

The background of the cover features a photograph of the Minnesota State Capitol building, a large white neoclassical structure with a prominent dome. In the foreground, the Spirit of the West statue is visible, depicting a man on horseback. The entire scene is set against a solid blue background. A yellow rectangular box with a thin black border is positioned in the upper right corner, containing the text 'NEW LAWS' and '1997'.

**NEW**  
**LAWS**    **1997**

Session Summary  
with  
First and Second  
Special Sessions

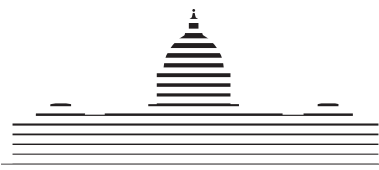
Minnesota House of Representatives  
Public Information Office





Session Summary  
with  
First and Second  
Special Sessions

Prepared by



MINNESOTA HOUSE OF REPRESENTATIVES  
PUBLIC INFORMATION OFFICE

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175 STATE OFFICE BUILDING  
100 CONSTITUTION AVENUE  
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# Introduction

The 80th Session of the Minnesota Legislature convened on Jan. 3, 1997, and adjourned at midnight May 19, 1997, the last day lawmakers could meet as specified by the Minnesota Constitution.

A total of 63 legislative days were used, but there was some unfinished business at adjournment of the regular session. (A legislative day is counted when a quorum of either the House or Senate is present to conduct business as a body. As specified by the Minnesota Constitution, the Legislature may meet for 120 legislative days during a two-year period.)

Gov. Arne Carlson called lawmakers back June 26, 1997, for the First Special Session, which focused on passage of a K-12 education funding law in the wake of the gubernatorial veto of the bill approved by the Legislature during the regular session. Later, lawmakers were called to the Capitol Aug. 19, 1997, for the Second Special Session, which centered on passage of a relief package for victims of the disastrous spring floods that struck many Minnesota communities.

During the regular 1997 session, 2,255 bills were introduced in the House and 2,003 in the Senate. Of the 251 bills and four resolutions sent to the governor, a total of 19 were vetoed (15 full vetoes and four line-item vetoes).

Overall, the list of accomplishments from the 1997 session includes: property tax reforms that will provide rebates for homeowners and renters; welfare changes that focus on moving people into the working world; a plan to require uniform testing of all Minnesota public school students; and a move to expand eligibility for the MinnesotaCare, the state's subsidized health care plan for low-income people, while reducing the tax that health care providers pay to finance the system.

*New Laws 1997* is divided into five major parts:

First, the Highlights section beginning on page 9 is written in an easy-to-read style for those who want a quick overview of legislation approved in 1997.

Second, the Vetoed Bills section lists all the bills that were vetoed and line-item vetoed by the governor and synopses of his reasons for doing so.

Third, the Bills in Limbo section cites some of the bills discussed in 1997, but not passed by the House and Senate. Because this is the first year of the two-year spending cycle, these bills remain alive, or viable, for consideration next year.

Fourth, the Summary section gives a technical summary of each approved bill as it appeared on the bill when it was sent to the governor. Also included is a listing of all sections of *Minnesota Statutes* that the bill affects.

And fifth, the Index section provides a list of bills by Chapter number, House file number, Senate file number, bill title, effective date, and finally, by subject. Many indexes are included to make it as easy as possible for people to find what they need.

If you wish to obtain a copy of a bill, call the House Chief Clerk's Office (612) 296-2314, or the Senate Information Office (612) 296-2343. Ask for the bill by Chapter number, or by the House or Senate file number.

Bills also are available on the Legislature's World Wide Web site at:  
<http://www.revisor.leg.state.mn.us/forms/billform.html>.

Both the House and Senate public information offices have toll-free numbers for residents outside the metropolitan area. To reach the House, call 1-800-657-3550. To reach the Senate, call 1-888-234-1112.

## Acknowledgments

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On the cover: Photo illustration by Paul Battaglia. Photos by Tom Olmscheid and Paul Battaglia.  
Cass Gilbert's blueprints of the Minnesota State Capitol provided courtesy of the Minnesota Historical Society.



Contains 20% post-consumer content

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# Highlights

## Selected 1997 laws

*Editor's note: Highlights, the first section in New Laws 1997, is written for those who want a general overview of major legislation that was approved during the 1997 session.*

*The new laws are categorized alphabetically under topics, such as Agriculture, Banking, and Bonding. Where bills fall under more than one topic, cross references are cited. Appropriations bills are discussed under the topics to which they apply.*

*For easy reference, House file (HF) numbers, Senate file (SF) numbers, and Chapter (CH) numbers appear at the end of each highlight. An asterisk after either the House file or the Senate file indicates the version of the bill that was sent to the governor. Write-ups on major bills include references to article and section numbers wherever possible. Effective dates are included in most of the highlights.*

*The Highlights Subject Index beginning on page 135 also is useful in finding information on specific subjects.*



Under a new law, grocers can set milk prices as low as they please during one month of the year.

However, the proposed one-year suspension of the pricing law did not survive in conference committee.

The new law suspends the dairy pricing law during the months of June, July, and August in 1997 and during June in future years.

The annual, month-long period of unconstrained pricing coincides with "Dairy Month." The new law also calls for the Department of Agriculture to report to the Legislature in 1998 on the effects of the three-month period of milk price deregulation this year and the many factors that are involved in dairy pricing.

Critics of the measure argued that the lack of pricing constraints would benefit only large, chain-store retailers who could afford to slash milk prices to attract customers.

But small grocers are working at a disadvantage under the current pricing law, Trimble said. Large grocers can afford to sell milk at cost because they have other revenue sources, such as slotting fees paid for prominent placement, that small grocers can't match, he added.

Trimble said small grocers and consumers may be better served by simply allowing the market to function freely.

Sen. Becky Lourey (DFL-Kerrick) sponsored the measure in the Senate.

HF1646/SF1834\*/CH244

## Helping dairy farmers

A resolution asks the federal government to provide relief for Minnesota dairy farmers who are currently feeling a financial squeeze.

The resolution — to be sent to Congress, the president, and the Department of Agriculture — asks for changes in the federal milk pricing system.

Minnesota dairy farmers have seen a significant drop in the prices they get for their products, while the state's consumers continue to pay exceptionally high retail prices for milk.

Low prices paid to farmers are driving them out of the dairy business, according to supporters of the resolution. The state is losing an average of three dairy operations a day.

Currently, the Minnesota dairy industry generates \$3.5 billion in annual gross revenue and employs about 39,000 people.

The resolution calls for an end to a pricing system that is "profoundly unfair and discriminatory against Minnesota and Upper Midwest dairy producers."

It also requests that Minnesota and neighboring states be allowed to form a compact to guarantee dairy farmers a fair minimum price if a similar compact already formed by north-eastern states is allowed to stand.

The resolution was sponsored by Rep. Steve Wenzel (DFL-Little Falls) and Sen. Dallas Sams (DFL-Staples).

HF1067\*/SF1283/Resolution 2



## AGRICULTURE

### Cut-rate milk prices

Grocers are allowed to set milk prices as low as they please for three months during 1997 and for one month of each year thereafter under a new law effective June 4, 1997.

Previous state law prohibits retailers from selling milk for less than what they paid for it. The law is supposed to protect farmers and small grocers from being negatively affected by pricing wars.

But Minnesota dairy farmers and consumers are not faring well. Lawmakers have noted that the state's farmers receive some of the lowest prices in the nation for their products while consumers pay some of the highest milk prices in the country.

Rep. Steve Trimble (DFL-St. Paul), who sponsored the legislation in the House, originally sought to lift the law prohibiting below-cost milk prices for a period of one year. Trimble argued that the change would allow for more competition in the market and could drive up demand for dairy products.

## Disease-free livestock

A new state law effective Aug. 1, 1997, requires government officials entering a livestock facility to follow "bio-security" measures.

The law seeks to protect farm animals from potentially deadly diseases that visitors to livestock holding areas can unknowingly introduce.

For example, avian influenza has spread from the wild bird population to farm turkeys, and the ailment has had harsh effects on Minnesota turkey farming operations.

State employees, such as Department of Natural Resources (DNR) conservation officers, who have contact with waterfowl and other wildlife, can carry diseases to farm facilities if the state workers do not follow proper sanitization practices.

Diseases can be transmitted by the skin, clothing, equipment, and vehicles of state employees and can unwittingly be tracked into farm animal facilities, according to the Minnesota Board of Animal Health.

The new law will require conservation officers and other state employees to follow "bio-security" measures set forth by the Board of Animal Health and the DNR.

Such security measures include anything from wearing disposable coveralls to using a cleaning solution on the tires of a state vehicle before going onto farm property.

The new measure was sponsored by Rep. Al Juhnke (DFL-Willmar) and Sen. Dean Johnson (R-Willmar).

HF1861\*/SF1663/CH55

## Feedlot regulation

A new state law effective May 17, 1997, gives lawmakers an opportunity to review any new Minnesota Pollution Control Agency (MPCA) rules related to animal feedlots before they take effect.

A feedlot is any building or lot where animals are confined and manure can accumulate, including manure lagoons used to store waste. There are an estimated 45,000 feedlots in Minnesota.

The law requires the MPCA to submit any new rules or amendments to existing rules for animal feedlots to agriculture and environment policy committees in the House and Senate.

Also, the MPCA is required to give lawmakers at least 90 days to review the rules before any changes take effect.

Air and water quality problems associated with livestock feedlots and manure lagoons have become an increasing concern in rural Minnesota, where questions have been raised about the potential health threats posed by such facilities.

The MPCA is now in the process of developing amendments to existing rules and new measures to ensure the safety of animal feedlots.

The new law does not give lawmakers any authority to reject proposed rule changes before they take effect. However, supporters of the measure said the 90 days of review give legislators a chance to study the proposed changes and prepare to address any problems with the rules when the Legislature is in session.

The measure was sponsored by Sen. Dallas Sams (DFL-Staples) and Rep. Gary Kubly (DFL-Granite Falls).

HF1409\*/SF1134/CH158

## New advisory panel

A new law effective May 14, 1997, creates a 13-member advisory panel to make recommendations for statutory changes relating to agricultural marketing and bargaining. Specifically, the task force is to consider a system to resolve disputes between growers' associations and processors.

During the 1997 session, lawmakers considered a proposal that would have provided mandatory mediation, and if necessary, binding arbitration to resolve disputes between growers and processors.

Supporters said such a step is necessary because currently producers have no recourse when they are stuck in a pricing dispute with processors. The result is that producers sometimes have no choice but to accept the terms set by processors.

That plan stalled, but a move to create an advisory task force to study the matter was successful.

The task force must include representatives from a variety of farmer associations, processors, and officials from state agencies.

Rep. Barb Vickerman (R-Redwood Falls) and Sen. Dennis Frederickson (R-New Ulm) sponsored the measure.

HF1863\*/SF1630/CH142

## Economic development, housing:

### Rural resource center

(See Development, page 19)

## Environmental spending:

### Ethanol

(See Environment, page 29)

## Environmental spending:

### Livestock odor research

(See Environment, page 30)

## Omnibus higher education law:

### Nurturing agriculture

(See Higher Education, page 41)

### Young drivers

(See Transportation, page 59)

### Legal hemp

(See Bills in Limbo, page 71)

### Slots at the track

(See Bills in Limbo, page 76)



## BANKING

## Omnibus banking

A new law could save many more homeowners from paying unnecessary private mortgage insurance premiums.

Private mortgage insurance protects lenders in case of default and is required of many borrowers who put down less than 20 percent when purchasing a home. (Those who put down less than 5 percent generally must receive coverage through government programs.)

If a borrower defaults on a mortgage and the lender forecloses on the home and sells it for a loss, the insurance will make up the difference.

The insurance is no longer required after the borrower has paid a specified portion of the principal on the mortgage and has met other conditions, such as making prompt monthly payments.

Reacting to concerns that some homeowners continue to pay for mortgage insurance after it is no longer needed, the 1996 Legislature passed a measure requiring lenders — after two years of receiving payments — to provide annual notice to consumers that they may be eligible to drop private mortgage insurance policies.

However, the 1996 law applied only to mortgages issued on or after Jan. 1, 1997.

Effective May 17, 1997, a provision in the new law extends the notice requirements to mortgages taken before that date, which will make the law relevant to many more homeowners.

Other provisions in the new measure affect mortgage escrow accounts, clarify loan fraud

laws, and allow a pilot project with a student-run bank at a Bemidji school. All of these provisions are effective May 17, 1997.

The new legislation was sponsored by Rep. Gary Kubly (DFL-Granite Falls) and Sen. James Metzen (DFL-South St. Paul).

Here's a look at highlights of the new law:

**Escrow accounts**

The law requires lenders to permit most mortgage holders to discontinue escrow accounts after five years. Current law allows such a move after seven years.

Most borrowers pay into an escrow account to build up funds to cover property taxes and homeowner's insurance premiums. While escrow accounts serve as a good budgeting device for many homeowners, some do not like having their money tied up in escrow, where it gathers little or no interest for the borrower.

However, those who would rather control their own funds and pay out-of-pocket for insurance and property taxes often face escrow waiver fees upon taking out a mortgage.

Lawmakers this year considered a proposal to forbid such waiver fees, but concerns that such a move would simply drive up mortgage interest rates forced them to look for another solution.

Instead, legislators agreed to move up the date at which a borrower can opt out of an escrow account. Under the new measure, borrowers who would rather control their own funds can choose to pay a waiver fee up front or wait five years to discontinue the escrow account.

Lenders are required to notify borrowers no later than the loan closing of their rights to discontinue escrow accounts.

**Loan fraud**

After the Minnesota Supreme Court ruled in August 1996 that the state's Consumer Fraud Act did not apply to loans, lawmakers moved to remedy that problem during the 1997 session. The new banking law clarifies that loans are included in the definition of "merchandise" in the Consumer Fraud Act and ensures borrowers the protection of the law.

**Student-run bank**

The new law also allows students at Bemidji High School to operate a bank serving other students. The pilot project is part of an effort by local school officials to teach students about banking and financial matters.

Students who took a course related to bank-

ing as juniors are allowed to operate a small bank on school premises during their senior year. The bank must serve only other students and employees of the school and can offer only limited services such as savings accounts. Also, the school district must promise to reimburse any depositors who lose funds if the student-run bank runs into trouble.

The pilot program is set to operate for three years.

HF753\*/SF339/CH157



**BONDING**

**Buildings and bridges**

A new law provides \$111 million in bonds and direct appropriations for construction projects across the state, including up to \$73 million in new bonds for a new building to house the Department of Revenue (DOR).

Flood damage reduction, cleanup of contaminated lands, and renovation of the Capitol cafeteria are among the other projects provided for in the new law, effective June 3, 1997.

During the 1997 session, the search for a home for the DOR was the focus of significant concern. The department currently occupies a building at 10 River Park Plaza, opposite downtown St. Paul on the Mississippi River, but the state does not own the building.

The department has been at its current location since 1988, when it relocated from

the Centennial Office Building in the Capitol complex. At that time, the state negotiated a five-year lease — with five one-year renewal options — with St. Paul's JLT Group, which constructed the building to meet department specifications.

Last year, the department exercised its last renewal option and paid JLT \$6.3 million in rent. According to a report by consultants the Legislature hired, the department has outgrown the current building, and the department will need even more space by 2010, when it will employ nearly 1,500 workers.

The consultant recommended the agency be moved to a building that would be built on a site in Inver Grove Heights. However, the new law does not prescribe where a new facility would be constructed, nor does it mandate that a new building be built at all.

A total of \$74.9 million is available for the DOR project. That amount includes \$1.9 million for design costs approved as part of 1996 bonding legislation, and \$73 million in new bond funds included in the new measure.

Under the law, the state Department of Administration (DOA) could opt to purchase the current building, but the amount available to purchase it is capped at \$23 million. (Earlier this year, an official representing JLT said the state could purchase the building for \$38.9 million.)

The law allows construction of a new facility in Inver Grove Heights only if the DOA is not able to purchase the current site for \$23 million or less and determines that it is not



A new capital projects law includes \$73 million in new bonds for construction of a building to house the Department of Revenue. The department currently occupies a building at 10 River Park Plaza (pictured here), but the state does not own the building.

feasible to construct a new building within the Capitol complex. The amount available for an Inver Grove Heights facility is capped at \$46 million.

(The consultant recommended construction of a building at the intersection of Interstate 494 and Highway 52 in Inver Grove Heights, and told lawmakers the project would cost \$49.5 million.)

The law requires only that the DOR building be within eight miles of the state Capitol, but the measure includes provisions to ease any effort to place a new building within the immediate Capitol area.

Under the law, the building will not have to conform with the comprehensive plan for the Capitol area, and the project will not have to be selected through a design competition as is typically required within the Capitol complex.

The law was sponsored by Rep. Loren Solberg (DFL-Bovey) and Sen. Steve Morse (DFL-Dakota).

Here are some highlights of other provisions in the measure.

- A total of \$7 million is available for the cleanup of contaminated industrial sites — so-called “brownfields” — to facilitate their redevelopment. Many such sites — once hotbeds of industrial and commercial activity but now largely vacant — are found in urban areas. While they could be suitable locations for many uses, the sites sit unused or underused because the costs associated with eliminating industrial contamination are prohibitive. Funds for brownfield cleanup are to be appropriated to the Department of Trade and Economic Development, which will oversee efforts to revitalize the properties.
- The merger of Hibbing’s community and technical colleges is aided by \$4.5 million in revenue for construction of building additions and related mechanical work. In 1996, Gov. Arne Carlson line-item vetoed a provision that would have provided the same amount in bonds for the merger of the two schools.
- Efforts to reduce the damage caused by floods in Minnesota receive \$4 million. The money goes to the Department of Natural Resources for an existing grant program that provides funds to local government for planning and implementing flood mitigation measures.
- A total of \$3 million is earmarked for local governments to rehabilitate deficient bridges. The funds can be used to repair or

replace bridges, cover the local matching fund requirements for federal bridge rehabilitation grants, or to pay costs associated with the abandonment of bridges.

- An additional \$1.04 million is devoted to renovation of the state Capitol’s cafeteria. The cafeteria — now a lackluster space most notable for what is revealed beneath the flaking paint on the walls — was once a unique place fashioned after a German rathskeller.

The cafeteria featured paintings of Americanized versions of German eagles on the ceiling, and slogans in German appeared over the archways. But anti-German sentiment during the World War I era prompted then-Gov. J.A.A. Burnquist to consent to a request that the German slogans and symbols be painted over.

A 1996 law provided \$1.2 million for renovation of the cafeteria, but that amount proved to be well short of the estimated cost for the project. The new law will increase the total bond revenue for the cafeteria project to \$2.24 million.  
HF632\*/SF436/CH246

“The one missing element in our law so far has been the responsibility of the retailer,” Rep. Ann H. Rest (DFL-New Hope) said of the law. “The retailers have been noticeably absent.”

Rest, who sponsored the law in the House, said it would bring the retailers into the regulatory fold. The law requires communities to license tobacco sellers and conduct at least one compliance check, or “sting” operation, on each license holder every year. In a sting, someone between the ages of 15 and 18 years old attempts to purchase cigarettes illegally under the direct supervision of the authorities. Sen. Ember Junge (DFL-New Hope) sponsored the law in the Senate.

The law, effective Aug. 1, 1997, also prohibits the sale of cigarettes from vending machines, except for those in locations such as bars, where people under 18 cannot enter. It also bans the open display of single packages of cigarettes or smokeless tobacco in stores, except for those that derive at least 90 percent of their revenue from tobacco sales.

Under the law, cigarette manufacturers are required to disclose whether their product contains ammonia, arsenic, cadmium, formaldehyde, or lead.

Carlson singled out this provision as troubling when he signed the bill, pointing out that the language could open up a “Pandora’s Box of ingredient-disclosure laws.”

Indeed, the tobacco industry also balked at the requirement. On June 3, R.J. Reynolds, makers of Camel and Winston cigarettes, filed suit in U.S. District Court in St. Paul,



BUSINESS

Youth and tobacco

Minnesota teenagers should smoke ‘em if they’ve got ‘em, because under a new law it’s a lot harder for youth to buy cigarettes.



A new state law aims to keep tobacco out of the hands of children. The law requires communities to license tobacco retailers and to conduct at least one compliance check on each license holder every year. The law also will — for the first time — punish store owners for tobacco sales to minors.

seeking to have the ingredient-disclosure provision struck down.

The company, according to a *St. Paul Pioneer Press* story, argued that the law “places an undue burden on interstate and foreign commerce” and “because it would compel the disclosure of certain trade secrets . . . and thereby destroy their value, without any provision for just compensation.”

A similar, although much broader, ingredient-disclosure statute in Massachusetts has also become the target of tobacco industry legal action.

The Minnesota law also spells out a number of minimum administrative penalties that would be imposed on licensees and store clerks convicted of selling tobacco products to a teenager, in addition to similar provisions that would apply to the minor who attempted the purchase.

Any license holder found to have committed a first offense will draw a \$75 fine. A second offense within a two-year period will cost the retailer \$200 and the third offense within the same period will warrant a \$250 penalty, plus a seven-day suspension of the tobacco license.

The clerk who sold the tobacco will receive a \$50 civil fine. (Clerks already face up to a year in jail and a \$3,000 criminal penalty for selling tobacco to a minor.)

Any juvenile found to have illegally purchased tobacco — a petty misdemeanor under the law — could receive a fine of up to \$100, a community service sentence, probation, or be required to participate in substance abuse programs. If the minor used a driver’s license to commit the act, the license would be suspended for 90 days.

The law explicitly states that local governments may pass stricter ordinances if they choose, and requires tobacco retailers affected by such a proposal to be notified 30 days prior to any meeting on the possible changes.

Last session, this issue derailed a bill to limit youth access to tobacco. After a provision that would have prohibited local units of government from enacting tobacco sales ordinances tougher than those contained in the bill was deleted, the author pulled the bill, and it never resurfaced. So-called “pre-emption” laws of varying strengths already are on the books in more than two dozen states.

HF117\*/SF6/CH227

## Protecting payroll

The Legislature moved to protect businesses from unscrupulous payroll service firms by including regulatory language in the omnibus tax legislation.

Many small businesses use payroll firms instead of hiring their own payroll staff. The firms issue checks to employees and make income and other tax payments to the government.

The regulatory proposal emerged after a number of payroll service companies declared bankruptcy, including one highly publicized action by an Edina-based payroll service in 1996.

The Edina company, now the subject of an Internal Revenue Service criminal investigation, faces accusations that it defrauded more than 200 clients of nearly \$6 million in payroll tax payments. All of the company’s clients, along with the customers of other bankrupt payroll services, remained liable for the tax payments, despite the fact that the company told its clients the payments had been made.

The new regulations protect small businesses from such fraudulent practices by requiring payroll service companies to register with the Department of Revenue (DOR). The companies must furnish the department with a monthly updated client list, make all tax payments electronically, and prove that all their customers’ money is kept separately from the firms’ operating funds.

The DOR will, in turn, notify clients directly if their payroll company has not made payments and that the client is still responsible for the taxes. The department will penalize firms that don’t comply with the law, either by suspending or revoking their registration or assessing a fine of up to \$5,000 for each violation.

Most payroll services don’t charge their clients directly for their work. Rather, they make their money by investing the client’s tax payments and keeping the return. The provision also mandates that the payroll service firm notify clients of this practice and at the same time, inform them that no state agency regulates the payroll services’ financial solvency.

The provisions, effective Jan. 1, 1998, were incorporated into the omnibus tax legislation sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Doug Johnson (DFL-Tower). (Art. 5, Sec. 10)

HF2163\*/SFnone/CH231

## Liquor laws

A new state law alters regulations affecting the distribution and sale of alcoholic beverages.

A new provision, effective Aug. 1, 1997, makes it clear that alcoholic beverages brought into the state must first go to a licensed wholesaler’s warehouse before they can be distributed elsewhere. A similar requirement already exists in state law, but the new measure extends the requirement to commercial shippers.

The new provision was crafted to prevent the direct delivery of alcoholic beverages to consumers by shipping services such as Federal Express or UPS.

Exceptions exist for liquor just passing through during the course of interstate commerce or for legally sanctioned personal consumption. Minnesota law allows an individual to import up to one liter of hard liquor or wine from another state without paying an excise tax. People entering the state from a foreign country can import up to four liters of hard liquor or wine for home use.

Another new provision, effective Aug. 1, 1997, allows Minnesota wineries to ship up to two cases of product per year to individuals. Existing law allows wineries in states that have a reciprocal agreement with Minnesota to do the same. The new measure also prohibits wineries, in or out of Minnesota, from accepting sales orders over the Internet.

The Department of Public Safety’s Division of Liquor Control and Division of Alcohol and Gambling are consolidated, under a new provision effective retroactively to Oct. 1, 1996. Department representatives had testified before the House Commerce, Tourism and Consumer Affairs Committee that they had already merged the two divisions. The new law merely makes the change official.

The measure was sponsored by Rep. Jim Tunheim (DFL-Kennedy) and Sen. Sam Solon (DFL-Duluth).

HF524/SF277\*/CH129

## Stop luring businesses

A resolution asks the federal government to put a stop to practices that allow states to lure businesses, including professional sports franchises, away from other states.

The resolution states that business incentive programs have resulted in counterproductive economic competition between states that saps the nation’s readiness to compete in a global economy.

Ranking high among the list of concerns included in the resolution is the practice of using public resources to lure professional sports teams away from other states. Major League Baseball's exemption from federal anti-trust laws is another.

"States in aggregate would be better off providing a less burdensome tax climate for all businesses and a quality education system" rather than frittering away money to attract individual companies, the resolution states.

The resolution calls for Congress to repeal the anti-trust exemption for professional baseball and to take other steps to mitigate economic competition between states.

The resolution will be sent to members of Minnesota's congressional delegation and other officials in Congress. Also, it will go to governors and legislative leaders in each state.

Rep. Jim Knoblach (R-St. Cloud) and Sen. Arlene Lesewski (R-Marshall) sponsored the resolution.

HF538\*/SF1239/Res. 1

## Utility deposits

A new law allows utility companies to pay a lower rate of interest on customer deposits. Previous law required 6 percent annual interest; the new law sets a minimum of 3 percent.

Many utilities, including water, gas, telephone, cable television, electric light, heat, and power companies, require deposits before initiating services. The utility companies then invest the deposit funds.

The legislation was introduced at the request of small, consumer-owned municipal utilities unable to yield a 6 percent return on those investments.

A similar law enacted in 1996 lowered the interest rate on tenant security deposits from 4 percent to 3 percent to reflect current market rates.

The new law applies to the calculation of interest on utility deposits received after Aug. 1, 1996.

The proposal was sponsored by Sen. Dallas Sams (DFL-Staples) and Rep. Mike Delmont (DFL-Lexington).

HF1287/SF156\*/CH121

## Closing public nuisances

(See Crime, page 19)

## Education and tax credits:

### School bus ads

(See Education, page 23)

## Omnibus tax law: Income tax provisions

(See Taxes, page 54)

## Omnibus tax law: Sales tax changes

(See Taxes, page 55)

## Ghosts in the machine

(See Technology, page 56)

## Regulating brokers

(See Transportation, page 61)

## Rent-to-own

(See Bills in Limbo, page 71)

## Smoke ads limited

(See Bills in Limbo, page 71)



## CHILDREN

### Adoption laws changed

A new law modifies Minnesota's existing adoption regulations, gives grandparents additional rights, regulates background checks on prospective adoptive parents, and recognizes foreign adoptions.

Under the new law, a birth parent whose parental rights are terminated or a grandparent of an adopted child may be granted visitation rights if the court determines that it is in the best interest of the child and would not interfere with the child's relationship with the adoptive parents. (Secs. 2, 3)

The law allows the court to extend the deadline for filing an adoption petition, based upon a written plan and a specific timeline for finalizing the adoption from the prospective adoptive parents, if such an extension is in the best interest of the child. (Sec. 6)

A birth parent who intends to give consent to the adoption must give notice to the other birth parent within 72 hours of placing the child for adoption. The birth parent who receives such notice has 60 days after the placement of the child to either consent or refuse to consent to the adoption. (Sec. 7)

The law clarifies when an adoption study and written report must be filed with the court. It allows close relatives to file an adoption petition without having to obtain an adoption study. (However, such a relative would have to undergo a background check as part of the post-placement assessment and report.) (Secs. 8, Subd. 1; 15)

Criminal background checks on prospective adoptive parents are limited to the 10-year period before the adoption study. In

order to avoid a foster care placement, prospective adoptive parents will be allowed to take custody of a child by submitting a sworn affidavit instead of undergoing a complete background check. In such cases, the background checks still must be completed before an adoption petition is filed. (Sec. 8, Subd. 3)

The law permits prospective adoptive parents to pay for the birth mother's transportation, meals, and lodging costs that are related to the receipt of counseling, and legal or medical services related to the pregnancy, birth or placement. It also permits payments to be made for pregnancy-related costs for longer than six weeks postpartum if the court determines within the six-week period that the birth mother is not able to be employed because of physical limitations relating to the child's birth. (Sec. 16)

Foreign adoptions by Minnesota families may be recognized as valid in the state if the adoptive child has been granted an IR-3 visa by the federal Immigration and Naturalization Service (INS). Adoptive parents of such a child may petition the district court for a decree recognizing the adoption and for a new birth certificate for the child. (Sec. 18, Subds. 1 and 2)

Finally, the law makes adoption records public on the 100th anniversary of the granting of the adoption decree. (Sec. 22)

The law, effective Aug. 1, 1997, was sponsored by Rep. Dan McElroy (R-Burnsville) and Sen. Martha Robertson (R-Minnetonka).  
HF58/SF122\*/CH177

## Finding homes for kids

A new state law significantly reduces the role race plays in placing children in adoptive and foster homes.

Supporters of the law said the measure follows the lead of the federal government by putting the needs of each child and the need for a timely placement over the desire to match children with families of similar ethnicity.

The law, effective May 7, 1997, prevents placement of a child in foster care from being delayed or denied because of the race, color, or national origin of the child or potential parents. (However, the new law does not necessarily apply to Native American children, who are covered under a separate federal law.)

The law eliminates a provision in current law that says a child's best interests are met by giving consideration to race or ethnic heri-



tage when making foster care or adoption placements.

Instead, an “individualized determination of the needs of the child” will be conducted, detailing how a placement should satisfy those needs.

Factors that could be considered include: the child’s functioning and behavior; medical, educational, and developmental needs; history and past experience; religious and cultural needs; connection with a community, school, and church; interests and talents; relationship to current caretakers, parents, siblings, and relatives; and reasonable preferences of the child, if the child is of an appropriate age.

The emphasis on race or ethnic heritage in child placements has become controversial in recent years. Critics have said that a shortage of minority foster and adoptive families has caused children to languish needlessly while interested families were disqualified on racial grounds, and that race is not important in family bonding.

In 1994, Congress passed the Multiethnic Placement Act, which prohibits the delay or denial of a child’s placement solely on the basis of the race or ethnic heritage of the adoptive or foster parents. In 1996, Congress repealed a key section of the Multiethnic Placement Act and replaced it with a stricter requirement essentially requiring placements to be “color-blind.”

Provisions of both federal laws are incorporated into the new state law. Failure to comply with the federal requirements could result in reduced federal funding to the state.

The state measure was sponsored by Rep. Barb Vickerman (R-Redwood Falls) and Sen. David Knutson (R-Burnsville).

HF209\*/SF210/CH86

### Studying autism

A new law establishes a task force to study the treatment of autism.

Autism is a disorder that affects children and consists of a preoccupation with inner thoughts. The individual lacks a connection with reality and the self often predominates to the total exclusion of the rest of the world.

Under the new law, the Department of Human Services and the Department of Children, Families and Learning are charged with establishing the task force, which will study the spectrum of autistic disorders; treatment options, including behavioral therapy, and outcome data on these treatment options;

the role of schools, state agencies, and counties in providing services to children with autism; funding options for children with autism; the use of behavioral therapy day treatment programs and the use of school and Medical Assistance funds for these programs.

A final report is due to the Legislature by Jan. 15, 1999, and must make recommendations on how to improve the treatment options available to children with autism with existing dollars. Also, it must recommend ways to inform and educate families with autistic children on available resources and expertise for the treatment of autism.

Rep. Fran Bradley (R-Rochester) and Sen. Sheila Kiscaden (R-Rochester) sponsored the new law, which is effective Aug. 1, 1997.

HF750/SF652\*/CH69

### Designated caregivers

A new state law effective Aug. 1, 1997, assures that all parents with visitation rights consent to designated caregiver arrangements allowed under a 1996 law.

Last year, the Legislature passed a measure allowing a symbol to be placed on a parent’s driver’s license or state identification card alerting police or health care workers that the parent has designated someone to care for his or her children in times of crisis.

Designated caregiver information is kept on file with the Department of Public Safety and is released to police or health care officials if a parent is unable to communicate and there is a need to contact someone to care for the injured person’s children.

The new law simply makes it clear that all parents with rights to visitation with a child — not just the parent with physical custody — must consent to a designated caregiver arrangement.

A custodial parent who wants to file a designated caregiver agreement can get the consent of the parent with visitation rights in writing, or if notice is mailed to the other parent and no objection is heard within 30 days, consent is implied.

The new measure was sponsored by Rep. Darlene Luther (DFL-Brooklyn Park) and Sen. Paula Hanson (DFL-Ham Lake).

HF626/SF432\*/CH65

### Economic development, housing:

#### Youth program

(See Development, page 19)

### Education and tax credits:

#### Help for at-risk kids

(See Education, page 22)

### Education and tax credits:

#### Breakfast at school

(See Education, page 23)

### Early childhood funding

(See Family, page 33)

#### Child support

(See Family, page 34)

### Permanence for kids

(See Family, page 34)

### Signing up for fatherhood

(See Family, page 34)

### Omnibus health and human services:

#### Child welfare pilot programs

(See Human Services, page 43)

### Omnibus health and human services:

#### Child care licensing

(See Human Services, page 44)

#### Protecting kids in carts

(See Bills in Limbo, page 78)

#### Seat belt bill fails

(See Bills in Limbo, page 80)



## CRIME

### Crime, courts, prevention

Crime and justice in Minnesota will cost the state almost a billion dollars over the next two years under a new omnibus crime package.

