving on a nominating committee. Requires 15 members to be initially appointed by the governor. Requires one member to be appointed by the Dakota County Board and requires that member to be a resident of Dakota County. Removes the requirement that members of the board file a statement of economic interest with the state Ethical Practices Board. Requires the zoo board to design and maintain a schedule of admission fees that will encourage maximum year-round visitor attendance. Requires the board, if practical, to maintain facilities at the zoological garden to accommodate overnight groups of visitors from non-metropolitan areas. Effective date: Various dates. LESSARD, BROWN.

McGruff safe houses

Chap. 208-S.F. 853 Designates the "McGruff" symbol along with the phrase "McGruff House" as the symbol to designate a house where a child may seek help when threatened. Requires the commissioner of public safety to design or adopt a standard symbol to designate a safe house that follows the "McGruff" symbol used in other states. Requires the commissioner to make available written information about the safe house program and its symbols to school districts and law enforcement agencies and to publicize the safe house program. Requires the appropriate local law enforcement agencies to maintain a register of safe houses and requires the commissioner to cooperate with the law enforcement agencies in conducting background checks on persons who apply to have their house be a safe home. Requires persons applying to participate in the program to be approved by the appropriate local law enforcement agency. States that the symbol remains the property of the law enforcement agency and requires the participant to return the symbol if the agency determines that the house no longer qualifies as a "McGruff" house. Effective date: August 1, 1987. COHEN, SKOGLUND.

State Capitol preservation

Chap. 265-S.F. 1230 Designates the Minnesota State Historical Society as the state Capitol research agency responsible for the interpretation of the public areas for visitors to the Capitol. Includes in the agency's responsibility conducting or approving public programs and tours in the Capitol and State Office Building, including exhibits held in the Capitol, providing informational services, acting as advisor on preservation, recommending appropriate custodial policies and maintaining and repairing all works of art. Includes in the definition of "works of art" busts located in the Capitol or another permanent article intended for decoration or commemoration placed in the Capitol in 1905 or placed subsequently for historic purposes of decoration. Includes in the definition of "public areas of the state Capitol" the rotunda, the governor's reception room and offices, the senate chambers, house chambers, supreme court chambers, public hallways and all other areas of the Capitol designated for public ceremonies. Includes in the state Capitol archives original Capitol architectural plans, samples of Capitol furnishings and Cass Gilbert papers. Gives the Minnesota Historical Society responsibility over the archives. Defines "public gallery and orientation area" as the rotunda, first floor corridors and a room designated by the joint rules of the Senate and the House of Representatives. Effective date: August 1, 1987. PIPER, PAPPAS.

Miscellaneous provisions

Chap. 320-S.F. 326 Authorizes the Executive Council to repair, in conformance with federal law, state property damaged by a major disaster. Dedicates receipts from criminal justice data communications network billings and appropriates video game license fees to commissioner of public safety for disbursement to municipalities. Effective date: July 1, 1987. LANGSETH, KNUTH.

Charitable gambling revisions

Chap. 327-H.F. 169 Allows charitable organizations to keep five percent more of their gambling net profits for payment of allowable expenses. Increases the amount of bingo occasions that an organization may conduct per week from two to six. Allows bingo hall owners to have up to 18 bingo occasions on their premises per week. Permits licensed organizations to consider federal and state tax liabilities as allowable expenses. Allows one-third of the annual premium on a policy of liability insurance acquired by the organization to be considered an allowable expense. Grants the Charitable Gambling Control Board the authority to suspend gambling licenses when the board discovers that a person has violated charitable gambling laws. Establishes a hearing process for the contention of a license suspension.

Prohibits a distributor or an employee authorized to sell gambling equipment from being directly involved in the gambling operation. Requires all gambling equipment purchased by a licensed distributor for resale in Minnesota to first be unloaded into a facility located within the state. Requires records to be filed in a Minnesota office. Allows the board to prescribe, by rule, limits on the amount of rent which an organization may pay to a lessor for premises leased for lawful gambling. Allows a city or county to direct up to 10 percent of an organization's net profit derived from gambling to a specific purpose. Includes a provision relating to pari-mutuel betting that provides for representation of horsepersons contracting with a licensee. Effective date: Various dates. REDING, LESSARD.

Governmental Operations

State energy contract bidder requirements

Chap. 77-H.F. 830 Imposes additional requirements on bidders for state energy efficiency installment purchase contracts. Specifies that the commissioner must determine that the contract bidder is a responsible bidder under rules adopted by the commissioner; that the contract bidder has adequately performed all previous contracts with the state, and has either established a record of promptly paying all its suppliers and subcontractors or has made secure provisions for doing so in connection with the current contract for goods delivered and services rendered; that the contract bidder can finance or obtain financing for the performance of the contract without state assistance or guarantee; and that the state may unilaterally cancel the agreement if the contractor at any time during the term of the contract fails to provide or maintain the equipment to provide the services or otherwise to meet specifications for performance. Effective date: August 1, 1987. JOHNSON, R., WILLET.

State property lease period extension

Chap. 98-H.F. 1263 Extends the period for which the commissioner of

administration may lease state property from two years to five years. Effective date: May 14, 1987. BAUERLY, DAVIS.

Duluth airport employees

Chap. 151-S.F. 494 Provides that Duluth Airport Authority employees hired after June 20, 1969 are not covered by any civil service system. Effective date: Local approval. GUSTAFSON, JAROS.

Correctional industries purchases

Chap. 156-H.F. 924 Removes the Minnesota correctional industries from state competitive bidding requirements. Specifies that when practical, purchases must be made from socially and economically disadvantaged businesses. Effective date: August 1, 1987. SIMONEAU, MARTY.

Public pension benefits as marital property

Chap. 157-H.F. 940 Subjects public pension plan payments or rights to legal process for the purpose of marital property division in marriage dissolution proceedings. Requires covered public pension plans to provide information relating to vested accrued pension benefits or rights to the court and the parties in marriage dissolution proceedings. Provides for access to data by the court, parties' attorney and actuaries. Requires providing for court division of property representing vested pension benefits or rights under certain conditions. Provides for the award of a surviving spouse benefit to the former spouse. Requires the appointment of an approved actuary to function as an expert witness in each court of jurisdiction. Specifies duties. Provides for party stipulation of the present value of vested accrued pension benefits or rights in lieu of the court appointed actuary. Provides for a benefit conversion for a former employee of the city of Edina. Effective date: August 1, 1987. CLARK, BERGLIN.

State government employment practices

Chap. 186-H.F. 948 Designates the head of the Department of Public Service as a commissioner. Transfers the responsibility for establishment and operation of a preventive health services program for state employees from the commissioner of health to the commissioner of employee relations but requires Department of Health cooperation. Adds examination monitors and intermittent training instructors employed by professional examining boards to the unclassified service. Modifies specific job eligibility list requirements. Adds the office of lieutenant governor to the list that requires employee total compensation to be set by the appointing authority. Modifies an agency affirmative action plan compliance requirement. Modifies coverages available under state paid life insurance and hospital, medical and dental benefits. Clarifies that the commissioner may determine plan design, provide informational materials, or communicate with employees about coverages. Modifies discharge notice requirements. Eliminates the mandatory retirement age for certain employees in the executive branch. Waives statutes, rules and administrative procedures for experimental or research projects conducted by the commissioner of employee relations designed to improve the processes for filling state classified positions. Requires reports of the projects results to the Legislative Commission on Employee Relations. Effective date: August 1, 1987. LARSEN, MOE, D.M.

Chiropractor classification in state civil service

Chap. 196-H.F. 354 Provides for a job class entitled chiropractor in the state civil service. Effective date: August 1, 1987. JEFFERSON, KROENING.

Actuarial procedures for public retirement plans clarification

Chap. 259-H.F. 1026 Clarifies or revises actuarial determinations and procedures for public retirement plans. Clarifies, modifies or specifies responsibilities of the actuary retained by the Legislative Commission on Pensions and Retirement. Modifies provisions relating to the determination of transfers to fund required reserves. Modifies requirements of pension funds participating in the postretirement investment fund. Prohibits certain postretirement adjustments under specific conditions. Modifies police and firefighters relief association provisions relating to minimum municipal obligations. Requires the use of market value in certain calculations and provides for the calculation of anticipated future administrative expenses. Provides for the determination of unfunded actuarial accrued liability. Alters the definition of actuarial equivalency under the Minnesota State Retirement System, the Public Employees Retirement Association, the teachers retirement fund associations and the Minneapolis Employees Retirement Fund. Authorizes the retention of approved actuarial advisors and specifies the functions and duties. Modifies requirements for actuarial valuation exhibits pertaining to special retirement programs under MSRS and provides for an optional annuity taking the form of a joint and survivor annuity.

Creates a separate Correctional Employees Retirement Fund and provides for revenue sources, investment, contributions and fund disbursement. Modifies provisions under the State Troopers Retirement Fund. Provides for the establishment of actuarial equivalent value optional annuity forms and eliminates the adjustable fixed benefit annuity. Provides for separate participation by the Public Employees Police and Fire Fund in the postretirement investment fund. Modifies the method of computing optional

annuities under PERA and the TRAs. Provides for actuarial equivalents. Modifies the time limit for submission of financial reports to the LCPR and the Legislative Reference Library. Defines or redefines terms relating to actuarial valuations and experience studies and alters preparation, report and content requirements. Provides for salary assumptions and for the establishment of actuarial assumptions. Establishes a separate full funding deadline for MERF. Requires reports following the calculation of postretirement adjustments payable from the retirement benefit fund and modifies financial statement requirements. Provides for the determination of future administrative expenses, the unfunded actuarial accrued liability of the fund and retirement or surviving spouse allowances and optional annuities. Alters requirements for the exhibit for actuarial gains and losses in actuarial valuations. Alters certain balance sheet requirements for local police and fire funds. Provides for the preparation of supplemental actuarial valuations. Provides for the adjustment of disability benefits not included in the postretirement fund participation. Effective date: May 28, 1987. SIMONEAU, MOE, D.M.

Finance Department provisions

Chap. 275-H.F. 859 Provides for the receipt of free copies of each edition of Minnesota Statutes and session laws by the department. Authorizes the commissioner to delegate contract review and execution powers to officials in other state agencies on determining that the delegation will improve the operation of state government. Provides for the transfer of funds for immediate department needs. Provides for general fund reimbursement for statewide indirect costs. Authorizes less frequent than daily agency deposits of receipts totaling \$250 or less when the agency furnishes documentation that the cost of making daily deposits exceeds the lost interest earning and the risk of loss or theft. Provides for the payment of interest on undisbursed federal money and for deposit of federal interest received on state funds advanced for federal assistance programs. Requires local government units receiving district heating or qualified energy improvement loans to provide adequate security to insure repayment. Effective date: Various dates. LONG, MOE, D.M.

Mandated leave of absence prohibition

Chap. 281-H.F. 1170 Prohibits certain mandated leaves of absence for state employees. Specifies that no executive branch officer or employee in the unclassified service who is covered by a collective bargaining agreement, and no executive branch officer or employee in the classified service, may be required to take a leave of absence upon becoming a candidate, or during the course of candidacy, for any elected public office. Provides that officers and employees shall take leave of absence upon assuming an elected federal office or an elected state office other than state legislative office or, if elected to state legislative office, during times that the legislature is in session. Effective date: July 1, 1987. WELLE, JUDE.

Teachers Retirement Association administrative provisions

Chap. 284-H.F. 1213 Article I - Public pension plan data privacy Restricts the disclosure of data maintained on members, survivors and beneficiaries by statewide retirement systems. Classifies data on beneficiaries and survivors of members of the Public Employees Retirement Association and the Teachers Retirement Association.

Article II - Mandatory retirement age federal law conformance Conforms mandatory retirement provisions for public employees to federal age discrimination in employment amendments. Exempts certain teachers, temporary Minneapolis city employees not covered under the Minneapolis Employees Retirement Fund and certain Metropolitan Transit Commission employees from mandatory retirements requirements. Authorizes the retention of established compulsory retirement ages for first class city police or fire departments. Deletes contribution refund repayment entitlement provisions for certain retirees.

Article III - State university and college supplemental retirement plan changes Provides for investment options for state university and community college personnel covered by the supplemental retirement plan. Reduces the minimum age requirement for redemption of shares.

Article IV - Minnesota State Retirement System administrative changes Requires refunds to survivors or beneficiaries of former employees dying after service termination to include interest at five percent compounded annually. Clarifies deferred compensation provisions and sets a deadline for plan implementation after request. Clarifies the definition of covered employment under the state unclassified employees retirement program.

Article V - Public Employees Retirement Association administrative changes Clarifies the definition of public employee for part time employee exclusion purposes and removes the exclusion for persons employed under the federal Comprehensive Employment and Training Act. Clarifies the definition of surviving spouse. Requires the board of trustees to establish procedures to assure applicant or recipient benefit eligibility or determination review. Permits the board to purchase fiduciary

liability and property insurance and official bonds or to establish a self insurance risk reserve. Clarifies the deadline and contents of required employer reports and changes the date for employer submission of copies of department payroll abstracts. Prohibits the acceptance of delinquent employee or employer contributions before commencement of action for recovery. Increases the interest rate on delinquent employer contributions. Eliminates the requirement for evidence of receipt of warrants for payment of annuities. Authorizes the board to contract for identification of deceased annuitants and disability benefit recipients in lieu of the evidence of receipt. Provides for recovery of overpaid disability benefits. Provides for refunds of accumulated deductions for certain employees on extended sick leave. Modifies a requirement for purchase of prior service credit. Requires licensing by the Board of Peace Officers and Standards and Training to be eligible for membership in the police and fire fund. Provides additional optional annuities and retroactive payments for certain disability benefit recipients and modifies survivor benefit provisions.

Article VI - Teachers Retirement Association administrative changes Modifies the definition of salary. Defines termination of service. Requires the filing of candidacy for retiree election to the board of trustees to include a petition of endorsement. Specifies the attorney general as the legal advisor to the board. Provides that the venue of actions are to be in Ramsey County district court. Modifies the method of payment of service credit while on extended leave of absence. Prohibits payments after a specific date and requires interest on payments received after a specific date. Provides for the determination of income from teaching service for resumption of teaching after retirement. Allows the designation of more than one beneficiary for refunds after death. Modifies provisions relating to the payment of disability benefits after partial reemployment. Provides for the deduction of excess earnings from the disability benefit if the earnings plus the disability benefit originally granted exceeds the salary at the date of disability. Extends the entitlement to the purchase of prior service credit relating to shortages in member deductions. Provides for the determination of restored service after repayment of refunds. Applies an augmentation only to a specific joint and survivor annuity. Provides for payment of a joint and survivor variable annuity from the variable annuity investment fund. Requires the recalculation of joint and survivor variable annuities.

Article VII - Public pension plan audit responsibilities Requires periodic audits by the Legislative Auditor of the first class city teachers retirement funds.

Article VIII - Combined service disability and survivor benefits. Establishes combined service disability and survivor benefits for members of the Minnesota State Retirement System, the Public Employees Retirement Association, the teachers retirement funds, the Minneapolis Employees Retirement Fund, the Correctional Employees Retirement Plan, the State Patrol Retirement Fund and the Public Employees Police and Fire Fund. Provides for general employee and a public safety employee disability retirement plans. Specifies eligibility requirements and provides for the computation of benefits. Effective date: Various dates. SIMONEAU, MOE, D.M.

Consolidation of local police and firefighters relief associations

Chap. 296-S.F. 317 Authorizes the voluntary consolidation of local police and salaried firefighters relief associations with the Public Employees Police and Fire Fund. Provides for exceptions. Defines salary and allowable service for electing employees with prior service covered by a consolidating association. Provides for police and fire fund membership and for participation in the Minnesota postretirement investment fund. Specifies a consolidation procedure. Allows and provides for initiation by the membership of the relief association. Specifies approval requirements, time limits and certification procedure. Provides for the separation of salaried from volunteer firefighters relief associations for consolidation purposes. Specifies duties of the Legislative Commission on Pensions and Retirement relating to actuarial calculations. Specifies duties of the State Board of Investment relating to transfer of assets. Provides for the transfer of administration, records, assets and liabilities and for termination of relief association special funds. Provides for election of coverage by current and current deferred retirees and by active members. Provides that election is irrevocable. Provides for certain disabilitants and reemployed annuitants. Sets forth special benefit provisions.

Requires the Public Employees Retirement Association Board to establish a separate local relief association consolidation account within the police and fire fund for each consolidating municipality for the receipt of assets and contributions relating to consolidation. Provides for member and municipal contributions. Sets forth actuarial reporting requirements. Provides for service credit purchase and refund repayment restrictions. Specifies municipal levy and bonding authority. Provides for refund of certain member contribution amounts or for deferred service pensions and for allocation of state aid. Provides for benefits for members of consolidating relief associations electing to retain coverage in the local relief association benefit plan. Provides for service pension eligibility. Provides formula

percentage rates. Provides for duty and nonduty disability benefits, offset, reexamination, reevaluation and recomputation provisions. Provides for survivor benefits and postretirement benefit adjustments. Provides for LCPR recommendations for resolution of disputes to the legislature and for adoption of necessary transitional amendments and additions to the standards for pension valuations and cost estimates. Limits the use of public pension plan assets. Effective date: May 29, 1987. WEGSCHEID, REDING.

Benefit eligibility for ambulance drivers and attendants

Chap. 322-S.F. 587 Adds life support transportation service drivers and attendants into the definition of peace officer for killed in line of duty benefit eligibility purposes. Alters service pension and survivor benefit provisions under the Minneapolis Police Relief Association. Prohibits contribution refunds upon separation from service. Provides for an exception. Effective date: Various dates. LUTHER, BEARD.

Assistant attorneys general numerical limit

Chap. 335-H.F. 1374 Raises the numerical limit on attorney general appointment of assistant attorneys general to 35. Authorizes the attorney general to delegate contract review duties if it is determined that the delegation will produce significant, demonstrable improvement in the efficiency or operation of state government. Effective date: May 30, 1987. SIMONEAU, LUTHER.

Child care reimbursement for state board service

Chap. 354-S.F. 377 Provides for reimbursement for child care expenses incurred in connection with service on state boards, councils, committees and task forces. Changes the name of the State Council for the Handicapped to the Council on Disability. Extends the time for appeals by the council from state building code decisions affecting the interests of handicapped persons. Amends the duties and responsibilities of the council. Authorizes the council to initiate or intervene in proceedings affecting handicapped persons. Effective date: Various dates. MARTY, JOHNSON, A.

Private detectives licensure changes

Chap. 360-H.F. 463 Alters provisions relating to the licensing and regulation of private detectives and protective agents by the Private Detective and Protective Agent Services Board. Defines terms. Modifies board membership provisions. Specifies board powers and duties. Requires rules. Clarifies, modifies or expands licensing requirements and application procedures. Provides for revocation, suspension or refusal to issue or reissue licenses. Sets forth surety bond and proof of insurance requirements. Specifies exemptions from regulations. Requires employers to submit employee fingerprints and written consent for criminal record investigation to the Bureau of Criminal Apprehension. Alters identification card requirements. Provides for persons considered to be engaged in the business of private detective or protective agent. Specifies prohibited acts. Sets forth penalties and fees. Effective date: August 1, 1987. SIMONEAU, POGEMILLER.

Administration Department provisions

Chap. 365-H.F. 916 Transfers the Office on Volunteer Services from the office of the governor to the department. Authorizes the director of the office to charge a fee for services. Changes the frequency of publication of the state agency guidebook. Subjects the disbursement of public funds to service providers or grantees to audit. Provides for the payment of administrative costs of public auctions. Requires competitive bids for the purchase of fiber used by correctional facilities and exempts the purchase of correctional facility furniture from the bidding requirements. Authorizes the commissioner to use the principles of life cycle costing to determine the lowest overall bid. Requires prime contractor use of the socially and economically disadvantaged subcontractors proposed to be used on a project after contract award under procurement requirements. Provides for exceptions. Removes the time restriction on the use of proceeds from sales of surplus property.

Authorizes the commissioner to establish an endowment fund to reward state agencies and employees for improving productivity and service quality. Requires the establishment of an advisory task force. Authorizes the commissioner to sell or license computer software products or services. Requires proceeds to be credited to the computer services revolving fund. Authorizes the commissioner to charge state agencies and local government units a fee for energy conservation training and preventive maintenance programs costs and to remit a portion of the price of agency publications to the agency producing the publication. Authorizes the commissioner to offer a centralized travel service to departments and agencies and to accept payments from travel agencies under contracts to provide the services. Requires deposit into the motor pool revolving account. Creates the productivity loan account to finance agency projects resulting in reduced operating costs or increased revenues. Establishes the productivity loan committee to review applications and adopt awarding criteria. Provides for loan repayment. Requires an annual report by the commissioner to the governor and the legislature.

Requires the commissioner's approval of agency records retention schedules and eliminates the requirement for placement of proceeds from salvage sales into the general fund. Alters provisions relating to State Arts Board noncommercial radio station grants. Requires the crediting of interest earned on money accrued in the revolving fund for vocational rehabilitation of the blind to the fund. Modifies the definition of small business for interpretation of statutes purposes. Eliminates provisions relating to the return to the general fund of a specific prior appropriation to the surplus property revolving fund. Eliminates the state employee suggestion board. Effective date: Various dates. LASLEY, POGEMILLER.

Public retirement fund provisions

Chap. 372-H.F. 1159 Article I - Statewide public safety pension plan changes Includes salaries and itemized expenses of police or firefighters relief association officials in authorized administrative expenses of the associations. Requires the commissioners of corrections and of human services to establish criteria for certifying additional civil service classifications as rendering covered correctional service. Provides for membership in the Public Employees Police and Fire Fund for firefighters employed by the Department of Military Affairs. Establishes the Public Employees Local Government Correctional Service Retirement Plan to be administered by the Public Employees Retirement Association. Limits ancillary benefits paid by volunteer firefighters relief associations.

Article II - Various nonstatewide public safety pension plan changes

Removes the age limits on commencement of membership in firefighters relief associations. Alters service pension and survivor benefit provisions under the Minneapolis Police Relief Association. Increases survivor benefits payable by the Hibbing Police and Firefighters Relief Associations. Defines salary and provides for postretirement adjustments under the West St. Paul Police Relief Association. Provides for the transfer of assets and service credit upon the disbandment of the Clifton Independent Nonprofit Firefighting Corporation and the dissolution of the Clifton Volunteer Firefighters Relief Association to any volunteer firefighters relief association applicable to Duluth township in St. Louis County. Authorizes the Mankato Police Benefit Association to base postretirement increases for retirees on other increases granted without an actuarial valuation or estimate. Authorizes the Millerville Volunteer Firefighters Relief Association to allow recognition of prior service in the computation of service pension amounts. Increases the survivor benefit payable to a surviving spouse of a deceased member of the Virginia Firefighters Relief Association.

Article III - Minneapolis Teachers Retirement Fund Association

Benefit modification authorization Authorizes the Minneapolis Teachers Retirement Fund Association to amend the articles of incorporation for retirement benefit restructuring and postretirement adjustment purposes.

Article IV - Authorization of purchases of prior service Authorizes and provides for the purchase of prior service credit in PERA by a Roseau county highway department employee; in the Teachers Retirement Association by a North St. Paul school teacher; and in the Minnesota State Retirement System by a former University of Minnesota pharmacy department faculty member.

Article V - Ambulance service personnel retirement plan

Establishes the ambulance service personnel defined contribution retirement plan to be administered by the Public Employees Retirement Association. Authorizes the establishment of an advisory committee to assist the PERA board of directors in plan operations. Provides that coverage is to be open to basic and advanced life support emergency medical service personnel employed by publicly or privately operated ambulance services. Provides for election. Provides for contributions and for the investment of funds by the State Board of Investment. Provides for benefits and eligibility standards. Sets a normal retirement age and minimum service credit. Prohibits early retirement. Requires PERA to adopt plan administration rules. Requires formulation and adoption of the proposed plan for tax exempt status assurance purposes.

Article VI - Public pension plan asset use limitation Prohibits the loan or transfer of public pension fund assets to state or governmental subdivisions and the use of assets to fund deficits in other public pension plans or funds.

Article VII - Various miscellaneous retirement modifications

Authorizes and provides for an additional salary credit from PERA for a former Ramsey County employee. Changes the effective date of retirement for the purpose of paying postretirement adjustments to a former Roseau school teacher. Provides for retroactive payments. Provides for PERA contribution refunds for former employees of the Albany and Canby community hospitals. Permits a Stearns County Historical Society employee to retain PERA membership. Authorizes St. Paul Teachers Retirement Fund Association bylaw amendments. Authorizes a Hibbing city council member to revoke a previous PERA membership option. Excludes Plymouth

volunteer firefighters from Public Employees Police and Fire Fund membership and provides for refunds.

Article VIII - State Board of Investment changes Requires the State Board of Investment to adopt an investment policy statement including investment objectives, asset allocation and investment management structure for retirement fund assets. Requires advice from the Investment Advisory Council. Authorizes the investment of state funds in additional security and alters conditions of investment.

Article IX - Reduced vesting requirements and modified workers' compensation offsets Lowers MSRS, correction employees retirement fund, state patrol retirement fund, PERA, police and fire fund and teachers retirement associations vesting standards. Requires and provides for reduced vesting standards for police or salaried firefighters relief associations. Regulates workers' compensation offsets to PERA and police and fire fund disability benefits. Provides for the determination of average salary relating to the receipt of workers compensation benefits for PERA and police and fire fund annuity calculation purposes. Provides for the restoration of reduced disability benefit payments and for association recovery of overpayments.

Article X - Public pension plan legal opinions Provides for attorney general opinions to public pension fund attorneys.

Article XI - Miscellaneous corrections Clarifies first class city teachers retirement fund audit responsibility provisions and corrects an erroneous date reference in a transitional provision relating to the establishment of the Correctional Employees Retirement Fund. Effective date: Various dates. SIMONEAU, WEGSCHEID.

Department of Human Rights procedure changes

Chap. 375-H.F. 1419 Directs the Indian Affairs Council to develop programs for Indians subject to prejudice and discrimination. Removes duties from the jurisdiction of the Department of Human Rights including research, study, and publication requirements and program development. Specifies priorities for commissioner's duties. Modifies grievance action filing procedures and changes the order of priority for investigation and processing. Changes hearing procedures. Restricts certification of cases as complex. Requires commissioner determinations within specific time frames. Effective date: August 1, 1987. ORENSTEIN, REICHGOTT.

State building code administration

Chap. 387-S.F. 1261 Requires the commissioner of administration to administer and enforce the state building code with respect to public buildings in the state. Provides for the charging and crediting of fees by the commissioner and by cities, counties, towns and the University of Minnesota. Requires the commissioner to contract with the cities, counties, towns or the University for plan review, code administration and code enforcement. Provides for preparation and certification of portions of condominium plats by architects. Effective date: Various dates. MARTY, DEBLIECK.

Minnesota Humane Society abolishment

Chap. 394-H.F. 1113 Abolishes the Minnesota Humane Society as a state agency and authorizes its formation as a state federation of county and district societies. Provides for the powers and duties of county and district societies and for the prevention of cruelty to animals. Effective date: June 4, 1987. KLUDT, FREDERICKSON, D.J.

Health and Human Services

Work activity program wages

Chap. 22-S.F. 529 Provides for payment of less than the minimum wage to patients or residents of state hospitals for the mentally ill or mentally retarded under work activity programs for the handicapped. Effective date: August 1, 1987. DIESSNER, DAUNER

Organ procurement protocols

Chap. 32-H.F. 23 Requires hospitals to establish a protocol to obtain organs for transplantation. Sets forth definitions. Provides for notification of next of kin in order of priority. Provides for documentation. Specifies that the family of an individual whose organ is donated for transplantation is not financially liable for costs related to the evaluation of donor organ suitability or retrieval of the organ. Provides for compliance with the Uniform Anatomical Gift Act. Provides for training for hospital employees. Effective date: October 1, 1987. KAHN, PIPER.

Mental retardation division name change

Chap. 44-H.F. 557 Renames the Mental Retardation Division of the Department of Human Services the Division for Persons with Developmental Disabilities. Effective date: August 1, 1987. KELSO, PIPER.

Hospital expansion moratorium extension.

Chap. 75-H.F. 668 Extends the moratorium on hospital capacity expansion until June 30, 1990. Provides for exceptions. Effective date: May 12, 1987. GRUENES, BERGLIN.

Chemical dependency professional standards

Chap. 85-S.F. 673 Authorizes the commissioner of human services to adopt, by rule, any or all of the standards established by the Institute for Chemical Dependency Professionals of Minnesota, Inc., for chemical dependency professionals. Effective date: May 12, 1987. PIPER, DAUNER

Medical examiners board information disclosure

Chap. 86-S.F. 737 Authorizes the Board of Medical Examiners to release information relating to investigation of a complaint to the person who made the complaint. Requires the board to furnish a summary of the results of the investigation, a description of the activities and actions of the board relating to the complaint and the reasons for actions taken by the board. Effective date: August 1, 1987. BERGLIN, GREENFIELD

Podiatrist licensure revisions

Chap. 108-S.F. 79 Revises and updates the laws relating to licensure of podiatrists. Changes and redefines the term podiatry to podiatric medicine. Changes the name of the Board of Podiatry to the Board of Podiatric Medicine. Provides for licensure by examination or by endorsement. Authorizes the issuance of temporary permits. Prohibits the practice of podiatric medicine without a license or permit. Specifies unlawful practices, prescribes a penalty, and sets forth grounds for and forms of disciplinary investigation and action. Sets forth cooperation requirements. Provides for mental or physical examination or chemical dependency evaluation. Provides for access to medical data and records. Specifies report obligations of health care institutions, licensed health professionals, insurers and court administrators. Provides for immunity from civil or criminal liability for submitting a report to the board or for otherwise reporting violations or alleged violations. Effective date: August 1, 1987. POGEMILLER, VELLENGA.

Faradic shock prohibition

Chap. 110-S.F. 555 Requires the commissioner of human services to promulgate rules governing the use of aversive and deprivation procedures in licensed facilities serving persons with mental retardation or related conditions. Provides that the rules prohibit the use of faradic shock without a court order. Requires a plan to reduce and eliminate the use of faradic shock. Includes unauthorized aversive and deprivation procedures in the definitions of physical abuse under the child and vulnerable adult abuse reporting laws. Effective date: August 1, 1987. BRANDL, CLARK.

HMO premiums adjustment

Chap. 130-H.F. 630 Allows health maintenance organizations to adjust premiums based on actual health services utilization. Sets forth risk sharing information requirements. Effective date: August 1, 1987. WELLE, BRANDL.

Recovery of medical assistance overpayments.

Chap. 133-H.F. 721 Specifies that the current owner of a nursing home, boarding care home, or intermediate care facility for persons with mental retardation or a related condition is liable for the overpayment amount owed by a former owner for any facility sold, transferred, or reorganized after May 15, 1987. Specifies that within 12 months of a written request by the current owner, the commissioner shall conduct a field audit of the facility for the auditable rate years during which the former owner owned the facility and issue a written report within 15 months of the request. Effective date: May 15, 1987. GREENFIELD, BERGLIN.

Human services boards provisions

Chap. 139-H.F. 923 Regulates the budgets and procedures of human service boards. Requires a biennial plan and budget rather than an annual plan and budget. Requires the boards to show evidence of participation by the public and private service providers in the development of the plan. Effective date: August 1, 1987. DAUNER, VICKERMAN.

Public assistance appeals procedures

Chap. 148-H.F. 1524 Authorizes recipients of case managements services to request review of grievances directly to the commissioner of human services for hearings before state human services referees. Authorizes the commissioner to order an independent examination. Provides for appeal of case management services for persons with mental retardation or related conditions to the local human services agency. Sets forth local agency notice and conciliation conference scheduling requirements. Requires commissioner designation of a representative to be present at the conference to assist in dispute resolution. Authorizes and provides for appeal directly to the commissioner when the local agency fails to act. Effective date: June 13, 1987. WYNIA, BERGLIN.

Supportive living residences license prohibition

Chap. 197-H.F. 642 Prohibits licensing of supportive living residences until the legislature has met and considered recommendations presented by

the commissioner. Requires monitoring of facilities. Provides for various levels of care for persons with mental illness. Directs the commissioner of human services to review and alter rules relating to residential care facilities for persons with mental illness. Requires a study of housing needs for persons with mental illness. Prohibits payment to newly-licensed facilities having more than four residents with mental illness. Effective date: August 1, 1987. GREENFIELD, HUGHES.

Miscellaneous health provisions

Chap. 209-S.F. 1048 Provides for Hazardous Substance Injury Compensation Board appointment of an executive director. Requires a written release, signed by the subject, for board requests for health data. Modifies resident nursing home or boarding care home reimbursement classification establishment, reconsideration notice and request procedures. Provides for resident access to assessment information. Authorizes the Department of Health to audit resident assessments. Makes optional the requirement for the commissioner of health to develop and coordinate a nutrition data reporting system.

Specifies the requirements for the commissioner of health's authority to control the activities of carriers of communicable diseases posing a health threat to others. Includes carriers of the human immunodeficiency virus (HIV), or AIDS. Defines health threat to others. Authorizes health directives. Provides for the reporting of persons posing a health threat or noncompliant behavior by licensed health or human services professionals. Provides for civil liability for false reports. Specifies petition and hearing requirements for commencement of legal action. Provides for compelled testimony with immunity from prosecution, provides for standard of proof, and provides for establishing a rebuttable presumption of carrier status. Describes remedies. Sets forth requirements relating to commitment or supervised living and for appeal. Prohibits court commitment without consideration of the recommendation of a commitment review panel to be appointed by the commissioner. Provides for temporary emergency custody of suspected persons to protect the public health and provides for hearing. Provides for court determination of payment of costs of care. Sets forth respondent financial responsibility. Requires the commissioner to make financing recommendations by January 15, 1988. Provides for classifying and protecting health directive data. Requires a records retention schedule.

Provides penalties for hospitals and nursing homes advertising or operating without a license. Modifies the definition of a hospital. Requires prior notice to the commissioner of health of voluntary hospital and nursing home closings or curtailment that necessitate the relocation of patients or residents. Provides for commissioner access to records for hospital or nursing home inspection or investigation purposes. Modifies life support transportation service licensing notice, hearing and decisions requirements. Changes the term life support transportation service to ambulance service and deletes reference to health systems agencies. Revises the membership and duties of the Interagency Board for Quality Assurance. Strengthens and clarifies powers of the Office of Health Facility Complaints. Extends the expiration date of the Maternal and Child Health Advisory Task Force and modifies the block grant distribution formula. Classifies lodging houses, hotels, motels, restaurants, boarding houses and places of refreshment according to the potential health risk. Requires periodic inspections by the commissioner of health. Repeals provisions relating to the control and care of persons with tuberculosis and to the cytogenetics laboratory for the study of human chromosomes. Effective date: July 1, 1987. LANTRY, GREENFIELD.

Nursing home and regional center shared service agreements

Chap. 234-H.F. 526 Authorizes the Department of Human Services to enter into shared service agreements. Authorizes any regional center or state operated nursing home to enter into agreement with other governmental entities and both nonprofit and profit health service organizations for participation in shared service agreements that would be of mutual benefit to the state, the other governmental entities and the health services organizations involved as well as the public. Requires authorization by the commissioner of finance for positions funded by a shared service agreement. Requires reports to the legislature about the number of agreements approved, the types of services provided and the amounts collected. Effective date: July 1, 1987. WELLE, SAMUELSON.

Foster care difficulty of care payment rates

Chap. 235-H.F. 556 Establishes difficulty of care payments for children in foster care. Requires the commissioner to adopt emergency and permanent rules. Effective date: May 27, 1987. JEFFERSON, LANTRY.

Human fetus remains disposition

Chap. 238-H.F. 663 Provides for the disposition of the remains of human fetuses. Requires remains disposal by cremation, interment by burial, or in a manner directed by the commissioner of health. Provides that the hospital, clinic, medical facility, or laboratory may complete laboratory tests necessary for the health of the woman or her future offspring or for purposes of a criminal investigation or determination of parentage prior to disposing of

the remains. Prescribes a misdemeanor penalty for failure to comply. Provides that compliance does not require a religious service or ceremony and that no discussion of the method of disposition is required with the woman obtaining an induced abortion. Effective date: August 1, 1987. WENZEL, CHMIELEWSKI.

General assistance payment denial for shelter services

Chap. 270-H.F. 591 Authorizes the commissioner to make direct payments to shelter facilities. Allows facilities providing shelter services to women and children to appeal the denial of general assistance payments. Effective date: August 1, 1987. WYNIA, BRANDL.

Child care sliding fee rate limits

Chap. 290-H.F. 1350 Establishes limits for rates under the child care sliding fee program. Provides that the rate set by any county shall not be lower than 110 percent or higher than 125 percent of the median rate for like care arrangements in that county. Specifies that to be reimbursed for more than 110 percent of the median rate, a provider with employees must pay wages for teachers, assistants and aides that are more than 110 percent of the county average rate for child care workers. Effective date: August 1, 1987. CLARK, BERGLIN.

Financial responsibility for chemical dependency services

Chap. 299-S.F. 593 Clarifies provisions relating to patient and relative financial responsibility for chemical dependency services. Requires chemical dependency funds appropriated for allocation to be placed in a special revenue account. Requires fund transfers to pay for costs. Modifies provisions relating to county adjustments and maximum allocation. Requires reduction of the reserve account base level if the fund balance from which allocation are made is decreased in later years. Specifies requirements relating to selection of out of state vendors. Provides for county election to use state invoice procedures and payment services. Provides procedures for payment of county share of invoiced services. Sets forth human services commissioner requirements. Removes vendors from appeal provisions. Expands eligibility for fund services.

Requires the commissioner to establish a separate fee scale for recipients of chemical dependency transitional rehabilitation services that provides for the collection of fees for board and lodging expenses. Provides that the fee schedule shall ensure that employed persons are allowed the income disregards and savings accounts that are allowed residents of community mental illness facilities. Requires the commissioner to identify and implement alternative methods of regulation and enforcement relating to vendor eligibility. Requires the commissioners of human services, health, public safety, administration and education to consolidate duplicative licensing and certification rules and standards. Authorizes or requires certain fee reductions. Restricts services reimbursed through the consolidated chemical dependency fund for persons eligible for medical assistance until the securing of federal program waivers.

Restricts the use of payments in the tribal reserve account and requires the reallocation of unallocated funds for the treatment of nonreservation Indians. Repeals the medical assistance and general assistance medical care reimbursement limit for inpatient treatment of chemical dependency. Clarifies the inclusion of boarding care homes in the nursing home preadmission screening program for medical assistance recipients. Requires county agency advance notice to potential providers under the alternative care grants program of the opportunity for selection. Requires a public meeting to explain and review the criteria for selection. Requires counties to select providers for contracts or agreements using specific criteria. Specifies county responsibility for screening costs for persons not yet eligible for medical assistance. Effective date: Various dates. BERGLIN, GREENFIELD.