The \$997 million measure funds the state’s court and correctional systems, law enforcement and public safety agencies, and departments such as the human rights department and state public defender’s office.

A late addition to the proposal ends the juvenile offender program at the Sauk Centre Correctional Facility and reroutes the juveniles to the Red Wing facility or to county custody, effective Jan. 1, 1999. The Department of Corrections will propose new uses for the Sauk Centre site. (Art. 9, Secs. 43, 46).

Other provisions reduce work loads for probation officers, offer help to women leaving prostitution, and provide more money to community advocacy groups to help battered women.

A new building will be constructed for the Wilderness Endeavors program for juvenile



A new law will spend almost \$1 billion during the next two years to fight crime and to punish criminals. The law includes a provision calling for creation of a special task force to combat gang problems across the state.

offenders at Thistledeew Camp in northern Minnesota. (Art. 1, Sec. 12)

Additionally, a \$2.2 million work program is established at Camp Ripley, near Little Falls, Minn., for adult male nonviolent felony and gross misdemeanor offenders. The offenders will perform physical labor for at least eight hours a day, and serve at least two-thirds of their sentences at the camp. (Art. 9, Sec. 10)

Other highlights are below.

The proposal was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Randy Kelly (DFL-St. Paul).

HFnone/SF1880\*/CH239

#### Gang strike force

A major initiative, effective July 1, 1997, establishes a gang task force and oversight council to develop a strategy to combat gang problems throughout the state. The council must be made up of top law enforcement officials who will devise a plan to investigate and prosecute crimes committed by gang members. The strike force will assist and train local governments and law enforcement agencies to identify gang members and investigate gang-related crime. (Art. 8, Sec. 8)

#### Arson strike force

The law sets up an arson-fighting strike force July 1, 1997, to provide expert investigative and prosecutorial assistance to local agencies in serious cases of arson. The strike force consists of representatives from the fire marshal's department, the Bureau of Criminal Apprehension (BCA), the attorney

general's office, police and fire department officials, the county attorney's association, private detectives, and other experts. The law responds to an epidemic of arson fires throughout the state, especially fires related to gang violence. (Art. 8, Sec. 20)

In addition to battling fires, the strike force is to help train public safety personnel and set up educational programs for them and for prosecutors.

#### Juvenile crime

Closely associated with efforts to combat gang problems are initiatives to address problems among juveniles. The new law includes several measures to prevent juvenile crime:

##### *Community service grant pilot project*

Effective July 1, 1997, children under age 16 in high crime neighborhoods in Ramsey and Hennepin counties are being recruited to perform voluntary community service. The goal is to encourage good citizenship and discourage illegal activity among participants. The programs could offer children scholarships, gift certificates, tickets for entertainment or group outings, or other nonmonetary rewards. (Art. 2, Sec. 8)

##### *Enhanced probation pilot project; Ramsey County*

Juveniles receive intensive monitoring from probation officers, local law enforcement personnel, and culturally specific community nonprofit agencies. The effort, effective July 1, 1997, targets juveniles on probation in Ramsey County who are considered

at-risk for committing violent crimes and are associated with gang and drug activities.

The goal is to discourage young people from criminal activity by providing intensive intervention by community and law enforcement groups. (Art. 2, Sec. 4)

##### *Pilot program for school-based probation in Anoka and Dakota counties*

The program, effective July 1, 1997, is established in one middle or junior high school and one senior high school in each county for an experiment in placing probation officers within schools to help address behavioral incidents by students on probation. The officers will work with school personnel, families, and other agencies to coordinate responses to behavioral problems. (Art. 2, Sec. 5)

##### *Pilot program for juvenile gun offenders in Hennepin County*

Effective July 1, 1997, juveniles in Hennepin County who are convicted of illegal gun possession may be sentenced to a county correctional facility for at least 30 days. Twenty-three of those days could be stayed, however, if the juvenile successfully completes a 40-hour course on gun education. (Art. 2, Sec. 7)

#### Stiffer criminal penalties

The law makes more than 30 changes to crime-fighting laws. Some details follow:

- Effective Aug. 1, 1997, certain misdemeanor crimes, including prostitution, tampering with a motor vehicle, damage to property, and some weapons and controlled substance crimes, become gross misdemeanors if the offender has a history of committing such crimes. The measure is an effort to clean up neighborhoods plagued by petty crime and drug dealing. In that same interest, complaining witnesses to the crimes will be kept apprised of the outcomes of the cases. (Art. 3, Sec. 9)
- The elderly and disabled get more protection against con artists. The new provision, effective Aug. 1, 1997, makes it a gross misdemeanor to commit certain types of consumer fraud against those individuals. (Art. 3, Sec. 12)
- A new provision, effective Aug. 1, 1997, increases from a gross misdemeanor to a three-year felony the crime of fleeing a police officer while in a motor vehicle. (Art. 3, Sec. 13)
- This year, a loophole was discovered in the law regarding harboring a fugitive: It didn't cover the abettor if the fugitive happened

to be on probation. The new law makes it clear that you can't harbor fugitives from the law — probationers or otherwise, effective Aug. 1, 1997. (Art. 3, Sec. 14)

- Crime costs individuals and society in uncounted ways: lost possessions, decreased property values, high-cost security systems, high insurance premiums, neighborhood degeneration, and a loss of a personal sense of security. The law asks the legislative auditor to study the direct and indirect costs of crime on the state and local communities. The study would include the costs of "responding to, prosecuting, and punishing criminal offenders, but also the indirect economic and social costs" of crime. If the legislative auditor conducts the study, a report will be due to the Legislature by February 1998. (Art. 3, Sec. 24)
- Under the law, anyone who uses or attempts to use deadly force against a peace officer or a corrections employee may be sent to prison for up to 20 years and assessed a \$30,000 fine. The offender has to serve a minimum of 10 years. (Art. 3, Sec. 10)
- Effective Aug. 1, 1997, anyone on parole or probation who moves to Minnesota without permission from the Department of Corrections can be charged with a felony and face up to five years in prison and a \$10,000 fine. (Art. 9, Sec. 19)
- Stop, look, and listen for sirens. A new provision, effective Aug. 1, 1997, allows police to arrest drivers who fail to yield to emergency vehicles — up to four hours after the fact. (Art. 3, Sec. 1)

**Sex offenders**

- The law requires the Department of Corrections and federal governmental agencies to develop a plan to require sex offenders leaving federal prisons to register under the Community Notification Act. The current law covers offenders leaving correctional facilities and half-way houses other than those in the federal system. (Art. 5, Sec. 12)
- Young people get greater protection against window peeping and other invasions of privacy. Previous law makes it a misdemeanor to surreptitiously gaze, stare, or peep in the window of a place "where reasonable persons will have an expectation of privacy." Under the law, effective Aug. 1, 1997, if the victim is under the age of 16, the crime is a gross misdemeanor, punishable by up to a year in jail and a \$3,000 fine. (Art. 5, Sec. 11)
- Effective Aug. 1, 1997, a court can extend a



A memorial was created in the snow outside the Richfield home of Desi Irving, 3, who was killed by her mother last February. The new crime law contains a provision that aims to prevent children in state custody from being returned to extremely violent or dangerous homes.

sex offender's probation period if it finds that the defendant has failed to complete court-ordered treatment and is not likely to before the probation term expires. (Art. 5, Sec. 8)

**Crime victims**

Alex and Brandon Frank were two Minnesota boys, aged four and five, murdered by their father in July 1996. The crime occurred while their parents were in the process of divorcing. Some feel the system failed to respond to warning signs that could have helped prevent the tragedy.

Effective Aug. 1, 1997, the new law tightens rules regarding visitation when a restraining order has been filed against a parent.

A petition for marriage dissolution will have to state whether a restraining order is in effect. If so, and a petitioner requests it, a judge will have to consider the restraining order before making a decision regarding visitation. In deciding custody issues, the judge will have to consider any finding of domestic abuse.

The act also awards grants, effective July 1, 1997, to create or maintain a family visitation center to safely facilitate visitation decisions. (Art. 7, Secs. 8, 40)

**Victims of juveniles**

The law creates an exception to the rule that all information regarding juvenile court matters is closed to the public. People who are victimized by youthful offenders, effective Aug. 1, 1997, are allowed to learn the

offender's name upon request. The names will not be released, however, if the request appears motivated by a desire to engage in unlawful activities. (Art. 7, Sec. 4)

**Confidentiality**

With court permission, prosecutors can opt to withhold information from defendants pertaining to a victim's home or work addresses for the sake of victim safety, effective Aug. 1, 1997. (Art. 7, Sec. 20)

**Keeping victims posted**

The law requires prosecuting authorities to release certain investigative data to victims, upon written request. (Art. 7, Sec. 5)

Courts must notify victims if an offender's sentence for a felony, violent crime, or attempted violent crime might be modified. (Art. 7, Sec. 22)

Both provisions take effect Aug. 1, 1997.

**Restorative Justice**

Local units of government, effective July 1, 1997, can provide forums where an offender could meet with the victim, the victim's family, and others related to the case to discuss the impact of the offense on the victim and community, assign an appropriate sanction, and provide methods for reintegrating the offender into the community. (Art. 2, Sec. 11)

### *Inmate employment, access to computers*

Earlier this year the public learned that an inmate with a history of sex offenses was keeping a list of names of Minnesota children. The list may have been compiled and disseminated through access to the Internet.

Prisoners use computers for work and educational purposes. Under a new provision, effective July 1, 1997, adequate security must be provided by the facility for inmates' computer use.

Access to the Internet can be prohibited except for work, educational, and vocational purposes. Regular monitoring of inmate computer use will be required.

A related provision could restrict access by probationers and parolees to the Internet and other computer services. (Art. 9, Secs. 18, 23)

### Harassing, stalking, sentencing

A new law strengthens the state's anti-stalking law and toughens penalties for those violating orders for protection and harassment restraining orders.

The law defines harassing or stalking behavior, effective May 7, 1997, as intentional conduct that the offender knows or has reason to know would cause the victim to feel frightened, threatened, oppressed, persecuted, or intimidated. Importantly, the law states that prosecutors are not required to prove that the offender intended to cause those reactions in the victim, only that the offender knew or should have known that the conduct would cause the reactions and that the victim did, in fact, experience them.

In the event a dangerous weapon is used

during a harassment or stalking crime, the offense would be punished by a mandatory prison sentence, as of Aug. 1, 1997. If the weapon is a firearm, a three-year penalty applies for the first offense, and a five-year penalty applies to subsequent offenses; if another dangerous weapon is used, a one-year penalty applies to the first offense, and a three-year penalty applies to subsequent offenses.

The changes were necessary given a recent Minnesota Supreme Court ruling that weakened the original stalking law.

The new law also creates felony penalties, effective Aug. 1, 1997, for violating an order for protection or a harassment restraining order under certain circumstances. Such cases include a third or subsequent violation that occurs during the period between the first of two or more prior convictions and the end of five years following discharge from sentence for that first conviction. A felony penalty also applies if the offender possessed a dangerous weapon during the offense.

Other violations of restraining orders will draw the felony penalty if the act is motivated by race, religion, sex, sexual orientation, disability, age or national origin; if the offender intends to interfere with a judicial proceeding or retaliate against an official involved in a case; if the victim is a minor and the offender is at least three years older; or if the offender falsely impersonates another.

Under the law, offenders could be sentenced to a maximum of five years in prison and a \$10,000 fine. A minimum of 30 days in jail and counseling will be mandated for felony violations of an order for protection

in cases where the court stays the sentence as a condition of probation.

Finally, effective May 7, 1997, the law clarifies that an offender may not waive the right to be sentenced under the state's sentencing guidelines. The provision is a result of the Minnesota Supreme Court's ruling in *State v. Givens*, and is intended to promote consistency and predictability in judicial sentencing.

In the *Givens* case, the defendant agreed to accept probation instead of incarceration for a purse-snatching offense. However, under the conditions of the agreement, if he violated probation, he would serve double the jail time recommended under the guidelines. The offender later violated probation and appealed the sentence.

The law makes it clear that while the guidelines are advisory to the courts, they are not rights that a defendant can waive.

The law also states that if a defendant agrees to be sentenced outside the guidelines and is given a stayed sentence, he or she may not appeal the sentence after 90 days or after committing an act that could result in revocation of the stay of sentence, whichever is first.

The measure was sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Ember Junge (DFL-New Hope).

HF5\*/SF32/CH96

### Inmates to share cells

Inmates at the planned Rush City prison will share cells under a new law that changes the original design of the facility.

The law repeals part of a state statute that requires inmates to be placed in separate cells.

The new measure also reverses an earlier requirement that the Rush City prison be designed with mostly single-occupancy units. The law now requires the opposite — that the new facility provide multiple-occupancy cells "to the greatest extent possible."

The law now allows level four prisoners to share cells. (The most dangerous offenders are designated level six; the least dangerous, level one.) The result is that three-quarters of the cells at the Rush City facility will be double-bunked.

The construction plans were revised so that the prison could be built within the \$89 million in bonds authorized by the Legislature in 1996. Department of Corrections officials have said that they can manage security in the double-bunked facility.



A new state law bolsters anti-stalking provisions already on the books. Changes were necessary after a Minnesota Supreme Court ruling weakened the original stalking law.

The new plan calls for three residential wings with 136 double-occupancy cells in each, and one wing with 136 single-occupancy units. The double-occupancy cells will measure 84.2 square feet. The new design increases the facility's capacity to 952 inmates, up from 800 in early design plans.

The earlier plan had called for construction of six residential wings made up of single-occupancy cells. The two wings not included in the new plans could be added later if needed.

The measure, sponsored by Rep. Mary Murphy (DFL-Hermantown), and Sen. Randy Kelly (DFL-St. Paul), became effective June 3, 1997.

HF268\*/SF179/CH238

### Closing public nuisances

A new state law will provide a new tool to combat businesses such as saunas and "health clubs" that serve as fronts for prostitution and other illegal activities.

The law will make any violation by a commercial enterprise of a local business regulation ordinance or similar state measure count toward being declared a public nuisance.

Under existing law, a county attorney may shut down a business guilty of being a public nuisance. A business, rental property, or household can be declared a public nuisance after two violations from a list of illegal activities within a 12-month period.

Currently, that list of nuisance activities includes prostitution, gambling, illegal drug possession or use, and a variety of other unsavory acts.

The impetus for the new measure came from the Minneapolis officials and neighborhood groups in that city, according to Rep. Linda Wejman (DFL-Mpls), who sponsored the measure in the House.

Adding violations of city business ordinances to the list of acts that can constitute a public nuisance will be a useful tool in efforts to crack down on businesses that operate outside the law, according to Wejman.

Under the new law, a violation taking place before Aug. 1, 1997, may count as the first of two violations needed to constitute a public nuisance. Otherwise, the new law applies to acts occurring on or after that date.

Sen. Linda Berglin sponsored the measure in the Senate.

HF932/SF536\*/CH122

**DWI laws stiffened**  
(See DWI, page 20)

**Background checks**  
(See Education, page 24)

**Welfare reform:  
Drug offenses**  
(See Human Services, page 46)

**Lower Sioux police**  
(See Law, page 50)

**Silencers on police guns**  
(See Bills in Limbo, page 72)



## DEVELOPMENT

### Economic development, housing

A new \$411.5 million omnibus economic development and housing finance package sets aside money for job creation, tourism, trade, and a variety of housing assistance programs.

For economic development, the measure includes money for a diverse group of state agencies, from the Department of Trade and Economic Development to the Department of Economic Security.

For housing, it appropriates money to aid the homeless, disabled, and first-time home buyers through programs administered by the Minnesota Housing Finance Agency. (See Housing, page 41)

Among the provisions is \$6.5 million to help Minnesota's welfare families train for jobs. Federal law now requires families to work to receive public assistance.

Minnesota's film industry also will get a \$1 million boost. The money will go to the Minnesota Film Board to establish a film production jobs program. It will pay producers of long-form and narrative films who directly create new film jobs in Minnesota. The Department of Trade and Economic Development will oversee and authorize the payments. (Art. 1, Sec. 2, Subd. 4)

Below is a listing of other provisions in the law, sponsored by Rep. Mike Jaros (DFL-Duluth) and Sen. Tracy Beckman (DFL-Bricelyn). All are effective July 1, 1997.

HF2158\*/SF1909/CH200

#### Youth program

A total of \$6 million goes to the Minnesota Youth Program, which provides services year-round for young people between the ages of 14 and 21. That dollar figure is above the state base funding of about \$6 million. Participants receive education, skills training, and other support services on an individual basis. Services provided include academic enrich-

ment designed to improve the reading and math skills. (Art. 1, Sec. 5, Subd. 4)

#### Rural resource center

A \$2.5 million amount goes to Mankato State University to establish a rural policy and development center to research issues affecting rural Minnesota, encourage collaboration between higher education institutions to help with problem solving, and provide a resource center for rural communities. (Art. 1, Sec. 51)

#### Historical celebrations

Some \$300,000 goes to the Minnesota Historical Society to distribute locally for Minnesota's territorial sesquicentennial and millennium celebrations.

Another \$3.9 million will help the agency enter the next millennium with the proper technological tools. The appropriation is for technology that will "improve service and program delivery." (Art. 1, Sec. 18)

#### Helping hand

A \$250,000 appropriation goes to Ramsey County to expand the Sister-to-Sister mentoring program, which pairs up former welfare mothers with women currently on welfare to help them move off public assistance. The county is required to match the money. (Art. 1, Sec. 5, Subd. 4)

#### Memorials and museums

A total of \$100,000 is marked for the friends of the Iron Range Interpretive Center for a memorial to the late Gov. Rudy Perpich. A planning grant for \$50,000 funds the early stages of a Hubert H. Humphrey museum to be located in Waverly, Minn. And \$25,000 goes to study the feasibility of a state museum housing fishing-related artifacts, equipment, and memorabilia. The Minnesota Historical Society must present study recommendations to the Legislature. (Art. 1, Sec. 18)

Another \$500,000 will help fund a proposed LeRoy Neiman museum of art in St. Paul. A dollar-for-dollar match from other sources is required. Neiman, a well-known painter noted for his art related to sports, is a native of St. Paul. (Art. 1, Sec. 2, Subd. 4)

### Community-based planning

Effective May 31, 1997, a new law allows Minnesota communities to change the way they approach land-use planning.

Under the legislation, communities are encouraged to work together and prepare

comprehensive plans for land use and development that address certain goals.

The measure contains elements of HF217, sponsored by Rep. Joe Opatz (DFL-St. Cloud), and HF1000, carried by Rep. Dee Long (DFL-Mpls), and establishes 11 goals for community-based planning.

Cities, counties, and towns can act individually, or they can establish joint planning districts that would control development decisions, such as zoning and subdivision regulation, and oversee the development process by assembling a long-range blueprint for growth.

The state Office of Strategic and Long-Range Planning will review land-use plans. Any community that elects to form the joint planning district will have to agree to the requirements defined in the law, including:

- submission of a comprehensive plan to the office for approval;
- periodic reviews and updates of those plans; and
- a provision allowing adjacent governments — including the Metropolitan Council — to review and comment on any growth plans.

The newly created Advisory Council on Community-Based Planning will play a key role in the process, by providing a forum for discussion and developing a framework “for community-based planning and the incentives and tools to implement the plans.”

The 18-member board, composed of eight lawmakers, the director of the strategic planning office, and nine members of the public, will hold statewide meetings, encourage citizen involvement, and develop strategies for coordinating growth plans. It also will develop legislation for the 1998 session which includes a method of implementing growth plans. (Art. 4, Secs. 1-12)

A grant of \$350,000 the first year of the biennium is available to a joint powers board in the St. Cloud area for a community planning pilot project. Three additional grants of \$50,000 await additional counties or boards willing to participate in a planning pilot project.

Under the law, known as the Community-based Planning Act, local governments can receive technical and financial assistance administered through the planning office to help defray the expenses associated with community-based planning. The law includes \$375,000 for planning grants and \$375,000 for technology grants. (Art. 1, Sec. 11)

The law also creates an alternative dispute resolution process that would allow commu-

nities to address any conflicts that might arise out of the planning process. (Art. 6)

The provisions were incorporated into the omnibus state government finance proposal. Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury) sponsored the proposal.

HFnone/SF1905\*/CH202

**Omnibus tax law:  
Tax Increment Financing**  
(See Taxes, page 55)

**Bigger convention center**  
(See Bills in Limbo, page 72)

 **DWI**

**DWI laws stiffened**

Operators of boats, snowmobiles, and other off-road vehicles will be subject to the same DWI laws that apply to automobile drivers under a new state law that includes many changes to crack down on drunken drivers.

Gov. Arne Carlson vetoed a similar bill in early June because he objected to a provision that would have reduced the blood-alcohol limit for drivers under age 19 to 0.04 percent, instead of the 0.10 percent limit that applies to other drivers. (See Vetoed Bills, page 65)

When lawmakers returned for the 1997 First Special Session June 26, they passed a DWI measure without the 0.04 percent pro-

vision for young drivers. The governor signed the proposal.

The new law includes tougher penalties for drunken drivers, especially repeat offenders and those caught with a blood-alcohol level of twice the legal limit. The law also includes tough new mandatory jail terms for multiple offenders.

In 1996, law enforcement officers in Minnesota made 38,900 DWI arrests, up from 33,355 the year before, according to the Department of Public Safety. Alcohol-related crashes claimed the lives of 201 people in Minnesota last year, down from 246 the previous year.

Last winter, 32 people were killed in snowmobile accidents — many of them alcohol related — across the state. The rash of deaths prompted legislative efforts to clamp down on the drunken operation of snowmobiles and other recreational vehicles.

The new law offers stiffer penalties for DWI offenses in an effort to deter people from operating any motor vehicle while under the influence of alcohol. All of the provisions detailed below are effective Jan. 1, 1998.

Drivers of snowmobiles, motor boats, and other off-road recreational vehicles such as all-terrain vehicles will be subject to DWI laws that apply to automobile drivers. Most sanctions, including the loss of a driver's license, will apply only to repeat offenders.

All offenders will continue to be subject to a misdemeanor penalty and loss of operating privileges pertaining to that recreational ve-



A new state law applies tougher penalties to drunken drivers, especially repeat offenders and those caught with a blood-alcohol level of twice the legal limit. The law also makes operators of boats, snowmobiles, and other off-road vehicles subject to the same DWI laws that apply to automobile drivers.

hicle after a first offense, in accordance with current law.

Penalties for drunken-driving of a snowmobile, boat, or automobile will be cumulative. That means a person who has been caught for the first time operating a snowmobile while drunk would have it count as a second offense if he or she has an earlier conviction of driving an automobile while intoxicated. (Secs. 1-6, 28)

The new measure was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Leo Foley (DFL-Anoka).

Here are other highlights of the new law.

- The application of plate impoundment and vehicle forfeiture penalties will be advanced by one offense. Currently, a third DWI offense results in license-plate impoundment and a fourth brings vehicle forfeiture. The new law will bring license-plate impoundment after a second offense and vehicle forfeiture after a third. However, a driver caught with a blood-alcohol content of 0.20 percent (twice the legal limit) or higher will face license-plate impoundment on a first offense and vehicle forfeiture on a second.

Current plate impoundment law permits the issuance of a special license plate for a vehicle if there is another person in the household who is licensed to drive. The new law authorizes peace officers to stop any vehicle bearing the special plates to determine whether the driver is, in fact, a licensed driver. The new law also creates a \$25 fee to get regular plates reissued following the impoundment period.

Under current law, vehicle forfeiture occurs in a judicial process following conviction for the qualifying DWI offense. The new law creates a streamlined administrative process for forfeiture and permits it to be triggered earlier, by the arrest for the offense, unless the person requests within 30 days a judicial review. (Secs. 14-20, 43)

- Other provisions provide further penalties for those caught driving with a blood-alcohol level at least twice the legal limit. A first offense for a driver caught with a blood-alcohol level of 0.20 percent or more will be a gross misdemeanor, subject to a minimum sentence of 30 days incarceration (with work release); 48 hours consecutive incarceration; or 80 hours of community service. (Currently, a first DWI offense is a misdemeanor; the second offense is a gross misdemeanor.) The period of driver's license revocation will double for those caught at or above 0.20 percent.

And such violators could face a penalty assessment of up to \$1,000, in addition to the criminal fine of up to \$3,000 for the offense. (Secs. 30, 36, 37)

- Mandatory criminal penalties will be increased for multiple offenders. A third DWI offense will result in a minimum 90-day jail sentence, with at least 30 days served. A fourth will mean a minimum 180-day sentence with at least 30 days served. A fifth or greater offense will mean a one-year sentence with at least 60 days served. In all three cases, the remainder of any sentence not served in jail will have to be finished on home detention using electronic monitoring or under an intensive probation program, during which no alcohol consumption is permitted. The law provides for a greatly increased use of the high-tech monitoring, which enables law enforcers to obtain breath test results through the telephone. (Sec. 34)
- Repeat DWI offenders could face a new level of DWI crime called an enhanced gross misdemeanor. The new classification would be imposed for a third offense within 10 years, or a second offense if it involves a blood-alcohol level of 0.20 percent or more. The enhanced gross misdemeanor would carry a maximum penalty of two years in jail and a \$3,000 fine. (Sec. 30)
- Most repeat offenders awaiting trial could not be released from detention unless they agree to abstain from alcohol and submit to electronic alcohol monitoring. Such monitoring also could be used as part of a sentence following conviction. People with two or more convictions within five years (or three or more within 10 years) will participate in monitoring in addition to other probation or sentencing conditions. The offender may be required to pay the cost of the monitoring. (Sec. 27)
- The new law also will apply a "not a drop" standard to school bus drivers. That means a bus driver or Head Start driver could lose his or her license if caught with any alcohol in his or her system while driving a bus. Currently, bus drivers are subject to a 0.04 percent blood-alcohol level. (Sec. 40)
- Finally, the law directs the commissioner of public safety to undertake a public awareness campaign to educate the public on the license plate impoundment and vehicle forfeiture laws. (Sec. 66)

1997 First Special Session: HFnone/SF1\*/CH2

### Underage limit unchanged

(See Vetoed Bills, page 65)



## EDUCATION

### Education and tax credits

A new education law will provide \$6.7 billion in state aid for education, lengthen the school year for all public schools, and provide parents with increased tax deductions for education expenses.

The new law, which increases Minnesota's spending on education by nearly 15 percent during the next two years, is the main product of the 1997 First Special Session held June 26.

Gov. Arne Carlson vetoed the K-12 spending bill approved by legislators during the regular 1997 session because it did not include increased tax deductions and tax credits for education expenses such as tutoring, computer hardware or software purchases, or private school tuition. (See Vetoed Bills, page 65)

The new education law, which was approved after a month-long stalemate, is a compromise worked out between the governor and legislative leaders in the waning hours before the First Special Session was set to begin.

Parents who send their children to private schools will see the state's existing tax deduction for such expenses more than double under the new law. And low- and moderate-income families will be able to take advantage of a new tax credit for education expenses, excluding private school tuition.

The omnibus K-12 finance measure will spend about \$300 million more than Carlson initially proposed for the 1998-1999 biennium. Many of the governor's major education initiatives — including portions of his plans to allow more charter schools in the state and to set up new laboratory schools — are included in the law.

And the new measure includes provisions that will provide funds to assist struggling students to meet the state's new graduation standards, improve school bus safety, and pump money into improving technology in schools.

The measure was sponsored by Rep. Becky Kelso (DFL-Shakopee) and Sen. Larry Pogemiller (DFL-Mpls).

1997 First Special Session: HF1\*/SF8/CH4

### Tax deductions and credits

The compromise agreement on tax credits and deductions for education contains three significant changes.



A new K-12 education funding law provides a 15 percent increase in state spending on education during the next two years and adds three days to the school year for all Minnesota public school students.

First, the new law will more than double the state's existing tax deduction for education expenses. It will increase from \$650 to \$1,625 for students in kindergarten through sixth grade and from \$1,000 to \$2,500 for students in grades seven through 12. The deduction can be taken for costs including private school tuition, tutoring, and transportation expenses. The new law also adds education summer camps and computer hardware or software purchases to the list of deductible expenses. (The deduction is capped at \$200 per family for computer hardware and software expenses.)

Secondly, the new law will allow families with an annual household income of less than \$33,500 to take advantage of a new tax credit of \$1,000 per child or a maximum of \$2,000 per family. The tax credit allows qualifying families to be repaid for qualifying education expenses. The credit can be used for all the items that qualify for the education tax deduction except for private school tuition.

Finally, the new law will expand the state's working-family tax credit for families with children up to age 24 who are enrolled in school. Under current law, the maximum credit for a family with two or more children is \$548. The new law hikes the maximum for such families to \$914. The credit for families with one child will increase from \$332 to \$553.

The changes in tax deductions and new tax credits are effective beginning in 1998, as long as the state's November 1997 economic forecast shows enough surplus revenue will be available in state coffers. (Art. 13, Secs. 1-3)

#### Formula increases

Effective July 1, 1997, a total of \$5.2 billion is devoted to general education funding for school districts during the two-year budget cycle.

The law provides increases in the per-pupil funding districts receive for each year of the biennium. In fiscal year 1997, school districts received \$3,505 per pupil. The new law adds \$76 in 1998, bringing the sum to \$3,581. (Per-pupil funds are distributed according to "weighted" attendance counts, which provide more revenue for secondary students than for elementary students.)

In 1999, another \$79 will be added, and other changes will impact the general education funding formula during that year. Funds for teacher training that are now included in the formula will be placed into a separate account. The result is that the per-pupil amount will dip to \$3,530 in 1999, but districts will show a net gain in the dollars they receive. (Art. 1, Sec. 37)

#### Hardware, hard cash

Effective July 1, 1997, \$89.5 million is devoted to improving technology in schools and public libraries statewide.

That includes \$25 million for one-time payments to help school districts pursue improvements in technology. The \$25 million is to be distributed to districts on a per-pupil basis.

Another \$23 million for telecommunications access grants is available to help school districts and regional public libraries connect to the Internet.

Also, the law includes \$14 million for a competitive grant program to spur site-based efforts to enhance teaching and student achievement through the use of technology. Districts will have to provide matching funds to receive a share of the grant dollars. (Art. 9, Secs. 4, 12)

#### More time in school

Starting with the 1998-1999 school year, all public school students in Minnesota will spend three additional days in the classroom.

State law sets no minimum for the number of days in a school year, but most districts schedule about 175 days of instruction.

The law requires each district to add three days to the total number of instruction days the district formally adopted for its school calendar at the beginning of the 1996-1997 school year. No additional funding will be provided to districts for the three extra days of classes.

Most districts already contract with teachers for more than 180 days. The law simply requires that more of those days be used for classroom instruction, leaving fewer days available for training and other activities. (Art. 6, Sec. 3)

#### Help for at-risk kids

The new law targets new levels of aid for at-risk students. The law includes a \$100 million increase in compensatory revenue, which is distributed to schools according to the number of low-income students they serve.

Effective July 1, 1997, a two-year total of \$360 million in compensatory revenue goes to school sites based on a formula that considers the number of students at the school who receive free or reduced-price lunches.

The increase in compensatory revenue is touted as a way to assist students who have failed or are likely to fail the state's basic skills tests required for high school graduation.

In 1996, the state began giving basic skills tests in reading and math to eighth grade students, who must pass the tests before they are eligible to graduate from high school.

Eighth graders given the test in January 1997 experienced high rates of failure, with 41 percent failing in reading and 30 percent failing math. Results in 1996 were similarly disappointing.

The law stipulates that the funds can be used for additional hours in the classroom — whether through a longer school day, week, or year — for at-risk students.

The list of other activities for which the increased compensatory revenue can be used



includes remedial instruction, tutoring, teacher training, and materials and technology needed to meet the needs of individual students.

Decisions about how to spend the compensatory revenue are to be made at the site level. (Art. 1, Secs. 12, 51, 52)

### School choices

School choices available to students and parents will be expanded by a variety of changes in the law, including provisions that will increase the number of charter schools in the state and allow for new laboratory schools.

Effective July 1, 1997, a provision in current state law capping the number of charter schools allowed in Minnesota at 40 is repealed, and private colleges are added to the list of institutions — including school districts and public universities — that can sponsor a charter school.

The law provides \$2.6 million in building lease aid for charter schools and \$1.5 million for start-up grants to be used to create new charter schools or to convert existing schools to charter-school status.

The law also provides \$2.5 million for the establishment of laboratory schools, which will operate under the auspices of postsecondary institutions and aim to foster innovative teaching techniques.

Grant funding for laboratory schools is to be available to public or private postsecondary institutions. (Art. 5, Secs. 5, 13, 23, 28)

### Statewide testing

Effective July 1, 1997, \$5 million is devoted to implementing a statewide testing system designed to measure educational outcomes and foster accountability in public education.

Separate laws passed by the 1997 Legislature require a system of uniform, statewide testing (HF1\*/SF3/CH1) and set the framework for such testing to begin during the 1997-1998 school year (HF2179\*/SF1934/CH138).

Statewide testing has been touted by supporters as a way to increase accountability in public schools by providing a reliable measure of student and school performance that can be compared to results from other districts and states.

The omnibus K-12 funding law simply provides the funds to implement the testing mandated in separate measures. (Art. 5, Sec. 28)

### Breakfast at school

Beginning July 1, 1997, \$500,000 is available for a pilot program testing the benefits of providing breakfast to students at designated elementary schools, regardless of the students' economic status.

Supporters touted the breakfast program as a way to improve student learning, believing that students who come to school hungry are unable to concentrate on learning.

Supporters of the new program raised concerns about the benefits of programs that provide breakfast only to poor students because the stigma attached to participating in such programs may keep many children away.

The new law requires schools receiving grant funding to make breakfast available to all students every school day. However, only schools with at least 33 percent of students on free and reduced-price lunch programs are eligible for grant funding.

### Stopping hazing

Effective Jan. 1, 1998, a provision in the new law requires school districts to establish policies aimed at preventing hazing among students.

During the 1997 session, a Roseville mother and her daughter urged lawmakers to take action to deter hazing. The daughter was a victim of hazing while a student at Roseville Area High School. She told legislators the event was traumatic and dangerous.

The girl claims the school did too little to prevent the hazing before it took place and did not respond appropriately when she reported it afterwards.