Central interpreter referral for hearing impaired

Chap. 302-S.F. 735 Requires the commissioner of human services to establish a central interpreter referral agency for hearing impaired. Sets forth duties of the agency. Requires regional service centers to assist the agency with local and regional referrals. Alters the membership requirements for regional service center advisory committees and for the Council for the Hearing Impaired. Requires the council to advise the governor. Effective date: August 1, 1987. ADKINS, CLARK.

Asbestos Abatement Act

Chap. 303-S.F. 858 Provides for asbestos regulation. Directs the commissioner of health to regulate and license persons or entities engaged in enclosing, removing, or encapsulating asbestos. Provides definitions. Prescribes penalties. Creates the Asbestos Abatement Revolving Fund. Appropriates \$23,800 for fiscal year ending June 30, 1988 and provides for return of \$23,800 to the general fund June 30, 1989. Effective date: Various dates. FREEMAN, NELSON, D.

Community services conversion project for mentally retarded

Chap. 305-S.F. 908 Requires the commissioner of human services to request counties to present proposals for the voluntary conversion of

services provided by community intermediate care facilities for persons with mental retardation or related conditions to services provided under home and community based services. Requires the commissioner to report to the legislature by March 1, 1988 on the status of the community services conversion project. Specifies requirements for proposal content. Requires counties to ensure the relocation of residents discharged from facilities participating in the project to the county of financial responsibility or an adjacent county. Requires proposal compliance with need determination procedures and other requirements. Specifies proposal priority, commissioner selection and notice requirements. Requires contracts between the commissioner, the county where the facility is located and the participating facility for approved proposals. Provides for allocation to counties of home and community based services to replace intermediate care facility services. Sets forth placement requirements and limits. Specifies county reporting requirements. Provides for appeals. Requires the commissioner to establish payment rates according to rules and allows modifications. Requires counties to consider the opinions of parents in developing service plans for medical assistance recipients with mental retardation or related conditions. Effective date: August 1, 1987. BECKMAN, KELSO.

Local Public Health Act

Chap. 309-S.F. 1041 Requires cities or counties to act as or establish boards of health. Authorizes and provides for joint boards. Provides for withdrawal. Specifies membership requirements, powers and duties. Provides for investigation and reports for the control of communicable diseases and for removal or abatement of public health nuisances. Provides penalties for hindrance or neglect of enforcement. Authorizes county boards to adopt ordinances to regulate actual or potential threats to the public health, to control the possession of animals, to control unwholesome substances, to regulate the disposal of waste, to regulate the pollution of water and to regulate offensive trades. Authorizes city or town ordinances in compliance with county ordinances. Specifies powers and duties of the commissioner of health relating to boards of health. Provides for the delegation of licensing, inspection, reporting and enforcement powers and duties. Provides for agreements and terms. Authorizes and provides for the assessment of costs.

Specifies city or county property tax levy authority. Provides for the formation of community health boards to maintain an integrated system of community health services. Sets forth community health services subsidy eligibility requirements, powers and duties. Requires the appointment or employment of medical consultants. Requires the preparation of community health plans, budgets and reports for submittal to the commissioner. Requires equal access to health services. Establishes a state community health advisory committee and requires the appointment of local committees for services development, maintenance, funding and evaluation purposes. Specifies city, county and commissioner powers and duties relating to subsidies. Requires a biennial report to the legislature. Authorizes the commissioner to make special grants to furnish health services for migrant agricultural workers and for Indians living outside reservations. Effective date: August 1, 1987. SAMUELSON, KELSO.

Human Services Licensing Act

Chap. 333-H.F. 1210 Requires and regulates the licensing of child day care or foster care programs and programs for the care of physically handicapped, mentally ill, mentally retarded or chemically dependent adults by the commissioner of human services. Specifies exclusions. Prescribes penalties. Provides for application procedures. Requires studies of applicants relating to criminal conviction data and arrest information. Specifies minimum criteria. Requires applicant cooperation. Requires inspection of programs prior to licensure and sets forth the commissioner's right of access. Requires a court order to photocopy hospital medical records. Sets forth commissioner's evaluation requirements and requires the establishment of disqualification standards by rule.

Provides for license issuance and authorizes the issuance of provisional licenses. Provides for application denial, correction orders and fines for noncompliance. Authorizes and provides for license suspension, revocation or probation. Provides for hearings. Requires the commissioner to promulgate rules. Specifies standards and regulatory methods and authorizes alternative methods. Requires evaluation of effects. Specifies other duties of the commissioner, including consultation and cooperation requirements. Provides for review of rules for programs serving persons with mental illness. Requires the commissioner to study the housing needs of persons with mental illness and to articulate a continuum of residential treatments services and make recommendations to the legislature. Authorizes fees. Specifies permitted single and multifamily residential use for city, county and town zoning purposes. Provides for conditional or special use permits. Specifies the factors the commissioner must consider for location of residential programs. Provides for dispersal by county plan. Provides for voluntary and involuntary receivership for residential facilities and specifies district court and receiver powers and duties relating to involuntary receivership.

Limits the amount of money required to be spent by family or group family day care license holders or applicants to correct fire safety deficiencies. Provides for the issuance of a conditional license. Limits local regulation of family day care programs. Specifies standards for county and private agencies with licensing authority. Sets forth commissioner rule enforcement requirements and authority. Restricts general assistance and supplemental aid payments to certain newly licensed facilities for the mentally ill. Requires the commissioner of health to monitor newly licensed boarding care, board and lodging and supervised living facilities for compliance purposes. Repeals the Public Welfare Licensing Act and the Child Care Services Act. Effective date: Various dates. WYNIA, PIPER.

Establishment of Mental Health Division

Chap. 342-S.F. 834 Creates a Mental Health Division of the Department of Human Services under the supervision of an assistant commissioner of mental health to enforce and coordinate laws relating to mental illness. Changes, expands and specifies additional duties of the commissioner of human services relating to evaluation of needs of persons with mental illness and to community mental health services and personnel. Provides requirements for rule adoption. Requires cooperation with the commissioners of health and jobs and training for coordination of services and programs. Creates a State Advisory Council on Mental Health to advise the governor, legislature and state departments and agencies about policy, programs, services and development of innovative mechanisms affecting persons with mental illness. Describes membership and reporting requirements of the advisory council. Effective date: June 3, 1987. WEGSCHEID, SEGAL.

Alteration of federal fiscal disallowances allocation

Chap. 343-S.F. 946 Alters allocation of federal human services fiscal disallowances based on error rates. Provides that for the medical assistance and AFDC programs disallowances shall be shared by each county board in the same proportion as that county's expenditures for the sanctioned program are to the total of all counties' expenditures for the AFDC and medical assistance programs. Provides that for the food stamp program, sanction shall be shared by each county with 50 percent of the sanction being distributed to each county in the same proportion as that county's administrative costs for food stamps are to the total of all food stamp administrative costs for all counties, and 50 percent of the sanctions being distributed to each county in the same proportion as that county's value of food stamp benefits issued are to the total of all benefits issued for all counties. Effective date: January 1, 1988. BERGLIN, CLARK.

Chiropractic practice regulation

Chap. 345-S.F. 1008 Provides for the regulation of the practice of chiropractic. Provides for peer review of services. Provides for fees. Requires reports. Sets forth grounds for license revocation. Provides that any person, health care facility, business, or organization is immune from civil liability or criminal prosecution for reporting violations to the board. Prescribes penalties. Appropriates \$44,000 from the special revenue fund to the State Board of Chiropractic Examiners for the purposes of funding the peer review committee. Effective date: Various dates. WEGSCHEID, OGREN.

Social worker regulation

Chap. 347-H.F. 290 Article I - Office of Social Work and Mental Health Boards. Creates the office of social work and mental health boards to coordinate the administrative and staff functions of the boards of social work, marriage and family therapy and unlicensed mental health service providers. Provides for suspension of the right to practice or to provide service by board action. Provides for a tax clearance certificate for licensure issuance or renewal. Specifies reporting obligations of the boards, institutions, professional societies, licensed professionals, insurers and courts. Sets forth an immunity from liability provision. Provides for records maintenance and access. Requires regulated individuals to submit a malpractice history for application purposes. Provides for the publication of disciplinary actions and for dispute resolution. Requires the boards to establish fees. Authorizes the promulgation of rules.

Article II - Board of Social Work Creates the Social Work Licensing Board. Provides for membership and describes licensure and regulation duties. Requires the board to appoint a continuing education committee for advisory purposes. Specifies licensure and license renewal requirements. Establishes the categories of social worker, graduate social worker, independent social worker and independent clinical social worker. Provides for fees. Specifies exemptions including city, county and state agency social workers. Provides for board rulemaking authority. Sets forth reciprocity provisions. Provides for license denial, suspension or revocation. Specifies prohibited practices and prescribes penalties. Specifies that the licensure of social workers who are employed by federally recognized tribes, or by private nonprofit agencies whose primary service focus addresses ethnic minority populations, and are themselves members of ethnic minority population within the agencies shall be voluntary and that the licensure of social workers employed by hospitals and nursing homes shall be voluntary.

Article IV - Board of Unlicensed Mental Health Service Providers
Creates the Board of Unlicensed Mental Health Service Providers. Sets forth membership and rulemaking requirements. Requires mental health service providers to file with the state. Provides for board issuance of acknowledgment. Specifies prohibited use of acknowledgment and prohibited conduct. Prescribes penalties. Provides for mental or physical examination of providers under specific conditions. Sets forth medical data access provisions. Provides for adverse actions by the board for violations. Requires the board to adopt a statement of internal operating procedures for receiving and investigating complaints. Establishes a mental health client bill of rights. Requires the commissioner of health to review required reports and to make recommendations to the legislature by January 15, 1991, on the need for registration or licensure of unlicensed mental health service providers and the need to retain the board. Requires report by the board to the legislature and to the commissioner. Effective date: July 1, 1987. GREENFIELD, PETERSON, D.C.

Mental health ombudsman

Chap. 352-S.F. 514 Creates the office of ombudsman for mental health and mental retardation to promote the highest attainable standards of treatment, competence, efficiency and justice for persons receiving care or treatment for mental illness, mental retardation, chemical dependency or emotional disturbance. Authorizes the ombudsman to investigate matters of the Departments of Human Services and Health and of residential or regional treatment facilities or centers. Transfers the function of client advocacy in the Department of Human Services to the office. Requires the maintenance of client advocates in each regional center. Specifies powers of the ombudsman. Provides for selection of matters appropriate for review. Provides for receiving complaints and for making recommendations to the agency or facility. Requires reports to the governor. Exempts the ombudsman from civil liability. Requires the governor to appoint an ombudsman committee for assistance and recommendation purposes. Provides for committee membership. Requires the governor to designate at least five members of the committee to serve as a medical review subcommittee to investigate deaths brought to the committee's attention. Requires reporting to the ombudsman by medical examiners or coroners and local agencies of deaths or physical abuse or neglect of minors or vulnerable adults. Provides for initial appointments. Appropriates \$39,000 from the general fund. Effective date: July 1, 1987. BERGLIN, WYNIA.

Minnesota Unitary Residence and Financial Responsibility Act

Chap. 363-H.F. 894 Creates a single unitary process for all human services programs with residency as the determining factor in establishing the county of financial responsibility. Provides for governance under the program of the Department of Human Services, county welfare boards and agencies, human services boards, community mental health center boards, state hospitals and nursing homes and entities under contract with the agencies. Provides for the establishment and determination of residency. Establishes the county of financial responsibility for emergencies, detoxification services and in commitment cases. Provides for removal of persons eligible for or receiving assistance to another county. Provides for the resolution of financial responsibility disputes and for reimbursements. Sets forth Department of Human Services duties. Provides for appeals to the district court and for payment pending appeal. Provides for a three year statute of limitations. Prohibits a specific retroactive effect. Effective date: January 1, 1988. WELLE, VICKERMAN.

Retention of resources for resident medical assistance application

Chap. 364-H.F. 904 Requires notification to the spouse of a nursing home resident of the right to retain resources for resident medical assistance application purposes. Requires the notification to include notice that the federal Medicare hospital insurance benefits program covers post-hospital extended care services in a qualified skilled nursing facility for up to 100 days and that there are several limitations on this benefit. Requires the Department of Human Services to notify nursing homes and boarding care facilities of changes in the determination of medical assistance eligibility that relate to resources retained by a resident and the resident's spouse. Specifies that the preadmission screening team has primary responsibility for informing all private pay applicants to a nursing home or boarding care facility of the resources the resident and spouse may retain. Effective date: August 1, 1987. ANDERSON, R., PIPER.

Employment programs for handicapped persons

Chap. 369-H.F. 1054 Alters provisions relating to vocational rehabilitation for the handicapped under the Department of Jobs and Training. Alters the definition of work activity program to include paid work and training services permitting a level of production below the level required for long term employment programs. Provides for long term employment programs through long term sheltered workshops and off-premises services and for extended employment programs through sheltered workshops. Provides for community based employment and work component programs. Requires

the commissioner to certify that the long term sheltered workshops are to offer extended employment programs and to grant funds to the programs. Removes the requirement for gubernatorial approval of plans for services to workers covered under workers compensation. Modifies responsibilities of sheltered workshop boards. Modifies an operating costs funding limit provision. Requires the commissioner to promulgate rules for allocation of state grant funds to extended employment programs. Effective date: June 3, 1987. COOPER, PIPER.

Public assistance liens

Chap. 370-H.F. 1112 Article I Requires unexpended health related licensing board fees in the special revenue fund to be annually transferred and credited to the public health fund. Requires the commissioner of jobs and training through the division of rehabilitation resources to contract with a consumer controlled organization of persons with developmental disabilities to develop client advisory committees in vocational settings in developmental achievement centers and state hospitals and to allocate resources to sheltered workshops. Expands the definition of vendor of medical care relating to medical assistance to directors and officers of corporations and members of partnerships with the responsibility of submitting claims for reimbursement. Permits the commissioner of human services to charge interest on installment payments of money to be recovered from ineligible providers. Expands the authority of the commissioner of human services to examine personal medical records of medical assistance recipients for investigation purposes relating to erroneous claims or payments. Expands the subsidized adoption program to include adopted adults. Authorizes the director of the state planning agency in cooperation with the commissioner of health to study the feasibility of a state institute for health research. Requires the governor to create a commission on health plan regulatory reform. Requires a report to the governor and the legislature. Allocates funds to counties for Indian relief.

Article II Requires group health and accident insurers providing coverage for a dependent under court ordered child support requirements to make payments directly to the health care providers. Provides for division of workers compensation settlement claims of employees or spouses or dependents living with the employees receiving public assistance. Specifies notice requirements. Establishes a public assistance lien on accruing causes of action. Provides for perfection of liens, enforcement and the deduction of costs. Sets forth notice requirements. Alters provisions relating to third party payer liability and Human Services Department lien under medical assistance. Specifies notice requirements. Expands state subrogation rights. Provides for private accident and health insurance coverage as primary coverage under medical assistance and general assistance medical care. Excepts payments made under the Aid to Families with Dependent Children or Medical Assistance programs from provisions relating to Metropolitan Transit Commission deductions from damages and basic economic loss benefits under the no-fault automobile self insurance option. Effective date: June 30, 1987, July 1, 1987. GREENFIELD, BERGLIN.

Medical assistance for hospice care services

Chap. 374-H.F. 1417 Authorizes hospice care payments under medical assistance. Effective date: July 1, 1987. SEGAL, BRANDL.

Home health care provider licensure

Chap. 378-S.F. 51 Requires home care providers to be licensed by the commissioner of health. Provides for exemptions. Provides for enforcement. Requires the commissioner to adopt regulatory rules to assure the health, safety, well being and appropriate treatment of persons receiving home care services. Specifies regulatory functions of the commissioner. Requires the commissioner to appoint a Home Care Advisory Task Force for rule development purposes. Provides for membership. Requires license applicant to disclose criminal convictions. Requires the commissioner to promulgate rules. Provides for classifying data collected. Requires and provides for information and referral services. Includes home care providers in health record access and price competition provisions. Establishes a home care bill of rights. Provides for interpretation and enforcement. Specifies additional license requirements for home and inpatient hospice programs for terminally ill patients including a licensed physician as medical director and an interdisciplinary team for plan development and implementation purposes. Requires commissioner to inspect and promulgate rules. Provides a complaint and grievance procedure through the Office of Health Facility Complaints. Provides temporary license procedures. Requires the commissioner of human services to adopt rules to implement, administer and operate a personal care assistant services program for medical assistance purposes. Requires incorporation of the standards and requirements for personal care assistants adopted by the commissioner of health. Includes home care providers and recipients under the vulnerable adults abuse reporting law. Effective date: June 3, 1987. BERGLIN, GREENFIELD.

Day care center smoking prohibition

Chap. 399-H.F. 1283 Prohibits smoking in day care centers and health care facilities. Prohibits promotional distribution of tobacco products. Effective date: Various dates. SKOGLUND, MARTY.

Judiciary

Uniform Trade Secrets Act changes

Chap. 1-H.F. 45 Revises the Uniform Trade Secrets Act. Modifies court standards for injunctive relief, damages available and limits, and specifies remedies. Effective date: August 1, 1987. ORENSTEIN, SPEAR.

Corporate directors liability modification

Chap. 2-H.F. 34 Provides that a director's personal liability to a corporation or its shareholders for monetary damages for breach of fiduciary duty as a director may be eliminated or limited in the corporation's articles. Prohibits the corporation's articles from eliminating or limiting the liability of a director for any breach of the director's duty of loyalty; for acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law; for any transaction from which the director derived an improper personal benefit; or any act or omission occurring prior to the date when the provision in the articles eliminating or limiting liability becomes effective. Effective date: February 26, 1987. CARRUTHERS, REICHGOTT.

Adoptive parent records

Chap. 3-H.F. 41 Provides that proposed adoptive parents may obtain a summary report on their suitability as adoptive parents from any authorized adoption agency at the conclusion of the adoptive study by that agency. Provides that a child's parent need not join as co-petitioner in a stepparent adoption. Changes the manner of executing consents to adoption by adding the adult adoptee to the list of exceptions that must be executed before a representative of the commissioner in a petition for adoption by a stepparent. Effective date: March 5, 1987. MILBERT, PETERSON, R.W.

Title defects

Chap. 4-S.F. 85 Provides that when approved by the examiner of titles, owners of adjacent tracts of land which have a common title defect may join in one application to register the title to their individual tracts. Effective date: August 1, 1987. REICHGOTT, WAGENIUS.

Criminal syndicalism repeal

Chap. 10-S.F. 302 Eliminates the crime of criminal syndicalism, which is defined as the doctrine that advocates crime, malicious damage or injury to the property of an employer, violence or other unlawful method of terrorism as a means of accomplishing industrial or political war. Effective date: August 1, 1987. SPEAR, PAPPAS.

Standardization of probate proceedings fees

Chap. 11-S.F. 402 Provides that the fees for copies of all documents in probate proceedings must be the same as the fees established for certified copies in civil proceedings. Effective date: August 1, 1987. JUDE, DEMPSEY.

Corporate control share acquisitions date

Chap. 12-H.F. 27 Delays the effective date, until August 1, 1988, of amendments to the regulations governing corporate control share acquisitions. Effective date: March 28, 1988. SIMONEAU, LUTHER.

Alfentanil designated as controlled substance

Chap. 14-H.F. 688 Classifies the substance alfentanil as a Schedule II controlled substance. Effective date: March 28, 1987. KELLY, SPEAR.

Adoption services contributions

Chap. 16-H.F. 127 Provides that pledges to make contributions to reimburse adoption services corporations for expenses are voidable at the option of the person making the pledge. Provides that payment of expenses are not a prerequisite to providing adoption services. Effective date: August 1, 1987. KRUEGER, JUDE.