Under the new law, the Department of Children, Families and Learning will be required to develop a model anti-hazing policy to be made available to districts. Local school boards will have to adopt a written anti-hazing policy.

District anti-hazing policies will apply to student behavior on and off school grounds and during and after school hours. The policies must include disciplinary procedures severe enough to deter students from participating in hazing. Each district must include its anti-hazing policy in the student handbook. (Art. 7, Sec. 35)

### Dropping out

The law includes a provision that alters the state's compulsory attendance law.

The state has long required anyone age 7 to 16 to be enrolled in school, but existing state law includes a change set to take effect for the 2000-2001 school year that would expand

compulsory attendance to include everyone age 7 to 18.

The new law eliminates the planned increase in the compulsory instruction age to 18.

Effective July 1, 1997, a provision in the new law establishes a process that allows students ages 17 and older to withdraw from school as long as they follow procedures designed to inform them of other available educational opportunities.

The student and his or her parent or guardian are required to meet with school personnel to discuss options such as alternative secondary programs, charter schools, and schools in other districts.

If the student does not elect to continue in an alternative setting, the student and his or her parent or guardian are required to sign a statement confirming the student's decision to drop out. (Art. 6, Secs. 1, 2, 7)

### Dial-a-teacher

Effective July 1, 1997, \$200,000 is available to keep homework hotline services up and running in Minnesota.

The Minnesota Homework Helpline, which faced a financial crisis in early 1997, and its metropolitan-area equivalent will be partially supported by state revenue.

The Homework Helpline is a statewide service allowing students toll-free access to teachers who can provide assistance on a wide range of academic topics.

The service faced a financial crisis earlier this year and was just days away from shutting down when Target Stores stepped in to provide \$58,000 to keep the help line going through the 1996-97 school year.

The \$200,000 will support the Homework Helpline and the Metro Hotline for Homework, a separate service that assists students via the telephone or other interactive technology. The new law requires each dollar in state funding to be matched with two dollars in local or private contributions. (Art. 5, Sec. 28)

### School bus ads

Effective July 1, 1997, a provision in the new law allows advertising on the exterior of school buses.

The law stipulates that advertising can be sold only if the plan wins the approval of the state's school bus safety advisory committee. The law also establishes limits on the type of advertising that will be accepted, forbidding advertising for tobacco or alcohol products, advertising that is discriminatory in nature

or content, false or misleading ads, and other undesirable material. (Art 12, Sec. 1)

Sales of advertising on school buses is expected to raise \$2.5 million annually.

### Internet pornography

Lawmakers considered a plan to require schools to use blocking software to shield children from obscene material on the Internet, but the new education law does not go that far.

Critics of the plan to mandate the blocking software claim the technology is imperfect and that it denies Internet users access to useful information.

For example, software designed to block sites related to sex can be effective in denying access to pornography, but it also can block sites related to sexual harassment, sexual discrimination, and other legitimate research topics, according to critics of the proposal, sponsored by Rep. Charlie Weaver (R-Anoka).

Effective July 1, 1997, the Department of Children, Families and Learning is required to develop a model policy for Internet access and use. The law calls for the model policy to consider "appropriate access and usage of the Internet" to maximize its "educational benefits." (Art. 9, Sec. 5)

### Background checks

A new state law, effective May 7, 1997, changes some of the requirements for state-mandated criminal background checks on potential school district employees.

State law has for several years required criminal background checks for individuals seeking an initial license from the State Board of Teaching. A 1995 law expanded the scope of background check requirements by mandating such checks be conducted on all individuals to whom school districts offer employment.

The 1996 Legislature passed a measure requiring the formation of an 18-member working group to consider ways to make the new background check requirements more efficient for schools and job applicants.

The new law includes the working group's recommendations for changes to avoid duplication when conducting background checks and to ensure background checks effectively identify those applicants with a troubling criminal history.

For example, the new law changes the way checks are conducted on job applicants from outside Minnesota.

In the past, background checks were con-

ducted solely through the Minnesota Bureau of Criminal Apprehension (MBCA). The new law requires that nonresident job applicants be checked by the MBCA or similar agency in their home state or through the Federal Bureau of Investigation.

The new law also allows school districts to avoid unnecessary duplication. If an applicant has undergone a background check to receive an initial state license within the previous year, districts no longer must require a new background check.

Also, school districts can use the results of a background check conducted by another school district within the previous year rather than requiring a new check, under the new law.

Another provision may make it more convenient for job applicants to pay for a background check. In the past, applicants were required to pay the MBCA for conducting a check. The new law allows school districts to accept payment from job applicants, and allows districts to pay the MBCA directly.

The law also allows school districts — at their discretion — to conduct background checks on volunteers or independent contractors who enter school grounds.

Rep. Harry Mares (R-White Bear Lake) and Sen. Randy Kelly (DFL-St. Paul) sponsored the measure.

HF1029/SF950\*/CH99

### Spending caps removed

The first new law produced during the 1997 session removed statutory caps on education spending and requires uniform statewide testing of public school students.

The law lifted a provision approved by lawmakers in 1995 that called for a \$337 million cut in state aid to school districts during the next two years.

Considered a top priority at the start of the legislative session, the proposal to remove the spending caps won broad, bipartisan support.

Statewide testing was initially linked to the spending caps proposal through an amendment approved on the Senate floor. The legislation that the House originally passed did not include any such language.

The eventual result was legislation to do three things: repeal the caps on education funding, repeal existing law prohibiting use of a single statewide test, and require uniform standardized testing of all Minnesota students.

Supporters of statewide testing tout it as a way to increase accountability in public schools by providing a reliable measurement of student and school performance that can be compared to results from other schools and districts.

The specifics on how statewide testing will work are not included in the new law. A special House-Senate committee was created to devise separate legislation (HF2179\*/SF1934/CH138) prescribing how statewide testing is to be implemented.

The repeal of the funding caps was effective Feb. 15. Statewide testing will be required beginning with the 1997-1998 school year.

The legislation was sponsored by Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. Keith Langseth (DFL-Glyndon).

HF1\*/SF3/CH1

### Statewide testing

A new law requires uniform, statewide testing of virtually all Minnesota public school students.

The law, effective May 13, 1997, requires uniform statewide testing of third, fifth, and eighth graders beginning in the 1997-1998 school year and a new form of assessment of high school students beginning no later than the 1999-2000 school year.

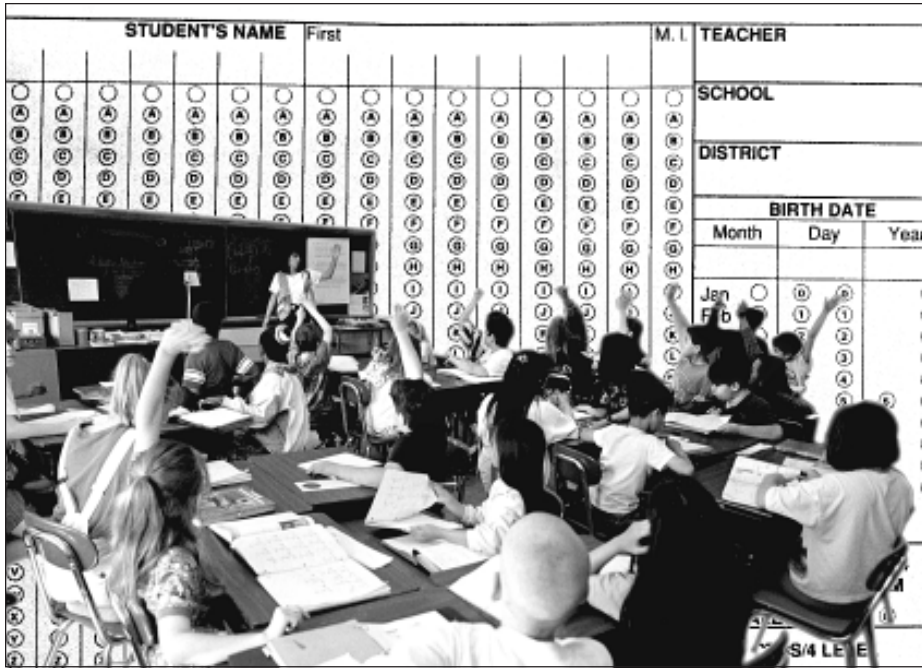
Rep. Joe Opatz (DFL-St. Cloud), who sponsored the measure in the House, said the tests will be an integral part of the state's move toward an education system that demands that schools and students be more accountable for education results.

Statewide testing had been a controversial issue at the Capitol in years past, but this year it drew bipartisan support. Proponents claim such testing would provide a reliable means for comparing the performance of schools and districts.

The first law passed during the 1997 session (HF1\*/SF3/CH1) mandated that statewide testing would begin during the 1997-1998 school year. This law prescribes how that testing system will work.

Under the law, the basic skills tests in reading and math — already required under the state's graduation rule and first given to students in the eighth grade — will count as the statewide tests for that age group.

Third and fifth graders will be given tests selected by the Department of Children, Families and Learning. The department can use a test it has developed or a nationally recognized test such as the California Achieve-



A new law will require uniform, statewide testing of third, fifth, and eighth graders beginning in the 1997-1998 school year and a new method of assessing students at the high school level beginning no later than the 1999-2000 school year.

ment Test or the Iowa Test of Basic Skills. Any test used in the statewide testing system will have to be aligned with the state's graduation standards.

The new law also asks districts to assess the performance of students at the secondary level according to the standards within the Profile of Learning, a state-developed system that measures overall student performance, and a part of the newly developed graduation standards.

The law calls for assessment of secondary students beginning in the 1999-2000 school year, but leaves the choice of testing instruments and processes to the commissioner of the Department of Children, Families and Learning.

The commissioner must report to the Legislature in 1998 on plans for assessment of high school students.

The law allows only narrow exceptions to the statewide testing requirements. For example, students who are new to this country and are not proficient in English will be exempt.

Another provision in the law requires that the 1997-1998 test results from each school and each district be used to establish a baseline against which future performance could be measured.

Test results will be reported to the public in three forms: a raw number representing the mean score for each school and district, a mean score of all students except those who

are new to a school or district, and a mean score of all students except those receiving limited English proficiency instruction.

The results released to the public also will include the number of students eligible for free and reduced-price lunch programs, the number of special education students, and the number of students with limited English proficiency at each site.

Sen. Larry Pogemiller (DFL-Mpls) sponsored the measure in the Senate.

HF2179\*/SF1934/CH138

### Calling schools long distance

A new law effective April 29, 1997, makes it easier for rural communities to eliminate expensive long-distance costs within school districts.

The trend of consolidating rural school districts has resulted in at least one unforeseen problem. By blending areas with different telephone exchanges, students often meet friends who require a long-distance telephone call to reach. Calling the school could mean long-distance charges for parents, and vice versa, even over distances of just a few miles. The effect is burdensome phone bills for some rural school districts and many of their residents.

The new law makes it easier to petition the Public Utilities Commission for Extended Area Service (EAS), which effectively puts

the customers within the same long-distance area. School district residents need to vote on the phone service change, and at least 10 percent of the customers in each affected phone exchange must live within the combined school district.

The measure was sponsored by Rep. Steve Sviggum (R-Kenyon) and Sen. Dick Day (R-Owatonna).

HF211\*/SF201/CH59

### Studying autism

(See Children, page 15)

### DWI laws stiffened

(See DWI, page 20)

### Early childhood funding

(See Family, page 33)

### Omnibus Data Practices Act:

#### Student records

(See Law, page 49)

### Omnibus transportation:

#### City bus to school

(See Transportation, page 58)

### No tax breaks, no bill

(See Vetoes, page 65)

### Changing school schedules

(See Bills in Limbo, page 73)

### Just say no to smokes

(See Bills in Limbo, page 73)

### Later school starts

(See Bills in Limbo, page 73)

### Securing superintendents

(See Bills in Limbo, page 73)

### No class, no car, no way

(See Bills in Limbo, page 74)

## ELECTIONS

### Pillows talk at the polls

People in some areas of Minnesota would be wise to carefully plan which room of the house will be the master bedroom. The decision could determine the location of their polling place.

According to a new law, if an individual's home lies in more than one precinct, the "official" one would be "the precinct in which a majority of the room in which the individual usually sleeps is located."

The provision has become necessary as more housing developments are being built



The Legislature this year passed several new election laws, including a measure that increases the number of Minnesotans allowed to vote by mail and another that ensures that St. Paul City Council members will continue to serve two-year terms.

on agricultural land that also serves to mark school district boundaries, according to Joe Mansky, director of the Elections Division of the Office of the Secretary of State. No figures are available to determine the number of people the provision will affect.

In addition to many technical changes, the law requires courts to provide the secretary of state's office with the names of convicted felons (who are ineligible to vote), and of those whose voting rights have been restored after having served sentences for felony crimes. The state currently has no method to track such convicts.

The law also says that candidates for county sheriff must be licensed peace officers. Under current law, candidates are obligated only to complete only basic police training courses before serving or campaigning.

Effective Aug. 1, 1997, the law was sponsored by Rep. Betty Folliard (DFL Hopkins) and Sen. John Marty (DFL-Roseville).

HF127/SF72\*/CH147

### Ballot order

Effective Aug. 1, 1997, second, third, and fourth class cities and towns will have the option of rotating candidates' names on ballots in municipal general elections. That means ballots can be printed in batches with names placed in a different order. That way no candidate has an advantage by having his or her name appear first on all the ballots.

Under current law for such elections, candidate names must appear in alphabetical order.

The measure was sponsored by Rep. Kris Hasskamp (DFL-Crosby) and Sen. Linda Scheid (DFL-Brooklyn Park).

HF1088\*/SF1030/CH18

### Campaign limits

A new law effective May 31, 1997, places further restraints on campaign contributions.

State law prohibits candidates for local office from collecting more than \$300 in contributions from any one source during an election year or \$100 in a non-election year. (For candidates whose territory has more than 100,000 people, the election limit is \$500.)

The new law adds that a local candidate's campaign committee is under the same prohibition. Previous law did not specify that committees were subject to the limits.

The new measure also gives local candidates the same exemptions from the ban on "bundling" contributions that apply to state candidates.

The law also prohibits legislators and state constitutional officers who are running for other offices, whether local, state, or federal, from soliciting or accepting campaign contributions from lobbyists during a regular session of the Legislature.

The law was sponsored by Rep. Mark Mahon (DFL-Bloomington), and Sen. Bill Belanger Jr. (R-Bloomington).

HF1463/SF1255\*/CH224

### City council terms

A new state law ensures that members of the St. Paul City Council will continue to serve two-year terms.

The Legislature passed election laws in 1994 and 1995 designed to get all municipalities on a fall balloting schedule. But one of the unintended consequences of those changes was to make all city council terms four years long starting Jan. 1, 1998.

This was news to many declared candi-

dates for the capital city council, who thought they were vying for a two-year stint.

Officials in St. Paul were outraged, and saw the law as a direct attack on the city charter, which calls for two-year council terms. (Voters in St. Paul rejected a change from two- to four-year terms in referendums held in 1984 and 1986.)

State officials admitted they had no such intentions when they drafted changes to state election law. They were just trying to get rid of some spring elections for the sake of uniformity.

The St. Paul City Council has approved the legislation.

The measure was sponsored by Rep. Sharon Marko (DFL-Newport) and Sen. Chuck Wiger (DFL-White Bear Lake).

HF658/SF612\*/CH153

### Vote by mail

Under a new law effective Aug. 1, 1997, more Minnesotans will be able to vote by mail.

Under current law, rural cities and towns with 400 or fewer registered voters are able to conduct mail-in elections. The new law allows voters in precincts with 50 or fewer voters to vote by mail, regardless of the size of the municipality.

Adding the precinct designation, even with the smaller number of voters, allows more areas to participate in mail-in voting. That's because some towns with populations of more than 400 lie in more than one county, creating very small precincts within metropolitan areas.

The law allows those precincts to avoid the expense of operating a polling place and other election-related efforts for their limited number of voters.

House sponsor Rep. Jim Tunheim (DFL-Kennedy) has said the law affects about 284 registered voters statewide.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the proposal in the Senate.

HF168/SF703\*/CH145

### Local election dates

Responding to town officials in the seven-county metropolitan area, the Legislature passed a new law making it easier to move general town elections from March to November.

In the past, metropolitan towns could move the election date from March to November, coinciding with other federal, state, and local

elections, if the voters of the town approved the measure at the March election. The new law allows the town board to bring a proposal to the electors at the annual town meeting to approve the change.

Officials argued that the November dates are more convenient for metro-area voters because they do not have the tradition of March town elections found in other parts of the state.

The new law applies retroactively to all resolutions adopted by town electors on or after March 1, 1996. The law was sponsored by Rep. Bill Macklin (R-Lakeville) and Sen. Claire Robling (R-Prior Lake).

HF1093\*/SF1104/CH19

#### Caucuses: lowering the age

(See Vetoed Bills, page 66)

#### Keeping track of voters

(See Vetoed Bills, page 66)

#### Absentee voting

(See Vetoed Bills, page 66)



## EMPLOYMENT

### Leave for Civil Air Patrol

Minnesota employers are required to grant on-duty Civil Air Patrol (CAP) members unpaid leave under a new law effective Aug. 1, 1997.

The CAP was started during World War II to allow civilian pilots to provide surveillance for the nation's coastal areas. The nonprofit service organization has evolved into a civilian auxiliary of the United States Air Force with a dual mission of emergency service and public education.

The Minnesota Wing of CAP has approximately 2,000 members, half of whom are cadets (young members in training). Adult CAP members flew air search-and-rescue missions during the floods of the Minnesota and Red rivers this spring.

CAP members often fly their own planes and are reimbursed for expenses by the Air Force. Some members, however, have had difficulty getting leave from their employers when they are called up. The new law aims to remedy that situation.

The law was sponsored by Rep. Kris Hasskamp (DFL-Crosby-Ironton) and Sen. Don Samuelson (DFL-Brainerd).

HF219\*/SF118/CH20

### Employment provisions

Several employment regulations are modified by a new law, effective Aug. 1, 1997.

The law changes the rights of employees and job applicants subjected to drug testing. Under the revised law, any employee or applicant who tests positive for drug use must be given written notice of the right to explain the positive test.

The explanation may include a list of over-the-counter or prescription medications that the individual has recently taken and any other information that would help explain a positive test result.

Previously, such explanations had to be made at the time the drug test sample was taken.

Wages owed to migrant workers must be paid within five days after the employee quits or resigns, according to another provision of the law.

Additionally, anyone assaulting an occupational safety and health inspector could face gross misdemeanor charges. The tougher penalty already applies to a number of other government employees, including parole or probation officers and child protection workers.

The law was sponsored by Rep. Rob Leighton (DFL-Austin) and Sen. Linda Runbeck (R-Circle Pines).

HF1711/SF575\*/CH180

### Human rights loopholes

Under a new law effective Aug. 1, 1997, "individuals" join the list of those prohibited from engaging in acts of reprisal against someone who files a discrimination complaint.

Under current law, individuals are prohibited from engaging in reprisals only if they are employees. If they quit or are fired, they are free to perpetrate reprisals against those who complained against them.

In testimony before the House Labor-Management Relations Committee earlier this year, Ken Nicolai of the Department of Human Services explained the problem. "A student attending one of Minnesota's colleges . . . filed a sexual harassment complaint against a professor who was subsequently fired by the college. The professor then took several actions against her, including filing a lawsuit. We found it constituted reprisal, but that we had no jurisdiction over such individuals."

The proposal was sponsored by Rep. Luanne Koskinen (DFL-Coon Rapids) and Sen. David Knutson (R-Burnsville).

HF814/SF323\*/CH171

### Strawberry fields

A resolution calling for better treatment of California strawberry workers has been filed with the Office of the Secretary of State without the governor's signature.

Strawberry workers, represented by the United Farm Workers Union, are conducting a national campaign to call attention to their plight. The typical strawberry worker earns about \$8,500 per season for working as many as 12 hours a day, stooped over the low berry plants.

Despite record production levels and sales revenue of \$650 million per year in the strawberry industry, most workers have not had a significant raise in 10 years.

According to the resolution, workers also claim a variety of workplace abuses, including demand for sexual favors in exchange for employment, hiring and firing on whim, lack of fresh water and clean toilet facilities, and lack of health care in an occupation that exposes them to hazardous pesticides and chronic back injuries.

Strawberry workers who have struggled to change these practices and organize a union have faced firing and blacklisting. Workers who have voted for union representation have seen the fields they work plowed under.

The resolution, which will be transmitted to President Bill Clinton and to the governor of California, puts the state on record along with a number of other states, consumer groups, environmental organizations, churches, labor organizations, and others in support of the strawberry workers' cause.

Rep. Richard Jefferson (DFL-Mpls) and Sen. Steve Novak (DFL-New Brighton) sponsored the resolution.

HF1877/SF1675\*/Res. 3

### Minimum wage increased

A new law increases Minnesota's minimum wage.

Under the measure, the minimum wage for employees of large businesses (those with annual gross sales in excess of \$500,000) is set at \$5.15 per hour beginning Sept. 1, 1997. Workers at smaller companies must be paid at least \$4.90 per hour, effective Jan. 1, 1998.

Gov. Arne Carlson vetoed similar minimum wage hike proposals in 1994 and 1996, and again after the regular 1997 Legislative Session. However, the governor signed a bill passed by lawmakers during the 1997 Second Special Session held Aug. 19.

The new law includes one significant pro-

vision the governor had sought in earlier proposals. The new provision allows employers to pay what is called an opportunity wage.

The opportunity wage allows employers to pay a worker who is under 20 years old \$4.25 an hour during the first 90 days on the job. The new law also includes a provision prohibiting companies from displacing any employee — including a reduction in hours or wages — to hire another person at the lower wage.

Before the new law, there were three separate minimum wage levels in Minnesota. Businesses with more than \$362,500 in annual sales had to pay their workers at least \$4.25 an hour, while companies with lesser sales had to pay a minimum of \$4 per hour. A federally mandated \$4.75 per hour minimum wage affected only those businesses with annual gross sales in excess of \$500,000. The federal level also increased to \$5.15 on Sept. 1, 1997.

Another provision the governor had sought — a so-called tip credit — is not included in the new law. A tip credit would allow employers to pay tipped workers less than the minimum wage on the logic that tips more than make up for the difference. Federal law allows states to permit a tip credit and many states, including those neighboring Minnesota, do. But Minnesota does not.

The new law was sponsored by Sen. Randy Kelly (DFL-St. Paul) and Rep. Jim Farrell (DFL-St. Paul).

1997 Second Special Session: HF2/SF1\*/CH1

#### Binding arbitration

(See Vetoed Bills, page 66)

#### Minimum wage hike

(See Vetoed Bills, page 66)

#### Union sign-up recognition

(See Vetoed Bills, page 66)

#### Government worker protection

(See Vetoed Bills, page 67)

#### Contract language

(See Bills in Limbo, page 74)

#### Employee discrimination

(See Bills in Limbo, page 74)

#### Employee wage protection

(See Bills in Limbo, page 74)



A new state law authorizes the Public Utilities Commission to require that the proceeds from a federal nuclear waste fee be placed into an interest-bearing escrow account with the state.



## ENERGY

### Studying deregulation

On the heels of the recent deregulation of the natural gas industry, movements are afoot both in Congress and statehouses to deregulate the electrical utility industry. More than 40 states are considering the issue, and most are looking to California, the first state to deregulate with a 1996 law.

Minnesota lawmakers are among those studying the complexities.

A new law reorganizes the state's Electric Energy Task Force and asks that it conduct a study on deregulation.

The task force, established by the Legislature in 1994 and charged with examining nuclear waste and energy issues, will examine the potential benefits and risks of competition versus continued regulation of the electrical industry.

The law recognizes that the industry may undergo fundamental changes and that increased reliance on competition in the industry must be carefully managed to preserve elements such as universal service, affordable access, and environmental protection.

The law increases the task force's membership from 16 to 20 legislators; half representatives and half senators. (Art. 1, Sec. 6)

In addition, input from industry and consumer representatives would be included in any future legislation. The task force will study the costs and benefits of restructuring on low-income, residential, business, and industrial customers. (Art. 1, Sec. 11)

The law, sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. Steve Novak (DFL-New Brighton), requires the task force to present recommendations to the Legislature by Jan. 15, 1998. (Art. 2, Sec. 12)

These sections are effective May 21, 1997. HF1299/SF1820\*/CH191

### Nuclear waste funds wasted

Beginning July 1, 1997, a new state law authorizes the Public Utilities Commission to require that the proceeds from a federal nuclear waste fee be placed into an interest-bearing escrow account with the state.

Minnesota companies that generate high-level nuclear waste or spent nuclear fuel have been paying the fee to the U.S. Department of Energy (DOE) since 1983. In return, the DOE is required by law to provide a national nuclear waste storage facility by Jan. 31, 1998. But the federal government has made little progress toward that goal. Minnesota's high-level nuclear waste — mostly generated by Northern States Power Co. — is currently being stored in the state.

Under the new law, the escrow account would be released to the DOE "upon a showing... that the federal repository for the long-term storage and permanent disposal [of nuclear waste] is operating and currently accepting such materials."

"We and other states have been paying a lot of money to the nuclear waste fund that's been diverted for other uses," House sponsor Rep. Steve Trimble (DFL-St. Paul) has said.

Mike McCarthy, of the Department of Pub-

lic Service, said \$600 million per year is paid into the federal account nationwide. Minnesota has paid \$253 million, and continues to pay \$15 million per year. Last year, less than one-third of the money paid was spent for the nuclear waste disposal program, he said.

The law was sponsored in the Senate by Sen. Steve Murphy (DFL-Red Wing).  
HF1879/SF1646\*/CH201

**Biomass and wind power**

Effective Aug. 1, 1997, a new law removes a hurdle that energy-producing facilities normally face before they can start doing business.

The facilities in this case are wind and biomass energy-producing plants. The law removes the requirement that plant owners obtain costly and time-consuming certificates of need — proof that the state needs the facility — before they can be built. The certificate process usually takes 18 months to three years.

Not only does the state want to encourage the wind and biomass energy industry, it has mandated that a major energy buyer in the state, Northern States Power Co. (NSP), purchase a specified amount of energy from those sources. That means without the new provision, the state would be requiring a certificate of need from the same business the state already has mandated that NSP buy from.

The law also clarifies the Public Utilities Commission regulatory authority over the biomass and wind energy purchases made by a utility company.

Lastly, the law requires the Department of Agriculture to study funding mechanisms to

make biomass energy projects more viable. The study should look at tax exempt bonds, public and private financing, the development of an authority to facilitate investment, and credit payments.

The measure was sponsored by Rep. Gary Kubly (DFL-Granite Falls) and Sen. Dean Johnson (R-Willmar).  
HF1508/SF1328\*/CH176

**Nuclear Responsibility Act**  
(See Bills in Limbo, page 75)

← ENVIRONMENT

**Environmental spending**

Under the state’s omnibus environment, natural resources, and agriculture finance law, spending for environment and agriculture programs will total almost \$647 million over the next two-year budget cycle. Included are funds for the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), the Minnesota Zoo, the Department of Agriculture, and several other state agencies.

Just over 62 percent of the law’s spending — or \$368.6 million — goes to the DNR. The MPCA, the next largest recipient under the law, will receive about \$86.7 million. The Department of Agriculture receives \$54.9 million.

The spending measure also includes \$37.2 million for environmental and recreational programs selected by the Legislative Commission on Minnesota Resources (LCMR), which is funded by a 2-cents per pack cigarette tax and limited state lottery proceeds. (Sec. 15)

The MPCA will continue existing programs to clean up Minnesota lakes and rivers with \$25.7 million in state funds. It will receive another \$16 million for air pollution programs, and almost \$31.5 million for protection of groundwater and management of solid waste. (Sec. 2)

Highlights of the law, sponsored by Rep. Tom Osthoff (DFL-St. Paul) and Sen. Steve Morse (DFL-Dakota) are below.  
HF2150\*/SF1907/CH216

**Fishing license fees**

Effective March 1, 1998, both residents and nonresidents will have to pay more to wet a line in Minnesota lakes and rivers.

Annual licenses for residents will be \$15, up from the current \$13. Married couples will see a \$3 hike, from \$17.50 to \$20.50. Minnesota seniors will pay \$5.50 instead of \$4.50 per year.

Nonresidents will pay \$31, up from \$27.50 per year.

Fees also will be raised for temporary fishing licenses, fish houses, and trout stamps for residents and nonresidents alike.

Those fishing with hook and line for rough fish, such as carp and sheepshead, in the Minnesota and Mississippi rivers will no longer need a license. Those bottom feeders now come free of charge. (Sec. 83)

**Ethanol**

The bill appropriates \$49.6 million in subsidies over the two-year period for ethanol producers.

There are currently six major ethanol plants in Minnesota that produce 92 million gallons of the corn-derived gasoline additive yearly. That is still short of the 120 million gallon state goal which would allow Minnesota to become ethanol self-sufficient. The state imports ethanol from plants in Illinois, Iowa, and Nebraska.

Since October 1995, automobiles in the 10-county metropolitan area have been required to burn “oxygenated fuel” year round. (The law was enacted in 1991 because the Twin Cities was in violation of federal Environmental Protection Agency clean air requirements. Adding one part ethanol for every 10 parts of gas is one way to oxygenate gas.)

Beginning Oct. 1, 1997, all gasoline sold in the state will have to be oxygenated, which will further increase demand for ethanol. (Sec. 7, Subd. 3)



A new environment, natural resources, and agriculture finance law provides \$49.6 million in subsidies for Minnesota ethanol plants such as this one in Claremont, Minn.



A \$600,000 appropriation in a new environment funding law goes to the Department of Natural Resources for a new electronic game and fish licensing system.

#### State parks, trails, recreation

Funding for state parks and recreation areas will total more than \$53.8 million.

A total of \$6 million — \$3 million each year — will go to maintain and operate the metropolitan regional park system. Another \$500,000 will help to expand and improve state park and recreational areas. (An additional \$7 million from the LCMR will supplement the funds for metropolitan and state parks.)

A \$75,000 appropriation is for predesign and design for a Minnesota rock, gem, and mineral interpretative center originally proposed in HF1806/SF1594 sponsored by Rep. Bill Hilty (DFL-Finlayson) and Sen. Becky Lourey (DFL-Kerrick). The center is to be within Moose Lake State Park near prime rock collecting areas. The DNR will initiate the architectural and engineering design for the center, the focal point of which would be the display of Lake Superior agates as well as rocks, gems, minerals, and geologic artifacts indigenous to Minnesota. (Sec. 5, Subd. 5)

Trail improvements include \$900,000 for the gateway segment of the Willard Munger Trail in North St. Paul and Roseville. Other trails to be improved include the Heartland Trail, Root River Trail, and Harmony Trail. (Sec. 5, Subd. 6)

Another \$142,000, originally called for in HF1354/SF1043 sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Gary Laidig (R-Stillwater), will fund a survey of state trails accessible to people with disabilities. (Sec. 5, Subd. 9)

#### Fish and wildlife

The DNR will spend more than \$82.3 million in fiscal years 1998 and 1999 on programs for fish and wildlife management.

Non-game wildlife management programs will get \$1.9 million. Another \$2.7 million will fund game and fish critical habitat programs and wetlands protection under the Reinvest in Minnesota (RIM) program. (Sec. 5, Subd. 7)

The LCMR recommendations add another \$3.2 million for RIM programs.

#### Stagecoach Trail

The law authorizes the creation of a 40-mile historic trail through Dodge, Olmsted, and Steele counties. The Stagecoach Trail will originate at the Douglas Trail near Rochester and extend west along the Zumbro River Valley to Owatonna. Paralleling U.S. Route 14, the trail will pass through Mantorville, Wasioja, and Rice Lake State Park.

Rep. Steve Sviggum (R-Kenyon), sponsor of the original trail legislation (HF1209), has said that the multi-purpose paved trail will be used primarily for biking and hiking. Unpaved portions of the trail would be developed for horseback riding, mountain biking, and snowmobiling. No funding is allocated for trail development this year. (Sec. 65)

#### Livestock odor research

Livestock odor legislation (HF913/SF720) sponsored by Rep. Gary Kubly (DFL-Granite Falls) and Sen. Steve Dille (R-Dassel), was incorporated into the law, which requires the MPCA to monitor livestock feedlots for violations of the state's ambient air quality standards for hydrogen sulfide emissions. The agency must respond to citizen complaints

about feedlot odor and use portable monitoring equipment. (Sec. 115)

The University of Minnesota will receive \$400,000 for livestock odor research. Another \$125,000 would go to the Minnesota Institute for Sustainable Agriculture for research, development, and promotion of alternative hog production systems.

#### Deer winter survival

The law includes a provision authorizing the DNR, along with members of the Minnesota Deer Hunters Association, to form a working group and develop recommendations on feeding and other options to ensure the winter survival of deer.

Winter deer feeding has been a matter of controversy for several years. Opponents argue that the state expends too much money and staff time on deer feeding and doesn't save enough deer to make it worthwhile. Deer feeding supporters argue that such criticism fails to take public support into account. Millions of state dollars have been spent and thousands of volunteers have distributed food for deer over the past several years. (Sec. 144)

#### Electronic licensing

A \$600,000 appropriation goes to the DNR for a new electronic game and fish licensing system.

License agents will be able to run the magnetic strip on Minnesota driver's licenses through their equipment to pull up personal information to print on the buyer's fish or game license. License fees also could be electronically transferred. The DNR will contract with a private vendor to operate the system.

A pilot project is planned for the summer and fall of 1998 with full implementation planned for March 1999. (Sec. 5, Subd. 9)

#### Food stamp supplement

A total of \$1 million is allocated to create and administer a "Minnesota Grown" coupon program to provide food supplements to Minnesota residents who are non-citizens and have lost their eligibility for federal food stamps. The coupons will be redeemable for Minnesota grown produce and meat products. (Sec. 7, Subd. 3)

#### White pines

The oldest, tallest, and most majestic trees in Minnesota's forests are the white pine. But with only 2 percent of the state's original white pine population still standing, conser-



vationists, the timber industry, and state officials are all concerned about the tree's future.