Uniform Fraudulent Transfer Act

Chap. 19-S.F. 97 Fixes the conditions for the legal determination of fraud in property transfers. Enacts the Uniform Fraudulent Transfer Act. Effective date: August 1, 1987. SPEAR, ORENSTEIN.

Human rights for disabled persons

Chap. 23-H.F. 369 Adds sensory impairment to the definition of disability. Deletes language exempting educational institutions from providing special service to a person because of a disability or modifying buildings, grounds, facilities or admissions procedures because of a person's disability. Requires educational institutions to insure physical and program access to persons with disabilities. Excepts providing attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature. Clarifies provisions relating to unfair discriminatory

practice with respect to rights, procedures and remedies available under federal law. Effective date: August 1, 1987. GREENFIELD, SPEAR.

Real estate conveyance

Chap. 26-S.F. 499 Provides that an acknowledgement made in a representative capacity for and on behalf of a corporation, partnership, trust, or other entity and certified substantially in the form prescribed in law is prima facie evidence that the instrument was executed and delivered with proper authority. Authorizes owners to create tenancies in common by direct conveyances to themselves and others. Permits the severance of joint tenancies by direct conveyances between spouses. Provides for time limits upon actions relating to certain estates in real property. Provides for the discharge of prior judgments against bankrupt debtors. Provides for validation of conveyances executed by religious corporations recorded prior to July 1, 1980. Effective date: August 1, 1987. JUDE, KLUDT.

Corporate and fraternal benefit society director liability

Chap. 33-H.F. 202 Provides for the modification of the personal liability of directors of corporations and fraternal benefit societies. Provides for the elimination of liability for monetary damages for breach of fiduciary duty as a director. Authorizes advances for payment of reasonable legal expenses by fraternal benefit societies. Effective date: April 17, 1987. CARRUTHERS, REICHGOTT.

Gender neutral statute revision

Chap. 49-S.F. 440 Makes substantive changes to gender references in Minnesota Statutes. Effective date: August 1, 1987. PIPER, REST.

BWI prosecution jurisdiction

Chap. 59-S.F. 59 Provides that the attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of the boating while intoxicated law is also responsible for prosecution of gross misdemeanor violations. Effective date: August 1, 1987. DIESSNER, BEARD.

Uniform Statutory Rule Against Perpetuities

Chap. 60-S.F. 157 Enacts the Uniform Statutory Rule Against Perpetuities. Effective date: August 1, 1987. LUTHER, QUINN.

DWI application to highway workers

Chap. 63-S.F. 324 Removes exemptions regarding alcohol or controlled substance related activities of persons engaged in work upon the highway. Clarifies that highway workers are subject to DWI and implied consent laws. Effective date: August 1, 1987. COHEN, CARRUTHERS.

Marijuana possession conviction records

Chap. 78-H.F. 1034 Repeals the requirement that the Department of Public Safety must keep a record of all first convictions for the crime of possessing a small amount of marijuana. Effective date: August 1, 1987. KLUDT, SPEAR.

Local government employee indemnification

Chap. 79-S.F. 53 Provides for the indemnification of municipal employees for punitive damages. Provides that a municipality or an instrumentality of a municipality must defend and indemnify any of its officers and employees, whether elective or appointive, for damages, including punitive damages, provided that the officer or employee was acting in the performance of the duties of the position and was not guilty of malfeasance in office, willful neglect of duty, or bad faith. Effective date: Various dates. LUTHER, QUINN.

Relocation assistance for displaced persons

Chap. 80-S.F. 296 Regulates relocation benefits for displaced persons as a consequence of lack of federal funds for relocation assistance. Provides that assistance required under federal law is to be part of the cost of acquisition. Effective date: August 1, 1987. PETERSON, D.C., JEFFERSON.

Arrest authority of officers hired by MTC

Chap. 83-S.F. 420 Provides that off-duty peace officers, employed by the Metropolitan Transit Commission to police MTC property and routes, may make an arrest anywhere within the seven county metro area. Specifies that the powers of arrest may only be exercised in connection with investigations authorized by the commission that relate to commission property, equipment, employees and passengers. Effective date: May 12, 1987. PETERSON, D.C., KELLY.

Past occurrences of child abuse or neglect

Chap. 91-S.F. 409 Requires those mandated to report child abuse or neglect to report occurrences within the preceding three years. Requires the commissioner to immediately investigate reports of past occurrences of child abuse or neglect in a facility. Effective date: August 1, 1987. COHEN, SOLBERG.

Machine gun possession by dealers and manufacturers

Chap. 93-H.F. 170 Allows ammunition manufacturers to possess machine guns for ammunition testing purposes. Permits dealers and manufacturers

who are federally licensed to own or possess machine guns and short-barreled shotguns for peace officer training, for selling to law enforcement agencies or for sales demonstrations. Requires filing a report with the Bureau of Criminal Apprehension by the tenth day of each month. Effective date: August 1, 1987. BLATZ, BELANGER.

Crime of criminal sexual conduct by impersonating a health care professional

Chap. 94-H.F. 318 Creates the crime of criminal sexual conduct by impersonating a health care professional. Specifies that consent by the complainant is not a defense. Effective date: August 1, 1987. ORENSTEIN, SPEAR.

Mechanics liens actual and visible beginning of improvement

Chap. 95-H.F. 1031 Specifies that visible staking, engineering, land surveying, and soil testing services do not constitute the actual and visible beginning of the improvement on the ground for mechanics lien attachment purposes. Effective date: August 1, 1987. REST, JUDE.

Corporate shares and shareholders provisions

Chap. 104-S.F. 578 Regulates the organization and operation of business corporations. Provides for indemnification. Provides voting rights. Provides for the value, issuance, pledging, and acquisition of shares. Provides for payment on the return of shares. Effective date: Various dates. REICHGOTT, CARRUTHERS.

Consideration of domestic abuse in child custody proceedings

Chap. 106-S.F. 1081 Provides that evidence of domestic abuse is relevant to determinations of custody. Specifies that the effect on the child of the actions of an abuser, if related to domestic abuse, that has occurred between the parents be among the relevant factors to be included in consideration and evaluation by the court. Effective date: August 1, 1987. SPEAR, REST.

Crime of police radio use

Chap. 111-S.F. 605 Creates the crime of using police radios while committing a criminal act. Prescribes a felony penalty. Effective date: August 1, 1987. BERTRAM, BERTRAM.

Peace officer tire inspection authorization

Chap. 112-S.F. 607 Authorizes peace officers to inspect for regulated tires. Effective date: August 1, 1987. BERTRAM, BERTRAM.

Sexual assault allegation fabrication as evidence

Chap. 114-S.F. 948 Permits evidence showing a tendency to fabricate allegations of sexual assault. Requires three days' notice of intent to introduce evidence of victim's prior sexual conduct. Makes statutory changes for the purpose of consistency with the rules of evidence. Effective date: August 1, 1987. BERGLIN, GREENFIELD.

Conditional release provisions in domestic assault

Chap. 115-S.F. 1097 Requires courts to issue written orders for conditional release of persons arrested for domestic assault. Requires arrest on violation of condition of release. Provides for notice to alleged victims of conditions of release. Specifies content of notice to alleged victims. Effective date: August 1, 1987. PETERSON, D.C., KLUDT.

Community dispute resolution program contracts or grants

Chap. 117-S.F. 1204 Authorizes the state and municipalities to make grants to or contract with community dispute resolution programs. Effective date: May 15, 1987. LUTHER, CARRUTHERS.

Removal of presumption of incompetency of child witnesses

Chap. 120-H.F. 286 Removes the presumption of incompetency of children under the age of ten as witnesses. Provides that a child under ten years of age is a competent witness unless the court finds the child lacks the capacity to remember or to relate truthfully facts respecting which the child is examined. Provides that a child describing any act or event may use language appropriate for a child of that age. Effective date: August 1, 1987. VELLENGA, JUDE.

DWI violations of local ordinances

Chap. 123-H.F. 427 Provides that violation of a local DWI ordinance is counted for purposes of driver's license revocation. Provides that courts must report juvenile traffic violations to the Department of Public Safety. Effective date: August 1, 1987. REST, SPEAR.

Artificial insemination consent records filing

Chap. 126-H.F. 470 Eliminates the requirement that a husband's consent to donor insemination be filed with the commissioner of health. Provides that the consent must be retained by the physician for at least four years after the confirmation of a pregnancy that occurs during the process of artificial insemination. Effective date: May 15, 1987. BISHOP, SPEAR.

Prohibition against giving a false name to peace officer

Chap. 127-H.F. 555 Specifies that it is a misdemeanor to give a false name, other than a nickname, or a false date of birth, or false or fraudulently altered

identification card to a peace officer. Effective date: August 1, 1987. CARRUTHERS, JUDE.

Disabled persons' employment rights

Chap. 129-H.F. 580 Deletes provisions allowing specific testing by employers, employment agencies or labor organizations to determine the effect of a disability on job performance. Clarifies a provision on reasonable accommodation of disabled persons in employment. Applies provisions requiring reasonable accommodation in employment to job applicants. Requires local human rights commissions to inform parties bringing charges under local anti-discrimination ordinances of additional protections and remedies under state law and of the option to file a charge under state law. Effective date: August 1, 1987. GREENFIELD, SPEAR.

Authorization of spousal testimony for crimes against children

Chap. 134-H.F. 730 Allows spousal testimony with respect to crimes committed against children. Effective date: August 1, 1987. WAGENIUS, REICHGOTT.

Child abuse investigation and reporting

Chap. 135-H.F. 806 Requires a written report to follow within 72 hours, exclusive of weekends and holidays, the receipt of an oral report of child abuse. Requires county attorneys to be on child protection teams. Specifies that if a report alleges a violation of a criminal statute involving sexual abuse or physical abuse, the local law enforcement agency and local welfare agency must coordinate the planning and execution of their respective investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews. Requires each agency to prepare a separate report of the results of its investigation. Requires that if the report alleges neglect or physical or sexual abuse by a person responsible for the child's care functioning outside the family unit in a setting other than a state facility, the local welfare agency must immediately notify the appropriate law enforcement agency which must then conduct an investigation of the alleged abuse or neglect. Specifies duties and composition of child protection teams. Provides for information sharing. Effective date: August 1, 1987. VELLENGA, REICHGOTT.

Prior conviction information in DWI prosecutions

Chap. 136-H.F. 816 Requires courts to furnish information relating to previous convictions without charge in gross misdemeanor prosecutions of the driving while under the influence law. Prescribes a misdemeanor penalty for persons who violate conditions attached to a limited driver's license. Effective date: Various dates. SCHREIBER, JUDE.

Guide dogs for physically handicapped persons

Chap. 141-H.F. 1024 Provides for access to public accommodation by physically handicapped persons with guide dogs. Prohibits discrimination against blind, handicapped or deaf persons with service dogs. Effective date: August 1, 1987. CARLSON, D., SOLON.

Securities as custodial property

Chap. 142-H.F. 1029 Expands the manner for creating custodial property under the Uniform Transfer to Minors Act. Effective date: August 1, 1987. KLUDT, MERRIAM.

Hennepin County Medical Center marketing

Chap. 144-H.F. 1204 Provides for the management of county health facilities. Clarifies provisions relating to the St. Paul-Ramsey Medical Center. Permits the Hennepin County Board to hold closed meetings on medical center business concerning marketing. Provides that data concerning specific products or services that are in direct competition with other providers of goods or services in the public or private sector are trade secret information to the extent disclosure of information pertaining to the matters would clearly harm the competitive position of the medical center. Effective date: Local approval. SCHEID, LUTHER.

Ramsey County court locations

Chap. 145-H.F. 1371 Specifies locations for holding court in Ramsey County. Designates two locations outside the city of St. Paul, New Brighton and Maplewood, as locations for suburban courts. Effective date: May 15, 1987. KNUTH, NOVAK.

Minimally marked vehicles

Chap. 162-H.F. 217 Provides that the chief of police of a home rule or statutory city, and the sheriff of a county, may authorize within the jurisdiction the use of specially marked police or sheriff's vehicle for primary use in the enforcement of highway traffic laws and ordinances when in the judgment of the chief of police or sheriff the use of specially marked vehicles will contribute to the safety of the traveling public. Specifies that a specially marked vehicle is one that is marked only with the shield of the city or county and the name of the proper authority on the right front door of the vehicle. Limits the number of specially marked vehicles. Effective date: August 1, 1987. BENNETT, KNAAK.

DEED access to unemployment compensation data

Chap. 165-H.F. 609 Provides that the Department of Energy and Economic Development may have access to employment data for internal use. Effective date: August 1, 1987. KELSO, COHEN.

Criminal justice datacommunications network access

Chap. 166-H.F. 692 Provides for access to the criminal justice datacommunications network and defines purpose for its use. Effective date: August 1, 1987. MCKASY.

Prohibition against killing a police dog

Chap. 167-H.F. 941 Prescribes a felony penalty for killing a police dog involved in law enforcement investigation or apprehension, or of a police dog in the custody of or under the control of a peace officer. Prescribes a gross misdemeanor penalty for injuring a police dog when the dog is involved in law enforcement investigation or apprehension, or of a police dog in the custody of or under the control of a peace officer. Effective date: August 1, 1987. CARRUTHERS, SPEAR.

Inspection for wild animal storage compliance

Chap. 169-S.F. 365 Requires enforcement officers to have probable cause before entering buildings to determine whether wild animals are stored in compliance with the game and fish laws. Effective date: August 1, 1987. MERRIAM, KELLY.

Homemakers limited drivers licenses

Chap. 171-H.F. 142 Permits limited licenses for homemakers if the commissioner determines the use of a driver's license by a homemaker is necessary to prevent the substantial disruption of the education, medical, or nutritional needs of the family of the homemaker. Effective date: August 1, 1987. BLATZ, BELANGER.

Notice of death of an adopted child

Chap. 173-H.F. 270 Provides for notice of an adopted child or genetic parent's death or terminal illness. Effective date: August 1, 1987. VELLENGA, PIPER.

Penalties for death caused by controlled substance sale

Chap. 176-H.F. 350 Extends the crimes of murder in the third degree and manslaughter in the first degree to deaths caused by the sale or distribution of controlled substances. Prescribes a felony penalty for causing great bodily harm by selling or distributing Schedule I or II controlled substances. Effective date: August 1, 1987. BISHOP, MARTY.

Release of traffic victims date of birth

Chap. 180-H.F. 687 Allows law enforcement agencies to release the date of birth of persons involved in traffic accidents. Effective date: August 1, 1987. POPPENHAGEN, FREDERICKSON, D.R.

Public guardianship for adults with mental illness

Chap. 185-H.F. 931 Modifies standards and procedures for the appointment of public guardians for mentally retarded persons. Provides for powers and duties of public guardians. Effective date: August 1, 1987. LONG, SPEAR.

Parental rights termination for adoption purposes

Chap. 187-H.F. 1041 Requires notice to parent placing a child for adoption clarifying that parental rights to a child may be terminated only by an adoption decree or by a court order terminating parental rights and that unless the child is adopted or the parental rights are terminated the parent may be asked to support the child. Requires notice to proposed adoptive parents. Specifies that adoptive parents may not voluntarily terminate parental rights for any reason not available to birth parents. Effective date: August 1, 1987. WAGENIUS, SPEAR.

Hennepin County court fees

Chap. 190-H.F. 1314 Conforms fees for the filing of an unlawful detainer action in Hennepin County with other civil fees and unlawful detainer fees collected throughout the state. Changes Hennepin County conciliation court filing and counterclaim fees. Effective date: August 1, 1987. CARRUTHERS, PETERSON, D.C.

Amateur radio operators use of police radios

Chap. 191-H.F. 1420 Allows the Bureau of Criminal Apprehension to permit amateur radio operators to use radio equipment capable of receiving police emergency radio frequency. Effective date: August 1, 1987. MCDONALD, RENNEKE.

Expansion of witness tampering definition

Chap. 194-H.F. 147 Includes the act of intimidating a witness to make false statements in the definition of witness tampering. Effective date: August 1, 1987. KELLY, PETERSON, D.C.

Modification of coercion and mentally incapacitated definitions

Chap. 198-H.F. 1071 Makes changes in definitions in criminal sexual conduct statutes. Provides that "mentally incapacitated" means that a person under the influence of alcohol, a narcotic, anesthetic, or any other substance,

administered to that person without the person's agreement lacks the judgment to give a reasoned consent to sexual contact or sexual penetration. Clarifies that criminal sexual contact requires sexual or aggressive intent. Expands the definition of coercion by specifying that proof of coercion does not require proof of a specific act or threat. Effective date: August 1, 1987. WAGENIUS, PETERSON, D.C.

Corporate merger and exchange provisions

Chap. 203-S.F. 577 Eliminates the exceptions to shareholder approval of certain exchanges. Alters provisions relating to dissenters rights under a plan of exchange. Expands corporate authority for acquisition of outstanding shares pursuant to an approved plan of exchange. Alters certain merger or exchange plan approval or abandonment and special meeting notice requirements. Provides for articles and certificates of exchange. Effective date: August 1, 1987. REICHGOTT, CARRUTHERS.

Trustee investments and standards of care

Chap. 210-H.F. 88 Changes and clarifies powers of trustees. Redefines augmented estate. Specifies standards of care as that which a prudent person would exercise in the management of the person's own property. Lists factors to be considered in determining the prudence of a particular investment. Effective date: May 27, 1987. QUINN, PETERSON, R.W.

Abuse reporter name disclosure

Chap. 211-H.F. 200 Provides a standard for the disclosure of a reporter's name under the Child Abuse Reporting Act and the Vulnerable Adults Reporting Act. Specifies that the subject of the report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by the court that the report was false and that there is evidence that the report was made in bad faith. Effective date: August 1, 1987. VELLENGA, BERGLIN.

Prohibition of sexually provocative live performances

Chap. 215-H.F. 308 Prohibits exhibition of obscene live performances to juveniles in a place of public accommodation. Prohibits the admission of a minor to an obscene exhibition even if the minor does not pay for admission. Effective date: August 1, 1987. PAPPAS, MARTY.

White collar crime provisions

Chap. 217-H.F. 388 Provides for the attachment of financial assets of persons charged with committing a felony. Updates the wiretap law. Prohibits persons from defrauding insurers by concealing or removing property for the purpose of making a fraudulent insurance claim. Effective date: August 1, 1987. RIVENESS, MERRIAM.

Extension of stay of sentence for DWI and assault

Chap. 220-H.F. 590 Allows the extension of a stay of execution in misdemeanor cases involving driving under the influence. Provides for a second year of probation. Effective date: August 1, 1987. REST, SPEAR.

Conciliation Court procedures

Chap. 221-H.F. 624 Provides for entry of judgment. Provides for vacation of default judgment. Provides for time limitation and service by mail on removal to county court. Allows a person to proceed without payment of a filing fee. Effective date: August 1, 1987. KLUDT, PETERSON, R.W.

Stay of execution of sentence for criminal sexual conduct

Chap. 224-H.F. 674 Specifies circumstances in which the court may stay execution of sentence following conviction for a second or subsequent offense relating to criminal sexual conduct. Specifies that the court may stay the sentence only if it finds that a professional assessment indicates the offender is accepted by and can respond to treatment at a long-term inpatient program exclusively treating sex offenders and approved by the commissioner of corrections. Specifies the conditions of probation if the court stays the execution of a sentence. Provides that information regarding a sexual assault victim is private. Effective date: August 1, 1987. BLATZ, BERGLIN.