White Pine legislation (HF693/SF538) sponsored by Rep. Tom Bakk (DFL-Cook) and Sen. Doug Johnson (DFL-Tower) was incorporated into the omnibus law, which includes \$1.5 million to regenerate and protect Minnesota's endangered white pine population as a part of the overall \$68.5 million budget for forest management. (Sec. 5, Subd. 4)

**Other projects**

Here are some of the other programs funded by the law:

- the Minnesota Zoo will get \$10.9 million, including \$240,000 for a new computer system (Sec. 4);
- the DNR will receive a total of \$39 million for its various enforcement activities (Sec. 5, Subd. 8);
- water resources management will get \$20.6 million, including \$400,000 for the Greening the Great River Park Project to restore native vegetation along the Mississippi River in St. Paul (Sec. 5, Subd. 3);
- mineral resources management will get \$10.3 million, including several iron ore research matching grants (Sec. 5, Subd. 2);
- the safe harbor program on Lake Superior will receive \$906,000, including \$400,000 for the Taconite Harbor Project (Sec. 5, Subd. 6);
- the city of St. Paul will receive \$2.7 million for the redevelopment of Harriet Island (Sec. 5, Subd. 9); and
- the Science Museum of Minnesota will get \$2.3 million (Sec. 10).

**Mercury emissions regulated**

New rules regulating incinerator mercury emissions take effect Aug. 1, 1997, relaxing mercury testing procedures for incinerators with a proven track record of low emissions.

New incinerators are to be watched closely, with smokestack mercury tests to be run every three months. Incinerators that maintain mercury emissions below 50 percent of their permitted mercury limit for three consecutive years will subsequently be tested just once every three years.

If, however, any subsequent test reveals mercury emissions greater than 50 percent of the incinerator's permitted mercury limit, the facility will have to conduct yearly stack sampling until emissions once again drop below 50 percent.

The purpose of the new law is to reward

superior incinerator performance, Peter Torkelson, a staff engineer for the Minnesota Pollution Control Agency, has said.

Most mercury in the environment originates from incinerator smokestacks. Burning of municipal wastes and fossil fuels, often to generate electricity, are the primary sources of smokestack mercury. Once airborne, mer-



A new law alters mercury emissions regulations by relaxing testing procedures for incinerators with a proven track record of low emissions.

cury eventually returns to earth and contaminates the watershed. Studies of the sludge accumulated on Minnesota lake bottoms indicate that the state's mercury problems started with industrialization in the 1850s and peaked in the 1970s. Since then the rate of mercury contamination has dropped slightly.

The measure was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Janet Johnson (DFL-North Branch).

HF742/SF780\*/CH189

**Conservation Corps board**

A new law extends the life of a citizens' advisory committee for the Department of Natural Resources' (DNR) Youth Corps until June 30, 2001. The group was to expire June 30, 1997.

The committee advises the DNR on issues related to the Youth Corps, a volunteer conservation service open to youth 15 to 18 years old and young adults 18 to 26 years old. Youth Corps is part of the federal government's Americorps program. Volunteers perform conservation-related work for the DNR in various state and local parks all over Minnesota. In return for a one-year commitment to the program, participants receive a living allowance, major medical health insurance, child care, and a forbearance on any outstanding student loans. On completion of the program, volunteers receive a check for \$4,700 from the federal government.

The law, sponsored by Rep. Betty Folliard (DFL-Hopkins) and Sen. Steven Morse (DFL-Dakota), adds flexibility to the kinds of natural resource projects that work crews provide to county agencies. The DNR is also authorized to make grants to nonprofit agencies to carry out Youth Corps programs.

HF718/SF137\*/CH46

**Relays added to mercury law**

A new law adds commercial electrical relays to a list of products from which mercury must be removed for reuse or recycling prior to disposal. The changes take effect July 1, 1998.

Mercury is a potent neurotoxin that can cause permanent nervous system damage. Since mercury is a volatile element, it does not degrade in the environment, but becomes airborne and eventually returns to earth to contaminate watersheds. It also accumulates in animal tissue as it moves up the

food chain. Consumption of fish from 90 percent of Minnesota's lakes is currently restricted because of mercury contamination.

"When we originally passed the bill to regulate mercury recycling in products, we left out electrical relays," House sponsor Rep. Jean Wagenius (DFL-Mpls) has said. "These relays are showing up in the waste stream and need to be included [in the law]."

Regulations currently in effect include such devices as thermostats, thermometers, and switches. Manufacturers are required to label all mercury-containing products and accept them back for recycling or proper disposal.

Sen. Janet Johnson (DFL-North Branch) sponsored the Senate proposal.

HF949\*/SF885/CH62

## Changes to state parks

Under a law effective Aug. 1, 1997, land is added to four state parks, an additional park gets a new name, and another park is allowed to sell beer in its lodge.

The law authorizes the Department of Natural Resources to add land to the following state parks.

- Bear Head Lake State Park in St. Louis County adds 160 acres of adjacent undeveloped land, wooded with mature red and white pine trees. The addition prevents a proposed housing development near the Taconite State Trail.
- Forestville State Park in Fillmore County gets an adjacent 40-acre parcel on the south branch of the Root River. The river is a designated trout stream and the surrounding bluffs contain excellent habitat for the endangered timber rattlesnake.
- John Latsch State Park in Winona County gains access to the Mississippi River with a 120-acre parcel that includes privately owned water access, a resort, and campground. The resort continues to be privately operated under contract with the state and is allowed to sell liquor by the drink.
- Split Rock Lighthouse State Park in Lake County acquires 80 acres of land along the Lake Superior shore northeast of the park. The land was owned by the Congdon family and includes Gold Rock Point, the largest of the few exposed granite cliffs on the North Shore. It also contains 3,700 feet of lake shore and access to the Madeira shipwreck, one of the most popular diving sites in the Great Lakes.

The bill also changes the name of O.L. Kipp State Park in Winona County to Great

River Bluffs State Park. O.L. Kipp is the first state park encountered by travelers entering the state from the east on Interstate 90. Great River Bluffs is a more descriptive name that park officials believe will attract more tourists.

Another provision allows Itasca State Park in Clearwater County to add beer to the wine menu in its restaurant. And visitors to Tettegouche State Park will be able to use the Palisade Head parking lot for up to one hour without buying a state park permit.

The law also authorizes St. Louis County to sell some tax-forfeited land along Amity Creek in Duluth.

The measure was sponsored by Rep. Tom Bakk (DFL-Cook) and Sen. Steven Morse (DFL-Dakota).

HF299\*/SF386/CH236

## Septic system regulations

New changes effective June 3, 1997, amend the state law governing septic systems, which came under statewide regulation for the first time in 1994.

For example, the law now requires all local governments to have ordinances regulating Individual Sewage Treatment Systems, or ISTS, a class of sewage-treatment systems including the familiar tank-and-drainfield system commonly used by homeowners. Formerly, state law required only that shore land areas be covered by local ISTS ordinances; now, all areas of the state must be covered by ordinances, which (with certain

exceptions for counties) cannot be less restrictive than minimum state standards.

Also, the law now allows a two-foot separation from the bottom of the drainfield to the water table for existing systems which aren't posing an imminent danger to public health, a change from the former three-foot standard. Legislators and staff of the Minnesota Pollution Control Agency have received many comments since the 1994 law went into effect that the three-foot standard was overly restrictive. This change does not apply to shore land or wellhead protection areas, nor for establishments licensed by the Department of Health.

Rep. Dave Bishop (R-Rochester), House sponsor of the law, said the new changes will help to ease the difficulty many homeowners have had in adapting to statewide regulation of septic systems.

"The 1994 law is a good law," Bishop has said. "Failing septic systems are a serious problem in this state, and we need to address that. But the three-foot separation requirement was just not practicable in some areas of the state."

The law was sponsored in the Senate by Sen. Len Price (DFL-Woodbury).

HF244\*/SF389/CH235

## Earth Day

A resolution asks the U.S. Congress to recognize Earth Day as a national day of service and education.

The resolution, which also establishes Earth



Gov. Arne Carlson signed a resolution April 29 asking the U.S. Congress to recognize Earth Day as a national day of service and education.

Day as a state day of service and education, requires the secretary of state to transmit the state's wishes to the president and leaders in Congress.

Earth Day, which falls on April 22, has been celebrated informally by environmentally concerned citizens since the spring of 1970, when environmental leaders staged a nationwide "teach-in."

The day is often marked with volunteer environmental cleanup efforts and public education programs. Earth Day has now become international with programs planned in several countries.

Rep. Willard Munger (DFL-Duluth) sponsored the resolution in the House and Sen. Jane Krentz (DFL-May Township) was the Senate sponsor.

HF1692/SF1342\*/Resolution 4

**Buildings and bridges**

(See Bonding, page 11)

**Nuclear waste funds wasted**

(See Energy, page 28)

**Omnibus tax law:**

**Taxing minerals**

(See Taxes, page 55)

**Omnibus tax law:**

**Taxing garbage**

(See Taxes, page 55)

**No St. Louis Park cleanup**

(See Vetoed Bills, page 67)

**Lottery environment funding**

(See Bills in Limbo, page 75)



**FAMILY**

**Early childhood funding**

New laws requiring welfare parents to work are expected to move another 12,500 Minnesota children into day care over the next few years. To prepare, a new law sets aside a record \$200.4 million in child care funding.

The measure also pays some parents to stay at home with their newborns for up to one year.

In total, the omnibus early childhood and family education law spends \$393.6 million over the 1998-1999 budget cycle.

In addition to child care, the new law, much of which is effective July 1, 1997, appropriates money for programs such as early childhood education, community education, after school programs, adult basic education,



A new early childhood and family education law provides a record \$200.4 million for child care subsidies.

Head Start, food shelves, and homeless shelters.

Providing the dollars for child care is in the state's best interest, lawmakers say. Under a new federal welfare law, Minnesota could lose millions in federal aid for not moving welfare parents to work. If Minnesota expects its welfare parents to work, child care assistance is essential.

Part of the \$200.4 million for child care — \$99 million — pays for the child care needs of welfare parents now required to work under federal law. (Art. 4, Sec. 63, Subd. 3)

Another \$92.5 million is placed into an existing program that helps low- and moderate-income working families pay for child care using an income-based, sliding-fee scale. There are currently about 5,600 Minnesota families on a waiting list for the Basic Sliding Fee program. The money in the new law is expected to eliminate most, if not all, of the current waiting list. (Art. 4, Sec. 63, Subd. 2)

The Basic Sliding Fee program has become a vital part of the state's effort to trim its welfare rolls. Without the program, the cost

of child care can often push a working-poor family onto welfare.

A portion of the Basic Sliding Fee dollars pays parents on the program to stay at home with their child for the first year of life.

Eligible families (those already qualified for the Basic Sliding Fee program) will receive 75 percent of the average cost of licensed family home day care for an infant in their county. The measure instructs the Department of Children, Families and Learning to begin the program by July 1, 1998. (Art. 4, Sec. 22)

Another \$7.7 million goes toward child care development grants to encourage more people to enter the child care profession by offering loans for course work and training. A portion of the money will be used to expand child care facilities.

And finally, the remaining \$1 million goes toward administering the programs.

Below is a listing of some of the new law's highlights.

- A mandatory \$5 monthly copayment for families using state-subsidized child care will be instituted. Families with incomes between 75 and 100 percent of the federal poverty level will be required to make a \$5 copayment each month, regardless of how many children they have. For a family of two, 75 percent of the poverty level equals \$7,957 and 100 percent equals \$10,610. The copayments will increase for families earning more than 100 percent of the poverty level. (Art. 4, Sec. 37, Subd. 2)
- \$29.7 million over the two-year budgeting period will pay for a program that brings babies and toddlers together with their parents to learn about a child's emotional, physical, mental, and educational development. The Early Childhood Family Education (ECFE) program is a 23-year-old program designed for children from birth to kindergarten and their parents. (Art. 1, Sec. 18, Subd. 3)
- \$2 million will fund a newly created early childhood infant grant development program. It will provide money to local ECFE programs that come up with creative ways to focus on infant development and a parent's role in stimulating and nurturing their infant's intellectual and emotional development. (Art. 1, Sec. 18, Subd. 7)
- \$9.8 million will pay for after-school enrichment programs. Grants are provided to select neighborhoods so they may offer after-school programs for 9- to 13-year-olds. The program's purpose is to reduce juvenile crime, school suspensions, and

- increase student achievement. (Art. 2, Sec. 31, Subd. 11)
- \$37.5 million will pay for Head Start. Head Start is a federal/state program that provides low-income preschool children with emotional, social, health, nutritional, and psychological services. (Art. 1, Sec. 18, Subd. 8)
  - \$25 million will pay for adult basic education over the biennium. The program provides educational opportunities for adults with low educational levels. Services include literacy training, work force education, and General Educational Development preparation. (Art. 2, Sec. 31, Subd. 18)
  - \$2.5 million will pay for Minnesota food shelves. The increase is in anticipation of an even greater demand on food shelves this spring when many of Minnesota's poor will see a cut in their federal food stamps. (Art. 3, Sec. 8, Subd. 4)
- Rep. Tony Kinkel (DFL-Park Rapids) and Sen. Pat Piper (DFL-Austin) sponsored the legislation.
- HF2147\*/SF1858/CH162

## Child support

A new law makes it easier for the state to track down deadbeat parents.

Each year, millions of dollars in delinquent child support payments result in a higher percentage of Minnesota families on public assistance. In accordance with 1996 federal welfare reforms, proposals from the Department of Human Services and recommendations from the Supreme Court Advisory Task Force on Visitation and Child Support Enforcement, the law aims to recoup those payments and reduce the number of welfare recipients.

The new law also emphasizes the use of alternative dispute resolution methods such as visitation expeditors and parent education programs.

Minnesota's 10 judicial districts are each instructed to have a parent education program in place by Jan. 1, 1998, addressing custody, support, visitation rights, and the impact divorce has upon children and families. At the court's discretion, attendance may be mandatory for couples in dissolution proceedings involving children. (Art. 2, Sec. 1)

Among its many other provisions, the new law includes the following.

- A pilot program, Cooperation for the Children, designed to resolve visitation issues and "promote parental relationships with

children" will be established in at least two counties. The two-year project, established by the state court administrator, is to be used instead of court in addressing visitation concerns. Participants will pay a fee based on a sliding scale. A report on the program's success is due to lawmakers by Dec. 15, 1999. (Art. 2, Sec. 10)

- In cases where a court can't determine a parent's earning ability and the parent is voluntarily unemployed or underemployed, child support will be based on an income of 150 percent of the federal minimum wage. Previously, that figure was 100 percent. (Art. 1, Sec. 13)
- Collection proceedings could be suspended if a parent reunites with the family and support payments could be reduced if a child resides with a noncustodial parent for 30 days or longer. (Art. 1, Secs. 3, 14)
- The law clarifies that data obtained from financial institutions on delinquent parents must be used solely for the collection of child support debt and not for any other debt collection activities. (Art. 3, Sec. 3)
- Employers will have 20 days — up from 15 — to report new employees to the Department of Human Services. The requirement allows the state to track those who owe support payments when they change jobs. (Art. 3, Sec. 7)

The preceding highlights are effective Aug. 1, 1997.

The proposal was sponsored by Sen. Richard Cohen (DFL-St. Paul) and Rep. Matt Entenza (DFL-St. Paul).

HF925/SF830\*/CH245

## Signing up for fatherhood

A new law allows birth fathers — or potential fathers — to register with the state.

It requires the Department of Health to establish a registry for men who want to be notified if their child is put up for adoption.

The registry is for any male who is or may be a child's father but is not married to the mother and has not otherwise established paternity. The law is aimed mainly at couples who have little or no relationship beyond the time of conception.

The registry protects a birth father's rights in the event his child is put up for adoption, and protects children and adoptive parents from having their families "ripped apart," House sponsor Rep. Linda Wejcman (DFL-Mpls) has said.

A father or potential father could register

from the time of conception until 30 days after a child's birth. (A man could register even without certainty that a pregnancy resulted from a sexual encounter.)

A father who does not register within 30 days of a child's birth would not — under most circumstances — be allowed to contest an adoption. By failing to register, a father "is considered to have abandoned the child."

Registering also would serve as the first step in a paternity claim. Within 30 days after being notified of a pending adoption, the father could file with the court an intent to claim parental rights. That way, a father would preserve the right to maintain an interest in the child.

The law applies only to parental rights related to adoptions — not to custody or other parental issues. It affects babies born on and after Jan. 1, 1998.

The omnibus health and human services finance bill (HFnone/SF1908\*/CH203) carries a \$286,000 appropriation to get the registry up and running.

Sen. Linda Berglin (DFL-Mpls) sponsored the registry legislation in the Senate.

HF296/SF203\*/CH218

## Permanence for kids

A new law will make it easier for family members to help other relatives in trouble. The law provides a way for a parent to temporarily relinquish custody of his or her child to another family member in the event the parent cannot or will not fulfill parental duties. Under the law, parents and family members can enter into a legal agreement, through a consent decree, which would enable a family member to assume responsibility for a child.

The law offers an alternative to more drastic measures, such as ordering a child into foster care, severing a parent's rights, or placing the child for adoption. Under the law, the "parent may assign or otherwise transfer to another parental rights or duties with respect to the permanent care and custody of a child under 14 years of age" through a consent decree. The terms of the decree can be temporary or permanent.

Under current law, the only way a parent can relinquish rights to a child is by placing the child for adoption. With the new law, parents and relatives have a legal means of providing an alternative for the child.

"The court may approve a proposed consent decree if the custody arrangement is in the best interests of the child and all parties to the decree agree to it," according to the law.

The law also says that either party to the decree — parent or relative — can file a motion with the court to end the agreement.

Another provision provides for a legally enforceable means by which adoptive parents and relatives of a child can enter into agreements regarding communication and contact between the child and the relatives.

The law is, in part, a response to cases where children from troubled families have faced an inordinate amount of upheaval and lack of consistency in their relationships.

The law, sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Jane Ranum (DFL-Mpls), is effective July 1, 1997.

HF1373/SF813\*/CH112

**Adoption laws changed**

(See Children, page 14)

**Finding homes for kids**

(See Children, page 14)

**Omnibus health and human services:**

**Same-sex marriages**

(See Human Services, page 42)

**Omnibus health and human services:**

**Relative custody**

(See Human Services, page 43)

**Omnibus health and human services:**

**Registering fathers**

(See Human Services, page 44)

**Finding parents**

(See Bills in Limbo, page 75)

**GAMBLING**

**All in good fun**

A new law effective May 16, 1997, allows social organizations to host card games and distribute prizes without being subject to gambling restrictions.

The law allows tournaments or contests involving social skill games — including cribbage, skat, sheephead, bridge, euchre, pinochle, gin, 500, smear, and whist — as long as the events do not provide a direct financial benefit to the host organization, and the sum of all prizes does not exceed \$200. The games in question are generally held at VFW posts, American Legion halls, Moose and Elk lodges, Knights of Columbus halls, and senior citizen centers. Often, a fee is charged for participation in the games, and the winner or winners in the games may win part of the door fee.

Another provision increases by 5 percent the amount that organizations that host legal gambling, such as bingo, can claim as expenses. Previous law said that 60 percent of the gross profits from bingo and 50 percent from other legal gambling can be claimed for expenses. The law raises the amounts to 65 percent and 55 percent, respectively.

Lastly, the law eases up on the owners of premises where illegal gambling has taken place. Before the owner's license can be suspended, the Gambling Control Board must prove that the owner participated in illegal activity, or knew or should have known the unlawful activity was occurring and did not take action to stop it.

The measure was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Jim Vickerman (DFL-Tracy).

HF700/SF566\*/CH155

**Card club at the track**

(See Bills in Limbo, page 76)

**Slots at the track**

(See Bills in Limbo, page 76)

**GAME & FISH**

**Game, fish and lifejackets**

This year's omnibus game and fish law provides youth deer licenses and declares opossums to be an official state nuisance.

In addition, the law prohibits the operation of airboats at any time on lakes designated for wildlife management purposes.

The measure was sponsored by Rep. Bob Milbert (DFL-South St. Paul) and Sen. Dennis Frederickson (R-New Ulm).

HF313/SF254\*/CH226

**Young deer hunters**

Two provisions of the law, effective July 1, 1997, encourage young people to take up hunting. A \$5 youth deer license is authorized, allowing residents under age 16 to hunt deer. With the license, youth must be accompanied by a licensed hunter 18 years of age or older who possesses a valid deer tag. Any deer taken by the youth would have to be tagged by the older hunter. The commissioner of the Department of Natural Resources (DNR) also is authorized to establish special hunts for youth to take big or small game in designated areas.

**Playing with opossums**

Opossums join the list of nuisance animals July 1, 1997, that can be taken without permit by the occupant of a property where the animal is causing damage. Already on the list are mink, squirrel, rabbit, hare, raccoon, lynx, bobcat, fox, muskrat and beaver. This provision also says that a DNR conservation officer must be notified when such an animal is killed. Current law requires that the animal be brought to an officer.

**Gun safety**

The DNR is authorized to set up a two-year pilot program to promote the safe use and storage of firearms. The program is to be "value-neutral" concerning gun ownership. The demonstration program will be conducted in two school districts: one in the Twin Cities metropolitan area and one in Greater Minnesota. A report on the pilot program will be submitted to the Legislature by Jan. 15, 1999.

**Life jacket requirements**

A rule adopted by the DNR in October 1995 mandated that everyone wear a lifejacket while boating or enjoying Minnesota lakes and rivers. Previously, flotation devices were required only to be carried on board for each person in the watercraft.

Penalties were set to kick in for those violating the must-wear rule on May 1, 1997. The new law delays them until May 1, 1999. Until then, DNR officers will issue warnings, not fines.

**Assistant anglers allowed**

Anglers who need help wetting their fishing lines due to age, blindness, or disability will get a break under a new law effective Aug. 1, 1997.

The disabled currently receive free fishing licenses, but those assisting them often must pay for a separate license. The new law, sponsored in the House by Rep. Darlene Luther (DFL-Brooklyn Park), allows aged and disabled people to be assisted by an unlicensed person as long as only one line is in the water.

"One of my constituents, Mark Jacobson, of Brooklyn Park, brought the problem to my attention," Luther said. Jacobson's mother is disabled and needs assistance to pursue her favorite sport. Since she has several different assistants, Jacobson found he would have to pay for a separate fishing license for each assistant.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the Senate proposal.  
HF311/SF574\*/CH95

**Environmental spending:**

Fishing license fees  
(See Environment, page 29)

**Environmental spending:**

Electronic licensing  
(See Environment, page 30)

**Environmental spending:**

Fish and wildlife  
(See Environment, page 30)

Feeding the deer  
(See Bills in Limbo, page 76)



## GOVERNMENT

### Tracking corporate welfare

A new law will help the Legislature keep closer tabs on “corporate welfare,” including tax breaks or other state aid to businesses.

Originally sponsored in the House as HF1473 by Rep. Karen Clark (DFL-Mpls), the law creates a 19-member commission to evaluate selected corporate subsidy programs to ensure that the programs serve a public purpose. The commission will examine tax breaks as well as direct spending and loans made to the private sector to encourage economic development.

The commission, Clark said, should make sure that the subsidies actually benefited the general public.

“It’s nothing against providing this kind of assistance,” Clark said. “It’s just saying we want some type of accountability.”

The law requires the commission to submit to the Legislature by Dec. 15, 1997, a report of its findings, including any recommendations for improved oversight.

The provision was included in the omnibus state government finance proposal sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury).

HFnone/SF1905\*/CH202

### Snow removal costs

Minnesota lawmakers spent \$20 million to help cities and counties recoup some of their weather-related costs from the record-breaking snowfalls of 1997.

The funds were divided into three parts: \$6 million to match federal disaster funds in weather-related disaster areas; \$3 million reserved for assistance associated with anticipated spring floods; and \$11 million to be distributed to local governments according to a formula based on past snow removal expenses.

The law allocates grant money to cities, counties, and towns for recent severe weather-related expenses, mostly snow removal costs.

The measure also contains a \$16 million appropriation for state road operations, \$95,000 for state trooper overtime related to winter emergencies, and various technical amendments to Minnesota statutes.

The new law, which became effective March 20, 1997, was sponsored by Rep. Steve Wenzel (DFL-Little Falls) and Sen. Jim Vickerman (DFL-Tracy).

Wenzel said that even with state and federal aid, more damage occurred this winter than cities and towns will be able to pay for.

HF100\*/SF114/CH12

### Meetings via interactive TV

A new law allows official governing bodies, including the legislative committees, to conduct meetings via interactive television.

The technology is like telephone conference calling with the addition of live video. Participants at different places can talk to and hear each other through television.

Legislators have said the measure would enable them to spend more time among their constituency while continuing to conduct legislative business. The measure also applies to other units of government, such as counties, cities, and school boards, where it could have an even greater impact.

Under the law, each member participating in the meeting via interactive TV is considered present and can participate in all proceedings, if an organization’s rules allow it.

The law states that interactive meetings are permissible if:

- all members of the body can hear and see each other;
- members of the public present at the regular meeting location can see and hear all discussion and testimony and all votes taken;

- at least one member of the body is physically present at the regular meeting place; and
- all required public notice is provided and states that the meeting will be conducted via interactive television.

The law also allows members of the Rural Finance Agency or the Minnesota Housing Finance Agency to officially meet — and vote — by phone. The move will save time and money given the diverse geographic representation of those governmental bodies.

The measure, effective May 16, 1997, was sponsored by Rep. Loren Solberg (DFL-Bovey) and Sen. Carol Flynn (DFL-Mpls).

HF829/SF755\*/CH154

### Home improvement

A law, effective Feb. 25, 1997, through July 1, 1997, allowed the Minnesota Housing Finance Agency (MHFA) to grant home improvement loans to low-income Minnesotans seeking to prevent property damage from severe weather.

Ordinarily, MHFA home improvement loans are solely for permanent improvements. Under the temporary law, the loans covered snow removal and preventive measures against leaking roofs, frozen pipes, and foundation defects caused by bitter cold and record snowfall.

Homeowners in the southwestern part of the state were among those hardest hit by the winter of 1996-1997. Fifty-four counties were declared federal disaster areas. A variety of state agency rules were waived during the 1997 session to expedite costly snow removal.

The proposal was sponsored by Sen. Dennis Frederickson (R-New Ulm) and Rep. Gary Kubly (DFL-Granite Falls).

HF343/SF264\*/CH4

### Settlements and claims

A new law effective April 4, 1997, expands the authority of state agencies confronting personal injury or property loss lawsuits.

The new law grants department commissioners to settle out-of-court claims up to a value of \$7,000. Previously, the department heads had to observe a \$2,500 limit on settlements offered in connection with injuries or losses caused by the action of a state employee on the job.

The law also contains a handful of monetary settlements of claims against the state totaling nearly \$60,000, including those filed by individuals working jobs in prison or individuals fulfilling community service sentences.

The new law is, for the most part, noncontroversial, although a \$24,000 appropriation for Braham County Development Inc. was singled out during debate on the House floor. The agency filed the claim in connection with the city's failed bid to secure a new state correctional facility. (Braham, Minn., was originally selected as the site for the new prison, but for environmental reasons, it was moved to Rush City.)

Paying the claim, some said, would set a dangerous precedent.

Of the law's \$60,000 worth of claims, nearly \$58,000 of that will be paid out of the general fund, said D'Ann Knight, clerk of the Legislative Coordinating Commission's Joint Subcommittee on Claims. The Department of Public Safety, Knight said, will pay the rest.

"This is a very small claims bill," Knight said. "Usually they have over \$100,000 in them."

The measure was sponsored by Rep. Edgar Olson (DFL-Fosston) and Sen. Randy Kelly (DFL-St. Paul).

HF105/SF85\*/CH17

### Pay increases for agency heads

A new law provides pay increases for state agency heads, the governor, legislators, and judges.

The measure passed with the strong support of Gov. Arne Carlson, who argued that increases in pay were necessary to attract and retain top candidates to lead state departments. It is the first pay increase for most department heads in 11 years.

Under the new law, the governor's salary increases by 2.5 percent effective July 1, 1997, and by another 2.5 percent effective Jan. 1, 1998. The end result is that the governor's pay will move from \$114,506 to \$120,303.

Other constitutional officers, such as the lieutenant governor and the attorney general, also receive matching 2.5-percent pay increases in July 1997 and January 1998.

Salaries for state department heads are capped at either 75 percent or 85 percent of the governor's salary, under the new law. That means the top agency-head pay allowed will reach \$102,258 in January 1998.

Under previous law, salaries for most department heads were capped at \$67,505 or \$78,500, depending on the agency.

Individual department heads do not automatically receive raises. Pay increases within the new salary ranges must be recommended by the governor and approved by the Legislature.

The new law also calls for a 5 percent increase in the salary legislators receive, effective Jan. 4, 1999. The state constitution requires an election — in this case, the 1998 House election — to fall between the time a salary increase for legislators is approved and the time it takes effect.

Legislators now receive an annual salary of \$29,657. The new law will bump legislators' pay to \$31,140.

The new law also increases salaries of Supreme Court, Court of Appeals, and District Court judges by 4 percent on July 1, 1997, and again by 5 percent on Jan. 1, 1998.

(That means the pay for District Court judges is capped at \$86,834 after July 1, 1997, and at \$91,175 after Jan. 1, 1998.)

Judges will see further pay raises in January 1999 and January 2000 that will match the average salary adjustment for state employees during the previous year.

The new law was sponsored by Rep. Loren Solberg (DFL-Bovey) and Sen. Roy Terwilliger (R-Edina).

1997 Second Special Session:  
HF3/SF2\*/CH3

### Community-based planning

(See Development, page 19)

### Flood aid

(See Human Services, page 46)

### Ghosts in the machine

(See Technology, page 56)

### Government dollars gone

(See Vetoed Bills, page 68)

### Governor's phone bills

(See Bills in Limbo, page 76)

### Lobbying ban

(See Bills in Limbo, page 77)



## HEALTH

### More MinnesotaCare enrollees

A new law expands the state's MinnesotaCare program to cover more low-income people and cuts the 2 percent tax on hospitals and health care providers (used to fund MinnesotaCare) to 1.5 percent for at least the next two years.

MinnesotaCare is a state-subsidized insurance plan created in 1992 to extend health insurance coverage to the uninsured. The program serves about 100,000 people who pay premiums based on income and copayments for some services. Currently, (depending on their income), single people, couples without children, and families with children younger than 21 are covered.

Effective July 1, 1997, the new law significantly expands coverage of singles and couples without children. It increases the annual income limits of those two groups to 175 percent of the federal poverty level, or \$13,812 for singles and \$18,564 for couples without children. The previous income limit was 135 percent of the federal poverty level, or \$10,656 and \$14,328, respectively. (Art. 1, Sec. 5)

At the same time MinnesotaCare is welcoming more low-income people, it will set



A new law makes more Minnesotans eligible for MinnesotaCare, the state's subsidized health insurance program, and saves health care providers money by reducing the tax they pay to support the program.

an asset limit on new applicants and current enrollees. The program will be limited to families with less than \$30,000 in net assets and individuals with less than \$15,000 in net assets. It is expected to eliminate some 4,000 to 5,000 people from the program and will be effective upon federal approval. The asset test excludes a home, personal effects, and other specified items. (Art. 1, Sec. 19, Subd. 3)

The new law also includes a prescription drug program for seniors over age 65 who earn less than \$9,468 per year (120 percent of the federal poverty level). The program will be administered by the Department of Human Services. (Art. 4, Sec. 4)

The program will provide coverage beginning Jan. 1, 1999, for prescription drugs currently covered by Medical Assistance. Participants will be expected to pay an annual \$120 premium and satisfy a \$300 annual deductible.

To qualify, a senior citizen also must be enrolled in Medicare and have no insurance coverage for prescription drugs.

Taking into account premiums paid by Minnesota seniors, the new program is expected to cost about \$3.7 million over the next two years.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls) sponsored the law, which overall is expected to cost the state about \$30 million over the next two years. The tax cut will save hospitals and health care providers about \$54 million over the same time period.

Supporters of the measure maintained that the MinnesotaCare account is strong now and can withstand a tax cut. Others, however, wanted a deeper tax cut, down to 1 percent. Currently, the 2 percent tax generates about \$323.6 million every two years, not including separate revenue sources such as premiums and other taxes collected.

The two-year reduction to 1.5 percent can be extended for an additional two years if the commissioner of finance determines that the health care access fund will maintain a positive structural balance. (Art. 3, Secs. 11, 12, 13, 14)

Among other highlights, the law:

- exempts health maintenance organizations, community integrated service networks, and nonprofit health plans from the 1 percent premium tax if they meet cost containment goals. The tax can be reinstated in future years if the commissioner of finance determines it is necessary to avoid a structural deficit in the health care access fund (Art. 3, Sec. 2);

- increases the MinnesotaCare reimbursement rate for dentists by 15 percent, effective July 1, 1997. (Art. 7, Sec. 2);
  - eliminates the \$400 annual surcharge doctors pay on their license to practice in Minnesota, effective July 1, 1997 (Art. 2, Sec. 63);
  - sets aside \$7.5 million over the next two years to provide grants and loans to rural hospitals to make building improvements, effective July 1, 1997. The Department of Health will have the authority to award interest-free grants or loans of up to \$1.5 million per hospital (Art. 2, Sec. 53);
  - sets up a maximum \$150 million emergency reserve fund, effective July 1, 1997, just in case the federal government decides to cut back on health care dollars to the states. The reserve will help MinnesotaCare cushion the blow (Art. 3, Sec. 1);
  - eliminates eligibility for certain people currently on General Assistance Medical Care, a free state-run health care program, effective Jan. 1, 1998, and makes them eligible for MinnesotaCare, where premiums are paid based on income (Art. 1, Sec. 16); and
  - expands MinnesotaCare coverage to include nonpreventative dental care — excluding orthodontic services — for adults whose family income is less than 175 percent of the poverty level, effective July 1, 1998. Currently, these services are covered for children under 21 and pregnant women of any age, but other adults are covered only for preventative dental care. A 50 percent copayment will be required for adults. (Art. 1, Sec. 1)
- HF1441/SF1208\*/CH225

## Health care directives

A Minnesota driver's license can tell you a lot about a person besides age, height, and weight. A new state law, effective Jan. 1, 1998, allows for a bit more information to be included on that small plastic card.