DWI urine or blood test requirement

Chap. 225-H.F. 690 Requires a blood or urine test when there is probable cause to believe there is impairment by a controlled substance. Requires alternative test to be offered. Requires a study to determine the necessity of requiring persons suspected of driving under the influence, and persons involved in motor vehicle accidents to submit to blood or urine tests for controlled substances, in addition to breath tests. Effective date: August 1, 1987. SWENSON, REICHGOTT.

Revisor's bill

Chap. 229-H.F. 1197 Revises the text of laws to remove redundant and obsolete language, to simplify grammar and syntax and to improve the style of language without changing the meaning of the laws affected. Effective date: August 1, 1987. REST, MARTY.

Mental health data dissemination

Chap. 236-H.F. 561 Provides for access to mental health data by protection

and advocacy systems. Specifies conditions for release of data. Effective date: August 1, 1987. NELSON, D., PETERSON, R.W.

Domestic abuse protection order provisions

Chap. 237-H.F. 643 Prohibits modification or vacation of orders for protection in a marriage dissolution proceeding. Provides for an exception. Requires the court to advise petitioners for protection orders of the right to serve notice by publication if the respondent is avoiding personal service by concealment or otherwise. Requires the court to assist with the writing and filing of the affidavit. Specifies that the admittance into petitioner's dwelling of an abusing party excluded from the dwelling under an order for protection is not a violation by the petitioner. Requires protection orders to contain notices to respondents relating to penalties, prohibitions on entering the residence of the petitioner and the requirement of peace officers to arrest without warrant upon probable cause. Effective date: August 1, 1987. VELLENGA, REICHGOTT.

Crime victims reparations provisions

Chap. 244-H.F. 151 Permits the Crime Victims Reparations Board to file a claim for reparations. Alters the manner of determining reparations claims. Provides for reconsideration and appeal. Requires law enforcement agencies to aid the board. Provides for the classification of various data. Clarifies ambiguous language. Provides penalties. Prohibits reparations to a claimant who was in the act of committing a crime at the time the injury occurred. Effective date: August 1, 1987. KELLY, PETERSON, D.C.

Clarification of law prohibiting credit discrimination

Chap. 245-S.F. 168 Clarifies that it is an unfair discriminatory practice to discriminate in the extension of personal or commercial credit to a person, or in the requirements for obtaining credit, because of sex or marital status. Effective date: August 1, 1987. REICHGOTT, BISHOP.

Clarification of laws relating to deprivation of parental rights

Chap. 246-S.F. 785 Restricts consent defense to charge of depriving another of parental rights by specifying that consent to custody or specific visitation is not consent to the action of failing to return or concealing a minor child. Allows filing of felony charges before 14 days have elapsed. Increases penalty for depriving another of parental rights. Effective date: August 1, 1987. PETERSON, D.C., SEGAL.

Public defender provisions

Chap. 250-S.F. 1345 Provides for membership of the State Board of Public Defense. Provides for the appointment of a chief administrator. Requires the State Board of Public Defense to adopt standards governing district public defender offices. Authorizes the state board to fix the salary of the state public defenders. Requires the state public defender to provide training for state and district public defenders, appointed counsel, and legal service corporation attorneys. Provides that compensation of district public defenders may not exceed compensation of county attorneys. Allows representation of indigents by public defender before formal appointment. Effective date: May 27, 1987. PETERSON, R.W., SOLBERG.

Miscellaneous corrections provisions

Chap. 252-H.F. 375 Clarifies the authority of the commissioner of corrections in licensing and supervising institutions and facilities. Provides for restitution by inmates for destruction of state property. Clarifies terminology. Authorizes the commissioner to adopt rules relating to payment of restitution by inmates. Authorizes the forfeiture of contraband money or property. Clarifies provisions relating to county probation reimbursement. Provides a penalty for assaults on correctional employees. Effective date: August 1, 1987. KLUDT, MARTY.

Motor vehicle theft provisions

Chap. 254-H.F. 593 Requires insurance companies to notify and release insurance policy information to law enforcement and prosecutorial authorities regarding motor vehicle thefts under investigation. Prescribes higher penalties for major theft, motor vehicle theft, and repeat violations of the crime of unauthorized use of a motor vehicle. Provides that orders of restitution may be entered in favor of corporate victims. Allows the court to amend or issue orders of restitution when the defendant is on probation or supervised release. Extends the statute of limitations to five years when the value of the property or services stolen is more than \$35,000. Effective date: August 1, 1987. JEFFERSON, JUDE.

Local government tort liability immunity and insurance

Chap. 260-H.F. 1083 Authorizes municipal insurers to settle tort claims. Clarifies that instrumentalities of municipalities incorporated as nonprofit corporations may be included in the self insurance pool. Effective date: August 1, 1987. VOSS, PETERSON, R.W.

Crime victim restitution from tax refunds

Chap. 261-H.F. 1274 Provides for the collection from a convicted person's tax refund of court-ordered restitution to crime victims. Provides for the

priority of claims against refunds. Effective date: August 1, 1987. NELSON, D., MERRIAM.

Judgment filing and execution procedures

Chap. 273-H.F. 854 Clarifies the procedure and cost for filing foreign judgments. Clarifies the procedure to be used in securing a judgment and execution. Effective date: August 1, 1987. ORENSTEIN, FREDERICKSON, D.R.

Restricting felons from possessing or transporting firearms

Chap. 276-H.F. 990 Provides that persons convicted of a crime of violence may not ship, transport, possess, or receive a firearm for ten years following the restoration of civil rights, the setting aside of a conviction or a pardon. Effective date: May 29, 1987. SEGAL, LUTHER.

Definition of employee clarification

Chap. 282-H.F. 1200 Includes commission salespersons in the definition of employee for purposes of prohibiting age discrimination. Effective date: August 1, 1987. RIVENESS, FREEMAN.

Public nuisances remedies

Chap. 283-H.F. 1209 Defines acts constituting a public nuisance and includes prostitution, gambling or operating a disorderly house. Provides for the enjoinder of nuisances. Provides for the closing of a building or portion of a building, provides for removal of movable property, and provides for cancellation of lease. Provides for release of property. Effective date: August 1, 1987. WAGENIUS, PETERSON, D.C.

Eminent domain provisions

Chap. 287-H.F. 1252 Authorizes the court having jurisdiction over an eminent domain proceeding to compel occupants of condemned real estate to deliver possession. Effective date: May 29, 1987. CLARK, BERGLIN.

Definition of marijuana in metric measurements

Chap. 298-S.F. 456 Defines small amount of marijuana as 42.5 grams or less. Clarifies cocaine definition by including ecgonine, the salts and isomers of cocaine and ecgonine, and the salts of their isomers. Defines amount of marijuana for possession in a motor vehicle. Effective date: August 1, 1987. SPEAR, CARRUTHERS.

Definition of crimes of harassment

Chap. 307-S.F. 915 Amends the trespass law to prohibit harassment on private property. Prohibits following and pursuing with intent to harass, abuse, or threaten. Removes the requirement that callers not disclose their identities for purposes of misdemeanor harassing telephone calls. Prohibits intentional harassment by delivering a letter or object. Provides penalties. Effective date: August 1, 1987. REICHGOTT, PAPPAS.

Chemical use assessment for DWI offenders

Chap. 315-S.F. 1472 Requires repeat DWI offenders to undergo chemical use assessment. Requires courts to order chemical use treatment for habitual DWI offenders in accordance with assessment recommendation. Imposes a chemical dependency assessment charge of \$75 on persons convicted of DWI or a DWI-related offense, and juveniles adjudicated for DWI offense for the purpose of financing these chemical use assessments. Establishes a drinking and driving repeat offense prevention account in the state treasury to be used to reimburse counties for each chemical use assessment and report. Requires a report to the legislature. Effective date: July 1, 1987. SPEAR, KELLY.

Probate provisions

Chap. 325-H.F. 123 Provides for an increased sum payable to a surviving spouse by affidavit. Allows nursing home care costs to be a claim of the same class as medical and hospital expenses. Effective date: Various dates. BISHOP, REICHGOTT.

Cooperative association director's personal liability elimination

Chap. 326-H.F. 141 Authorizes the elimination or limitation of a director's personal liability to a cooperative association or its members. Exempts directors, members and agents of nonprofit corporations who serve without compensation and persons who serve as fire chiefs of nonprofit firefighting corporations or municipal volunteer fire departments from civil liability. Exempts persons who serve without compensation as members of the board of a hospital district from civil liability. Effective date: August 1, 1987. OGREN, LUTHER.

Miscellaneous crime provisions

Chap. 329-H.F. 384 Expands the authorized access to drivers license photographic negative files for law enforcement purpose in the investigation of the crimes of check forgery, issuing a false tax statement and financial transaction card fraud. Requires city attorneys responsible for prosecuting misdemeanor violations in cities of the first and second class to prosecute gross misdemeanor violations relating to the crimes of theft, damage to property, check forgery and financial transaction card fraud. Increases the maximum fine for petty misdemeanors, except for traffic violation petty misdemeanors, to \$200. Provides for the certification of misdemeanors as

petty misdemeanors if the prosecuting attorney believes that it is in the interest of justice that the defendant not be imprisoned if convicted and certifies that belief to the court and the court approves of the certification motions. Provides that the defendant's consent to the certification is not required. Provides for exceptions. Provides that a conviction for a violation that was originally charged as a misdemeanor and was treated as a petty misdemeanor may not be used as the basis for charging a subsequent violation as a gross misdemeanor rather than a misdemeanor. Expands the crime of assault in the fifth degree. Changes penalties for the crime of theft and provides penalties for gross misdemeanor theft. Authorizes peace officer arrests without warrant upon probable cause for gross misdemeanor theft, damage to property or forgery violations. Reclassifies the crime of damage to property into degrees. Creates the crimes of check forgery and offering a forged check. Expands the crime of financial transaction card fraud. Expands warrants authorizing interception of wire or oral communications by investigative or law enforcement officers to the crimes of check forgery and financial transaction card fraud. Expands authority of law enforcement officers to arrest without warrant for crimes of theft, damage to property, check forgery and financial transaction card fraud under felony conditions. Increases the maximum bail allowable for misdemeanors and gross misdemeanors. Effective date: August 1, 1987. GREENFIELD, SPEAR.

Measurement specifications for controlled substances

Chap. 330-H.F. 391 Increases penalties for distributing controlled substances to a minor or employing a minor to distribute controlled substances. Defines measurement and purity requirements of controlled substances for criminal and tax law purposes. Specifies that a quantity of marijuana or other controlled substance is measured by the weight of the substance whether pure or impure or dilute, or by dosage units when the substance is not sold by weight. Specifies that a quantity of a controlled substance is dilute if it consists of a detectable quantity of pure controlled substance and any excipients or fillers. Effective date: August 1, 1987. MARSH, JUDE.

Clarification of juvenile court changes

Chap. 331-H.F. 706 Conforms provisions of juvenile court act with adult court laws. Clarifies the hearing and records procedures of the juvenile court. Provides for the enforcement of juvenile court restitution orders. Permits administrative docketing of reimbursement to a county for the cost of care, examination, or treatment of a child. Clarifies crime victim notification and protection laws. Effective date: August 1, 1987. KELLY, COHEN.

Peace officer licensing requirement

Chap. 334-H.F. 1312 Requires licensure by the Peace Officer Standards and Training Board as a prerequisite to exercising the powers of a peace officer or constable. Provides for exceptions. Prohibits peace officer misrepresentation or impersonation and prescribes a penalty. Requires the board to designate the appropriate law enforcement agency to investigate violations. Provides for prosecution by the attorney general. Modifies the definitions of peace and reserve officer and defines law enforcement agency. Effective date: August 1, 1987. KELLY, SPEAR.

Eminent domain appraisal fee limit

Chap. 339-S.F. 368 Increases the limit, to \$500, for appraisal fees awarded by commissioners. Effective date: August 1, 1987. REICHGOTT, REST.

Revisor's bill conforming law to judicial decisions

Chap. 346-S.F. 1323 Conforms various laws to judicial decisions of unconstitutionality and suggestions for clarity. Effective date: August 1, 1987. MARTY, BISHOP.

Omnibus data privacy

Chap. 351-H.F. 534 Provides for the collection and dissemination of data. Provides for classifying data. Proposing classifications of data as private, nonpublic, and protected nonpublic. Clarifies issues relating to the administration of data. Effective date: Various dates. NELSON, D.

BWI penalties enforcement

Chap. 368-H.F. 1015 Provides for the enforcement of sanctions for operation of snowmobiles, all-terrain vehicles, and motorboats while under the influence of alcohol or a controlled substance. Provides for the revocation of the privilege to operate a snowmobile or an all terrain vehicle as a sanction for implied consent violation. Effective date: Various dates. REST, PETERSON, D.C.

Miscellaneous court provisions

Chap. 377-H.F. 1622 Provides for Court of Appeals and crime victim representation on the Sentencing Guidelines Commission. Provides that terms of commission members appointed by the governor are coterminous with the governor. Changes the date on which the commission's report to the legislature is due. Clarifies the membership on judicial appeal panels. Permits retired judges to solemnize marriages. Clarifies judicial

representation on the Judicial Standards Board. Authorizes the Supreme Court to adopt court rules. Restricts mileage reimbursement for law clerks. Effective date: August 1, 1987. ORENSTEIN, COHEN.

Miscellaneous corrections for Revisor of Statutes

Chap. 384-H.F. 713 Corrects erroneous, ambiguous, omitted, and obsolete references and text. Eliminates redundant, conflicting and superseded provisions. Provides instructions to the revisor. Makes miscellaneous corrections to statutes and other laws. Requires public hearings prior to milk inspection fee increases. Provides for compensation for members of the Mississippi River Parkway Commission. Modifies a maximum negotiated rate exception for a boarding care home under supplemental aid. Modifies a tax levy, limited equity cooperative apartment valuations, alternative minimum income tax, telephone company gross earnings tax and marijuana tax provisions. Clarifies the definition of contributing member under the comprehensive health insurance act for insurance premium tax purposes. Changes Transportation and Commerce Department appropriations. Clarifies rural economic development provisions. Continues the economic development fund and transfers the unobligated balance of the energy fund to the economic development fund. Alters the method of analysis for drug and alcohol testing. Authorizes school board use of reserved revenue to pay a portion of the examination fees for the international baccalaureate and the college board advanced placement programs. Changes the appropriation for the Faribault Residential Academies and Resource Center. Repeals an appropriation for the Legislative Study Commission on Government and Business Competition. Requires the Minnesota Historical Society to conduct a study to determine revisions required in the Historic Sites Act of 1965 and sets forth study requirements. Provides for payment of costs of establishing a joint vocational technical district by Independent School District 564, Thief River Falls. Changes an appropriation for outdoor recreation and eliminates an approval requirement exemption for acquisition of metropolitan open space. Continues provisions relating to the Mississippi Regional Park. Appropriates money for key bridge construction. Effective date: Various dates. REST, MARTY.

Criminal court procedures

Chap. 395-H.F. 137 Provides a procedure for ordering joint or separate trials for jointly charged defendants. Permits the prosecution to offer a rebuttal closing argument. Effective date: August 1, 1987. KELLY, SPEAR.

Local and Urban Government

St. Stephen bond issue

Chap. 6-H.F. 191 Authorizes the city of St. Stephen, by city council resolution, to issue and sell general obligation bonds to finance the construction of a city civic building. Effective date: March 26, 1987. BERTRAM, OMANN.

Agricultural society as a state agency

Chap. 7-S.F. 87 Includes the state agricultural society in the definition of state agency for tort claim settlement purposes. Effective date: August 1, 1987. CHMIELEWSKI, ORENSTEIN.

Ramsey County land conveyance

Chap. 13-H.F. 130 Authorizes Ramsey County to transfer land to the city of Shoreview. Authorizes Ramsey County to use specific land dedicated as open space for highway purposes. Effective date: Local approval. VOSS, NOVAK.

City park board members compensation

Chap. 21-S.F. 306 Removes the compensation limit of \$100 per year for statutory city park board members. Effective date: August 1, 1987. JUDE, SCHRIEBER.

Brook Park fire hall construction

Chap. 28-S.F. 279 Increases the debt limit for the city of Brook Park to \$20,000 for construction of a fire hall. Effective date: Local approval. CHMIELEWSKI, CARLSON, D.

Newspaper nonqualified status information

Chap. 30-S.F. 403 Requires nonqualified newspapers to inform public bodies presenting public notices for publication of nonqualified status. Effective date: August 1, 1987. BERTRAM, TUNHEIM.

St. Louis County clerk

Chap. 40-H.F. 838 Provides for a clerk in the unclassified civil service in St. Louis County. Effective date: Local Approval. MINNE, SOLON.

Annexation tax adjustments limit removal

Chap. 50-S.F. 725 Removes limitation on tax adjustments relating to municipal annexations. Effective date: August 1, 1987. FREDERICK, HARTLE.

City charter commissions

Chap. 51-S.F. 1067 Provides that if the charter commission of a statutory city determines that a charter is not necessary or desirable, the commission may be discharged by a vote of three-fourths of its members. Prohibits another commission from forming for one year from the date of discharge. Effective date: August 1, 1987. WEGSCHEID.

Metropolitan Waste Control Commission cost allocation system

Chap. 53-H.F. 499 Changes the treatment of current value credits and modifies the cost allocation system of the Metropolitan Waste Control Commission. Provides for a reserve fund for the commission. Authorizes the appointment of advisory committees by the commission. Authorizes an implementation period for transition to a new cost allocation system. Effective date: August 1, 1987. NELSON, D., NOVAK.

Spirit Valley plat filing

Chap. 65-S.F. 470 Provides for the filing of the plat of Spirit Valley in St. Louis County. Effective date: Local approval. SOLON, MUNGER.

Dakota County personnel system

Chap. 74-H.F. 510 Provides for the creation, organization, powers, and duties of a personnel system in Dakota County. Authorizes the county to provide certain services to the Dakota County Historical Society. Effective date: Local approval. JENSEN, WEGSCHEID.

Duluth design districts

Chap. 84-S.F. 480 Authorizes the city of Duluth to prepare, adopt and amend design districts and a design framework to preserve and enhance the environmental quality of the city. Requires the city council to establish a technical design advisory committee to review the public and private improvements within the design districts for compliance with the design framework. Requires issuance of a certificate of appropriateness for significant improvements within the districts. Requires submittal of plans for proposed improvements to the advisory committee for review. Provides for right of appeal for findings of noncompliance with the design framework. Effective date: Local approval. GUSTAFSON, BOO.

Miscellaneous town provisions

Chap. 90-S.F. 225 Expands the powers of town boards and board members. Provides for town officer elections. Provides for reversion of unsold cemetery lots to the town. Deletes the town clerk from certain provisions relating to the prohibition of contract interests. Exempts gatherings of town board members to perform on site inspections from the open meeting law if the town has no employees or other staff able to perform the inspections and the town board is acting essentially in a staff capacity. Authorizes town membership in and appropriations for civic, educational or governmental associations. Repeals the requirement for town to erect and maintain guide posts and boards on public roads. Effective date: August 1, 1987. ADKINS, BATTAGLIA

Minneapolis office of emergency preparedness director

Chap. 99-H.F. 1416 Provides for the appointment of the director of the office of emergency preparedness. Effective date: Local approval. NELSON, K., PETERSON, D.C.

Anoka County solid waste project bond issuance

Chap. 100-H.F. 1629 Exempts an allocation of bond issuance authority for a solid waste project from the notice of bond issue filing deadline. Effective date: Local approval. SIMONEAU, MERRIAM.

Ramsey County charter commission establishment

Chap. 103-S.F. 557 Provides for the nomination of candidates by the Ramsey county legislative delegation for appointment by the judges of the second judicial district to a charter commission to frame a charter providing for a form of government for Ramsey County. Provides for nomination and nominee requirements. Provides for commission terms, expenses and administration. Requires the commission to report to the county commissioners on the adequacy of the present form of government or to draft a proposed charter providing for a different form. Sets forth public hearing requirements. Excludes county personnel matters from charter authority. Provides for charter adoption by general election. Effective date: Local approval. LANTRY, KOSTOHRYZ.

St. Paul smoke detector installation standards

Chap. 122-H.F. 357 Permits the city of St. Paul to adopt, by ordinance, rules for the installation of smoke detectors in single family homes that are more restrictive than state standards. Effective date: Local approval. ORENSTEIN, LANTRY.

Procedures for town organization and dissolution

Chap. 147-H.F. 1444 Provides for modification of procedures for

dissolution and organization of towns. Effective date: August 1, 1987. SOLBERG, LESSARD.

Metropolitan Area Aircraft Noise Attenuation Act

Chap. 155-H.F. 755 Provides that a municipality in the metropolitan area that is within the aircraft noise zones designated in the aviation policy plan may adopt and enforce ordinances and controls to regulate building construction methods and materials for the purpose of attenuating aircraft noise in habitable buildings in and around the noise zone. Provides that the ordinance or control shall not apply to remodeling or rehabilitating an existing residential building nor to the construction of an appurtenance to an existing residential building. Specifies that the adoption of ordinances does not diminish the responsibility of the Metropolitan Airports Commission to conduct noise abatement programs. Effective date: May 16, 1987. SEABERG, METZEN.

Nashwauk annexation proceedings

Chap. 163-H.F. 489 Authorizes annexation proceedings for a specific piece of land between the city of Nashwauk and the town of Nashwauk. Effective date: Local approval. SOLBERG, LESSARD

County board powers

Chap. 164-H.F. 502 Allows counties to charge fees for services. Permits the county board to establish the amount of fees charged for the services. Sets forth conditions for emergency contracts. Allows county boards to assign whatever title to the county coordinator the board decides is appropriate. Effective date: August 1, 1987. JENNINGS, VICKERMAN.

Lake County Housing and Redevelopment Authority powers

Chap. 168-H.F. 1521 Provides the Lake County Housing and Redevelopment Authority with limited port authority powers. Authorizes a lodging tax in the towns of Lutsen, Tofte and Schroeder. Effective date: Local approval. BATTAGLIA, JOHNSON, D.J.

Hennepin County Housing and Redevelopment Authority

Chap. 177-H.F. 362 Creates the Hennepin County Housing and Redevelopment Authority. Provides for the application of the municipal housing and redevelopment act to Hennepin County. Provides for local approval of projects. Effective date: Local approval. JEFFERSON, REICHGOTT.

Hennepin County library bonding

Chap. 188-H.F. 1266 Provides bonding authority for library construction and betterment. Removes Hennepin County library construction bonding authority limits. Effective date: Local approval. REST, REICHGOTT.

Fire code variances

Chap. 201-H.F. 1563 Provides that local governing bodies may appoint boards of appeal to hear and rule on appeals from orders issued under the fire code. Provides that local boards of appeal and governing bodies are not liable for damages in connection with granting variances, abatements, denials, or modifications of orders from the fire code that are made in good faith. Provides for notice of violations and the right to appeal orders. Provides for maintenance of smoke detectors. Provides penalties. Effective date: August 1, 1987. QUINN, MORSE.

City advertising

Chap. 216-H.F. 345 Allows cities of the second, third and fourth class to appropriate money for the purpose of advertising the municipality and its resources and advantages. Provides for compensation for employees and members of municipal civil service boards. Effective date: August 1, 1987. WENZEL, SAMUELSON.

MAC membership modification

Chap. 223-H.F. 654 Clarifies that the chair of the Metropolitan Airports Commission is appointed by the governor for a term of four years and that the chair may be removed at the pleasure of the governor. Specifies that a report due December 31, 1987, describe and document the percentage reduction in average daily noise energy, produced cumulatively by all the operations of all air carrier aircraft servicing the Minneapolis-St. Paul International Airport, from the level existing in August, 1986. Specifies content of the long-term comprehensive plan for the Minneapolis-St. Paul International Airport. Requires an analysis of airport capacity by December 31, 1988. Effective date: August 1, 1987. WAGENIUS, FREEMAN.

Town road contract publication

Chap. 227-H.F. 889 Requires that advertisement for bids be published once a week for three successive weeks in the case of a county contract and two successive weeks in the case of a town contract. Effective date: August 1, 1987. SOLBERG, LESSARD.

Champlin special assessment grant program

Chap. 228-H.F. 1141 Permits the city of Champlin to use unexpended public improvement funds for a low-income special assessment grant program. Effective date: May 27, 1987. NELSON, D., MERRIAM.

Roseville, White Bear Lake port authority

Chap. 257-H.F. 955 Grants port authority powers to the cities of Roseville and White Bear Lake. Effective date: Local approval. VALENTO, MARTY.

Metro governance

Chap. 278-H.F. 1043 Requires consultation with legislators relating to the appointment of metropolitan commission members. Requires that legislator recommendations be made to the appointments committee. Requires commission members to communicate regularly with Metropolitan Council members, legislators and local government officials on issues and requires the appointments committee to consider evidence of the candidate's commitment to communicate and to report findings to the Metro Council. Requires the services and systems management component of commission implementation plans to describe the timing, priority and location of service areas, routes, levels of service and similar applicable matters. Adds the chair of the Metropolitan Transit Commission to the membership of the Financial Reporting and Management Advisory Committee. Requires the preparation of budget summaries by the council and commissions to increase public knowledge and agency accountability. Requires the council to make periodic reports to the legislature on findings and recommendations of the advisory committee. Requires annual personnel and ethical practices reports to the legislature. Requires a report on a recommended process for coordinating the planning and development of transit by regional railroad authorities. Requires the council to publish a consolidated metropolitan bulletin or register. Specifies the purpose of the Regional Transit Board. Requires the RTB implementation plan to include a fare policy and requires the services and systems management component of the board's plan to include a description of the special transportation service provided under law. Provides for local government review and comment. Provides for bond issuance. Requires the RTB to contract for route planning and scheduling services for I-394 and permits the board to competitively bid for transit service. Prohibits the RTB from receiving federal capital or operating assistance for transit and requires a study on the advantages and disadvantages of transferring the authority to receive these federal funds from the commission to the board. Repeals Metropolitan Transit Commission fare restrictions of 1981. Effective date: May 29, 1987. CARRUTHERS, WEGSCHEID.

Morrison County legal newspaper qualification repeal

Chap. 286-H.F. 1223 Modifies requirements for qualification as a legal newspaper. Removes special qualifications for newspapers in Morrison County by repealing Laws 1980, Chap. 526. Effective date: December 31, 1987. WENZEL, SAMUELSON.

Public meeting notice requirements

Chap. 313-S.F. 1272 Requires a schedule of the regular meetings of a public body to be kept on file at its primary offices. Provides that if a public body decides to hold a regular meeting at a time or place different from the time or place stated in its schedule of regular meetings, it must give the same notice of the meeting that is provided for a special meeting. Requires that for a special meeting, except an emergency meeting or a special meeting for which a notice requirement is otherwise expressly established by statute, the public body must post a written notice of the date, time, place and purpose of the meeting on the principal bulletin board of the public body, or on the door of its usual meeting room. Requires notice to be mailed to persons who have filed written requests for notices. Specifies that for emergency meetings the public body make a good faith effort to provide notice of the meeting to each news medium that has filed a written request for notice if the request includes a telephone number. Specifies that the notice requirements apply to closed meetings. Effective date: August 1, 1987. WEGSCHEID, RUKAVINA.

Public Utilities and Energy

Intrastate natural gas pipeline regulation

Chap. 9-S.F. 258 Regulates intrastate natural gas pipelines. Sets forth definitions. Requires reasonable rates and contracts and prohibits unreasonable discrimination among customers receiving like or contemporaneous services. Provides for contracts and for approval by the Public Utilities Commission. Provides for bringing complaints. Provides for declaration of a natural gas supply emergency, suspension of contracts and compensation of intrastate pipeline owner or operator under an emergency order. Effective date: March 26, 1987. JUDE, JACOBS.

911 automatic location identification

Chap. 56-H.F. 839 Defines "automatic location identification" as the

process of electronically identifying and displaying on a special viewing screen the name of the subscriber and the address of the calling telephone number to a person answering a 911 emergency call. Requires that a public safety answering point provide automatic location identification if it has the capability of providing that service. Effective date: August 1, 1987. RUKAVINA, SOLON.

Attorney general representation of small businesses

Chap. 241-H.F. 1390 Provides for representation of small businesses, as well as residential consumers, by the office of the attorney general in public utility matters. Effective date: August 1, 1987. OGREN, DICKLICH.

Unlawful meter bypass

Chap. 272-H.F. 841 Provides that a utility may bring a civil action for damages against a person who deliberately tampers, bypasses or otherwise alters a utility meter or who knowingly receives service provided as a result of bypassing, tampering or unauthorized metering. Provides that damages recovered by a public utility must be applied for the benefit of the utility's ratepayers in establishing utility rates. Provides for other remedies. Effective date: August 1, 1987. CARRUTHERS, JUDE.

Energy conservation investment loan eligibility

Chap. 289-H.F. 1326 Expands eligibility for energy conservation investment loans to municipalities. Authorizes loans and authorizes repayment of those loans. Authorizes the issuance of bonds and appropriates money. Effective date: July 1, 1987. PELOWSKI, MARTY.

Automatic dialing device restrictions

Chap. 294-S.F. 184 Sets forth definitions. Prescribes conditions for use of pre-recorded or synthesized voice messages. Prohibits a caller from using or connecting an automatic dialing-announcing device to a telephone line unless the subscriber has voluntarily requested or consented to receipt of the message or the message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered. Exempts recorded messages from school districts, messages to subscribers with whom the caller has a current business or personal relationship or messages advising employees of work schedules. Prohibits use of an automatic dialing-announcing device unless the device is designed and operated so as to disconnect within ten seconds after termination of the call by the subscriber. Sets forth message requirements to be made by a live operator. Limits use of automatic dialing-announcing devices and any other commercial telephone solicitations to after 9:00 a.m. and before 9:00 p.m. Effective date: August 1, 1987. SPEAR, QUINN.

Telephone service for communication impaired

Chap. 308-S.F. 1029 Sets forth definitions. Establishes a program to provide communication impaired persons with devices enabling the use of telephones. Creates a 12 member telecommunications access board to administer the program to distribute communication devices. Specifies duties of the board. Specifies eligibility requirements for obtaining a communication device. Provides for establishment of a message relay service. Provides for a monthly charge no greater than ten cents for each customer access line, including trunk equivalents, for a telecommunication access for communication-impaired persons fund. Requires a report by December 31, 1987, to include plans for distributing communication devices and establishing the third-party message relay system. Requires annual reports. Effective date: July 1, 1987. MARTY, CLARK.

Telephone competitive service deregulation

Chap. 340-S.F. 677 Provides for the reduced regulation of telephone services that have been determined to be subject to effective competition or emerging competition. Provides for applicability upon telephone company notice to the Public Utilities Commission that the telephone company will be subject to all provisions. Prohibits discontinuance of noncompetitive services without PUC approval. Classifies 23 specific services as emerging competitive services. Provides for classification of services by petition through an expedited proceeding or contested case hearing. Requires a petition filed for classification of an inter-LATA long distance service as subject to effective competition to be accepted by the PUC as a petition to classify the same service provided by all telephone companies as subject to competition. Permits interim price decreases for services pending a competitive classification. Exempts telephone companies offering competitive services from accounting and reporting requirements under these provisions.

Provides for PUC reinstatement of regulation if, after notice and hearing, the commission finds that the competitive market for the service has failed or that unreasonable discrimination has occurred between different areas of the state. Provides for competitive service rate determinations, increases and decreases. Prohibits discriminatory practices. Provides for general rate proceedings for noncompetitive services. Prohibits subsidization of competitive services from noncompetitive services. Requires customer

notice of service options and prices. Requires the PUC to develop a statewide telephone assistance plan to provide telephone assistance credit for low income older Minnesotans. Sets forth eligibility requirements, credit limits and federal match requirements. Authorizes a surcharge for funding the program. Requires a report to the legislature on the telephone assistance plan. Transfers certain responsibilities for telephone company interconnection from the Department of Public Service to the PUC. Requires telephone companies providing long-distance services to pay compensation to telephone companies providing local services that include a fair and reasonable portion of the costs of local exchange facilities used in connection with long-distance telephone services, including facilities connecting a customer to local switching facilities and the common costs of companies providing local telephone services. Repeals a certain physical connection requirement, the designation of telegraph companies as common carriers and certain message delivery requirements. Effective date: August 1, 1987. DICKLICH, JACOBS.

Gas utility flexible rates

Chap. 371-H.F. 1127 Provides for the establishment of flexible gas utility rates for any class of customers of a gas utility when provisions of service, including the sale or transportation of gas, to any customers within the class is subject to effective competition. Requires the Department of Public Service to conduct a study on the operation and effects of all gas utility flexible tariffs and provides for funding the study. Effective date: June 3, 1987. OSTHOFF, FREEMAN.

Taxes and Tax Laws

Minneapolis levies

Chap. 55-H.F. 1355 Authorizes Minneapolis to appropriate and spend money for purposes relating to convention and tourism activities. Authorizes the creation of an agency or board or contracts with the chamber of commerce or nonprofit corporations for the performance of the activities. Permits city employees to be members of the board of directors of any nonprofit corporation. Authorizes indemnification against liability claims. Authorizes the assignment of employees to a contracting nonprofit corporation for a limited period of time. Authorizes the city to enter into no-strike or lockout agreements with labor organizations and contractors. Delays the collection of use taxes outside the city. Authorizes the use of sales tax proceeds to replace the ice arena removed from the convention center site. Effective date: Local approval. GREENFIELD, BERGLIN.

Gillette Childrens Hospital

Chap. 118-S.F. 1296 Clarifies the tax exempt status of the Gillette Childrens Hospital. Provides for the dissolution of the hospital upon adoption of a plan by the hospital board and for the distribution of the net assets upon dissolution. Effective date: May 15, 1987. BERGLIN, MCLAUGHLIN.

Koochiching County development authority

Chap. 182-H.F. 799 Permits the Koochiching County Board to establish a bid-leased development authority and public program to encourage the homesteading of parcels of land for a number of years for economic development purposes. Provides for city land use approval. Specifies powers of the authority, requires program guidelines and authorizes the establishment of an advisory committee. Effective date: Local approval. NEUENSCHWANDER, LESSARD.

Omnibus tax bill

Chap. 268-H.F. 529 Article I-Income tax Conforms Minnesota income tax law with federal law, updates references to the internal revenue code and adopts federal taxable income with modifications as the base for determining the income tax and incorporates base broadening provisions. Increases the political checkoff. Adopts definitions by reference to federal law. Includes financial institutions in the definition of corporation. Eliminates or limits deductions, including the deductions for individual retirement account contributions, two-earner married couples, sales taxes, medical, travel and entertainment expenses. Increases the standard deduction and personal exemption amounts. Adds bond interest and the state income tax deduction to individual FTI and retains the dependent education expense deduction. Provides for additions to and subtractions from FTI and depreciation modifications for corporations. States tax jurisdictions. Imposes a franchise tax on corporations to replace the excise or direct income tax and reduces the tax rate.

Reduces the number of tax brackets for individuals, estates and trusts. Creates two tax rates, specifies transitional rates and provides for indexing. Allows a tax credit for the elderly and disabled. Retains the dependent care credit and modifies the phase out. Reduces the research and experimental expenditures credit percentage rates. Eliminates the carryback. Restricts the

credit for taxes paid to other states. Increases the alternative minimum tax rate for individuals, estates and trusts and imposes the tax on nonresidents and part year residents. Imposes an AMT on corporations and provides for exceptions and credits. Eliminates the operating loss deduction carryback. Eliminates the apportionment provisions of the multistate tax compact. Retains the three factor apportionment provisions for corporations with modifications for financial institutions. Eliminates the corporate deduction for charitable contributions made to nonstate charities and restricts the deduction for gifts to the federal government. Reduces the general dividend and foreign source royalties deductions and eliminates the foreign dividend deduction. Limits the amount of losses passed through trusts and estates to individual beneficiaries.

Provides for the allocation of insurance company reinsurance premiums. Modifies filing and payment requirements. Requires corporations to annually file a notice of business activities report. Eliminates the exclusion from income of gain realized on the sale or exchange of farm property by insolvent farmers. Requires an affidavit of residency from nonresidents claiming exemption from withholding. Increases the percentage of income tax liability required to be withheld or estimated. Requires the Department of Revenue to study the income tax allocation and apportionment rules relating to high technology agricultural production and the income allocation between farm and nonfarm activities. Repeals deductions, exemptions and credits including the small business investment credit, the deduction for federal taxes, operating loss deductions, exemptions for pension and military income and unemployment compensation, personal credits and inflation adjustments, the political contribution credit and itemized or standard deductions.

Article II-Insurance taxes Subjects domestic, township and farmers mutual insurance companies and direct funded premium payments made by the Workers Compensation Reinsurance Association by self-insurers to the gross premium tax. Authorizes the commissioner of commerce at the request of the commissioner of revenue to examine returns of surplus lines licensees and to report the results. Provides for overpayment refunds to licensees upon request. Requires insurance companies to impose a surcharge on premiums to policies covered under the Minnesota Insurance Guaranty Association Act to recoup assessments paid by the member insurers. Includes nonprofit health service corporations as members of the Life and Health Insurance Guaranty Association. Requires health maintenance organizations, nonprofit health service plans and fraternal benefit societies to contribute to the comprehensive health insurance plan. Requires township mutual insurance company verified statement copies and firetown premium and aid to policy premium reports to be filed with the commissioner of revenue. Caps the weekly penalty for late filing of the reports.

Limits the fire insurance surcharge to licensed fire insurance companies in first class cities. Specifies dates for commissioner of finance issuance of warrants to firefighters relief associations. Allows the commissioner of labor and industry to permit assessments for the Workers Compensation Reinsurance Association to be offset by reimbursements due employers. Limits the fire marshal tax tri-annual estimated payment requirement to licensed insurance companies and specifies penalties and interest for failure to pay. Conforms estimated fire marshal tax provisions to estimated premium tax provisions.

Article III-Property tax refunds Alters the definition of household income to reflect changes in federal law. Eliminates the income exclusion for senior citizen and disabled claimants. Updates references to the internal revenue code. Revises the benefit schedule and reduces the maximum qualifying income. Allows the commissioner of revenue to revise the schedules to reflect the elimination of the homestead credit. Requires claimants to file copies of federal income tax returns with the refund claim. Requires cooperative managers of leasehold cooperatives to furnish tenants with a share of tax and tax credits and authorizes tenants to apply for refunds based on the tax share. Sets a deadline for refund eligibility after issuance of the warrant. Requires rental property owners or managers to annually file a copy of the certificate of rent paid with the commissioner. Requires the Department of Revenue to audit a sample of property tax refund claims for accuracy. Requires the commissioner to reduce allowable payments for claims filed based on rent paid in 1986 and authorizes the reduction of allowable payments for claims based on rent paid in 1987.