Existing law requires a driver's license application to include space to indicate whether a driver has a living will, a document that declares a person's preferences for medical treatment to prolong life under dire circumstances.

A short message to emergency and medical personnel is included on the licenses of people who indicate that they have living wills.

Under the new law, the license application will allow people to indicate if they have a "living will/health care directive," and the

change will be reflected in the message that appears on licenses.

The expanded license designation will serve people who have granted another person durable power of attorney for health care and people who have other written advance health care directives allowed under state law.

(Durable power of attorney for health care is an arrangement by which someone is designated to make decisions regarding medical treatment for you if you are unable to make those decisions yourself.)

The legislation was sponsored by Rep. Dave Bishop (R-Rochester) and Sen. Jane Ranum (DFL-Mpls).

HF179\*/SF178/CH60

## Stopping tuberculosis

A new state law effective Aug. 1, 1997, aims to stem the resurgence of tuberculosis (TB).

The law provides streamlined procedures to identify and isolate TB victims who may pose a threat of spreading the disease to others around them.

TB is a bacterial disease that can attack any part of the body, but usually affects the lungs. The disease was once the leading cause of death in the U.S.

After drugs to treat TB were developed in the 1940s, the disease began to disappear. But it has made a comeback. Since 1984, the number of TB cases in the U.S. has been on the rise. In 1993, more than 25,000 cases were reported, according to the Centers for Disease Control and Prevention.

The new law provides more efficient procedures for dealing with people who have active TB, including patients of health care facilities and those in the general public.

Before enactment of the new Tuberculosis Health Threat Act, the state law applied to people with active TB was one created to deal with carriers of other communicable diseases who are an "active health threat" to others. The law was designed to target people who have directly or indirectly transmitted diseases and who are unwilling to take steps to avoid infecting others.

While the existing law has been applied to TB cases, it has not been effective because the law calls for lengthy processes to force isolation and treatment of a disease carrier. Because TB is spread differently than many other diseases (TB stems from an air-borne bacteria), a law designed to combat other diseases will not necessarily work for TB, according to supporters of the new law.



The new law allows the commissioner of health and the courts to act more quickly to confine and treat people with TB.

If the commissioner has probable cause to believe a TB carrier is an endangerment to the public health, the commissioner may issue health orders requiring the TB carrier to be isolated, to stay in a health care facility, to complete a treatment regimen, to be excluded from work or school, or to follow other precautions.

The law will allow the commissioner to get a court order to take into custody and hold a TB carrier without a contested court hearing. Such court orders will be allowed when there is cause to believe the person is an endangerment to the public health and that the person may expose others or may flee.

When a person is apprehended under these circumstances, the law also doubles the amount of time someone taken into custody to prevent the spread of TB can be held — from three days to six days.

The commissioner will have the authority to require isolation of TB victims already in a hospital, nursing home, or other health care facility. And, the commissioner will be able to order testing of patients in such facilities who are suspected to have TB.

The measure was sponsored by Rep. Kevin Goodno (R-Moorhead) and Sen. Don Betzold (DFL-Fridley).

HF555/SF97\*/CH164

## Prepaid clinics

Certain community health clinics will be able to provide basic health care services to individuals and families on a prepaid basis according to a new law, effective Aug. 1, 1997.

Community health clinics are nonprofit health providers that serve uninsured and low-income people. The new law allows a clinic, that has been designated as an essential community provider by the commissioner of health to set up a prepaid health care program without meeting the state requirements governing health plan companies.

The clinics, which would charge premiums on a sliding-fee scale based on current poverty income guidelines, must offer basic health care services, including diagnosis and treatment of injuries and illnesses, children's health services, and preventative health services.

The measure was sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls).

HF931/SF302\*/CH194

## Police benefits

There are currently 54 former Minnesota peace officers receiving retirement pensions after becoming disabled by duty-related injuries. Though they are eligible for pensions, many of these officers lost their health care benefits once they could no longer serve as peace officers.

A new law effective June 1, 1997, ensures that health coverage for those officers and their families will continue. It mandates that the employers of peace officers who are disabled or killed in the line of duty continue to provide insurance benefits.

An average of three officers per year lose their lives in the line of duty in Minnesota.

The provision, initially sponsored by Rep. Jim Farrell (DFL-St. Paul) as HF333, was included in the omnibus crime package sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Randy Kelly (DFL-St. Paul).

(HF163/SF1880\*/CH239, Art. 8, Sec. 6)

Originally scheduled to take effect July 1, 1997, a separate law was passed during the 1997 First Special Session to change the date to June 1, 1997.

The change was made in response to the June 7 shooting of Timothy Bowe, a much-decorated Minnesota State Patrol corporal. As a result, his wife and two children will have continuing health coverage.

The measure was sponsored by Sen. Randy Kelly (DFL-St. Paul).

1997 First Special Session: HFnone/SF3\*/CH1

## Volunteer psychologists

A new law allows the Board of Psychology to grant licenses for volunteer practice to retired psychologists.

Effective Aug. 1, 1997, any psychologist may be awarded a license if he or she is a former licensee completely retired from practice, has no complaints or disciplinary actions pending, and has been a licensed, certified, or registered psychologist for at least 15 years.

The new law was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Dallas Sams (DFL-Staples).

HF861/SF662\*/CH102

## Civil commitment

In 1996, the Supreme Court Advisory Task Force on the Civil Commitment System suggested measures to improve the service provided to persons with mental illness and to better manage civil commitment cases in the courts. This year, legislators passed many of these provisions into law.

The civil commitment process is used to require individuals to accept mental health care when, because of mental illness, they do not realize the need for treatment. Civil commitment usually consists of long-term hospitalization where a patient can be monitored and effectively treated. There are approximately 3,400 civil commitment filings in Minnesota state courts each year.

The new law outlines a court-ordered, early-intervention treatment process in which individuals receive mental health treatment that is less intrusive than long-term hospitalization. It sets up court procedures for establishing the need for early intervention and the scope and duration of the treatment.

Also, the new law provides access to mental health care without commitment for individuals who consent. The law designates the criteria to be applied to ensure that the consent is voluntary and outlines policies for voluntary care. It also gives the patient a right to refuse treatment at any time.

In addition, the law revises the statutory policy for the administration of neuroleptic medications. Neuroleptic medications are antipsychotic drugs used to treat mental illness. The new law outlines the guidelines for situations when the patient is unable to make decisions concerning the use of these drugs. It also codifies emergency procedures when dispensing these drugs becomes necessary.

The law also strengthens the provisional discharge process. The law requires a written aftercare plan to be developed and provided to the patient, the patient's attorney, and the mental health agency. The aftercare plan seeks to put in place a continuing plan of care and to avoid future recommitment.

The changes, effective Aug. 1, 1997, were sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Don Betzold (DFL-Fridley).

HF735\*/SF53/CH217

## Omnibus health, human services

(See Human Services, page 42)

## Background checks

(See Human Services, page 46)



A new higher education funding law provides \$1.1 billion to the University of Minnesota, with the vast majority of the money allocated to instructional expenditures.

**Direct OB/GYN access**  
(See Insurance, page 48)

**Managing diabetes**  
(See Insurance, page 48)

**Protecting patients**  
(See Insurance, page 47)

**Omnibus Data Practice Act:  
Student records**  
(See Law, page 49)

**Miller-Dwan Medical Center**  
(See Local Government, page 51)

**Keeping track of shots**  
(See Bills in Limbo, page 77)

 **HIGHER EDUCATION**

**Omnibus higher education law**

The \$2.4 billion omnibus higher education finance law funds the University of Minnesota, Minnesota State Colleges and Universities (MnSCU), and the Higher Education Services Office (HESO) through the 1998-99 biennium. This year's package increases student financial aid expenditures by 10 percent over the next biennium.

The measure also addresses the rising cost of higher education through tax incentives. For example, the "EdVest" provisions in the law will allow families to set aside tax-free savings for college.

The governor line-item vetoed \$100,000

that would have funded a loan repayment assistance program for lawyers who provide legal service to underprivileged clients. (See Vetoed Bills, page 65)

The measure was sponsored by Rep. Gene Pelowski (DFL-Winona) and Sen. LeRoy Stumpf (DFL-Thief River Falls).  
HF2136/SF1888\*/CH183

**HESO and MnSCU**

The Higher Education Services Office, which distributes financial aid to Minnesota students, will receive \$277.6 million for the biennium to fund a variety of initiatives, including:

- \$19 million for a state work-study program;
- \$12 million for an on-line library catalog;
- more than \$10 million for the Learning Network of Minnesota, a distance-learning program; and
- \$250,000 to provide grants to students of color enrolled in nursing programs. (Art. 1, Sec. 2)

MnSCU will receive a state appropriation for the biennium of more than \$1 billion, with each campus' share of the fund determined by a formula that maintains the 1997 allocations, adjusted for enrollment, and adds a share of the new dollars.

According to the law, the funding must be used for improvement of programs, library acquisitions, and student services, while holding down tuition increases. (Art. 1, Sec. 3)

**University of Minnesota**

The University of Minnesota will receive \$1.1 billion, with the vast majority of the money allocated to instructional expenditures.

The noninstructional expenditures include, along with a number of other projects, an unspecified amount for a career and education planning system, \$3 million for a multi-sheet ice and tennis facility, and more than \$100 million for agricultural and extension services. (Art. 1, Sec. 4)

In addition, the Legislature requires the university to report back on a variety of efforts, including its programs for female athletes and its Title IX compliance status. (Art. 1, Sec. 4)

The school also will have to address the problems associated with transferring credits from the state college system, and provide a detailed report on current and planned information technology expenditures. (Art. 1, Sec. 6)

**College affordability**

The law contains several initiatives aimed at helping families and individuals pay for higher education.

Under the law, Minnesota will offer "Gopher State Bonds." A portion of the state bonds sold to pay for the construction of new state facilities will be marketed in small denominations, similar to U.S. Savings Bonds, and the first \$25,000 in bonds held by an individual are exempt from consideration in determining a student's financial aid eligibility. The first \$25,000 of a family's savings or other assets is also exempt from the financial aid calculations.

The "EdVest" initiative contained in the law is meant to encourage families or individuals to set aside money for higher education by providing new tax incentives.

Individuals can contribute to a state-managed account, and the interest earned is tax-exempt until withdrawal. When the money is withdrawn, it will be taxed to the student, not the parent, effectively lowering the tax obligation.

The state also will make matching grants, up to a \$300 annual maximum. Families earning under \$50,000 per year can receive a 15 percent in-kind contribution from the state, while those with annual incomes between \$50,000 and \$80,000 can get a 5 percent bonus. The law also specifies penalties for early withdrawal and for spending the money on something other than education expenses. (Art. 2, Secs. 12-16)

**Keeping technologically fit**

The law enacts a number of technology initiatives, including \$12 million for the Minnesota Library Information Network, or MNLink, which Pelowski has called “the mother of all on-line services for library access.” It provides Internet linkage among public libraries, school and private libraries, and U of M and MnSCU libraries. The higher education institutions will provide staff and technical support. (Art. 1, Sec. 2, Subd. 8)

The law also appropriates money to develop courses that could be delivered through the Virtual University. The program is a collaboration between the U of M, MnSCU, and private colleges that enables students to register for classes via the Internet at almost every college and university in the state.

“This would serve as a gateway leading to all higher education existing in Minnesota,” Pelowski explained at an earlier meeting. “It’s the first time the three entities have worked together to enhance higher education in the state.”

The plan is based on the World Wide Web page currently used by the University of Minnesota. According to information from John Gunyou of the Minnesota Office of Technology, the plan is meant to improve access to course offerings, expand choices in degree programs, allow for the transfer of credits between schools, and increase off-campus learning opportunities.

The law funds research for finding ways to add course work to the program.

Also funded is the Minnesota Career and Education Planning System, a program to allow K-12 and college students to access career information that would help them devise educational plans. (Art. 1, Sec. 3, Subd. 3)

Another \$1.5 million, matched by the U of M or private sources, will fund a U of M Internet initiative for research and development of telecommunications networks. (Art. 1, Sec. 2, Subd. 6)

**Nurturing agriculture**

The new law looks to higher education to bolster the role of agriculture in Minnesota. The Minnesota Agriculture Education Leadership Council will establish a grant program to help schools develop agriculture education programs. The council also will develop legislative recommendations, coordinate agriculture policy, identify critical needs for educators, and link the agribusiness and the educational sectors. The work will be coordinated through the new Minnesota Center for Agriculture Education. (Art. 3, Secs. 2-4)

**Buildings and bridges**

(See Bonding, page 11)

**Welfare reform:**

**Education limits**

(See Human Services, page 46)

**Enlist and enroll**

(See Military, page 52)

**No loan forgiveness**

(See Vetoed Bills, page 69)



**HOUSING**

**Housing omnibus**

State-sponsored housing programs receive \$58.4 million for the biennium, under a new law.

The Housing and Housing Finance omnibus bill, sponsored by Rep. Karen Clark (DFL-Mpls), was incorporated into the omnibus economic development and housing finance law sponsored by Rep. Mike Jaros (DFL-Duluth) and Sen. Tracy Beckman (DFL-Bricelyn).

The law, effective July 1, 1997, appropriates money to aid the homeless, disabled, and first-time home buyers through programs administered by the Minnesota Housing Finance Agency.

HF2158\*/SF1909/CH200

**Homeless assistance, prevention**

The law includes several programs to aid the homeless and prevent homelessness. Ac-

ording to Department of Economic Security figures, the number of people using emergency shelters and transitional housing in the state has tripled over the past 11 years. Of the 4,981 Minnesotans needing services in 1996, 44 percent were children. Any increase in homelessness triggered by federal and state welfare reforms going into effect this year could strain an already overburdened support system.

The largest appropriation marks \$5.8 million for the Family Homeless Prevention and Assistance Program, which grants funds to organizations providing case management to help low-income people with poor rental histories rehabilitate their rental records and find housing. Part of the funding also goes to innovative approaches for housing people with poor rental histories.

The law provides \$3.1 million for rental housing assistance to individuals suffering from a mental illness and to families with a mentally ill adult member.

A \$1.2 million program will help families experiencing financial hardships who are about to lose their homes to foreclosure. (Art. 1, Sec. 6)

**Affordable rental housing**

The Affordable Rental Investment Fund gets \$14.6 million for the biennium to provide no-interest first mortgages or deferred loans for the construction of low-income rental housing. The aim of this program is to provide affordable housing for households earning up to 80 percent of the state median income. (Art. 1, Sec. 6)



A new law that provides \$58.4 million for housing programs includes money to provide loans to help low-income homeowners make improvements to meet the accessibility needs of people with disabilities.

### Indian housing programs

Home ownership and rental opportunities for low- and moderate-income American Indians is provided by two programs. The Urban Indian Housing Program receives \$187,000 per year to assist Indians living in urban areas. The Tribal Indian Housing Program gets \$1.7 million each year to help Indians living in Greater Minnesota. (Art. 1, Sec. 6)

### Homestead support

The Minnesota Urban and Rural Homesteading Program receives \$186,000 per year to acquire vacant, condemned, or abandoned single family homes for rehabilitation and sale. The properties are offered to first-time homeowners on a contract-for-deed basis. (Art. 1, Sec. 6)

### Accessibility loan program

A program that provides deferred payment loans to low-income homeowners for improvements directly related to the basic housing needs of physically disabled people will receive \$4.2 million per year. The program is operated by local agencies and is limited to households in which one or more persons have a long-term disability that substantially affects functioning in the home. (Art. 1, Sec. 6)

### Acquisition and demolition

A \$750,000 appropriation will pay for the acquisition, demolition, and removal of substandard multi-unit rental property. The measure was added even though some members questioned whether it would run counter to existing state housing policy and lead to an actual decrease in available low-income housing. (Art. 1, Sec. 6)

## Protecting tenants

A new law prohibits landlords from penalizing tenants for calling 911 for emergency assistance.

The law responds to a problem that developed after some cities passed anti-crime ordinances that penalize landlords whose properties are subject to frequent police visits. The law also responds to problems with landlords who included provisions in leases that allowed the landlords to evict tenants who made repeat 911 calls. Many targets of this behavior have been women who suffer domestic abuse.

Effective July 1, 1997, a landlord may not

impose a penalty on a tenant for calling 911 in response to domestic abuse or any other conduct, and any lease provision that would do so is unenforceable.

The law supercedes any local regulations and authorizes the attorney general's office to investigate and prosecute violations. It would slap landlords with civil penalties for actual damages or \$250, whichever is greater, and would award damages to tenants, in addition to any attorneys' fees incurred to obtain the damages.

The law clarifies that tenants are not exempt from any penalties resulting from lease breaches or disruptive behavior.

The measure was sponsored by Rep. Michael Paymar (DFL-St. Paul) and Sen. Dave Johnson (DFL-Bloomington).

HF686\*/SF756/CH133

## Mobile home residents

A new law effective Aug. 1, 1997, requires owners of mobile home parks to include written rules governing owners and residents, including procedures used to evaluate prospective residents, with the park application.

Under previous law, owners of manufactured home parks were required to post the rules applicable to owners and residents in a public place in the park. These rules, including information such as resident rights and responsibilities, eviction procedures, and park safety plans, must now be included with the application.

Previous law also dictated that the owners provide application criteria upon the request of residents or prospective buyers. The new law requires that the criteria be in writing and also presented with an application. In addition, the new law states that applicants denied admittance into the park can ask for the reasons in writing.

Proponents of the new law argued that the previous approach did not provide applicants adequate protection against discrimination. The new law, they contend, will clarify what is required of prospective residents.

Rep. Geri Evans (DFL-New Brighton) and Sen. Jane Krentz (DFL-May Township) sponsored the new law.

HF889\*/SF786/CH61

## Economic development, housing

(See Development, page 19)

### Home improvement

(See Government, page 36)

**Omnibus tax law:**  
Property tax reform, relief  
(See Taxes, page 53)

**Maintaining 68 degrees**  
(See Bills in Limbo, page 77)

**Rental walk-throughs**  
(See Bills in Limbo, page 77)



## HUMAN SERVICES

### Omnibus health, human services

Same-sex marriages are prohibited, pharmacies can sell clean needles to people without prescriptions, and state hospital patients buried years ago in unmarked graves are recognized under the omnibus health and human services finance law.

The \$5.4 billion measure pays for state health and social service programs over the next two years. A large chunk of the price tag — \$1.8 billion — covers the health care needs of poor Minnesotans under two separate programs: Medical Assistance and General Assistance Medical Care.

Another \$2.7 billion pays for certain nursing home, disability, mental health, group housing, chemical dependency, and other long-term care services.

About \$507 million funds the state's welfare programs, which were overhauled this session.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the proposal.

HFnone/SF1908\*/CH203

### Same-sex marriages

Effective June 3, 1997, the law prohibits marriages between people of the same gender and prohibits the recognition of such marriages in Minnesota even if the union occurred in a state that sanctions such marriages.

The proposal began as an attempt to respond to the possibility that Hawaii may recognize same-sex marriages and prepare for people who might move to Minnesota from that state (and also prevent Minnesotans from traveling to Hawaii to have a same-sex marriage sanctioned). Hawaii passed a law prohibiting same-sex marriages, but a lower court ruled the law unconstitutional. The state has appealed to its state Supreme Court.

As of July 1, 1997, marriage license appli-

cations require each applicant to state their sex. (Art. 10)

### Recouping child support

Recognizing that uncollected child support owed to Minnesota children often keeps families dependent on public assistance, the law provides new tools that target deadbeat parents.

Many of the provisions, originally included in HF925 sponsored by Rep. Matt Entenza (DFL-St. Paul), conform to the 1996 federal welfare law, which required states to adopt certain laws to aid in collecting delinquent support payments.

In fiscal year 1996, of the \$376.4 million in child support owed to Minnesota children, only \$261 million, or 69 percent, was collected, according to the Department of Human Services. Officials estimate that roughly 90,000 children are not receiving their full support payments.

Minnesota already has adopted many of the federal welfare law's requirements. For instance, the state already requires employers to report new hires to the Department of Human Services to match employee data with those who owe child support, and ultimately, to garnish wages.

It has already established a centralized child support payment center, which is set to open later this year.

And, Minnesota already has adopted the federal Uniform Interstate Family Support Act (UIFSA) which allows states to collect child support when the deadbeat parent lives in another state, as long as that state also has adopted the federal interstate act. A problem arose, however, when a deadbeat parent lived in a state that hadn't adopted the interstate child support act. The federal welfare law now requires all states to adopt UIFSA which should make it easier to collect child support across all state lines. New state law conforms to changes in UIFSA that were made in 1996. (Art. 6, Secs. 50-71)

Other provisions:

- require banks and other financial institutions, effective July 1, 1998, to provide account and asset information on those owing back child support and allow for the automated seizure of bank accounts and assets. Specifically, the law requires the Department of Human Services to establish a way to compare bank records with the records of people who owe back child support. The department also would have to inform the financial industry on how to comply with the law.

The law gives banks two options. First, the bank could send the state identifying information on all its account holders; the state would request account information for only those people who owe child support. Or, the bank could request from the state a list of who owes child support and match it against its account holders, forwarding only those names who are a match.

Banks which do not provide such requested information and require a second notice will be fined \$1,000. Subsequent requests for information will carry a \$5,000 fine for each reminder;

- penalize people on public assistance who do not cooperate with the state to establish paternity and seek child support. This provision is consistent with the 1997 state welfare reform law (HF159/SF1\*/CH85). Cooperation would include providing information about the father, submitting to genetic tests, and appearing for interviews, hearings, and other legal proceedings.

Under the law, a parent who does not cooperate would not be eligible for medical assistance and could face additional penalties. Any parent receiving benefits under the MFIP-S program would be sanctioned under that program as well.

The law does allow for exemptions, including cases where the child was conceived as a result of incest or rape, or where pursuing child support payments could result in physical or emotional harm to the child (Art. 6, Sec. 5);

- publish a "most wanted" list of at least the top 25 deadbeat parents who owe at least \$10,000 in back child support. Funding for the project, however, was line-item vetoed by the governor.

Previous law included anyone who is \$3,000 behind in payments. Under a new provision effective July 1, 1997, the list is to be assembled by the Office of the Attorney General in consultation with the Department of Human Services. Previous law left the list exclusively to the Department of Human Services. (Art. 6, Sec. 47); and

- tap into a deadbeat parent's pension, profit-sharing, and disability benefits to pay for child support, effective July 1, 1997. Under previous law, those items were exempt from a creditor's claim. (Art. 6, Sec. 84)

### Clean needles

To help prevent the spread of HIV and AIDS among intravenous drug users and others they may infect, the law allows pharmacies to sell, without prescription, new hy-

podermic needles and syringes. Effective July 1, 1998, needles can be sold from behind the counter, but cannot be available on store shelves. (Art. 2, Sec. 17, Subd. 2)

The change was one of several provisions related to HIV prevention and education. Also included were \$500,000 in HIV/AIDS prevention grants, and \$200,000 for activities related to the perinatal transmission of HIV. (Art. 1, Sec. 3, Subd. 3)

Effective July 1, 1998, pharmacies selling needles or home collection kits can provide HIV information to buyers, including telephone numbers for public HIV counseling and testing sites, the state's HIV hotline, disposal of used syringes, and general HIV prevention and care.

The written information will be supplied to pharmacies by the state at no charge. (Art. 2, Sec. 27)

### Naming the dead

The law spends \$200,000 to replace the unmarked or numbered graves of thousands of people who died decades ago while patients in Minnesota's state hospitals. The state dollars, however, are to be withheld until private money raised to replace the grave sites has been exhausted. (Art. 1, Sec. 2, Subd. 7; Art. 7, Sec. 26)

### Child welfare pilot programs

In an effort to encourage innovation at the local level, the commissioner of human services has been authorized to waive state rules and approve county pilot programs which focus on reforming the child protection and child welfare system in Minnesota.

Additionally, the commissioner may authorize alternative methods of investigating and assessing reports of child maltreatment.

Such pilot programs are to be evaluated as a condition of their approval. (Art. 5, Sec. 5)

### Relative custody

A new state program provides financial assistance for adults who obtain permanent, legal custody of a relative's child.

The Relative Custody Assistance Act affects special needs children who have a "physical, mental, emotional, or behavioral disability that will require financial support," or a child who is a part of a sibling group to be placed together.

The amount of the benefit, based on the gross income of the family where the child is placed, would vary depending on the needs of the child. (Grant amounts will be lowered accordingly if the family is receiving other

government or child support payments on behalf of the child.) Families with incomes less than 200 percent of federal poverty guidelines are to receive the maximum benefit. The monthly award declines as income increases. Families can earn up to 300 percent of federal poverty guidelines and still be eligible for some state aid.

Cases will be revisited on an annual basis to determine if aid payments under the program should be adjusted or terminated. Monthly awards can be made, assuming all program requirements are met, until a child turns 18. (Art. 5, Sec. 21)

### Right to appeal

Under current law, when a social service agency receives a report alleging child abuse, neglect, or maltreatment, it is duty bound to investigate the matter.

The new law provides an administrative appeals process for a person or facility who is the object of such an investigation.

The investigating agency must notify the person or facility of their right to appeal under the law. (Art. 5, Secs. 28-29)

### Reimbursement increases

Health care costs continue to increase, but pay raises for those providing necessary services for residents on Medical Assistance aren't nearly as predictable.

Effective July 1, 1997, reimbursement rates for a wide range of community-based services, such as home health care, therapy, and mental health providers under the Medical Assistance program are increased by 5 percent.

The goal is to increase the salaries of employees providing such services. (Art. 1, Sec. 2, Subd. 8)

### Child care licensing

With the federal welfare changes requiring parents on public assistance to work if they want a monthly helping hand, officials anticipate a huge increase in the demand for child care. The law sets aside \$200,000 on July 1, 1997, to add two more fire marshal positions to the Department of Human Services' licensing division to speed up the licensing of child care programs. (Art. 1, Sec. 2, Subd. 2)

### Assistance dogs

Minnesota nonprofit groups that train dogs to help people with disabilities receive \$50,000 over the 1998-1999 two-year state budgeting period. The dogs are often rescued from ani-

mal shelters and help their owners to lead independent lives at home and at work. (Art. 1, Sec. 2, Subd. 8)

### Living at home/block nurse programs

The law spends an additional \$650,000 over the biennium to expand from 15 to 27 the number of living-at-home/block nurse programs. These community-based programs, located throughout the state, enable seniors to live independently in their homes. To avoid nursing homes, the programs provide nurse home visits and coordinate health and personal care services on a sliding fee basis. They also provide homemaking services, counseling, and health training for both the elderly person and his or her family. (Art. 1, Sec. 2, Subd. 8; Art. 4, Secs. 44-45)

### Teen gambling

Lottery money in the amount of \$250,000 over the biennium funds a compulsive gambling prevention and education project for adolescents in St. Louis County. (Art. 1, Sec. 2, Subd. 8)

### Public housing for seniors

To help keep folks out of nursing homes, the law sets aside \$75,000 to help frail senior and disabled citizens living in public housing — especially those with language and cultural barriers — hook up with community support services and remain in their homes. (Art. 1, Sec. 2, Subd. 9)

### Women's mental health crisis center

Hennepin County will become home to a one-year experimental community-based crisis center for women who are experiencing a mental health crisis resulting from childhood physical or sexual abuse. The law spends \$200,000 in fiscal year 1998 and instructs the county to contract with a four-bed adult foster care facility. (Art. 1, Sec. 2, Subd. 9)

### Women, Infants and Children

To make up for recent federal cuts to the Women, Infants and Children nutritional program, the law spends \$650,000 in 1998 to maintain the current monthly caseload level of about 95,500. Without the appropriation, some 1,900 women and children would have been cut off. The program provides supplemental food, nutritional counseling, and health screenings for low-income, high-risk pregnant, breast feeding, and postpartum women, infants, and children under the age of 5. (Art. 1, Sec. 3, Subd. 2)

### Registering fathers

The law appropriates \$286,000 over the 1998-1999 budgeting period to pay for the Department of Health to register the names of fathers — or potential fathers — with the state.

A separate law (HF296/SF203\*/CH218) carries the specifics of the registry, where men who want to be a part of their children's lives can be assured of notification if their child is put up for adoption. The registry is a way to protect a birth father's rights in the event his child is put up for adoption, and to protect children from having adoptions unduly disrupted.

### Alternative medicine study

The Department of Health receives \$20,000 in fiscal year 1998 to study the scope of complementary or alternative medicine in Minnesota and whether these services are covered by health insurance. Also, the study is expected to recommend whether Minnesota should license or regulate alternative medicine providers. A report to the Legislature on these issues is due Jan. 15, 1998. (Art. 1, Sec. 3, Subd. 2)

## Welfare reform

It's official. Beginning in January 1998, Minnesotans on welfare must work or lose a portion of their monthly public assistance check.

After months of debate, Gov. Arne Carlson April 30 signed Minnesota's new welfare law, a response to a 1996 federal act that scrapped major parts of the long-standing welfare system and required states to move welfare recipients to work or face millions of dollars in federal financial sanctions.

Minnesota's passage of the law met the July 1, 1997, deadline imposed by the federal government requiring all states to report just how they plan to move families on welfare to work.

While much of Minnesota's new law focuses on moving welfare families to work, there is a second theme — softening some of the cuts found in the federal law aimed at immigrants. Under the federal law, many legal immigrants will lose all public assistance benefits, including food stamps, effective this summer.

Minnesota's welfare law uses state dollars to replace some of the cuts, but will leave most immigrants hundreds of dollars short each month compared to previous federal benefits.

Rep. Loren Jennings (DFL-Harris) and Sen. Don Samuelson (DFL-Brainerd) sponsored the new welfare law.

HF159/SF1\*/CH85

**Immigrants**

Although the federal law has left many legal immigrants with little, some in Minnesota, effective July 1, 1997, are eligible for about \$290 a month in cash assistance — \$203 per month as part of General Assistance (GA) and \$87 per month to replace lost food stamps.

GA is a state program that offers help to single adults in poverty who do not qualify for other state or federal welfare programs. However, only those legal immigrants living in Minnesota by March 1, 1997, qualify for GA. Those who become elderly or disabled while living here also could receive GA. (Art. 3, Sec. 34)

It is important to note that the \$87 a month to replace lost food stamps is temporary. It is only offered from July 1, 1997, to June 30, 1998. (Art. 3, Sec. 42) In Minnesota, an estimated 16,000 legal immigrants will lose their federal food stamps in 1997.

Another 5,400 elderly and disabled immigrants are expected to lose their federal Supplemental Security Income (SSI) later this summer. SSI began in 1974 and provides \$487 per month to single, needy people who are aged, blind, or disabled. (Eligible couples can receive up to \$700.) The state's offer of GA will help to replace that income.



Minnesota's new welfare law softens the blow of welfare reform measures related to immigrants. Federal law calls for all public assistance benefits to legal immigrants to be cut off, but the state law will provide some assistance for legal immigrants residing in Minnesota.

In addition to GA, the new law keeps certain legal immigrants eligible for Minnesota's welfare programs, including Medical Assistance (a joint state-federal program for those who can't afford health care) and the state's new welfare-to-work program known as the Minnesota Family Investment Program-Statewide (MFIP-S).

(Art. 1, Sec. 7 and Art. 3, Sec. 19)

The measure, however, requires that the income of a legal immigrant's American sponsor be considered when determining eligibility for public assistance. This is in keeping with the federal law.

**Work for welfare**

For several years, Minnesota has experimented with a welfare pilot program in eight counties that requires poor families with children to work for public assistance.

Under the new law, a modified version of that experiment will become permanent beginning Jan. 1, 1998, and cover all 87 Minnesota counties. (Art. 1, Sec. 1)

MFIP-S will allow families to accept lower-paying jobs while receiving some public assistance such as extra monthly cash and subsidized child and health care. In theory, allowing someone to work while still receiving benefits helps a low-skilled parent gain work experience and eventually obtain a better job.

MFIP-S replaces the traditional Aid to Families with Dependent Children (AFDC) program done away with by the 1996 federal welfare law. And, in keeping with federal law, Minnesota's law, effective July 1, 1997, sets a five-year, lifetime limit on receiving AFDC or MFIP-S welfare checks. (Art. 1, Sec. 32)

There are some exceptions to the five-year limit, including victims of domestic abuse who need time to find safety before they can settle into a job. (Art. 1, Sec. 32, Subd. 4)

Under MFIP-S, a parent or guardian who is not exempt from employment and training requirements will be required to develop a job search and employment plan and accept any suitable job once they've completed all the steps in their employment plan. As is the case now, the state will continue to pay for employment and job training services.

Beginning Jan. 1, 1998, in a two-parent family, at least one parent must find work right away. For single-parent families, each county will decide how many months can go by before the parent must look for work, except that the county must require single parents to follow employment and training

requirements within six months of becoming eligible for MFIP-S. (Art. 1, Sec. 40)

**Income limits**

The new law does set income limits on how much a family can earn on the job and still continue to receive a monthly MFIP-S check.

Effective Jan. 1, 1998, for a family of three, a limit of \$1,311 per month is set. A family of three in the current pilot program, can earn up to \$1,554 per month before being cut off. Officials maintain the state couldn't afford the higher amount and still take the program statewide. (Art. 1, Sec. 13)

**Penalties for no work**

Families who refuse to work or otherwise break the rules will see their grant cut by 10 percent for a least a month and until the violation is corrected.

For subsequent violations or subsequent months of the same violation, counties will directly pay the family's rent, and possibly utilities, out of a grant and cut the remainder by 30 percent before forwarding it to the family. (Art. 1, Sec. 36, Subd. 1)



Minnesota's new welfare law will require many poor families with children to work for their welfare checks. And, in keeping with federal law, Minnesota's law sets a five-year lifetime limit on receiving welfare benefits.

### Education limits

The law also limits the amount of postsecondary education a person may receive while on MFIP-S, effective Jan. 1, 1998. Under a current AFDC program, a limited number of parents are allowed to attend college for four years as part of a job development plan while still receiving their monthly welfare check, child care, and health care services.