Article IV-Sales tax Extends the sales tax to custom computer software, meals sold in public hospital cafeterias or provided to employees at less than fair market value. Extends the sales tax to recreational area and health club admissions, non-prescription drugs, interstate toll service telephone fees, Minnesota bred race horses, leasing of aircraft to flying club shareholders. Extends the sales tax to sales to state government units, laundry and dry cleaning services, vehicle washing services, building cleaning and maintenance services, detective or security agency services, pet grooming

services and lawn services. Includes federal taxes in the sales price. Expands the definition of farm machinery. Authorizes the commissioner of revenue to enter into an agreement with the commissioner of public safety for motor vehicle excise tax collection from interstate common carriers. Subjects railroad rolling stock to limited taxation. Modifies the petroleum products exemption. Exempts food purchased with food stamps or coupons issued under the WIC program and incoming WATS calls from the tax. Authorizes the commissioner to furnish sales tax information to tax officials of other states. Restricts the motor vehicle excise tax exemption for government purchases. Authorizes excise tax refunds to motor vehicle manufacturers under the lemon law. Imposes the use tax on considerations received by aircraft dealers for commercial use. Repeals special sales tax authority of the city of Bloomington.

Article V-Property tax 1988 Alters criteria for qualification as a leasehold cooperative and for homestead status of leased property. Provides a state paid small business property tax transition credit for commercial industrial property. Provides for revenue loss replacement. Changes the homestead property classification ratios. Maintains the current level of local government aid for cities and counties and provides income maintenance disparity aid to counties. Modifies local government aid for towns. Specifies levy limits, exceptions and provides for an appeal process.

Article VI-Subsequent property tax provisions. Restructures the property tax classification system into five classifications and changes the classification ratios. Exempts electric power distribution lines and attachments used primarily to supply electricity to farmers at retail from the property tax. Provides for adjustment of the mill rate for property tax raters, salary limits or aid formulas containing a maximum rate expressed in mills to reflect the increased assessed value resulting from the new classification system. Provides for property tax reductions on accidentally destroyed nonhomestead property and removes the requirement for completion of restoration of destroyed property before reduction eligibility.

Increases the market value of commercial and industrial property qualifying for a reduced assessment ratio. Provides for homestead and agricultural credit replacement aids to taxing jurisdictions and for tax base adjustment aid to be added to or subtracted from local government aids. Provides for the computation of farm and homestead value exemptions used in computing the homestead and agricultural credit replacement aids. Provides for computation of the tax on individual parcels. Requires certification of school district taxes to the commissioner of education. Provides for adjustment of school district levy limits to offset aid increases or reductions. Modifies the definition of governmental subdivision under levy limit provisions. Alters the adjusted levy limit base. Repeals the homestead, school agricultural, wetlands and native prairie credits and flexible homestead brackets.

Article VII-Property tax administration. Creates a Legislative Tax Study Commission. Requires the commissioner of revenue to prepare, maintain and make available data comparing household income to rents, market values and property tax burdens. Exempts auxiliary forest land traded for land owned by a governmental unit from taxes and assessments and automatically qualifies the land for taxation under the tree growth tax law. Abolishes the Equalization Aid Review Committee and transfers functions to the commissioner of revenue. Changes the due date for providing adjusted assessed values to school districts. Eliminates the gross rent capitalization factor used to determine the equalized value of agricultural lands for school aid purposes. Provides for appeal to the commissioner prior to appeal to the tax court. Provides for priority before the tax court. Requires county assessor filing of copies of abstracts to be acted upon by the county board of review. Requires notice of changes. Changes meeting notice, filing, and certification dates for the state and local boards of equalization, local government units and the commissioner. Requires senior accreditation from the state board of assessors for county assessors and senior appraisers in the department property tax review division.

Sets a deadline for certification of railroad operating property equalized fair market value. Increases the dollar amount of taxes in controversy under the jurisdiction of the tax court small claims division. Requires payment of current taxes on parcels before transfer, division or deed filing. Requires conferences among county assessors for assessment uniformity purposes. Changes the date for assessment district completion of assessment appraisal records. Requires the commissioner to annually provide county assessors with an agricultural land valuation schedule. Defines estimated collections for county property tax distribution purposes. Provides for appeal. Provides for notice and distribution of unclaimed overpayments. Increases the threshold for delinquent personal property taxes due by a specific date. Eliminates the quarterly installment provisions. Authorizes county treasurer acceptance of payments of more or less than the tax installment due. Increases the fees for tax-forfeited land transactions and for lost or destroyed

deed replacement. Modifies tax-forfeited land sale notice requirements and authorizes county boards to require the entire repurchase price to be paid at the time of repurchase.

Article VIII-Tax exempt property Subjects certain types of leased exempt airport property to the property tax. Eliminates the exemptions for property owned by the federal government and leased to private entities for production of goods for sale to the federal government and for facilities used for production of distilled spirits. Reduces lease periods for allowable tax exemption purposes. Defines lease. Repeals the sales tax exemption for distillery materials.

Article IX-Minerals Bases the occupation tax on the corporate income tax and subjects all persons engaged in mining to the tax. Delays imposition of the tax on iron ore or taconite concentrates. Eliminates the copper nickel and royalty taxes and the taconite railroads gross earnings tax. Imposes a net proceeds tax on all mineral and energy resources. Defines net proceeds and provides for the computation of gross proceeds. Specifies allowable and non-allowable deductions. Provides for the distribution of proceeds to local government units, schools and economic development funds. Requires distributions to be subtracted from the levy limit base for levy limit determination. Subjects taconite railroads to the property tax provisions as other railroads and mining royalties to the same income tax withholding provisions as other royalties. Requires commissioner of revenue tables preparation. Prohibits the ad valorem taxation of minerals except for iron ore and taconite. Authorizes commissioner indirect determination of the weight of merchantable iron ore concentrate included in fluxed pellets. Increases production tax distributions to school districts, the Iron Range Resources and Rehabilitation Board and the property tax relief and northeast Minnesota economic protection trust funds.

Article X—Economic development Transfers the responsibility for the tax classification of industrial employment property from the commissioner of revenue to the commissioner of energy and economic development. Expands the definition of commercial or industrial property. Requires and provides for enterprise zone tax credit distribution plans from participating cities or counties. Extends the tax reduction period for businesses located in border city enterprise zones and provides for additional border city tax reduction allocations. Authorizes the commissioner of revenue to seek recovery of tax credits from businesses ceasing operations in an enterprise zone. Provides for interest on income tax overpayments resulting from the receipt of tax credits. Allows additional counties to be designated as distressed counties for sales tax exemption purposes. Extends the sales tax exemption for capital equipment in distressed counties to the entire taconite tax relief area. Continues the sales tax exemption for projects in counties losing the distressed designation. Appropriates money for use in Aitkin county economic development projects.

Article XI-Gross earnings Phases out the telegraph company gross earnings tax. Delays the phase out of the telephone company gross earnings tax and subjects telephone companies to the property tax. Includes sellers of telephone services in the definition of telephone company and long distance access charges as gross earnings for tax purposes. Provides penalties for underpayments. Requires trust company gross earnings reports to be filed with the county treasurer instead of the commissioner of revenue. Requires county treasurer determination of the tax. Changes trust company tax delinquency provisions to correspond to real property tax procedures.

Article XII-Liquor taxation Increases the excise tax on distilled spirits, wine and fermented malt beverages. Provides for the acceptance of a certified check in lieu of the bond requirement. Makes optional a rule requirement of the commissioner of revenue relating to fermented malt beverage tax reporting and collecting. Requires the meeting of environmental laws upon destruction of liquor unfit for human consumption. Authorizes refunds for taxes qualifying as bad debts, for the breakage of inventory and for overpayments. Changes payment dates. Increases the age for importation of intoxicating liquor. Provides for tax liability.

Article XIII-Cigarette tax and sales Increases the taxes on cigarettes and tobacco products. Subjects correctional institutions to the taxes. Requires distributors to affix stamps to packages delivered to licensed distributors. Reduces the discount rate. Delays the date for the commissioner of revenue to require the use of heat applied tax stamping machines. Authorizes the commissioner to accept check guarantee bonds or certified checks as security and to revoke distributor or subjobber licenses for noncompliance with the Unfair Cigarette Sales Act. Changes filing and payment dates and the time limit to protest an assessment, sets a deadline for payment of the tax due after the assessment notice and eliminates the proposed assessment. Requires tax revenues to be deposited in a separate fund to be designated the Tobacco Tax Revenue Fund. Provides for crediting of the revenues to the general obligation special tax bond debt service account and the Minnesota resources, state water pollution control, public

health and general funds. Provides for the taxation of little cigars as tobacco products. Imposes or alters penalties providing for interest and tax liability. Imposes a floor stocks tax on cigarettes and tobacco products in possession of distributors. Modifies provisions of the Unfair Cigarette Sales Act. Requires the basic cost to wholesalers to be reduced by manufacturer timely payment and stamping discounts. Alters the calculation of the cost of doing business by the retailer. Provides for the treatment of subjobbers as wholesalers. Prohibits wholesalers from offering rebates or concessions in connection with the sale of cigarettes and retailers from purchasing cigarettes for less than the legal price. Specifies wholesaler invoice retention requirements. Provides penalties and procedures for violations. Repeals an annual fee requirement of wholesalers and subjobbers.

Article XIV-Special taxes Transfers duties relating to petroleum inspection from the Department of Revenue to the Department of Public Service and requires commissioner of revenue to collect the fees. Authorizes the commissioner of revenue to pay locally imposed sales taxes assessed against the department. Increases the assessment rate on flight property, specifies lower rates for quiet aircraft and for property of airline companies scheduling passenger service to a number of airports that serve small or medium sized communities. Requires the commissioner to establish the tax rate. Provides for the payment of taxes pending appeal. Provides for the application of the deed tax to personal property. Removes the deed tax exemption for state and local government units. Imposes a tax on gasoline and special fuels used to propel trains or barges. Changes the deadline for claiming a refund for taxes paid on fuel used in other states. Authorizes the commissioner to exempt additional motor carriers from the quarterly reporting requirement. Increases the minimum aircraft registration fee.

Article XV-Charitable gambling Imposes the gambling tax on pull-tabs purchased and placed into inventory. Authorizes cities and counties to impose a local gambling tax. Requires use of proceeds to regulate lawful gambling. Authorizes the commissioner of revenue to refund the tax paid on unplayed or defective pull-tabs and provides for overpayment refunds. Makes optional the rulemaking requirement of the commissioner. Specifies manufacturing reporting requirements. Authorizes the commissioner to require distributor inventories of pull-tabs. Authorizes distributor to set aside part of pull-tabs in stock. Authorizes distributors to set aside part of pull-tab stocks for sale to Indian tribes. Imposes penalties.

Article XVI-Bond allocation Includes economic development authorities in the definition of other issuer. Provides for the allocation of annual volume cap amounts to manufacturer, multi-family housing and public facilities pools. Provides for commissioner of energy and economic development entitlement issuer allocation to the Housing Finance Agency, the cities of Minneapolis and St. Paul and to Duluth. Specifies allocation use requirements. Authorizes entitlement issuers to retain unused portion of allocations each year. Provides for the reallocation of returned amounts, for deposit refunds, and requires deductions. Provides for the allocation of manufacturing, multi-family housing and public facilities pools. Provides for the treatment of the Higher Education Coordinating Board as an entitlement issuer. Sets a deadline for the issuance of small issue bonds for manufacturing projects. Provides for pool transfers. Requires remaining unallocated bonding authority to be transferred to the unified pool and provides for reallocation.

Sets limits on allocations for mortgage bonds and authorizes use of the allocations for mortgage credit certificates. Requires the HFA to reallocate a percentage of the allocation to cities for the issuance of mortgage bonds under conditions relating to the failure to amend federal tax law to permit the issuance of tax exempt mortgage bonds. Provides for the awarding of allocations by lot. Provides for final allocation of remaining unallocated bonding authority to the HECB and further remaining authority to the Department of Finance for reallocation for qualified bonds eligible to be carried forward under federal tax law. Alters allocation issuance limit provisions. Requires and provides for issuer notices of issue and carryforward to the Department of Energy and Economic Development. Deletes references to the federal Volume Limitation Act. Provides for allocations for the remainder of 1987 and validates prior allocations. Authorizes the assessment of correction amounts determined under municipal housing mortgage credit certificate programs against the amount of qualified mortgage bonds allocated to the issuer adopting the program. Requires assessment against the multi-family housing pool under certain conditions.

Article XVII-Compliance Authorizes the commissioner of revenue to enter into agreements with the Internal Revenue Service to identify taxpayers with refunds due from the department and liabilities owing to the IRS. Authorizes levies against the refunds. Authorizes the commissioner to require federal employer identification numbers on tax forms. Permits the commissioner to delegate signature authority to levels below the director level. Provides for the postal service postmark date as the date of document

delivery. Requires the consideration of erroneous refunds as tax underpayment. Provides for deficiency assessment. Includes penalties and interest in the definition of taxes under tax clearance requirement provisions and expands the definitions of license applicant. Repeals the interest surcharge on unpaid taxes. Increases the penalty for substantial understatement of tax liability, provides for the charging of interest and alters revenue recapture act notice requirements relating to setting off refunds for claims. Alters or increases the penalties for failure to pay income, estate and sales taxes and for failure to file returns. Sets maximum penalties for combined penalties. Eliminates a durational limit on the filing of corrections or amendments subsequent to a federal audit or amended return. Reduces penalties for failure to withhold or to make withholding payments. Alters the penalties for failure to file quarterly returns, provides for interest and sets minimum penalties. Provides for criminal indictments for estate and aviation gasoline tax offenses. Authorizes the commissioner to disclose information identifying holders of revoked sales tax permits and the basis for the revocations. Requires commissioner notice to the commissioner of public safety of taxpayers delinquent in withholding tax return filing or payment for liquor and beer sales prohibition purposes. Extends the coverage to prohibit the sales tax payment and return due dates. Clarifies the right of marijuana and controlled substance dealers not to supply names, addresses, social security numbers or other identifying information on tax forms. Clarifies the weight of marijuana and other controlled substances subject to the tax. Requires penalties to be assessed as part of the tax and applies stay of sale requirements to assessments. Imposes a penalty for violating disclosure prohibitions. Authorizes the publication of statistics.

Article XVIII-Budget and cash flow Expands the authority of the commissioner of finance to reduce allotments to eliminate a budget deficit. Establishes the budget and cash flow reserve for the 1988-89 biennium. Alters the priorities for using revenues in excess of the amounts budgeted. Exempts the commissioner of revenue from the daily deposit requirement. Requires the commissioner of finance to prepare a forecast of state revenues and expenditures. Provides for an increase in income tax rates when the state is experiencing a budget shortfall.

Article XIX-Miscellaneous Requires verification from the attorney general of non-jeopardization of state or subdivision setoff or recoupment refunds prior to approval of verified claims for state agency or occupation tax refunds. Provides for the conveyance of tax-forfeited land in Becker County to private individuals.

Effective date: Various dates. VOSS, JOHNSON, D.J.

Scott County amusement facilities admission tax

Chap. 285-H.F. 1219 Authorizes Scott County to impose a tax on admissions to amusement facilities for the county share of the Bloomington Ferry Bridge costs. Requires receipts to be deposited in the county road and bridge fund. Effective date: May 29, 1987. KELSO, SCHMITZ.

Taconite tax relief

Chap. 300-S.F. 596 Changes the effective date of an appropriation to the commissioner of revenue for the payment of taconite and semi-taconite tax refunds. Effective date: July 1, 1987. JOHNSON, D.J., BEGICH.

Local government unit, nonprofit institution financing

Chap. 344-S.F. 971 Modifies and extends means of financing operations of local governments and nonprofit institutions. Effective date: June 2, 1987. POGEMILLER, REST.

Transportation

School bus safety signal

Chap. 48-S.F. 136 Provides for an amber proceed-with-caution signal for driver-activated student control warning systems. Effective date: August 1, 1987. WEGSCHEID, OZMENT.

Medical examiner certificate possession exemption

Chap. 54-H.F. 1042 Exempts drivers of intrastate charter carriers from having in possession a medical examiner certificate if the driver has a school bus endorsement. Effective date: August 1, 1987. JOHNSON, A., DECRAMER.

Child seatbelt requirement

Chap. 73-H.F. 29 Requires every motor vehicle operator, when transporting a child under the age of four, to use a child passenger restraint system that meets federal motor vehicle safety standards. Prescribes a penalty. Provides exceptions. Effective date: August 1, 1987. SKOGLUND.

Special transportation service standards

Chap. 88-H.F. 1009 Provides for the required standards for special transportation services for the elderly and handicapped. Specifies vehicle safety and equipment requirements. Specifies provider responsibilities,

including inspections. Includes taxicabs under the requirements. Requires the commissioner of transportation to consult with the Council for the Handicapped prior to making standards variance decisions. Sets forth recordkeeping requirements. Requires driver examinations and annual vehicle inspections. Requires evidence of compliance with corrections orders before operator return to service of vehicles removed by commissioner. Requires the commissioner, or the Regional Transit Board in the metro area, to evaluate service providers and certify compliance. Clarifies provisions relating to special transportation services under the control of the RTB. Requires the contracting for service administration and management. Requires the service administrator to establish a system for registering and responding to complaints. Sets forth hearing requirements for provider contract and service implementation. Modifies advisory committee membership representation requirements. Requires the RTB to consult with the committee before altering services and to provide for the effective administration and enforcement of policies and standards. Effective date: August 1, 1987. JEFFERSON, NOVAK.

Snowmobile highway crossing

Chap. 89-S.F. 183 Authorizes a person 14 years of age or older, but less than 18 years of age to make a direct crossing of a trunk, county state aid, or county highway if the person has in immediate possession a valid snowmobile safety certificate issued by the commissioner or a valid motor vehicle operator's license issued by the commissioner of public safety or the drivers license authority of another state. Effective date: August 1, 1987. SAMUELSON, KINKEL.

Slow moving vehicle emblem color

Chap. 101-S.F. 25 Authorizes an alternate slow moving vehicle emblem consisting of a dull black triangle with a white reflective border that may be used after obtaining a permit from the commissioner. Requires that a person using an alternate vehicle emblem also carry in the vehicle a regular slow moving vehicle emblem for display when operating the vehicle between sunset and sunrise and at any other time visibility is impaired by weather, smoke, fog, or other conditions. Requires the person using an alternate vehicle emblem to permanently affix to the rear of the vehicle at least 72 square inches of reflective tape that reflects the color red. Effective date: August 1, 1987. BENSON, REDALEN.

Highway sound barriers special assessments

Chap. 138-H.F. 867 Authorizes the levy of special assessments to acquire, construct, reconstruct, improve, alter, extend and maintain highway sound barriers. Effective date: August 1, 1987. BLATZ, FREEMAN.

Town road recording procedures

Chap. 219-H.F. 542 Provides for an alternative procedure for recording existing town roads. Authorizes and provides for town board adoption of recorded town road maps. Sets forth map requirements. Provides for appeal to the district court. Provides for acceptance of the roads into the town road system and for town authority over recorded roads. Effective date: August 1, 1987. WELLE, DAVIS.

Drivers license medical alert

Chap. 248-S.F. 927 Provides that upon the written request of the applicant, the department shall issue a driver's license or Minnesota identification card bearing a medical alert identifier. Requires that the applicant request the medical alert identifier at the time the photograph is taken. Specifies that no specific medical information will be contained on the driver's license or Minnesota identification card. Effective date: August 1, 1987. SCHMITZ, KELSO.

Bikeways designation

Chap. 255-H.F. 813 Requires bicycle riders using a shoulder of a roadway to ride in the same direction as adjacent vehicular traffic. Redefines the term roadway. Redefines the term shoulder. Allows designation of bikeways by resolution or ordinance. Adopts additional definitions of bicycle terms. Effective date: August 1, 1987. SEABERG, METZEN.