Generally, MFIP-S limits approved postsecondary or training programs to a year or less but does allow for up to two years if the diploma or degree can be shown to help the welfare parent earn a better income. Also, recipients must agree to pay back the cost of the second year when they earn 150 percent of the federal poverty level, which is now \$11,835 per year. (Art. 1, Sec. 44, Subd. 1, 4)

### New mom exemption

Although most welfare recipients will be required to work, the law does allow for certain exemptions, such as a parent who stays home to care for a child under the age of one. Effective Jan. 1, 1998, in two-parent households, only one parent can claim the exemption, and then only for 12 months in a lifetime. (Art. 1, Sec. 47)

### Residency requirement

Effective July 1, 1997, the law mandates a 30-day waiting period to receive welfare and requires that, for the first year, families who move to Minnesota from other states receive either the benefit amount they would have received in their previous state, or Minnesota's rate, whichever is less. (Art. 1, Sec. 8, Subd. 1a and 3; and Art. 3, Sec. 27)

### Penalties split

The federal welfare law puts a great deal of pressure on states to move people off the welfare rolls or lose money. It is unclear, however, if the state plans to share that pressure with counties, which operate most welfare programs.

Beginning with fiscal year 1997, each state must show that 25 percent of its families on welfare are working at least 20 hours per week. By fiscal year 2002, that jumps to 50 percent working at least 30 hours per week. States that do not meet the percentages will face reductions in the amount of the federal block grant.

At one point a legislative proposal would have forced counties to share in the federal penalty. But the new law takes a softer approach. Instead, it requires the Department

of Human Services and counties to work together to develop a plan for how any federal penalty would be absorbed by the state and counties. They must report their conclusions to the Legislature by Oct. 1, 1998. (Art. 1, Sec. 63)

### Drug offenses

Anyone convicted of a felony drug offense after July 1, 1997, is barred from participating in MFIP-S until they complete their sentence. When and if they qualify for a monthly check, the law requires counties to pay rent and utilities first before mailing out the balance. Random drug testing also is required. (Art. 1, Sec. 16, Subd. 1)

Those convicted of a drug felony after July 1, 1997, would be barred from receiving \$203 per month under GA for five years after they completed their sentence. That is, unless the person is in treatment or on a waiting list for treatment. (Art. 3, Sec. 28)

Parole violators and felons on the run would face a lifetime ban from both MFIP-S and GA. (Art. 1, Sec. 16, Subd. 2 and 3; and Art. 3, Sec. 28, Subd. 2) Those convicted of fraudulently attempting to receive benefits in two or more states at one time will be barred from both MFIP-S and GA for 10 years. (Art. 1, Sec. 16, Subd. 4 and Art. 3, Sec. 28, Subd. 4)

## Background checks

Beginning July 1, 1999, all nursing home employees — even those who don't come in contact with residents — will have to submit to criminal background checks under a new state law.

The law also requires owners of nursing homes or boarding care homes to certify that the facility's employees have been checked out.

"There were many different rules for different facilities," Rep. Linda Wejman (DFL-Mpls), House sponsor of the measure, adding that she hadn't heard of any specific case that prompted the new provision. "This was an attempt to make sure we have one process."

Moreover, the law — which also requires the commissioner of the Department of Human Services to conduct background checks of adult foster care providers beginning Aug. 1, 1997 — imposes a variety of changes to the provisions relating to background checks of applicants who provide direct-contact services to individuals in programs licensed by the commissioner.

The legislation also creates the Independent Living Assistance for Youth program. The program, funded with federal dollars administered through local governments, will allow license holders to provide assistance with locating housing, budgeting, counseling, and social support services for youth who do not need 24-hour care supervision.

Effective Jan. 1, 1998, provisions in the new law also consolidate and make technical changes to the regulations surrounding the management and service standards pertaining to the facilities that provide care to individuals who are developmentally disabled or otherwise impaired.

Sen. Steve Morse (DFL-Dakota) sponsored the new law in the Senate.

HF272/SF234\*/CH248

## Flood aid

A state law effective May 7, 1997, provides \$21 million in relief for flood victims throughout Minnesota.

The law draws funds from the state's \$522 million budget reserve for flood relief and temporarily lifts some bureaucratic regulations to ease relief efforts.

Under the law, \$20 million goes to the Department of Public Safety for distribution to counties, cities, and towns affected by the flood. The money can be used for costs associated with flooding, including use as matching funds to receive federal emergency relief aid.

Another \$1 million is earmarked to help state agencies deal with expenses related to flood relief efforts.

A variety of state agency rules and fees are waived to speed flood relief efforts. The bill also will provide an adjustment in state aid to help school districts affected by the flood.

Rep. Doug Peterson (DFL-Madison) and Senate Majority Leader Roger Moe (DFL-Erskine) sponsored the proposal.

HF2129/SF1894\*/CH105

## Flood relief package

When the Minnesota Legislature convened Aug. 19 for the 1997 Second Special Session, lawmakers moved quickly to pass the centerpiece legislation of the session, a flood relief package that includes \$55.3 million in new bond funds.

The new law will allow the state to borrow \$55.3 million to fund a variety of projects aimed at rebuilding flood-damaged commu-



nities throughout the state. The law also dictates how another roughly \$20 million in flood aid will be spent.

Lawmakers and the governor touted the flood relief measure as the center of the state's most generous disaster relief effort ever. A flood relief task force appointed by Gov. Arne Carlson recommended a total of \$125 million in state aid for flood relief. The new law spends a good share of that amount.

A separate law passed earlier this year (HF2129/SF1894\*/CH105) devoted \$21 million to flood relief. The new law rededicates much of the money — \$20.3 million — included in that earlier law.

The task force's recommendations for a \$125 million state commitment to flood relief included the \$55.3 million in new state borrowing, \$20.3 million in general fund appropriations rededicated from the earlier law, and \$24.5 million already committed to flood relief from state agency budgets. (Another \$1 million comes from the state's petroleum tank release cleanup fund.)

The task force also called for \$24 million to be included in 1998 bonding legislation for flood-control projects in five Minnesota cities. Lawmakers will consider that portion of the task force's recommendations next year.

The law produced during the Second Special Session dictates how the \$20.3 in direct appropriations and \$55.3 million in new bonding revenue will be spent.

The law includes \$30 million to provide the required state and local matching funds for federal disaster relief, including the state's \$9 million share of \$50 million needed to buy out the estimated 1,000 damaged homes in flood plains.

The law also sends \$13.9 million to the Department of Natural Resources to be de-

voted to flood mitigation and protection projects. Specifically, \$5 million is earmarked for grants to help local projects to prevent or alleviate flood damages, another \$5 million is to help flood-proof publicly owned buildings, and \$3 million is for flood protection measures such as levee repair.

The flood relief law was sponsored by Rep. Jim Tunheim (DFL-Kennedy) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

1997 Second Special Session: HF1\*/SF4/CH2  
Here's a look at other highlights of the flood relief law.

- Housing projects receive \$8.5 million, including \$4.5 million for a community housing rehabilitation program and \$2 million for a program that provides loans and rent subsidies for low-income families.
- Infrastructure needs are supported with \$9 million earmarked for sewer and water system repair and construction of new systems for new housing construction. Some of the money also is available for road and bridge work.
- A total of \$8.2 million is devoted to efforts to assist businesses affected by flooding. That sum includes \$1.2 million to help retain businesses in border communities where the risk of losing businesses and jobs to neighboring North Dakota or South Dakota cities is high.
- A total of \$1.3 million is for the repair of farm buildings, driveways, and other facilities.

**Studying autism**

(See Children, page 15)

**Economic development, housing:**

**Helping hand program**

(See Development, page 19)

**Education and tax credits:**

**Breakfast at school**

(See Education, page 23)

**Environmental spending:**

**Food stamp supplement**

(See Environment, page 30)

**Early childhood funding**

(See Family, page 33)

**More MinnesotaCare enrollees**

(See Health, page 37)

**Child support dollars cut**

(See Vetoed Bills, page 69)



**INSURANCE**

**Protecting patients**

A new state law — the Patient Protection Act — seeks to prevent health plans from interfering with the doctor-patient relationship and to provide patients with accurate information about the relationship between their health care providers and health plan companies.

Under the new law, customers enrolled in a health plan and new customers will have the right to receive a clear explanation of the general nature of the health plan's financial agreement with the doctors and other providers in its network. More specific financial information will have to be made available upon request.

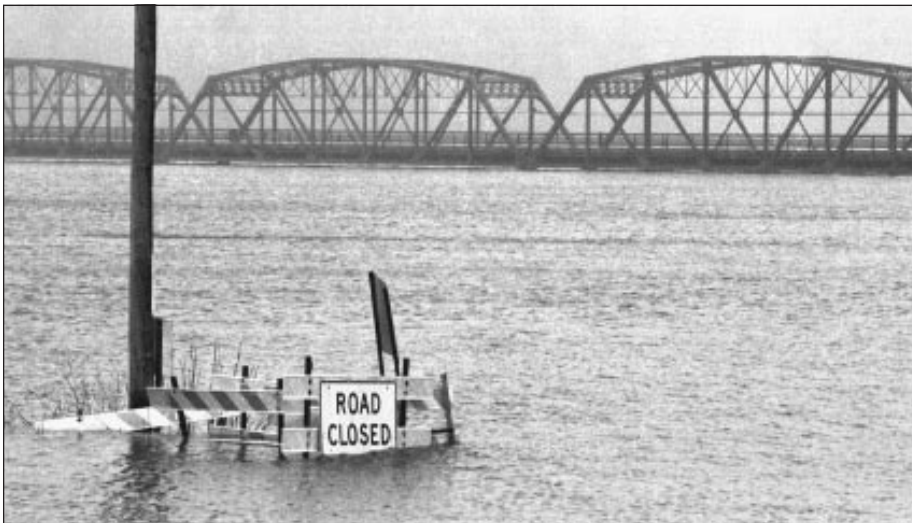
The law calls for health plan companies to disclose financial agreements with providers to all new enrollees and on an annual basis to all enrollees. Specifically, health plans will have to disclose any agreements that would in any way make it advantageous for the provider to limit the care offered to patients.

The new law also will prohibit health plans from retaliating against doctors and other health care providers who criticize a health plan's coverage or make a recommendation about the desirability of a plan.

Doctors and nurses also will be free to discuss — without fear of retaliation — diagnostic, treatment, or referral options not covered or limited under the health plan.

Health plan companies also will be unable to punish a health care provider for advocating on behalf of a patient or for telling the patient about financial arrangements between the provider and the health plan.

Furthermore, health plans could not retaliate against doctors or other providers who



A new state law provides \$55 million in bond funds to assist victims of Minnesota's spring floods.

support or oppose legislation and testify before either the Legislature or the U.S. Congress. (Retaliation can take many forms. For example, a health plan could choose to eliminate a doctor or nurse from its network of providers.)

All of the provisions detailed above are effective Jan. 1, 1998, and apply to health care policies issued or renewed after that date.

A provision effective Aug. 1, 1997, requires health plans to disclose their five highest salaries in excess of \$50,000 annually, including all types of compensation.

The measure was sponsored by Rep. Linda Wejman (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls).

HF1365/SF960\*/CH237

## Portable health coverage

A new state law aligns Minnesota with changes in federal health insurance law stemming from the so-called Kassebaum-Kennedy bill that Congress passed in 1996.

The federal measure, introduced by Sen. Ted Kennedy (D-Massachusetts) and former Sen. Nancy Kassebaum (R-Kansas), is formally known as the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Effective July 1, 1997, the federal measure prescribes a variety of changes to improve the continuity of medical insurance coverage as individuals move from job to job and to improve consumer access to health coverage.

For example, the measure places new limits on the denial of coverage by a new health plan for pre-existing conditions. The federal law also includes new prohibitions on refusal of coverage by insurers on the basis of medical history, genetic information, disability, or other factors.

Minnesota law already includes many of the provisions required by HIPAA, but the 1997 Legislature passed a measure including additional changes required to conform with the federal law.

The new state law makes numerous, largely technical changes to Minnesota health insurance regulations. Most provisions of the new state law are effective July 1, 1997, which matches the effective date of the federal act.

Rep. Greg Davids (R-Preston) and Sen. Edward Oliver (R-Deephaven) sponsored the measure.

HF1605/SF1715\*/CH175

## Direct OB/GYN access

A new state law forbids health insurers from requiring women to obtain a referral in order to see an obstetrician or a gynecologist.

The law, effective Jan. 1, 1998, requires that insurance companies and health maintenance organizations allow female enrollees direct access to obstetricians and gynecologists.

Under the law, women will be allowed to schedule an appointment with either health professional without prior approval from the insurer or a referral from a "gatekeeper" primary care physician.

The law requires direct access for annual examinations, any subsequent treatment deemed necessary by the specialist, maternity care, and treatment of acute or emergency conditions.

Health plans also are barred from charging women extra for direct access.

The legislation was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Deanna Wiener (DFL-Eagan).

HF447\*/SF398/CH26

## Managing diabetes

Health plans are required to provide coverage for training and education to assist diabetics in managing their disease under a new state law, effective Aug. 1, 1997.

The law expands a 1994 law requiring medical insurance companies and health maintenance organizations to provide coverage for syringes, blood-testing devices, and other equipment diabetics need.

The aim is to ensure that diabetics are properly trained to use the medical equipment and to monitor their own condition. The law also requires medical nutrition therapy for diabetes to be included in health coverage.

The measure was sponsored by Rep. Tom Pugh (DFL-South St. Paul) and Sen. Steve Novak (DFL-New Brighton).

HF653/SF495\*/CH57

## Mental health coverage

A new state law will set a legal definition for a term commonly used as a threshold in determining whether a health plan will pay for mental health services.

Under the new law, a statutory definition will be set for "medically necessary care." No health plan that uses the phrase or a similar term such as "medical necessity" to determine whether mental health services are cov-

ered will be allowed to use a stricter definition than the one in state law.

The law will declare that "medically necessary care" is "health care services appropriate . . . to the enrollee's diagnosis or condition, and diagnostic and preventive services."

The law also will require that coverage for mental health services be consistent with generally accepted practices within a particular specialty and that coverage include care to restore, maintain, or prevent deterioration of the enrollee's mental health.

The new law will apply to health plans such as Blue Cross and Blue Shield, to health maintenance organizations, and to commercial insurance companies. It should be noted that the new law will not apply to self-insured businesses, which provide coverage for about one-third of Minnesotans.

The new law is effective Jan. 1, 1998, and will apply to policies issued or renewed on or after that date.

Rep. David Tomassoni (DFL-Chisholm) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the measure.

HF645\*/SF622/CH49

## Preventing rate hikes

A new state law effective April 29, 1997, prevents automobile insurance rate hikes for people who are passengers on city buses involved in traffic accidents.

Rep. Jim Farrell (DFL-St. Paul) and Sen. Randy Kelly (DFL-St. Paul) sponsored the measure.

The impetus for the legislation came from an 86-year-old resident of Farrell's legislative district in St. Paul.

The woman was injured in January 1997 after she boarded a city bus to return to her East Side home. As the woman walked toward an open seat, the bus slammed to a stop to avoid a collision.

The sudden stop sent the woman toppling backwards, bouncing off the windshield, and landing at the bottom of the steps inside the bus door. She spent five days in the hospital with a variety of injuries and has since endured weeks of physical therapy.

Unfortunately, the woman had to absorb another blow when informed that the bus company would not pay her medical expenses. That, she was told, was the responsibility of her own automobile insurance company.

The state's no-fault insurance law requires that the woman's coverage come under her own automobile insurance policy.

The new state law provides protection for people in such a situation without taking on the highly controversial area of no-fault law.

The law prohibits insurance companies from increasing a policyholder's premium if the person is involved in an accident while a passenger in a bus, taxi, or commuter van.

According to Farrell, his constituent did not see an increase in auto insurance rates after the incident on the city bus, but the law will prevent anyone else in similar circumstances from seeing a rate hike.

HF1045\*/SF759/CH64



## LAW

### Omnibus Data Practices Act

This year's omnibus data practices law primarily affects access to and dissemination of records by law enforcement agencies, and the treatment of student records.

A provision to classify legislative budget proposals and those of the attorney general's office as private data was deleted from the data practices proposal, because that provision prompted Gov. Arne Carlson's veto of the data practices bill passed during the 1997 session. Such data from the Office of the Governor is classified as private, the result of a 1994 law. (See *Vetoed Bills*, page 65)

The measure was sponsored by Rep. MaryJo McGuire (DFL-Falcon Heights) and Sen. Don Betzold (DFL-Fridley).

1997 First Special Session: HFnone/SF7\*/CH3

#### Access by law enforcement

The law makes it easier for law enforcement agencies to collect data on fugitives from the law if a fugitive happens to be collecting welfare benefits.

The law says that the address, social security number, and photo of food stamp recipients may be disclosed to law enforcement officers, effective Aug. 1, 1997, if the individual is fleeing to avoid prosecution or custody, or is violating a condition of probation or parole. (Sec. 5)

The law also requires that the Bureau of Criminal Apprehension (BCA), in conjunction with a criminal and juvenile justice information policy group, report to the Legislature with a plan to make conviction records available at locations outside the BCA's central office. The report is due in January 1998. (The original House bill would have required the BCA to put certain criminal history data on the Internet, including a convicted

criminal's identity and offense record, which already are considered public.) The BCA is currently required to provide that information at no charge through a computer monitor at its central office in St. Paul. (Sec. 46)

#### Student records

Juvenile justice officers, effective Aug. 1, 1997, can obtain information about students from schools. That information could include the student's name, address, telephone number, birth date, school schedule, attendance record, photographs, and parents' names, addresses, and telephone numbers. (Sec. 3)

Previous law required elementary and secondary schools to maintain student health records — mostly immunizations — forever. The new law, effective Aug. 1, 1997, requires schools to keep those records until a student turns 23. (Sec. 21)

The law also loosens provisions regarding required tetanus and diphtheria (DPT) immunizations. Effective Aug. 1, 1997, a student who has received three doses, with the last received between the ages of 6 and 11, is not required to have additional immunizations for another 10 years. The law previously required that students in older grades must have had an immunization at 11 years of age or older. (Sec. 22)

A third provision regarding student records, effective Aug. 1, 1997, makes it clear that school districts or school boards have the authority to enforce immunization requirements. Current law specifies that students must submit those records within 30 days after enrolling in a new school, but does not say who has enforcement authority. The law also exempts crisis nurseries from the immunization requirements for up to five consecutive days of attendance. (Sec. 20)

#### Other provisions

The law also allows some health care professionals, effective Aug. 1, 1997, to use addresses other than their home address for public purposes. Advocates for the provision say it is necessary for security reasons. (Sec. 4)

Homeowners in Washington and Ramsey counties, effective Aug. 1, 1997, must be asked before a governmental agency could sell their names to commercial interests. Property owners could request that their names and addresses be excluded. (Sec. 27)

Other provisions address tax law. For instance, effective July 1, 1997, the Internal Revenue Service (IRS) can disclose to the state lottery the amount of a winner's delin-

quent state taxes if the individual wins \$600 or more. Currently, the IRS is not notified unless someone wins at least \$1,000. (Sec. 38)

After July 1, 1997, the penalty for tax evasion or aiding in evasion or attempted evasion is increased from a misdemeanor to a gross misdemeanor. (Sec. 43)

Finally, effective Aug. 1, 1997, the law requires that the public defender's office be provided with electronic access to public criminal and juvenile justice data. (Sec. 45)

### Chilling public participation

A new law will protect citizens from lawsuits intended to keep them from exercising their free speech rights.

They're called Strategic Litigation Against Public Participation (SLAPP) suits. A few years ago, it came to the attention of courts and lawmakers that some parties — usually commercial interests — were using the courts to effectively deny others — usually private citizens or citizen groups — their right to free speech.

In such a scenario, a developer proposing to build a garbage dump encounters protests from local citizens. He sues them, possibly for defamation.

The suit will very likely fail in court, but bill supporters say the threat of the lawsuit can have a chilling effect on public participation.

In 1994, the Legislature passed a law to protect against SLAPP suits, requiring developers or others filing the legal action to prove that they had been harmed by the person or people whose words or actions were at issue. If developers could not, such a lawsuit was to be dismissed.

But some have avoided the law by suing in federal rather than state court.

The law, effective Aug. 1, 1997, addresses that problem by allowing an action for damages and attorney fees in state court against someone who sues an individual in federal court in a SLAPP suit. The bill says: "If the person demonstrates that the respondent's action in federal court was brought for the purpose of harassment, to inhibit the person's public participation, to interfere with the person's exercise of protected constitutional rights . . . the court shall award damages" in addition to attorney's fees.

The measure was sponsored by Rep. Wes Skoglund (DFL-Mpls) and Sen. Carol Flynn (DFL-Mpls).

HF642/SF848\*/CH209

## Lower Sioux police

A new law effective May 21, 1997, gives the Lower Sioux Indian community law enforcement authority over offenses originating on the band's reservation in southwestern Minnesota.

The law authorizes the community to have the powers of a law enforcement agency in concurrence with the Redwood County Sheriff's Department. The community would enter into an agreement with the sheriff's department to define and regulate services and provide for mutual aid and cooperation.

Reservation officers are certified by the Board of Peace Officer Standards and Training, as are other police, and the community carries its own liability insurance.

Reservation officers' jurisdiction is limited to people within the geographical boundaries of reservation land, although officers could pursue an offender off the land if necessary in certain cases. People arrested by tribal police are sent to the Redwood County Jail and prosecuted by the Redwood County attorney.

A similar arrangement has been in operation on the Mille Lacs reservation for about five years.

The measure was sponsored by Rep. Barb Vickerman (R-Redwood Falls) and Sen. Dennis Frederickson (R-New Ulm).

HF464/SF542\*/CH185

## Police background checks

Effective Aug. 1, 1997, a new law amends the state's data practices act to allow for more thorough background checks on prospective law enforcement officers.

Law enforcement agencies are required to conduct extensive background checks on prospective peace officers before their employment begins. The applicants must meet standards established by the state's Board of Peace Officers Training and Standards (POST) in order to become officers.

But police departments often have difficulty obtaining information on applicants from previous employers, according to Bloomington police Lt. Ron Whitehead, president of the Minnesota Background Investigators Association. "We are looking for information about honesty, integrity, and the propensity for bias," Whitehead said. "But private employers won't provide that information for fear of civil defamation lawsuits. Larger employers often won't give out anything other than the employee's starting and ending dates."

Beginning Aug. 1, 1997, employers may

provide more extensive background information on law enforcement applicants without fear of legal consequences. The new law grants them partial immunity from civil liability for the information they provide. Most employers want to comply with requests for such information from law enforcement agencies, said Whitehead, but are advised against it by their lawyers.

The law also allows the POST board to release background data on officers and applicants to local law enforcement agencies.

Sen. Ember Junge (DFL-New Hope) and Rep. Rich Stanek (DFL-Maple Grove) sponsored the law.

HF606/SF294\*/CH214

## Inmate lawsuits

A new law clarifies when a prisoner may appeal a ruling that a lawsuit was frivolous or malicious.

Some prisoners, after having a lawsuit thrown out in court on grounds that it was frivolous, have attempted to "retry" the case through the Department of Corrections (DOC) processes, according to Rep. Tom Pugh (DFL-South St. Paul), the law's House sponsor. Effective Aug. 1, 1997, the new law states that inmates do not have a right to an additional hearing within the correctional facility's disciplinary system regarding such a finding, and that the DOC must uphold the court's ruling.

Existing law provides penalties for filing frivolous suits. Once the court has judged that an inmate's suit is frivolous, corrections officials may determine and impose the appropriate penalty, which may mean the loss of privileges, segregation, loss of credit for good behavior, or additional confinement. The law states that officials must limit punishment to that specified in the law and are "limited to the nature and extent of the infraction penalty to be imposed."

The law's Senate sponsor was Sen. Jane Krentz (DFL-May Township).

HF908/SF305\*/CH33

## Under-21 cards

A new state law effective Aug. 1, 1997, requires state identification cards for people under the legal drinking age to be clearly marked.

The law requires state identification cards for residents under age 21 to include markings similar to driver's licenses for that age group. Identification cards for people under

the legal drinking age will be a different color and will be labeled "Under-21." The cards will expire on the holder's 21st birthday.

Minnesota identification cards, which provide a form of legal identification for nondrivers, are issued by the Department of Public Safety. There is a \$12.50 fee for the card, which is normally valid for four years. Senior citizens are issued cards that do not expire.

The law was sponsored by Rep. Peggy Leppik (R-Golden Valley) and Sen. Martha Robertson (R-Minnetonka).

HF40/SF129\*/CH13

### DWI laws stiffened

(See DWI, page 20)

### Police benefits

(See Health, page 39)

### Snowmobile safety

(See Sports, page 52)

### Electronic signatures

(See Technology, page 57)

### Data practices changes

(See Vetoed Bills, page 67)

### Seat belts in the courts

(See Vetoed Bills, page 67)

### Opening juvenile proceedings

(See Bills in Limbo, page 78)

### Recognizing abuse

(See Bills in Limbo, page 78)



## LOCAL GOVERNMENT

### Mayors allowed to fight fires

A new law permits mayors to fight fires and fire chiefs to govern cities. The law states that the offices of city mayor and fire chief of an independent, nonprofit fire fighting corporation serving the city are not incompatible offices. Effective Aug. 1, 1997, one person will be allowed to concurrently hold both offices providing that the following conditions are met:

- the mayor does not appoint the fire chief;
- the mayor does not set the salary or benefits of the fire chief;
- neither officer performs functions that are inconsistent with the other's;
- neither officer contracts with the other; and
- the mayor does not approve the fidelity bond of the fire chief.

According to the law's House sponsor,

Rep. Bud Nornes (R-Fergus Falls), the law was prompted by a request from the town of Parkers Prairie in the southeastern corner of Otter Tail County. "Their mayor was going to become the fire chief," Nornes said.

The law was also sponsored by Sen. Cal Larson (R-Fergus Falls).

HF941/SF700\*/CH23

## Municipal bankruptcy allowed

Cities and towns facing financial meltdown may now file a petition seeking Chapter 9 bankruptcy under a new Minnesota law. Counties, housing and redevelopment authorities, economic development authorities, and rural development authorities also are covered by the law, effective May 14, 1997.

Bankruptcies filed under Chapter 9 of the U.S. Code allow municipalities to reorganize their debt payments to make them more manageable. In addition to accepting the arrangement for lower payments, creditors also may lower their interest rates on the outstanding balance.

The law was sponsored by Rep. Ann H. Rest (DFL-New Hope) and Sen. John Hottinger (DFL-Mankato).

HF512\*/SF388/CH148

## Saving Roseville tax dollars

A new law will save the city of Roseville some of its citizens' hard-earned tax dollars.

In the course of conducting the public's business, cities, townships, and counties are required to publish a variety of legal notices in local newspapers. The advertisements serve as public notice for land sales, class action lawsuits, and other government actions.

Under current law, local governments can publish such notices only in newspapers whose primary offices are within their jurisdiction.

But that limitation can cost local governments more than necessary when nearby newspapers charge substantially less for ad space.

Sponsored in the House by Rep. Mindy Greiling (DFL-Roseville), the law will allow the city of Roseville and Independent School District No. 623 to officially designate any newspaper with at least 25 percent of its circulation within the Roseville city limits or within the boundaries of the school district.

A letter from the Roseville City Council to the House Local Government and Metro-

politan Affairs Committee detailed the problem that city has faced.

"The council designated the *Roseville Review* as the official newspaper for 1996, based on substantially lower cost." But the letter of the law required the city to select the *Roseville Focus*, based on the paper's office location. The restriction caused Roseville to pay approximately 75 percent more, or about \$4,500, for legal notices in 1996.

Originally, the proposal was drafted to save all local governments in Minnesota some money in publishing legal notices. It was restricted to the city of Roseville by a Senate amendment.

According to Greiling, the Minnesota Newspaper Association feared that the broader law might have been used by some local officials to retaliate against newspapers that disagreed with their governmental actions.

Another Senate amendment protects local officials if errors occur in the publication of public notices.

The law takes effect upon approval of the Roseville City Council.

Sen. John Marty (DFL-Roseville) sponsored the law in the Senate.

HF356\*/SF284/CH56

## Snow removal fees

Property owners and occupants accustomed to shoveling their snow and ice onto town roads for removal at public expense may have to change their ways or face snow removal fees.

A new law effective Aug. 1, 1997, authorizes town boards to submit to voters the question of whether to require owners or occupants of property adjoining town roads to remove snow and ice they have deposited on the right-of-way. If the vote is yes, then the offenders must remove the snow or ice they have placed on town roads. If they fail to do so, the town board may have it removed, place a lien on the property for the expense, and collect the removal fee along with other real estate taxes.

The bill is modeled on current town authority relating to weed destruction on adjacent town roads.

The law was sponsored by Rep. Steve Dehler (R-St. Joseph) and Sen. Jim Vickerman (DFL-Tracy).

HF1313/SF1266\*/CH170

## Emergency services fees

For many small towns, providing emergency services can be a costly and unpredictable expense. Some towns maintain their own fire and ambulance services, while others contract them out. A new law effective Aug. 1, 1997, will allow towns to charge emergency service recipients for the cost of providing fire, rescue, medical, and related services.

Sponsored by Sen. Jim Vickerman (DFL-Tracy) and Rep. Edgar Olson (DFL-Fosston), the law also provides a process for the collection of delinquent payments from those receiving the service. In the case of property owners, the emergency service fee may be added to the property taxes of service recipients.

HF483/SF124\*/CH16

## More flood relief

A new law allows the governing bodies of cities and counties unaffected by the 1997 spring floods to provide assistance to other city or county governments within a federally designated flood disaster area. There was no provision in previous law providing for the transfer of taxpayer funds from one unit of government to another.

Sponsored by Sen. Jim Vickerman (DFL-Tracy) and Rep. Gail Skare (DFL-Bemidji), the law is one of several enacted by the 1997 Legislature to lift bureaucratic regulations and expedite flood relief efforts. The law expires Jan. 1, 1998.

HF2169/SF1928\*/CH75

## Miller-Dwan Medical Center

A new law authorizes the transfer of Miller-Dwan Medical Center from its trustee, the city of Duluth, to a newly formed, community nonprofit corporation.

Previously, Miller-Dwan operated as a municipal hospital and charitable trust. Although the hospital was not taxpayer subsidized, all decisions by its board of directors were subject to Duluth City Council approval.

Miller-Dwan has a history of litigation and legislation fueled by this organizational structure. The new law allows the hospital to function without the restraints of disclosure requirements and political oversight.

In recent years, several publicly operated medical facilities in Minnesota have converted to nonprofit status, among them St. Paul-Ramsey Medical Center.

The new law, sponsored by Sen. Sam Solon (DFL-Duluth) and Rep. Tom Huntley (DFL-Duluth), is effective upon approval of the Duluth City Council.  
 HF1379/SF1146\*/CH101

**Buildings and bridges**  
 (See Bonding, page 11)

**Crime, courts, prevention**  
 (See Crime, page 15)

**Community-based planning**  
 (See Development, page 19)

**City council terms**  
 (See Elections, page 26)

**Local election dates**  
 (See Elections, page 26)

**Omnibus tax law:  
 Mandates on local governments**  
 (See Taxes, page 55)

**Minneapolis construction**  
 (See Vetoed Bills, page 68)

**Mesabi County?**  
 (See Bills in Limbo, page 78)

 **MILITARY**

**Enlist and enroll**

Effective Aug. 1, 1997, a new law increases the maximum amount of the educational grant available to certain Minnesota National Guard members.

Under the law, sponsored in the House by Rep. Loren Jennings (DFL-Harris), up to 50 percent of tuition and textbook costs at any Minnesota public institution of higher education will be covered. For programs outside Minnesota, the grants will pay for the equivalent of half the cost of a comparable program at the University of Minnesota.

Currently, the tuition grant program covers the equivalent of up to 75 percent of the cost of undergraduate programs at the University of Minnesota or the same amount at another school. But because graduate programs often cost considerably more, the guard anticipated having trouble enrolling members in programs such as medical school. Proponents have said that the change is necessary to keep the guard attractive to potential recruits.

The national guard can target specific programs and students for grant aid. The change results in no additional cost to the guard.

Sen. Dean Johnson (R-Willmar) sponsored the Senate proposal.  
 HF297/SF4\*/CH160

**Leave for Civil Air Patrol**  
 (See Employment, page 27)

 **RETIREMENT**

**Assisted living care**

A new law adds assisted living facilities to the list of specialized residential settings that require state regulation and licensing.

Assisted living housing combines specially adapted residential housing, assistive technologies, personal assistance, and other supportive services for the elderly and people with disabilities. Such settings are thought to foster greater autonomy and control for consumers over their living and service arrangements than is typically found in more traditional residential care facilities, such as nursing homes.

Several assisted living housing developments have opened in Minnesota during the past few years, but special regulations and licensing have not existed for such facilities until now.

The law, sponsored by Sen. Linda Berglin (DFL-Mpls) and Rep. Lee Greenfield (DFL-Mpls), provides for regulation of personnel, medication storage, and client record keeping in assisted living facilities.

The law, effective Aug. 1, 1997, also makes other changes to laws relating to home care.  
 HF291/SF333\*/CH113

**Pension veto**  
 (See Vetoed Bills, page 68)

 **SAFETY**

**DWI laws stiffened**  
 (See DWI, page 20)

**Game, fish and lifejackets:  
 Gun safety**  
 (See Game & Fish, page 35)

**Game, fish & lifejackets:  
 Lifejacket requirements**  
 (See Game & Fish, page 35)

**Preventing rate hikes**  
 (See Insurance, page 48)

**Snowmobile safety**  
 (See Sports, page 52)

**Omnibus transportation:  
 Public safety**  
 (See Transportation, page 58)

**Protecting kids in carts**  
 (See Bills in Limbo, page 78)

 **SPORTS**

**Snowmobile safety**

The Legislature approved several new snowmobile safety laws following a winter season that brought a startling death toll from snowmobile accidents. Thirty-two people were killed in snowmobile accidents during the 1996-97 season, the most since 1972.