Motorized bicycle operation

Chap. 269-H.F. 532 Includes motorized bicycles in the definition of motorcycle for automobile insurance purposes. Modifies the definitions of motorized bicycle for motor vehicle registration, traffic regulation and drivers license purposes. Applies provisions relating to the operation of motorcycles to the operation of motorized bicycles for traffic regulation purposes. Provides an exception. Provides for or changes motorized bicycle operation requirements. Prohibits operation on bikeways or other nonmotorized traffic lanes. Requires motorized bicycles sold after June 1, 1987, to be equipped with headlights. Requires successful completion of an approved safety course before issuance of instruction permit. Authorizes the commissioner of public safety to promulgate rules. Increases permit fees. Effective date: June 1, 1987. JENSEN, DECRAMER.

Work zone speed limits

Chap. 319-S.F. 131 Authorizes the commissioner of transportation and local road authorities to reduce speed limits in work zones. Establishes a minimum work zone speed limit of 20 miles per hour and a maximum work zone speed limit of 40 miles per hour. Effective date: August 1, 1987. BERTRAM, WENZEL.

Miscellaneous motor vehicle, highway and airport provisions

Chap. 321-S.F. 465 Specifies that Department of Transportation standards for trunk highways in scenic areas are not rules. Provides for payment of administrative, filing, and plate fees. Restricts the unauthorized use of motor vehicles on public airport property. Defines peace officer. Describes qualifications for aircraft dealers license. Delays for one year the repeal of a provision authorizing the issuance of one special permit. Effective date: August 1, 1987. VICKERMAN, LIEDER.

Trunk highway 15

Chap. 338-S.F. 44 Abolishes restrictions on disposition of right-of-way of trunk highway 15 in St. Cloud. Effective date: August 1, 1987. PEHLER, GRUENESS.

Handicapped parking

Chap. 355-S.F. 451 Alters provisions relating to motor vehicle license plates and parking certificates for handicapped persons. Requires a physician statement upon license plate or certificate application. Modifies the scope of handicapped parking privileges. Changes the definition of physically handicapped person. Alters permanent and temporary certificate issuance requirements. Provides for expiration. Authorizes fees. Requires handicapped parking spaces to be free of obstructions. Imposes and increases penalties for unauthorized use of handicapped parking space. Specifies minimum fine of \$100 and maximum fine of \$200. Specifies a transitional provision relating to reapplication under the requirements. Requires the commissioner of public safety to develop and implement a public information campaign reflecting the changes. Requires the Council for the Handicapped to assist the commissioner and officials charged with enforcing municipal parking restrictions in the implementation of the changes. Effective date: Transition provision, June 3, 1987; all other provisions, January 1, 1988. PETERSON, D.C., REDING.

School bus driver training program

Chap. 379-S.F. 862 Allows tax-exempt license plates for vehicles owned by nonprofit charities and used for educational purposes. Requires training for school bus drivers. Specifies that the program must provide for initial classroom and behind-the-wheel training, and annual in-service training. Specifies that the program provide training in defensive driving, human relations, emergency and accident procedures, vehicle maintenance, traffic laws, and use of safety equipment. Appropriates \$25,000 for each year of the biennium for administration of the training programs. Effective date: Various dates. WEGSCHEID, NELSON, K.

Miscellaneous Department of Public Safety provisions

Chap. 383-S.F. 1280 Increases the taxable gross weight of vehicles required to present proof of payment of the federal heavy vehicle use tax. Increases the duration of validity and fee for trip permits. Authorizes the issuance of license plates with distinguishing numbers to motor vehicle dealers for promotional events. Specifies that it is a misdemeanor for unlawful use of motor vehicle registration plates or certificates. Allows law enforcement agencies to release dates of birth of parties involved in traffic accidents to the news media. Requires the commissioner of public safety to release the names and addresses of motor vehicle carriers named in accident reports to the commissioner of transportation for accident report enforcement purposes only. Authorizes the commissioner of public safety to release to the federal Department of Transportation commercial vehicle accident information in connection with federal grant programs relating to safety. Creates an exception to the requirement of the court to serve notice of drivers license revocation for driving while under the influence of alcohol or controlled substance. Specifies petition requirements for judicial review of drivers license revocation under the implied consent law. Subjects the alcohol problem assessment rules to the Administrative Procedure Act. Prescribes actions to be taken by drivers on one-way roadways upon the approach of emergency vehicles. Requires school buses on one-way separated roads to load and unload without flashing signals. Delays the effective date of school bus inspection sticker requirements. Prohibits alteration of motor vehicle rear high mount stop lamps. Prescribes a \$10 fee for a class A classified provisional drivers license. Restricts the rulemaking authority of the commissioner of public safety relating to the use of containers in aging whiskey and cordial or liqueur sugar or dextrose content. Provides for inspection of school buses for approved wheelchair devices. Effective date: August 1, 1987. VICKERMAN, JENSEN.

Hazardous waste transportation license

Chap. 393-S.F. 508 Requires a license for the transportation of hazardous

waste. Provides for license administration, suspension and revocation. Requires rulemaking. Prescribes penalties. Specifies procedures for carriers of household goods. Revises fees for motor carrier permits and certificates. Effective date: Various dates. NOVAK.

Stop signs at railroad grade crossings

Chap. 397-H.F. 404 Provides for designation of exempt railroad grade crossings. Provides for the installation of stop signs at railroad grade crossings. Effective date: June 5, 1987. WENZEL, BERTRAM.

Hennepin County light rail

Chap. 405-S.F. 282 Reduces the maximum property tax levy authorized for regional railroad authorities. Authorizes regional railroad authorities and local governmental units in the metropolitan area to expend or obligate funds for the study, planning, design and construction of light rail transit systems. Requires design plans to include handicapped accessibility. Requires public hearings on and local approval of design plans. Provides for review of plans by the Metropolitan Council. Authorizes council cooperation in the study, planning and design. Authorizes Metropolitan Transit Commission cooperation in operational planning and operation of the systems. Requires the council to recommend a transit planning and development coordination process to the legislature. Requires the Hennepin County Regional Railroad Authority to prepare a comprehensive plan for light rail transit development in the county. Specifies plan requirements. Effective date: June 19, 1987. LUTHER, NELSON, K.

Veterans

Adjutant general contract authority

Chap. 36-H.F. 424 Permits the adjutant general to delegate to subordinate employees the exercise of contract execution and administration authority. Requires a delegation by the adjutant general to be made by written order and to be filed with the secretary of state. Effective date: August 1, 1987. DEBLIECK, BERTRAM.

Veterans service officers certification

Chap. 61-S.F. 161 Requires the commissioner of veterans affairs to establish a certification process for veterans service officers. Requires the commissioner to consult with the Minnesota Association of County Veterans Service Officers in establishing the process. Effective date: August 1, 1987. DAHL, MINNE.

MIA and POW memorial plaque

Chap. 67-S.F. 721 Requires a memorial plaque recognizing Minnesota veterans who are missing in action or prisoners of war from the Korean or Vietnam conflicts to be placed in the Court of Honor on the Capitol grounds. Requires the plaque to be furnished by other than the Department of Veterans Affairs and to be approved by the commissioner of veterans affairs and the Capitol Area Architectural and Planning Board. Effective date: August 1, 1987. BERTRAM, JENSEN.

Resolutions

"Save the Family Farm Act"

Res. 1-S.F. 95 Urges Congress to adopt the "Save the Family Farm Act" or similar legislation intended to restore profitability to agriculture by establishing a fair price for farm products. DAVIS, BAUERLY.

Federal highway program

Res. 2-H.F. 66 Asks Congress to extend the federal highway program at the earliest possible date. JOHNSON, A., PURFEERST.

Visas for Jewish prisoners of conscience

Res. 3-S.F. 653 Urges the Soviet Union to grant exit visas to Jewish prisoners of conscience. SPEAR, SEGAL.

Lobbying by public charities

Res. 4-H.F. 737 Asks the President and Congress to prevent the proposed IRS regulation limiting the lobbying activities of public charities from taking effect. MCLAUGHLIN, LUTHER.

Pipeline regulation

Res. 5-H.F. 567 Requests that Congress enact legislation granting states more authority to regulate pipeline safety and asks for more effective federal regulation. Specifies preferred legislation requirements. KNUTH, NOVAK.

Veterans health care

Res. 6-H.F. 462 Urges Congress to maintain the Veterans Administration system of health care facilities in Minnesota. SEGAL, BERTRAM.

FmHA mediation participation

Res. 7-H.F. 575 Urges Congress and the President to enact legislation directing the FmHA to participate in the farmer-lender mediation program. SPARRY.

Medals of Freedom awards

Res. 8-H.F. 1145 Urges the President and Congress to award posthumous Medals of Freedom to Andrew Goodman, Michael Schwerner and James Chaney for their work for black citizens voting rights. WENZEL, JUDE.

John Mariucci commemoration

Res. 9-H.C.R. 8 Commemorates the life and work of former hockey player and coach John Mariucci. BEGICH.

St. Anthony Falls hydropower

Res. 10-H.F. 564 Expresses the Legislature's opposition to the installation of additional hydropower generating facilities at the Falls of St. Anthony, Minneapolis. LONG, PETERSON, D.C.

Special Session

Anti-take over provisions

Chap. 1-H.F. 1 Restricts the takeover of corporations and provides for shareholder protection. Clarifies, alters or expands definitions. Defines additional terms including business combination and interested shareholder. Authorizes corporate directors, in considering the best interest of the corporation, to consider the interests of the corporation's employees, customers, suppliers, creditors, the economy of the state and nation, community and societal considerations, and the long-term as well as short-term interests of the corporation and its shareholders including the possibility that these interests may be best served by the continued independence of the corporation. Prohibits certain officer or director compensation agreements (golden parachutes) during tender offers or requests. Increases the percentage of the voting power of shares required to call special meetings of shareholders to consider actions to facilitate or effect a business combination. Limits the purchase of shares for more than the average market price under certain conditions (greenmail). Defines average market price. Expands the application of and alters certain control share acquisition procedures. Requires a definitive financing agreement and provides for the voting rights of shares and for the option to call for redemption. Restricts certain business combinations for five years following acquisition and specifies requirements for certain business combinations following the period of restriction. Specifies opt in and opt out provisions. Effective date: Various dates. SIMONEAU, LUTHER.

Legislative leadership clarification

Chap. 2-H.F. 2 Provides for the performance of duties of a legislative officer of the House of Representatives or Senate in the event of resignation or death by a successor as provided in the rules of the respective house until election of a successor at a regular or special session of the legislature. Effective date: June 25, 1987, WYNIA, MOE, R.D.

Rainy River arbitration award

Chap. 3-H.F. 3 Authorizes payment of an arbitration award for a construction project at Rainy River Community College. Authorizes the sale of state bonds in an amount up to \$435,000. Effective date: July 1, 1987. LIEDER, MOE, R.D.

Revisor's bill

Chap. 4-S.F. 5 Article I - Education aids Corrects erroneous, ambiguous, omitted, and obsolete references and text in Laws 1987, Chap. 398 (Education Aids). Eliminates redundant, conflicting, and superseded provisions. Increases the limit on state payments for necessary supplies for secondary vocational education programs for handicapped children. Clarifies the allocation of teacher retirement and FICA aid for intermediate school districts and cooperative centers. Changes references to mill rate adjustment aid to additional general education aid. Corrects the foundation aid appropriation for 1989. Requires certain statutory constructions of successor terms in determining levy limits.

Article II - Miscellaneous Creates an exception to the nursing home bed moratorium for a new facility on the Red Lake Indian Reservation. Changes the funding of highway tourist information centers for the fiscal year ending June 30, 1988. Changes a requirement for allocation of appropriations and set-aside money for employment and training services. Makes permanent the Advisory Council for the Childrens' Trust Fund for Prevention of Child Abuse. Give priority to certain applicants for money from the fund and appropriates money from the fund for administrative purposes. Effective date: July 1, 1987. MERRIAM.

Winona County solid waste management project grant

Chap. 5-S.F. 6 Requires the Waste Management Board to Disburse a local project grant previously awarded to Winona County pending issuance of the necessary state permits. Requires repayment of the grant if the permits are issued and Winona County abandons the project. Effective date: June 26, 1987. MORSE, PELOWSKI.

SENATE COMMITTEE ASSIGNMENTS

AGRICULTURE (15)

CHAIRMAN: Davis
OFFICE NO: G-24
MEETS: M, W; Room 112, 10-12 noon
MEMBERS:
 Anderson Brandl Frederickson, D.R. Renneke
 Beckman Davis Freeman Stumpf
 Berg DeCramer Larson Vickerman
 Bertram Frederickson, D.J. Morse

COMMERCE (18)

CHAIRMAN: Solon
OFFICE NO: 303
MEETS: T, Th; Room 112; 10-12 noon
MEMBERS:
 Adkins Frederick Metzen Spear
 Anderson Freeman Peterson, D.C. Taylor
 Belanger Kroening Purfeerst Wegscheid
 Cohen Luther Samuelson
 Dahl McQuaid Solon

ECONOMIC DEVELOPMENT AND HOUSING (12)

CHAIRMAN: Frank
OFFICE NO: G-10
MEETS: M, Th; Room 15; 12-2
MEMBERS:
 Beckman Dahl Gustafson Morse
 Bernhagen Dicklich Knaak Reichgott
 Cohen Frank Kroening Storm

EDUCATION (21)

CHAIRMAN: Pehler
OFFICE NO: G-9
MEETS: M, W, F; Room 15, 8-10 a.m.
MEMBERS:
 Beckman Knaak Olson Reichgott
 Dahl Knutson Pehler Stumpf
 DeCramer Langseth Peterson, D.C. Wedgscheid
 Dicklich Larson Peterson, R.W.
 Frederickson, D.J. Mehrkens Pogemiller
 Hughes Morse Ramstad

EDUCATION AIDS (14)

CHAIRMAN: Peterson, R.W.
OFFICE NO: G9
MEETS: T, Th; Room 15; 3-5 p.m.
MEMBERS:
 DeCramer Knutson Peterson, D.C. Reichgott
 Dicklich Langseth Peterson, R.W. Stumpf
 Hughes Mehrkens Pogemiller
 Knaak Olson Pehler

ELECTIONS AND ETHICS (11)

CHAIRMAN: Hughes
OFFICE NO: 328
MEETS: W; Room 107; 11:30 a.m.-1 p.m.
MEMBERS:
 Hughes Laidig Moe, R.D. Samuelson
 Johnson, D.E. Luther Morse Willet
 Johnson, D.C. McQuaid Peterson, D.C.

EMPLOYMENT (11)

CHAIRMAN: Chmielewski
OFFICE NO: 325
MEETS: T, Th; Room 107, 8-10 a.m.
MEMBERS:
 Adkins Chmielewski Gustafson Piper
 Beckman Diessner Kroening Ramstad
 Brataas Frank Pehler

ENVIRONMENT AND NATURAL RESOURCES (18)

CHAIRMAN: Willet
OFFICE NO: 111
MEETS: T, W, F; Room 112; 1-3 p.m.
MEMBERS:
 Berg Knaak Merriam Stumpf
 Bernhagen Laidig Morse Wegscheid
 Dahl Larson Novak Willet
 Davis Lessard Olson
 Frederickson, D.R. Marty Peterson, R.W.

FINANCE (28)

CHAIRMAN: Merriam
OFFICE NO: 122
MEETS: T, W, F; Room 123, 3-5 p.m.
MEMBERS:
 Brataas Johnson, D.E.
 Dahl Knutson Mehrkens
 DeCramer Kroening Merriam Renneke
 Dicklich Langseth Metzen Samuelson
 Frederickson, D.R. Lantry Moe, D.M. Solon
 Freeman Lessard Piper Spear
 Hughes Luther Purfeerst Taylor
 Ramstad Waldorf Willet

GENERAL LEGISLATION AND PUBLIC GAMING (10)

CHAIRMAN: Lessard
OFFICE NO: 328
MEETS: W, F; Room 107; 8-10 a.m.
MEMBERS:
 Berg Diessner Lantry Samuelson
 Bertram Frederickson, D.R. Lessard
 Davis Johnson, D.E. McQuaid

GOVERNMENTAL OPERATIONS (11)

CHAIRMAN: Moe, D.M.
OFFICE NO: 309
MEETS: T, Th; Room 15; 8-10 a.m.
MEMBERS:
 Frederickson, D.J. Jude Pogemiller Waldorf
 Frederickson, D.R. Marty Renneke Wegscheid
 Freeman Moe, D.M. Taylor

HEALTH AND HUMAN SERVICES (15)

CHAIRMAN: Berglin
OFFICE NO: G-29
MEETS: T, W, F; Room 15; 1-3 p.m.
MEMBERS:
 Adkins Brandl Knutson Storm
 Anderson Brataas Lantry Vickerman
 Benson Chmielewski Piper Waldorf
 Berglin Diessner Solon

JUDICIARY (17)

CHAIRMAN: Spear
OFFICE NO: G-27
MEETS: M, W, F; Room 15; 10-12 noon
MEMBERS:
 Belanger Laidig Peterson, D.C. Spear
 Berglin Luther Peterson, R.W. Storm
 Cohen Marty Pogemiller
 Jude Merriam Ramstad
 Knaak Moe, D.M. Reichgott

LOCAL AND URBAN GOVERNMENT (10)

CHAIRMAN: Schmitz
OFFICE NO: 235
MEETS: M, Th; Room 107; 12-2 p.m.
MEMBERS:
 Adkins McQuaid Renneke Wegscheid
 Bertram Metzen Schmitz
 Frederickson, D.J. Olson Vickerman

PUBLIC UTILITIES AND ENERGY (13)

CHAIRMAN: Dicklich
OFFICE NO: 235
MEETS: T, Th; Room 15; 10-12 noon
MEMBERS:
 Brandl Johnson, D.E. Novak Waldorf
 Dicklich Johnson, D.J. Olson
 Frank Jude Piper
 Gustafson Marty Storm

RULES AND ADMINISTRATION (30)

CHAIRMAN: Moe, R.D.
OFFICE NO: 208
MEETS: On Call
MEMBERS:
 Belanger Frank Luther Renneke
 Benson Frederick Merriam Schmitz
 Berglin Hughes Moe, D.M. Solon
 Bernhagen Johnson, D.E. Moe, R.D. Spear
 Bertram Johnson, D.J. Novak Taylor
 Chmielewski Knutson Pehler Willet
 Davis Laidig Peterson, R.W.
 Dicklich Lessard Purfeerst

TAXES AND TAX LAWS (26)

CHAIRMAN: Johnson, D.J.
OFFICE NO: 205
MEETS: T, W, F; Room 15; 3-5 p.m.
MEMBERS:
 Anderson Brandl Gustafson Peterson, R.W.
 Belanger Chmielewski Johnson, D.J. Pogemiller
 Benson Cohen Jude Reichgott
 Berg Davis Laidig Schmitz
 Berglin Diessner Novak Stumpf
 Bernhagen Frank Pehler
 Bertram Frederick Peterson, D.C.

TRANSPORTATION (12)

CHAIRMAN: Purfeerst
OFFICE NO: 303
MEETS: T, Th; Room 112; 8-10 a.m.
MEMBERS:
 Bernhagen Langseth Mehrkens Purfeerst
 DeCramer Lantry Metzen Schmitz
 Frederick McQuaid Novak Vickerman

VETERANS (9)

CHAIRMAN: Bertram
OFFICE NO: 323
MEETS: T, Th; Room 107; 10-12 noon
MEMBERS:
 Beckman Laidig Lessard
 Bertram Langseth Mehrkens
 Diessner Larson Schmitz

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