Provisions tucked into the omnibus game and fish and the omnibus environment finance laws aim to expand safety training requirements and improve enforcement of snowmobile laws. All of these measures were previously contained in one of several separate bills, most notably HF551/SF94 sponsored by Rep. Kathleen Sekhon (DFL-Burns Township) and Senate Majority Leader Roger Moe (DFL-Erskine); HF164/SF230 sponsored by Rep. Tom Bakk (DFL-Cook) and Sen. Doug Johnson (DFL-Tower); HF406/SF511 sponsored by Rep. Doug Peterson (DFL-Madison) and Sen. Steve Murphy (DFL-Red Wing); and HF407/SF287 sponsored by Bakk and Sen. Bob Lessard (DFL-Int'l Falls).

Under the environment finance law (HF2150\*/SF1907/CH216), the snowmobile registration fee will be increased by \$15, pushing the total charge to \$45 for three years. Out-of-state snowmobilers also will have to pay \$15 for a permit to operate their machines on state-supported trails. The new fees are effective July 1, 1997.

Revenue generated by the fee increases will help pay for improvements to an overburdened and out-of-date snowmobile trail system to the tune of \$10.5 million during the 1998-99 biennium. The money will fund snowmobile grants-in-aid which pays local snowmobile clubs to maintain the state's 18,000 miles of trails.

The law appropriates a total of \$800,000 for the biennium to assist local law enforcement agencies in implementing new snowmobile enforcement efforts.

These biennial appropriations are avail-



Provisions in separate new laws will expand safety training requirements for snowmobilers, improve law enforcement on snowmobile trails, and crack down on drunken snowmobilers.

able July 1, 1997, through June 30, 1999.

The use of snowmobiles with metal stud traction devices will be prohibited on paved state trails beginning July 1, 1997. Trail surfaces frequently have been damaged by snowmobiles to which metal studs have been added for increased traction.

The law also expands snowmobile safety training requirements to include all snowmobile operators under age 25 by the year 2002. Operators convicted of careless or reckless operation of a snowmobile or who violate snowmobile speed limits twice within one season will also be required to undergo snowmobile safety training. The law provides for indicators to be placed on the driver's license or state identification card of any individual who completes a snowmobile safety training program. These provisions are effective July 1, 1997.

The measure was sponsored by Rep. Tom Osthoff (DFL-St. Paul) and Sen. Steve Morse (DFL-Dakota).

The game and fish law (HF313/SF254\*/CH226) requires that snowmobiles be registered in the legal name of the owner and that registration numbers be clearly visible on the vehicle for law enforcement purposes.

In the past, owners have been allowed to register under nicknames and use fancy (and often difficult to read) lettering to display registration numbers on their snowmobiles. These practices sometimes made it difficult for enforcement personnel to identify a snowmobile's owner.

Snowmobilers under 18 will be required to wear helmets. Exceptions to the helmet law are allowed for youth operating a snowmobile on family-owned land or in a officially authorized parade.

The law also authorizes a survey to identify a possible one-way circular trail system for snowmobile use. A recommendation will be made to the 1998 Legislature.

All the above provisions of the game and fish law, sponsored by Rep. Bob Milbert (DFL-South St. Paul) and Sen. Dennis Frederickson (R-New Ulm), are effective July 1, 1997.

**Stadium bill stumbles**

(See Bills in Limbo, page 78)

**Civic center improvements**

(See Bills in Limbo, page 79)



**TAXES**

**Omnibus tax law**

For many members of the 80th Legislature, reforming the state's property tax system topped the year's political agenda. On June 2, Gov. Arne Carlson signed into law legislation that, in the words of some members, may not contain all the elements of reform, but certainly provides a measure of relief and a step toward reform.

"This bill doesn't achieve final reform — and given the resources allotted toward that this year, it wasn't possible," said House sponsor Rep. Dee Long (DFL-Mpls). "It doesn't accomplish all the goals, but it puts us on the road."

The law also contains revisions to the state's income tax codes and changes in sales tax and the Tax Increment Financing (TIF) mechanism, along with dozens of other tax provisions.

Sen. Doug Johnson (DFL-Tower) sponsored the Senate proposal.

HF2163\*/SFnone/CH231

**Property tax reform, relief**

Under the new law, Minnesota homeowners and renters will receive a rebate based on the amount of property taxes they paid in 1997. The rebate can be taken as a credit against income taxes owed in 1998 or refunded directly to the taxpayer.

Homeowners will get back 20 percent of their 1997 property tax paid, while renters will receive 18 percent of the portion of their rent that constituted property tax payments (which is about 3.6 percent of the total rent paid). There is no maximum on the rebate amount. (Art. 1, Sec. 16)

The law decreases the class rates for many property tax categories; that is, the bill compresses the rate structure and spreads the levies more evenly across existing classes. Commercial/Industrial (C/I) properties enjoy some of the largest reductions. Beginning with taxes payable in 1998, the class rate of the first tier of C/I property decreases from 3 percent to 2.7 percent and the first-tier of value subject to that lower rate expands from \$100,000 to \$150,000. The upper tier of C/I is set at 4 percent, down from 4.6 percent. (Art. 1, Secs. 6-9)

The class rate for market-rate apartments also is decreased from 3.4 percent to 2.9 percent. (Art. 1, Sec. 8)

Low-income housing will be treated as a single classification and become subject to new guidelines. In exchange, the properties will be classified at a rate of 1 percent. Both of these changes take effect beginning with taxes payable in 1999. (Art. 1, Sec. 8) To qualify for the reduced rate, the units have to be certified by the Minnesota Housing Finance Agency as meeting minimum housing standards and be occupied by individuals who meet income guidelines. Moreover, the units are subject to a five-year rent restriction, and in the metropolitan area, at least 20 percent of the apartments must be made available to families that qualify for Section 8 certificates, the federal government's rent subsidy program. (Art. 1, Sec. 4)

The law reduces the General Education Levy and increases the state's share of education funding from 60 percent to 65 percent of the total school levy. It also enacts an Education Homestead credit. This credit is equal to 32 percent of the property's general education tax, up to a maximum of \$225 on each homestead. (Art. 1, Sec. 12)

Large scale wind energy conversion systems used to generate electrical power will be subject to increased property tax levies. Small-scale systems (those that generate less than two megawatts of electricity) built after Jan. 1, 1991, remain exempt, medium scale systems will be taxed as under current law — but large scale (over 12 megawatts of electricity) will be subject to higher taxes. (Art. 2, Sec. 7)

#### Senior citizen deferrals

Taxpayers over the age of 65 can defer a portion of their property tax burden if they've lived in their homes for more than 15 years and their total annual household income does not exceed \$30,000.

Senior citizens can, for taxes payable in 1999, defer an amount up to their total property taxes minus 5 percent of their total household income, not to exceed an aggregate tax amount of 75 percent of the property's market value. A lien will be placed on the property, payable when the house is sold, the owner dies or discontinues the deferment, or the property no longer qualifies as a home-stead.

The provision is aimed at preventing senior citizens who live on fixed incomes from being driven out of their homes by rising property values and taxes. (Art. 14)

#### The budget reserve

The state's estimated biennial budget surplus is estimated at \$2.3 billion; some of that money was used to accomplish the property tax changes. The law establishes a Property Tax Reform Account specifically for that purpose and appropriates \$46 million for the account in fiscal year 2000. (Art. 9, Sec. 2)

The law also mandates a budget reserve of \$522 million, effective July 1, 1997. (Art. 9, Sec. 5)

#### Levy limits and tax truth

The law imposes temporary levy limits on counties and cities of more than 2,500 population for two years. The commissioner of revenue shall determine a levy limit base for each county and municipality, using 1997 figures weighted for inflation and population increases. Property taxes within that jurisdiction are limited to that base figure, minus the amount of general purpose aids provided by the state.

Some exceptions, called special levies, do exist. For example, communities can have new levies to cope with floods or other natural disasters and to meet fund-matching requirements associated with federal or state



A new tax law permanently exempts purchases of used farm machinery from state sales tax.

programs. The communities also may levy in excess of the limits if it has been approved by referendums. (Art. 3, Secs. 1-9)

The law also defines changes to the state's Truth-in-Taxation laws. School districts are required to certify to county auditors their proposed levies divided into three components: the state-determined levy amount, the voter-approved levies, and the remaining amount of levy. This breakdown shall, in turn, be clearly itemized on the property tax notices and property tax statements sent to taxpayers. (Art. 4, Sec. 1)

Communities also have to provide more specific budget information in newspaper advertisements pertaining to public hearings of property tax matters. Currently, the ads merely state the time and place of the hearing. (Art. 4, Sec. 5)

#### Income tax provisions

The law contains a number of changes to the state's income tax code, providing several new income tax credits to Minnesota taxpayers.

The bill provides a tax credit for insurance premiums related to long-term care coverage, if the policy provides a minimum of \$100,000 worth of benefits and includes the inflation protection specified by federal law. Taxpayers can take 25 percent of their premiums not deducted for federal tax purposes as a credit, up to \$100 for individual returns, \$200 for married joint returns.

The credit is effective for taxes payable in 1999. (Art. 5, Sec. 7)

The law also creates a job-training tax credit that can be taken against the corporate franchise tax. Employers of people who have graduated from an approved training program can receive a credit — up to \$20,000 per employee — for each trainee hired. The credit essentially reimburses the company for fees paid to the training program.

The credit is aimed at moving people into the workforce by allowing charitable organizations to train low-income, underskilled individuals who might otherwise fall through society's safety net. (Art. 5, Sec. 8)

To qualify, programs must be certified by the commissioner of the Department of Children, Families and Learning and provide education in basic skills, thinking skills, and personal qualities. The program must spend at least \$5,000 per student and last for at least six months. Upon graduation, the jobs in which trainees are placed must pay at least \$9 per hour during the first year, and \$10 per hour thereafter.

The state will provide up to \$1.2 million in job-training credits over the next five years. (Art. 5, Sec. 8)

The law also imposes new regulations on third-party bulk income-tax filers, such as payroll services, and calls for a few new taxation studies; most notably on business and telecommunications taxes. (Art. 5, Secs. 10, 18)

The law also updates the state's income tax code with respect to changes in the federal system. (Art. 6)





A new tax law includes property tax reform measures and provides property tax rebates to homeowners and renters.

### Sales tax changes

The law includes an array of sales-tax exemptions.

Currently, the state draws a distinction between capital equipment and replacement capital equipment. For both types of purchase, the full tax is paid up front; however, a buyer can get a full refund of the tax on capital equipment but only a partial refund on replacement capital equipment. The law eliminates this distinction. As of June 30, 1998, both types of purchases will be eligible for a full refund of the sales tax. The Department of Revenue estimates this will cost the state an additional \$3 million in the coming biennium. (Art. 7, Sec. 8)

"Inputs" used for taxable services, such as laundry, dry cleaning, building maintenance, telephone and cable television, and country club dues, are also exempted from the sales tax as of June 30, 1999. Thus, the chemicals used in dry cleaning or building maintenance, for example, will become tax-free. (Art. 7, Sec. 19)

Effective June 30, 1997, the law extends the sales tax to certain items that are now exempt. For instance, unheated, ready-to-eat food, such as sandwiches and salads sold at supermarkets, are taxable, as are pre-paid telephone cards. Calls made using pre-paid telephone cards, which are currently taxable, will now be exempt. (Art. 7, Sec. 4)

### Tax Increment Financing

Many communities have come to rely on Tax Increment Financing (TIF) districts to create economic development.

Using TIF, a local government can create a

specific district in which property tax values are frozen. As a developer proceeds with a project, the taxes generated by the increase in property value over the frozen amount, known as the increment, are diverted from the normal revenue stream (education finance, local services, etc.) to finance the economic development.

A recent report by the Office of the Legislative Auditor determined that, in some cases, communities have incorrectly applied the state's existing TIF dollars. As a result, the law contains new provisions designed to help prevent abuses of TIF throughout the state.

The law requires development authorities to conduct physical, on-site inspections of properties being considered for TIF action. In addition, the law imposes a number of restrictions on the uses to which TIF money can be put, and adopts explicit definitions aimed at tightening the use of TIF district creation. The law is effective June 30, 1997. (Art. 10, Secs. 1-10)

### Mandates on local governments

The law also regulates the imposition of state mandates on local governments. It requires the Department of Finance to report to the Legislative Coordinating Commission on the financial impact of new rules on local governments.

Moreover, legislative staff must prepare fiscal notes detailing the impact on local governments of a law enacted after June 30, 1997, or proposed by the Legislature after June 30, 1998. The notes must accompany any bill that would impose a new mandate. This provision requires detailed explanations of how

and why a mandate was being imposed. (Art. 11, Secs. 1-6)

### Regional development commissions

Reining in urban sprawl has become a priority for many legislators and this law is aimed at fostering cooperative growth. The new law makes numerous changes to the Regional Economic Development Commission Act, affecting its structure, operations, and procedures. However, it does limit property tax levy increases in payable 1998 and thereafter to 103 percent of the previous year's levy, with further restrictions tied to the overall levy limits in Article 3. (Art. 12, Secs. 1-27)

### Taxing minerals

The body of tax law surrounding Minnesota's bountiful mineral resources also changes under the new law.

High-yield ore is subject to an additional tax of 3 cents per ton, beginning in 1997, for each percentage point by which the ore exceeds 72 percent iron. (Art. 8, Sec. 7)

The law also reduces the distribution to the taconite development fund from 20.4 cents per ton to 15.4 cents per ton for production year 1998 and 1999 and provides that that 5-cent reduction be deposited in the taconite environmental protection fund. (Art. 8, Secs. 8, 9)

### Taxing garbage

The new law replaces the current solid waste generator assessment fee and SCORE (which was a sales tax on a solid waste service) with a new solid waste management tax, effective Jan. 1, 1998. The new tax is estimated to be revenue-neutral (in total) with the two it replaced.

The new law imposes the solid waste management tax on residential generators and political subdivisions that provide solid waste management services to residential generators at a rate of 9.75 percent. (Art. 13, Sec. 7) Commercial generators will be taxed at 17 percent of the price of their waste management services. (Art. 13, Sec. 8)

Solid-waste fees imposed by local governments are generally exempt from the tax, as are a variety of materials, including waste generated outside Minnesota and some recycled waste. (Art. 13, Sec. 11)

About one-half of the tax revenue — \$22 million or 50 percent, whichever is greater — must be deposited into the state's solid waste fund. This replaces the funds previously collected from the solid waste generator assess-

ment fund. The remainder will be directed into the general fund and used for such things as county grants, as under current law. (Art. 13, Sec. 18)

### Other provisions

The law also contains a number of miscellaneous measures, many of which allow specific local governments to enact particular taxes within their jurisdictions. Hennepin and Ramsey counties, for example, are authorized to impose a deed and mortgage tax. The revenues are deposited in a county environmental response fund for contamination cleanup, etc. Cigarette retailers can pass on manufacturers' discounts as lower prices under the Unfair Cigarette Sales Tax. (Art. 16)

Local government associations also have to disclose the amount of money they spend for lobbying at the state government level. (Art. 16, Sec. 1)

### Deadline extension

Victims of spring flooding in Minnesota received an extension of the deadline for filing income tax returns under a law, effective April 16, 1997.

The law allowed flood victims until May 30, 1997, to file their taxes. Those eligible included residents and owners of businesses in any of the 46 Minnesota counties that were declared a federal disaster area.

Under the law, penalties for filing after the usual April 15 deadline were waived.

More than 6,000 people were evacuated from their homes as a result of flooding that was especially hard on western Minnesota towns such as East Grand Forks, Minn., and Breckenridge, Minn. The flooding also forced the evacuation of more than 400 businesses.

The law was sponsored by Rep. Jim Tunheim (DFL-Kennedy) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF2132\*/SF1904/CH34

### Protecting payroll

(See Business, page 13)

### Education and tax credits: Tax deductions and credits

(See Education, page 21)

### Omnibus Data Practices Act:

#### Other provisions

(See Law, page 49)



## TECHNOLOGY

### Technology agency

Under a new law effective July 1, 1997, the Minnesota Office of Technology has become a state agency.

The move emerged from HF120, said bill sponsor Rep. Phyllis Kahn (DFL-Mpls), and will create a strong measure of accountability in light of the increased number of technology initiatives currently before the Legislature. As things previously stood, Kahn said, the responsibility for decisions concerning technology was scattered among several different state agencies, with much of it lying in the Department of Administration.

"We're just setting a clear line of authority," for decisions, Kahn said. "The authority is within the Office of Technology."

The office's executive director will review and coordinate state and intergovernmental information systems and the entire technology infrastructure. The technology office will also develop, in conjunction with an advisory council, a plan to provide access to information gathered by the government.

Gov. Arne Carlson created the Office of Technology in May 1996 by executive order, said Michael Norton, the office's deputy director.

"It was created there mainly because the lion's share of the investments in technology are in the area of education," said Norton.

The change is contained in the omnibus state government finance package. (Art. 3, Secs. 7-10)

The technology office's director must also appoint a manager for Minnesota's North Star system, which now becomes the officially sanctioned on-line service for conducting government business. Government units planning or providing on-line services (such as World Wide Web pages) are required to do so through North Star, and the office must develop outreach programs to other statewide systems, such as schools and libraries. (Art. 3, Sec. 13)

The law also enhances Minnesota's 911 service, requiring cellular and wireless access providers to cooperate and implement an enhanced emergency capability that meets the standards dictated by the Federal Communications Commission. (Currently, a number of rural Minnesota counties are without enhanced 911 service, which allows a dispatcher's computer terminal to pinpoint the exact location of a caller.)

The Minnesota Highway Patrol and other

civic entities will operate 10 answering points, and the local governments are required to ensure that any 911 calls made by a cellular phone are automatically connected to one of those points. (Art. 3, Secs. 18-31)

Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury) sponsored the proposal.

HFnone/SF1905\*/CH202

### Ghosts in the machine

The stroke of midnight on Jan. 1, 2000, could mark more than the last year of the millennium — it could signal the start of a massive failure in Minnesota's computer systems. The omnibus state government finance proposal contains a \$23 million appropriation to make sure that doesn't happen.

"Some programs may not run at all, or some may sort records in the wrong order," said Bev Schuft, assistant commissioner of the Department of Administration's (DOA) Information Policy Office. "Security could be compromised," she warned.

Schuft said that the information office needed the new appropriation to implement the Year 2000 Project and head off the disaster. She also said the total cost of the project can't be estimated because many state agencies have spent money on the problem out of their regular operating funds and will continue to do so. The money will ensure that various "mission-critical applications" won't fail.

The problem, from which private sector businesses are not immune, began in the 1970s when those designing computer systems decided to store years as two digits instead of four. For example, the year 1997 is represented by the numbers nine and seven. As a result, Schuft explained, nearly every computer in the state will interpret the year 2000, represented by a double zero, as the year 1900, throwing whole systems — most notably payroll, pension, and tax collection programs — into disarray.

Jim Close, the information office's Year 2000 Project director, said nearly 84 million lines of computer code and more than 34 billion database records need to be reviewed and corrected. At this point, Close said, the Year 2000 Project team has completed the first three phases of the endeavor — including an impact analysis — and now needs to define the methods, develop a staffing plan, and do the work.

"Finding all the date occurrences is the hardest part," Close said. "Fixing them should be easy."

The entire process should be completed by June 1999.

The \$23 million was included in the omnibus state government finance proposal sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury). Of that amount, \$8 million will be held and spent only if the governor gives his approval, after consulting with the Legislative Advisory Commission.

The DOA will report to the Legislature by Dec. 15 of this year on the progress of the project. (Art. 1, Sec. 12, Subd. 7)

HFnone/SF1905\*/CH202

## Electronic signatures

Minnesota businesses moved a step closer to the Digital Age with a new law that gives electronic signatures the full force of legal protection.

The law, sponsored in the House by Rep. Phyllis Kahn (DFL-Mpls) and modeled after a law set to take effect in Washington state in January 1998, allows for the full authentication of documents transmitted between computers. The process relies on a set of two cryptographic key codes built around one-of-a-kind mathematical formulas known as algorithms. One key, held privately by the user, encodes documents with a digital signature; the other is held in trust by a public certification authority and used by recipients to verify an encoded document's integrity.

The law defines the rules of the digital authentication system and mandates that the Office of the Secretary of State set up a transitional public certification authority until private sector firms, which would be licensed and regulated by the secretary's office, can step in and take over the verification process. It also spells out the range of liability assumed by the system's subscribers and provides penalties for acts of fraud.

Perhaps most importantly, Kahn said, the entire electronic signature system remains voluntary. Businesses aren't required to participate. Moreover, the state does not assume any financial burden because the cost of doing business will be assumed by the private sector firms — who could set whatever price the market could bear — when they take over as certification authorities.

Kahn estimated that July 1998 would be the earliest the system could go on-line.

Steve Kelley (DFL-Hopkins) sponsored the Senate proposal.

HF56/SF173\*/CH178

## I want my HDTV

Minnesota's largest public television station plans to construct a digital broadcast station in anticipation of shifting industry standards, and the omnibus state government finance package funds the project with a \$750,000 appropriation available July 1, 1997.

"The Digital Age is upon us," said Jim Kutzner, vice president at Twin Cities Public Television, which runs KTCA (Channel 2) and KTCI (Channel 17). "This is not going to be simply analog television stuffed into a new system."

What it will be, Kutzner said, is the application of a technology that is fundamentally different from anything that has come before it. Digital television stations will be able to provide a High-Definition TV signal comparable in quality to a 35 mm Hollywood film. In place of the HDTV signal, the station could choose to broadcast four signals of lesser quality through the same digital cable, allowing for a much broader range of programming.

Twin Cities Public Television, Kutzner said, plans to build the digital station, at a total cost of \$2.25 million, and have it on line by August 1998. It would be one of the first such stations in the world. The station plans to provide \$1.5 million of the total: \$750,000 from the state and an equal amount from non-government sources. (Carlson called for the appropriation in his budget recommendations.)

Public television's share of the funds, Kutzner said, will come, in part, from partnering with the private sector, although the details of that arrangement have yet to be finalized.

"We recognize that in order for us to survive in the new world," Kutzner said, "there's going to have to be a healthy marriage of mission and revenue."

Television and computer manufacturers have argued for years over the industry's digital broadcast specifications. In December 1996, the Federal Communications Commission (FCC) finally adopted standards (defined by the Advanced Television Systems Committee, a group formed specifically to develop a solution to the problem). Those standards decreed that all broadcasters must phase in the new digital technology immediately. The FCC is expected to assign digital TV frequencies to broadcasters in the near future.

"When this occurs," Kutzner said, "the

gates will be thrown open" to rapid product development, and Minnesota, with its new station, could quickly become an industry leader.

Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury) sponsored the proposal. (Art. 1, Sec. 12, Subd. 8)

HFnone/SF1905\*/CH202

## Underground communication

Beneath public streets run countless miles of lines and cables, all carrying services for water, electricity, sewer, natural gas, telephones, and cable television.

The underground has become even busier in recent years with the advent of new technologies and new uses for the technology, such as those for telephones. The result? Increased demand for limited space.

A new law regulates the rights-of-way to the underground for telecommunications and related companies. Proponents have said it successfully balances public and commercial interests.

Under the law, most of which became effective May 10, 1997, counties, towns, and cities will manage underground access by requiring registration and permits, plans for construction, construction performance bonds and insurance coverage, and project data reports. They also can establish installation and construction standards, location requirements for equipment and facilities, coordination and timing requirements, and removal requirements for abandoned equipment.

Local governments may recover "actual costs" from the companies for providing administrative services, such as processing applications, conducting inspections, and issuing permits, but may not charge more. The telecommunications companies remain fully responsible for returning road or other surfaces to their previous condition.

Local governments must treat companies equally and may not deny underground access except when necessary for health or safety reasons, or in the event of a substantial breach of the terms and conditions of access (or several other related conditions).

In the event of a dispute, the law requires a review by the authorized unit of government, which would have to submit a report in support of its decision. A company then could ask to have the matter settled through arbitration, paid for equally by both parties.

Finally, the law directs the Public Utilities

Commission to develop a set of statewide standards to govern use of the right-of-way. The rules will apply to construction standards, maintenance, and repair. A report to the Legislature is due by November 1997.

The measure was sponsored by Rep. Loren Jennings (DFL-Harris) and Sen. Steve Novak (DFL-New Brighton).

HF322/SF442\*/CH123

**Education and tax credits:**

**Hardware, hard cash**

(See Education, page 22)

**Meetings via interactive TV**

(See Government, page 36)

**Omnibus higher education law:**

**Keeping technologically fit**

(See Higher Education, page 41)



**TRANSPORTATION**

**Omnibus transportation**

The omnibus transportation finance law appropriates \$3 billion for roads, bridges, transit, aviation, and public safety. The law was sponsored by Sen. Janet Johnson (DFL-North Branch) and Rep. Bernie Lieder (DFL-Crookston).

State road construction projects will receive \$1.6 billion for the next two years; local roads will get \$841.6 million in state aid. (Sec. 2)

The Metropolitan Council, which runs the metropolitan area's regular-route public transportation system, will receive \$100.7

million. Of that money, \$2 million will go to help people leaving welfare obtain work-related transportation, and \$34.6 million will go to Metro Mobility, which provides rides to approximately 25,000 metropolitan-area people with disabilities.

The council is prohibited from raising fares for regular-route bus service during the 1998-1999 biennium. (Sec. 3)

A total of \$27 million will go to assist transit programs in Greater Minnesota. An additional \$925,000 is appropriated to help economically disadvantaged people outside the Twin Cities metropolitan area with work-related transportation. (Sec. 1)

HFnone/SF1881\*/CH159

**Public safety**

The law calls for \$102.9 million in spending for the Minnesota State Patrol, which does not include funds to hire the 75 new officers Gov. Arne Carlson had requested. Some \$2.1 million is, however, included for computer-aided dispatching and records management, and \$1.7 million to install video cameras in state patrol vehicles.

Another \$69.5 million goes to the department's Driver and Vehicle Services Division over the next biennium. Also, \$2.6 million goes to the Department of Public Safety and the Minnesota Safety Council for various public safety programs. (Sec. 4)

**Aviation**

The law appropriates \$36.3 million for air transportation programs, including \$26 million for airport development and assistance. Other funds support the Civil Air Patrol and

provide general support for aviation in the state. (Sec. 2)

**Railroads and waterways**

A total of \$3.9 million will go to fund rail and water transportation. This includes a \$1 million study to look at using existing freight railroad corridors for a commuter rail service in the metropolitan area. (Sec. 2)

**Communications system**

A total of \$9.9 million over the biennium will pay for equipment and personnel to build a digital radio communications system that eventually will link all Metro area public safety personnel.

In 1996, the state made a \$15 million bonding commitment to such a system using radio channels in the 800 megahertz range. (The Metropolitan Council also was given \$13 million in bonding authority for the project.) The channels can be "trunked," or connected, so that several police, ambulance, or fire personnel could talk simultaneously across a number of channels.

Currently, individual police departments, for example, communicate on separate radio bands, which sometimes creates problems when different departments need to talk to one another. (Sec. 2)

**Traveling to work**

A total of \$2.9 million in grant funds recognizes the increasing number of those moving from welfare to work because of new state and federal legislation.

Exactly \$2 million will go to organizations in the Metro area and \$925,000 to those in Greater Minnesota who also will seek federal or private dollars to "transport economically disadvantaged people to jobs and employment-related activities, including child care.

The state funds could be used to subsidize worker bus fares, enhance public transportation service, or provide transportation for workers. (Secs. 2-3)

**City bus to school**

The Metropolitan Council, in conjunction with the Minneapolis and St. Paul school boards, will develop a plan to use public buses to carry school kids to and from school (at no cost to the student). An advisory council composed of government, school, and union officials, and parents and students, also will assist in formulating the plan, which will be submitted to the Legislature by Jan. 30, 1998. The plan should accommodate at least 75 percent of students in the two dis-



A new law provides more than \$100 million to fund transit services in the metropolitan area, including the operation of Metro Mobility, which provides rides for people with disabilities, and city buses.

tricts who are in grades 9 through 12 and be ready for the 1998-1999 school year, and in subsequent years for those in grades 7 and 8 as well. (Sec. 3)

### Hauling sports toys

Effective Aug. 1, 1997, outdoor enthusiasts can haul a bit more on the highway.

Originally introduced as HF1111, sponsored by Rep. Charlie Weaver (R-Anoka), trailers carrying a motorcycle, snowmobile, or all-terrain vehicle can be pulled at the back of a three-vehicle combination.

Previous law allowed such combinations only when the front vehicle is a pickup truck, the second is a camper, and the third is a boat trailer. The combination cannot exceed 60 feet in length.

The provision simply expands the limits on what can be carried on the trailer at the back of the combination. The change makes Minnesota's law more consistent with those in neighboring states. (Sec. 29)

## Speed limits hiked

A new state law effective July 1, 1997, calls for speed limits to be increased on Minnesota's interstate freeways and four-lane, divided highways.

The new law allows speed limits to be raised from 65 mph to 70 mph on rural interstates, from 55 mph to 65 mph on metropolitan area interstates, and from 55 mph to 65 mph on four-lane, divided highways throughout the state.

The rural, four-lane highways affected by the change include such heavily traveled roads as Highway 169 between the Twin Cities and Lake Mille Lacs, Highway 52 between the Twin Cities and Rochester, and Highway 169 between the metropolitan area and Mankato.

Overall, the speed limit increased on about 1,500 miles of interstate freeway and four-lane highway throughout the state, according to the Minnesota Department of Transportation (MnDOT).

The new law calls for speeds to increase in the metropolitan area, but previous law gives the department authority to assess roadway and traffic data before making any speed limit changes in the Twin Cities.

In June, MnDOT Commissioner James Denn announced speed limit changes that affected several major thoroughfares in the metropolitan area.

Under the plan, the speed limit moved



Lawmakers approved speed limit increases for interstate freeways and four-lane, divided highways this year. The new law pushed the speed limit on rural interstate freeways to 70 mph.

from 55 mph to 60 mph on Interstate 494 and Interstate 694, which form a loop around Minneapolis, St. Paul, and inner-ring suburban areas.

Speed limits — mostly set at 55 mph — remain the same on all highways inside of that loop, but increases affected some stretches of highway immediately outside of the loop.

For instance, the speed limit moved to 65 mph on Highway 36 between Interstate 694 and a point near Stillwater, Minn. On Interstate 35E, the speed limit jumped to 70 mph immediately north of Interstate 694 and south of Interstate 494.

The speed limit on the roughly 10,000 miles of two-lane state highways remains at 55 mph.

Gov. Arne Carlson's approval of the speed limit increases came little more than a year after he moved to block a similar plan. The governor is still seeking additional funds to hire more state troopers.

Last year, lawmakers passed a measure to boost the speed limit to 65 mph on rural, divided highways, but Carlson blocked the increase by ordering the commissioner of transportation to maintain the current 55

mph limit on such roads.

Carlson in 1996 asked for funds to hire 46 additional state troopers to beef up law enforcement on Minnesota highways. This year, the governor sought funds to hire 75 troopers.

The Legislature passed a separate measure (HF1881\*/SFnone/CH159) that provides \$102.9 million for the Department of Public Safety, but that does not include the funding Carlson sought to hire new troopers.

The new law increasing speed limits on many Minnesota freeways required about \$200,000 to \$225,000 to be spent on the replacement of speed limit signs. About 130 new signs were erected on rural interstates, and more work was required on metro-area highways and rural, four-lane highways, where not all sections saw a speed limit hike.

Rep. Al Juhnke (DFL-Willmar) and Sen. Janet Johnson (DFL-North Branch) sponsored the speed limit legislation.

HF458/SF724\*/CH143

## Young drivers

A new law ensures that 15-year-olds are allowed restricted driver's licenses to help out on the family farm.

The measure, effective April 24, 1997, provides an exception to a previous law requiring anyone under age 18 to hold a learner's permit for at least six months before becoming eligible for a driver's license.

The 1996 Legislature passed the new learner's permit requirements, which took effect Feb. 1, 1997, with hopes that the law would give teenagers more driving experience before they could hit the road on their own.

But the law had an unintended side effect, according to House sponsor Rep. Torrey Westrom (R-Elbow Lake). It cut in half the time farm families could benefit from a state law allowing 15-year-olds to get restricted driver's licenses allowing them to help with farm business.

Restrictions placed on such licenses allow 15-year-olds whose parents are farmers to drive only during daylight hours and only within 20 miles of the family farm.

The new law exempts 15-year-olds who are otherwise eligible for a restricted farm driver's license from the new six-month learner's permit requirement.

Sen. Jim Vickerman (DFL-Tracy) sponsored the Senate proposal.

HF768/SF475\*/CH48



A new law allows Minneapolis and St. Paul to sell cars that languish on impound lots sooner.

### Selling abandoned vehicles

Minneapolis and St. Paul police will be required to hold impounded vehicles for only 15 days before putting them on the auction block, under a new state law. It addresses a problem that leaves Minneapolis and St. Paul impound lots overflowing with cars abandoned by their owners.

Current state law requires a 45-day wait before an impounded vehicle can be sold. The new law will exempt Minneapolis and St. Paul from that law and set a 15-day limit for those cities. (The new law also will allow the owner of the impounded vehicle to prevent the sale of his or her car for another 30 days by giving the impound lot notice of intent to reclaim the vehicle.)

The law requires local approval by the city councils in Minneapolis and St. Paul before it takes effect.

Supporters of the new measure said current law causes real problems in the cities, especially during winter months. A winter that brings heavy snowfall leads to a lot of parking violations and a lot of cars being towed from city streets to the impound lot.

In St. Paul, where the city impound lot holds 750 vehicles, space in the lot can run out quickly, according to St. Paul Police Deputy Chief Ted Brown.

Most people pay the fine and pick up their cars from the impound lot within a few days, but others would rather lose their vehicles than pay up, according to Brown. As a result, vehicles that — in effect — are abandoned must be allowed to take up valuable lot space for 45 days before they can be sold.

Rep. Jim Farrell (DFL-St. Paul) and Sen. Randy Kelly (DFL-St. Paul) sponsored the measure.

HF342/SF166\*/CH108

### Title transfers

Car buyers who fail to promptly transfer the title on the vehicle face new penalties under a new state law.

Some car buyers do not transfer the title on a vehicle for a variety of reasons, according to House sponsor Rep. Ron Erhardt (R-Edina). For example, the buyer may not want to pay for insurance or may not have a driver's license. (State law requires proof of insurance and a valid driver's license in order to obtain a title.)

To get around the law, some illegal drivers buy cheap used cars with plenty of time left on the tabs and do not follow title transfer requirements.

When a title is not transferred, problems can arise for car sellers, who may be held liable for parking tickets or other infractions occurring after the vehicle has been sold.

Under previous law, it was a misdemeanor for a buyer to fail to apply for a title transfer within 14 days of acquiring a vehicle. The new law, effective Aug. 1, 1997, gives buyers just 10 days to apply for a title transfer and pay the necessary fees.

The Department of Public Safety can suspend the registration on the vehicle if the buyer does not transfer the title within 10 days of the sale.

If the vehicle registration is suspended, the buyer will have to pay an additional \$5 reinstatement fee in addition to the normal title

transfer charges. If after 14 days the buyer still has not transferred the title, an additional \$2 late fee will be applied.

Also, law enforcement officers could impound a vehicle if the registration has been suspended because the buyer failed to transfer the title.

Sen. Claire Robling (R-Prior Lake) sponsored the Senate proposal.

HF609/SF1404\*/CH135

### Wider blades for snowplows

Last winter, one of Rep. Kathy Tingelstad's (R-Andover) constituents notified her of some trouble with the local sheriff's department. The problem? The snowplow blade on the front of his vehicle was too wide.

The man, a Ramsey resident who operates a private snowplowing business, had received a warning from a deputy because the blade measured 10 feet in width.

Under a new state law, Tingelstad's constituent can get a permit for his snowplow and avoid future trouble with the law.

State law sets a limit of 8 feet in width for snowplow blades used in a private business, but government units can use plow blades up to 10 feet wide.

Tingelstad said it seemed illogical to allow wider blades for government use but not for private operators. She sponsored legislation to change that.

The new law, effective May 9, 1997, allows private snowplow operators to receive an annual permit to use snowplow blades between 8 and 10 feet wide. There is a \$60 fee for the permit, which is valid between Oct. 1 and April 1.

Sen. Paula Hanson (DFL-Ham Lake) sponsored the measure in the Senate.

HF1243/SF1179\*/CH114

### Temporary plow drivers

A new state law effective April 16, 1997, eases the way for small municipalities to hire temporary snowplow drivers to help out in emergency situations.

The law provides an exemption — under certain circumstances — from current law requiring any driver of a snowplow or a truck used for salting or sanding to hold a commercial driver's license.

Under the new law, any municipality under 3,000 in population can temporarily use one or more drivers who do not hold commercial licenses. The law requires only that

such temporary drivers hold a Class B license, that they operate only within the borders of the municipality, and that they are used only as temporary replacements for normal crews, or as additional help in emergency situations.

Rep. Bernie Lieder (DFL-Crookston), who sponsored the measure in the House, said the new law is meant to help townships and other small municipalities that function on small budgets and employ small road crews.

Sen. Janet Johnson (DFL-North Branch) sponsored the legislation in the Senate.

HF90\*/SF61/CH35

### Collector cars

A new state law effective June 1, 1997, allows certain collector cars to display only one license plate.

Supporters of the measure said it will allow collector car owners to preserve the lines, design, and authenticity of their vehicles, most of which were manufactured without a front license plate bracket.

Under the law, certain vehicles from model years 1968 and earlier are allowed to display only a rear license plate.

The law covers automobiles registered as pioneer, classic, or collector cars and street rods. All such registrations require that the vehicle be used as a collector's item and not for general transportation.

The law also allows only a single license plate on vehicles that meet the requirements for a pioneer, classic, collector, or street rod license, except that the vehicle is used for general transportation. (Such cars require new tabs to be purchased every year.)

In the Legislature, the measure drew only slight opposition, which came from those concerned that allowing only a single plate could hinder police investigations of hit-and-run accidents and other such incidents where a license plate number can be an important means of tracking down suspects.

Rep. Alice Johnson (DFL-Spring Lake Park) and Sen. Carol Flynn (DFL-Mpls) sponsored the measure.

HF454\*/SF397/CH240

### Impounded vehicles

A new state law effective Aug. 1, 1997, cut in half the amount of time cities are allowed to notify owners of impounded vehicles.

Under the new law, cities and other municipalities have just five days to notify the owner of cars waiting to be claimed from the

impound lot.

A complaint from a resident of the western metropolitan area district of Rep. Ann H. Rest (DFL-New Hope) and Sen. Ember Junge (DFL-New Hope) provided the impetus for the measure.

The constituent did not receive notice of a impoundment for 10 days, the maximum time allowed under current law. By that time, the individual had racked up a bill in daily impound lot fees that was greater than the value of the older-model car.

The new law aims to prevent municipalities from reaping the financial rewards of letting day after day go by — tallying daily fees all the while — without notifying owners of impounded vehicles.

Rest and Junge sponsored the measure.

HF1223/SF1025\*/CH70

### Memorial highways

A new state law effective Aug. 1, 1997, grants special designations to three stretches of Minnesota roadway.

Here's a look at the highways and roads affected and the people honored.

- Augie Mueller Memorial Highway is the name for Trunk Highway 5 between the cities of Chanhassen and Gaylord. Mueller, of Arlington, Minn., was a member of the Minnesota House of Representatives for more than three decades and chaired the House Highway Committee and later the Transportation Committee. Mueller died in 1996.
- Don Rickers Memorial Highway is the segment of Trunk Highway 60 between Brewster and Worthington. Rickers, of Worthington, Minn., was active in local efforts to bring improvements to Highway 60 in southwestern Minnesota. He died in 1996.
- Ruby L. Hughes Boulevard is a segment of the Olson Memorial Highway frontage road in north Minneapolis. Hughes, a long-time community activist who ran a community day care for 20 years, was murdered in 1995.

The new law was sponsored by Rep. Howard Swenson (R-Nicollet) and Sen. Dennis Frederickson (R-New Ulm).

HF385/SF539\*/CH51

### Rental car surcharge

Motorists who rent cars in Minnesota must pay more under a new state law.

The law allows rental car companies to impose a 3 percent tax on the consumer to recover the cost of registering vehicles in Minnesota.

"Registration fees in Minnesota are very high," said bill sponsor Rep. Bob Milbert (DFL-South St. Paul), "so the car companies register their vehicles out of state." The law, he continued, will encourage the companies to register more cars in Minnesota, thus providing more vehicles of better quality to Minnesota renters.

The companies must report to the Department of Revenue the amount of money they collect under the law, which must be designated on the bill presented to the consumer as "a fee imposed by the state of Minnesota for the registration of rental cars." Any amount the vendors collect above the cost of registration must be paid to the state at the time the report is submitted and channeled into the highway user fund.

The law, also sponsored by Sen. Steve Murphy (DFL-Red Wing), is effective Aug. 1, 1997.

HF1888/SF1023\*/CH190

### Regulating brokers

Effective Aug. 1, 1997, Minnesota regulates automobile brokers.

Under the law, carried in the House by Rep. Matt Entenza (DFL-St. Paul), brokers are considered motor vehicle dealers who must be licensed by the state. Wholesalers, auctioneers, scrap metal processors, and salvage lots, along with new- or used-car sales companies, already were considered motor vehicle dealers.

A broker, as defined by the law, is anyone who arranges the sale or lease of a motor vehicle and collects a fee for the service.

To obtain a license, brokers must maintain a commercial space, either owned outright or leased for at least one year, dedicated to operating the brokerage. The broker also must observe "conspicuously posted" business hours and have either personnel or an answering service on hand to field consumer questions.

In addition to the license procedure, the law imposes a handful of new requirements on brokers. For example, brokers can negotiate sale or lease prices, but may not represent themselves as the seller of the vehicle, and the broker may not accept a down pay-

ment of more than \$500. Brokers also are prohibited from the actual business of motor vehicle sales, including executing contracts, describing warranties or safety features, and performing any pre-sale preparations to the vehicle that would normally be in the domain of a dealer.

The law also outlines penalties brokers may be subject to if they violate any of its licensing or sales provisions.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the Senate proposal.

HF890/SF890\*/CH92

**Environmental spending:  
Ethanol**

(See Environment, page 29)

**Snowmobile safety**  
(See Sports, page 52)

**Turn up the volume**  
(See Bills in Limbo, page 79)

**Pay up or walk**  
(See Bills in Limbo, page 80)

**Seat belt bill fails**  
(See Bills in Limbo, page 80)



**VETERANS**

**Gulf War bonuses**

A new law spends \$17 million to give Minnesota's nearly 44,000 Persian Gulf War veterans a bonus for their military service.

In November 1996, voters overwhelmingly approved a constitutional amendment to allow the state to borrow by issuing bonds to pay the bonuses. The Legislature this year opted for a direct appropriation instead, and



A new law provides monetary bonuses to Minnesota's nearly 44,000 Persian Gulf War veterans and the families of the nine Minnesotans who died in the war.

the new law sets the eligibility criteria and bonus amounts.

The law apportions bonuses at three levels. About 13,200 veterans who are eligible for the Southwest Asia Service Medal — essentially those who served within the war zone — will each receive \$600. Another 30,500 veterans who were preparing to be shipped overseas will each receive \$300. The families of nine Minnesota soldiers killed in the war will each receive \$2,000.

The bonuses are similar to those paid to veterans of the Vietnam War, except that families who lost a loved one during that war received \$1,000.

Only Minnesota veterans who served in the military anytime between Aug. 2, 1990, and July 31, 1991, are eligible for the bonus money. Applications will be accepted from Nov. 1, 1997, to June 30, 1999. The program

is to be administered by the Minnesota Department of Veterans Affairs, which will make applications available through local service organizations, such as Veterans of Foreign Wars and American Legion groups.

The law stipulates that the payments are tax-free and are not "subject to garnishment, attachment, or levy of execution."

In addition to the \$17 million, up to \$500,000 can be spent on the administrative costs of advertising the bonuses' availability, the application process, and issuing the checks.

The bonus program was included in the omnibus state government finance proposal sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury). (Art. 1, Sec. 19; Art. 2, Sec. 42)

HFnone/SF1905\*/CH202



# Selected new, increased fees adopted in 1997

Area/Purpose	Existing Fee	New Fee	Ch.	Art.	Sec.	Subd.	Effective Date
<b>Business</b>							
Cosmetologist, manicurist, esthetician license	\$30	\$45 initial 3-yr. license \$30 renewal	200	1	63		7/1/97
Cosmetology instructor, manager license	\$45	\$60 initial 3-yr. license \$45 renewal	200	1	63		7/1/97
Salon license	\$50	\$65 initial 3-yr. license \$50 renewal	200	1	63		7/1/97
<b>Game &amp; Fish</b>							
Resident fishing licenses: Persons under age 65 Persons age 65 and over Married couple Spearing from a dark house 24-hour angling license	\$13 \$4.50 \$17.50 \$13 \$7.50	\$15 \$5.50 \$20.50 \$15 \$8	216		83	6	3/1/98
Nonresident fishing licenses: Angling license 7-consecutive-day angling 72-hour angling Family angling 24-hour angling Married couple angling (14 consecutive-day limit)	\$27.50 \$19 \$16 \$37.50 \$7.50 \$27.50	\$31 \$21.50 \$18 \$41.50 \$8 \$32	216		83	7	3/1/98
Resident sporting licenses for angling and small game: Individual Married couple	\$17.50 \$24	\$20 \$27.50	216		83	8	3/1/98
Trout and salmon stamp	\$5	\$8.50	216		83	10	3/1/98
Resident fish houses, dark houses: Rented Not rented	\$20 \$9	\$23 \$10	216		83	11	3/1/98
Nonresident fish houses, dark houses: Annual fee 7 consecutive-day fee	\$27.50 \$16.50	\$31.50 \$18.50	216		83	12	3/1/98
Personal consumption whitefish and ciscoe netting license	\$8 per net	\$9 per net	216		83	13	3/1/98
Lake Superior charter boat license: Resident Nonresident	\$27.50 \$110	\$35 \$140	216		83	15	3/1/98
Aquatic farming license inspection fee	\$20 initial fee; \$80 per lot thereafter	\$20 initial fee; \$100 per lot thereafter	216		24	3	7/1/97
Commercial aquarium facility license	\$15	\$19	216		24	4	7/1/97
Frog dealer license: Resident Nonresident Frog seller license	\$77 \$220 \$11	\$100 \$280 \$15	216		83	42	3/1/98

Area/Purpose	Existing Fee	New Fee	Ch.	Art.	Sec.	Subd.	Effective Date
Private fish hatchery license: With annual sales under \$200 With annual sales of \$200 or more Fee to remove sucker eggs from public waters for a private hatchery	\$27.50 \$55  \$165 plus \$3 for each quart in excess of 100 quarts	\$35 \$70  \$210 plus \$4 for each quart in excess of 100 quarts	216		83	29	3/1/98
Turtle seller license	\$55	\$77	216		83	41	3/1/98
<b>Insurance</b>							
License fee for vendors of risk management services or entity administering a self-insurance or insurance plan	\$100	\$500 initial 2-year license; \$500 renewal	200	1	41		7/1/97
Reinsurance intermediary license fee	0	\$160 initial 2-year license; \$120 renewal	200	1	42		7/1/97
Automobile self-insurance fees	\$500	\$500 initial license; \$100 annual renewal for political subdivisions; \$250 annual renewal for non- governmental entities	200	1	44		7/1/97
Workers' Compensation insurance: Lessor of employees or certificate of exemption filing fee Application fee to self-insure Application fee from an employer who seeks to be added as a member of a group that self-insures Annual report filed by self-insured groups fee	0 \$1,000  0 0	\$50 \$2,500  \$250 \$200	200 200  200 200	1 1  1 1	47 64  64 64		7/1/97 7/1/97  7/1/97 7/1/97
<b>Transportation</b>							
Snowmobile registration fee	\$30 for 3-year registration	\$45 for 3-year registration	216		61	3	7/1/97
Snowmobile state trail permit fee (applies only to snowmobiles not registered in Minnesota)	0	\$15 (valid Nov. 1 to April 30)	216		62		7/1/97
License plate reinstatement fee if plates have been suspended due to failure to deliver title certificate within 10 days Re-registration fee of a motor vehicle following a period of license plate impoundment	0 0	\$5 \$25	135 2 1st SS		3 19	4 11A	8/1/97 7/1/97
Fee for reissuance of a driver's license following revocation for a non-DWI offense	\$20	\$25 (temporary fee increase effective until 6/30/99)	2 1st SS		55	4	7/1/97

# Vetoed Bills

## Governor vetoes 19 bills

**Editor's Note:** A total of 251 bills and four resolutions reached the governor's desk during the 1997 Legislative Session.

The governor vetoed 15 chapters and line-item vetoed appropriations from four more chapters.

The summaries in this section give brief descriptions of each bill vetoed and some of the reasons for the governor's actions.

The bills are divided into two categories: full vetoes and line-item vetoes. Within the two categories, the bills are arranged alphabetically by topic.

Once a bill has passed both the House and the Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
- veto the bill; or
- line-item veto individual items within an appropriations bill.

It is important to remember that in the first year of the biennium, the governor has three days from the time of "presentment" to veto a bill.

If the governor does not sign the bill within this time frame, it will become law without his signature. (Sundays are not counted in the three-day time limit, but holidays are.)

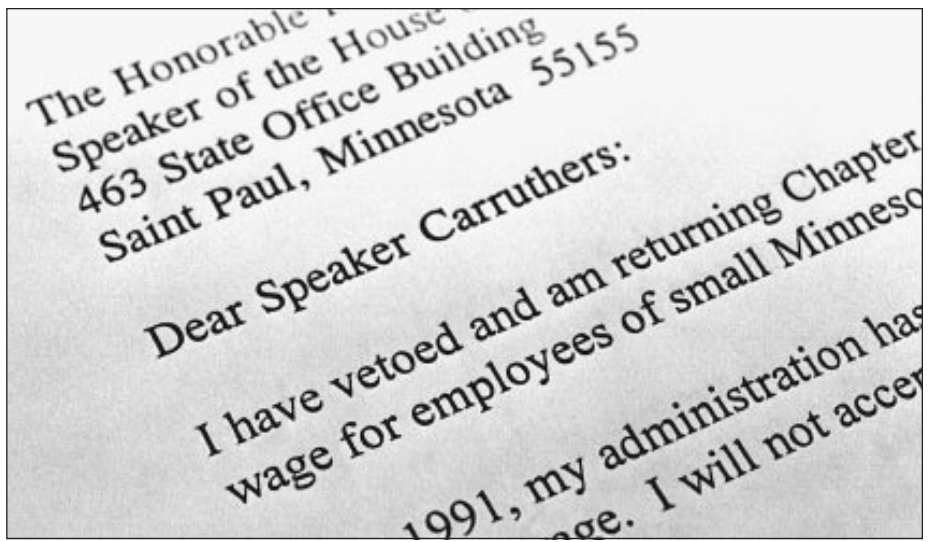
For bills passed during a special session, however, the governor has 14 days from "presentment" during which he can use his veto authority — the same rules that apply in the second year of a biennium. If the governor takes no action on a bill during this time, the bill is vetoed in what is called a "pocket veto."

Vetoed bills are returned to the body of origin, and the House and Senate may attempt to override.

A two-thirds vote in each house is needed to override a veto (90 votes in the House and 45 votes in the Senate).

The governor can exercise line-item veto authority on appropriations bills only.

A specific breakdown of the sections of bills that were line-item vetoed is included in the Summary section, which begins on page 81.



Gov. Arne Carlson vetoed 15 chapters and line-item vetoed four chapters during the 1997 Legislative Session.

## Full vetoes (15)



### DWI

#### Underage limit unchanged

Gov. Arne Carlson vetoed an omnibus DWI bill that would have clamped down on kids who drink and drive.

The bill would have lowered to 0.04 percent the legal blood alcohol limit for drivers under age 19, instead of the 0.10 level that applies to adults. While state law prohibits any alcohol consumption by people under 21, the 0.04 provision would make it easier to apply DWI penalties to youthful offenders.

Carlson vetoed the bill because it would apply an "unfair burden of responsibility on young people," he said, and could mark the youths for life.

The bill also included stiffer penalties for DWI offenses, especially for repeat offenders and for driving with a blood-alcohol level of 0.20 (twice the legal limit) or more.

When lawmakers returned in June for the First Special Session, they passed another DWI bill (First Special Session: HFnone/SF1\*/CH2) that included all major provisions of the vetoed bill except the portions calling for a lower blood-alcohol limit for people under 21.

The vetoed bill was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Leo Foley (DFL-Anoka).

HF1004/SF985\*/CH243



## EDUCATION

### No tax breaks, no bill

Gov. Arne Carlson vetoed a \$6.7 billion K-12 education finance package passed by the Legislature because the measure did not include tax credits and expanded tax deductions for private school tuition and other education expenses.

"This administration has taken on the task of reforming the education system," Carlson wrote in his veto message. "We believe that a key ingredient is to empower parents to make decisions for their children's education."

Carlson acknowledged the bill included several "needed reforms" for education, such as a provision that would have removed the cap on the number of charter schools allowed in the state and permitted more organizations to sponsor charter schools.

The governor originally sought \$150 million in tax credits and expanded tax deductions for education expenses, but near the close of session he offered a more modest \$75 million plan as negotiations on the K-12 finance bill progressed. Neither plan was included in the legislation.

"[The bill], while making important steps forward in reforming our education system, does not empower parents and provide needed choice and competition," Carlson wrote. "Therefore, it does not achieve this administration's fundamental goal of reforming the education system and allowing choices for all Minnesota families."

The veto of the K-12 bill prompted the calling of the First Special Session in June 1997. The one-day session produced an education funding law (1997 First Special Session: HF1\*/SF8/CH4) that more than doubles the state's existing tax deduction for education expenses, including private school tuition, and provides a new tax credit for education expenses such as tutoring, education summer camps, or computer hardware purchases.

The vetoed K-12 bill included no such provisions.

The vetoed bill was sponsored by Rep. Becky Kelso (DFL-Shakopee) and Sen. Larry Pogemiller (DFL-Mpls).

HF1684\*/SF1003/CH242



## ELECTIONS

### Absentee voting

A bill to make it easier to vote by absentee ballot has been vetoed.

Under current law, voters must provide one of several reasons to vote outside an official polling place: an expected absence from the precinct, illness, disability, religious discipline, observance of a religious holiday, or service as an election judge in another precinct. The bill would have eliminated those provisions.

It also would have permitted military personnel stationed overseas to vote by fax, as could hospital patients admitted within seven days of an election.

Gov. Arne Carlson supported the military vote by fax, but had "serious reservations" in allowing hospital patients to do so. He specifically cited the "potential impact of any of the proposed changes to the integrity of our election laws," and noted that only three Republicans supported the bill.

"Significant changes to election laws... are too important to be entirely one-sided and lacking in bipartisanship," he said.

Bill sponsors Rep. Tom Osthoff (DFL-St. Paul) and Sen. John Marty (DFL-Roseville) said they were only looking to increase voter turnout.

HF74/SF78\*/CH166

### Keeping track of voters

A bill calling for the U.S. Postal Service to provide the Office of the Secretary of State with the names of people who file permanent change of address orders has been vetoed.

The intent of the bill was to improve record-

keeping as well as to encourage voting.

But Gov. Arne Carlson thought "the unintended outcome of this process may actually be more confusion on the part of the electorate, in which case the status quo is certainly preferable."

Under the bill, the postal service would have provided the secretary of state's office with the lists each month. The office would have provided the list to county auditors, who were to send registered voters information about their new polling places.

About 25,000 Minnesotans change residences each year. At present, the secretary of state's office has no way of tracking them.

Carlson said "efficiency and accuracy within the electoral system is best accomplished the way it always has been — letting those who exercise their right to vote to register in their new precinct."

The measure was sponsored by Rep. Betty Folliard (DFL-Hopkins) and Sen. John Marty (DFL-Roseville).

HF294/SF73\*/CH167

### Caucuses: lowering the age

A bill to open up part of the elections process to 17-year-olds was vetoed by the governor.

Under the proposal, anyone 17 years old at the time of precinct caucuses could have participated as a delegate or voter.

"This is a responsibility best left to mature eligible voters and goes well beyond simply increasing a young person's interest and participation in the political process," Carlson said. He expressed concern that an ineligible voter would be able to influence or deny the selection of a candidate.

The measure was sponsored by Rep. Andy Dawkins (DFL-St. Paul) and Sen. Linda Scheid (DFL-Brooklyn Park).

HF703/SF1170\*/CH168



## EMPLOYMENT

### Binding arbitration

A bill to mandate a binding arbitration process during initial contract negotiations between an employer and a union was vetoed by Gov. Arne Carlson.

"Mandating third party intervention during the initial contracting stage would upset the delicate balance of interests inherent to the employer/employee relationship," he said.

Carlson also thought the legislation would

be pre-empted by the National Labor Relations Act, which stipulates that both parties to an arbitration must voluntarily submit to the process.

"I will not support legislation which will lead the state to needless litigation," he said.

The bill was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. Ellen Anderson (DFL-St. Paul).

HF1936\*/SF1823/CH152

### Union sign-up recognition

A bill that would have allowed public sector employees to unionize without holding elections was vetoed.

The bill would have required public sector employers to recognize and the commissioner of the state Department of Labor and Industry to certify an employees' union without an election, once the union had signed up 60 percent of the work force.

Current state law requires that workers select a union through a secret ballot election process.

In his veto message, Carlson wrote that the bill would "irreparably harm the relationship between public employees and management."

He added that "the certification election process now in place ensures that public employees are guaranteed a fair procedure free of intimidation and coercion when deciding upon their right to organize. This bill would upset these existing safeguards."

The measure was sponsored by Rep. Rob Leighton (DFL-Austin) and Sen. John Hottinger (DFL-Mankato).

HF1106/SF1693\*/CH115

### Minimum wage hike

Saying he would not accept changes to Minnesota's minimum wage law that do not conform to the federal law, Gov. Arne Carlson vetoed a bill to raise the state minimum wage.

A House motion to override the governor's veto failed on a vote of 82-52. A two-thirds majority (90 votes) is needed for a veto override.

Carlson's veto was prompted by what the bill lacked rather than what it would do. Carlson wanted provisions for a tip credit and an opportunity wage. A tip credit would allow tipped workers to be paid less than the minimum wage on the logic that tips more than make up for the difference. An opportunity wage would allow employers to pay workers younger than 20 a lower hourly wage for the first 90 days on the job.

When lawmakers returned for the 1997 Second Special Session Aug. 19, they passed a minimum wage increase that includes an opportunity wage. Carlson signed the measure (1997 Second Special Session: HF2/SF1\*/CH1).

The vetoed bill was sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Randy Kelly (DFL-St. Paul).

Carlson also vetoed proposed minimum wage increases in 1994 and 1996.  
HF892\*/SF882/CH163

## Government worker protection

A bill detailing the rights of employees when local governments consolidate and must issue layoffs was vetoed by Gov. Arne Carlson.

The bill would have allowed displaced local government employees to remain with their original employer if the employees had seniority rights under a union contract. It also would have required that new service providers hire — in order of seniority — from those being laid off by the local government unit.

“This bill is nothing more than a state mandate dictating how local governments should handle labor relations,” Carlson wrote in his veto message. “It mandates a series of personnel policies which should be left to the local management process or collective bargaining.”

Carlson said the bill might have prevented the hiring of employees based on qualifications and forced local governments to hire more employees than needed. State micromanagement of public employee relations could threaten innovation and consolidation of services, Carlson said.

The measure was sponsored by Rep. Luanne Koskinen (DFL-Coon Rapids) and Sen. Linda Higgins (DFL-Mpls).

HF1078/SF854\*/CH116

## ENVIRONMENT

### No St. Louis Park cleanup

Gov. Arne Carlson vetoed a bill that would have authorized the cleanup of a contaminated site in St. Louis Park. The site, known as NL Industries/Tara Corp./Golden Auto, would have been made a high-priority site for receipt of contamination cleanup funds.

In his veto message, Carlson said that current law contains a detailed process for appli-

cation and review of contamination cleanup grants and that the project had not gone through that process.

“Funding of projects outside the existing competitive process undermines the objective and comprehensive process that is currently in place,” Carlson wrote.

The bill was sponsored by Rep. Richard Jefferson (DFL-Mpls) and Sen. Steve Kelley (DFL-Hopkins).

HF1755\*/SF1584/CH165



## LAW

### Data practices changes

Gov. Arne Carlson vetoed the omnibus data practices bill passed during the 1997 session.

While the governor recognized the bill contained improvements to current law, he also objected to a provision to classify legislative and budget proposals of the attorney general’s office as private data. Such data from the Office of the Governor is classified as private, the result of a 1994 law. Carlson said there was “no compelling reason” for treating public information from the attorney general’s office in a protected manner.

“If the Legislature now deems it appropriate to extend the privilege, it would seem only appropriate that the work of all constitutional officers would be classified equally under the law,” he said.

Carlson’s veto prompted passage of a reworked version of the data practices measure during the First Special Session in June. The latter legislation (1997 First Special Session: HFnone/SF7\*/CH3) did not include the provision to which the governor objected, and was signed into law.

The vetoed bill was sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Don Betzold (DFL-Fridley).

HF1460\*/SF1277/CH229

### Seat belts in the courts

Gov. Arne Carlson vetoed a bill that would have partially lifted the gag rule on the admissibility in court of evidence regarding seat belts and child passenger restraints.

Since 1963, Minnesota law has prohibited litigants from using evidence about whether seat belts were used at the time of an accident. The Minnesota Supreme Court has interpreted the gag rule to also prevent the introduction of evidence about the failure or de-

fective operation of a seat belt or child restraint.

The bill vetoed by the governor would have made it clear that the gag rule should not affect the ability of a person to seek civil damages after an incident involving a defective seat belt or child restraint.

In his veto message, Carlson wrote that he agreed with the objective of the bill, which was to allow people to sue for injuries caused by defective seat belts. But the governor also called for defendants to be allowed to introduce evidence about whether seat belts were in use at the time of any accident subject to litigation.

“Both of these objectives would have been achieved with a repeal of the entire gag rule,” Carlson wrote. “Unfortunately, an amendment to do so was defeated in the House this past session.”

In the veto message, Carlson outlined opposition to the bill based, first and foremost, on his philosophical opposition to gag rules in general. Secondly, he wrote, it would be “unfair and inequitable” to only partially repeal the gag rule on evidence related to seat belts — a move he argued could “tip the scales of justice” in favor of plaintiffs in lawsuits.

“The use of seat belts in this state is the law, just as we have laws against speeding and drunk driving,” Carlson wrote. “If the latter offenses can be used in civil suits, then juries should also hear information about the use of seat belts by plaintiffs.”

The bill was sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Leo Foley (DFL-Anoka).

HF1076/SF877\*/CH211



## LOCAL GOVERNMENT

### Met Council elections

A bill to transform the Metropolitan Council into an elected body was vetoed by Gov. Arne Carlson.

“An elected Metropolitan Council is about as necessary as another House of the Legislature,” he said.

The Metropolitan Council, created in 1967, is responsible for comprehensive regional planning for the seven-county metropolitan area. One of the largest regional governments in the nation, it also oversees the regional bus system, several wastewater treatment facilities, and Metro Mobility, a transit operation

servicing the disabled. It has an annual budget of about \$360 million, which is partially paid by property taxes, and manages about 3,500 employees. The council is governed by a board of 16 members, each representing a different portion of the metro region, and a chair. All are appointed by the governor.

"An elected council would, by design, force council members to be parochial to their own constituents and individual districts," Carlson said. He also opposed financing council elections with council funds and said criticism leveled at the council is unfair. Instead, fault lies with the Legislature, Carlson said, because of its "unabashed willingness . . . to place increased demands and mandates on the council."

House sponsor Rep. Myron Orfield (DFL-Mpls) has pushed for an elected council in each of the last four sessions.

"The Metropolitan Council is the second largest unit of local government in the state" behind Hennepin County, Orfield has said, arguing that when an official body has as much authority as the council, it should be and usually is elected. "Taxation without representation is fundamentally contrary to our constitution."

Sen. Carol Flynn (DFL-Mpls) sponsored the proposal in the Senate.

HF423\*/SF175/CH151

## Minneapolis construction

Gov. Arne Carlson struck down legislation that would have allowed Minneapolis to maintain its own licensing program for building contractors and remodelers through 2005.

The Legislature enacted a statewide licensing procedure for contractors in 1991 that supersedes the local requirements. The Minneapolis program is set to expire in 2000.

"Any advantages of a distinct licensure program by Minneapolis are greatly outweighed by the needless duplication inherent within such a parallel arrangement," Carlson wrote in a letter announcing his veto decision. "Moreover, a unique licensure program could give unfair advantage to a certain group of building contractors and remodelers."

Minneapolis city officials had testified before the House Commerce, Tourism and Consumer Affairs Committee that the state's licensing procedure did not provide adequate protection for residents, given the advanced age of much of the city's housing stock.

The proposal was sponsored by Rep. Linda Wejcman (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls).

HF970/SF868\*/CH146



## RETIREMENT

### Pension veto

A largely technical bill addressing the pensions of public employees was vetoed.

Gov. Arne Carlson agreed that most of the bill, which exceeds 100 pages, addressed "genuine needs and resolve[d] serious problems in the pension and retirement policy area."

But he cited specific trouble spots with the measure, including a provision that would have allowed employees of the Minnesota Zoological Garden, the Lola and Rudy Perpich Center for Arts Education, and the state academies for the blind and deaf to develop individual retirement account plans, rather than have their pensions controlled by the Minnesota State Retirement System.

Carlson said the move would "destabilize the funding of defined benefit plans."

The governor signed later public employee retirement legislation (HF1727/SF1486\*/CH241) including many components of the vetoed bill, but excluding the provision detailed above.

The vetoed bill was sponsored by Rep. Phyllis Kahn (DFL-Mpls) and Sen. Steve Morse (DFL-Dakota).

HF1129/SF995\*/CH139

## Line-item vetoes (4)



## DEVELOPMENT

### IRRRB grants

Gov. Arne Carlson line-item vetoed a provision in a \$412.9 million economic development bill that would have devoted \$1.4 million to a variety of projects on northern Minnesota's Iron Range.

The provision would have sent the funds to the Iron Range Resources and Rehabilitation Board (IRRRB), with the stipulation that the money be used for grants for 10 separate projects in cities and towns across the range.

The IRRRB would have been required to provide grants for amounts such as \$380,000

for relocation of the rehabilitation center in Virginia, Minn., \$100,000 to improve the dialysis unit at the community hospital in Eveleth, Minn., and \$10,000 to construct a baseball field in the town of Lone Pine, Minn.

In his veto message, Carlson pointed out that the projects to be funded in the bill were already rejected by the IRRRB, and that a state expenditure of such a kind would have an adverse impact on the IRRRB's budget and on the Community Development Grants Program.

"The Legislature created the IRRRB and ought not to circumvent the very authority they delegated," Carlson wrote.

The governor approved the rest of the economic development package, which will provide funds for job creation, tourism, trade, and housing programs.

The measure was sponsored by Rep. Mike Jaros (DFL-Duluth) and Sen. Tracy Beckman (DFL-Bricelyn).

HF2158\*/SF1909/CH200



## GOVERNMENT

### Government dollars gone

Gov. Arne Carlson used his line-item veto authority to cut more than \$25 million from the omnibus state government finance proposal.

The Office of Attorney General Hubert H. Humphrey III bore the brunt of Carlson's action. The governor struck down the office's entire 1999 budget — more than \$24 million.

"The appropriation for the Attorney General is \$3.8 million over the administration's recommendations and particularly troublesome when you consider the enormous growth of the Office of the Attorney General since 1991," Carlson wrote. "While other constitutional officers have maintained a relatively flat level of staffing, the Office of the Attorney General has added 142 new full-time employees since 1991."

Carlson went on to call the growth "unnecessary, imprudent and unacceptable to this administration."

The governor also deleted \$250,000 for the Department of Administration to establish a prescription drug purchasing alliance. The department would have bought prescription drugs in bulk, reselling them to pharmacists who, in turn, would have passed the savings on to consumers.

Supporters of the program estimated that participants, mostly senior citizens, would

have saved around 10 percent on the cost of their prescriptions.

“This is not an appropriate role for government and would set a dangerous precedent in the private market,” Carlson wrote, adding that most people already have access to similar programs.

The governor also vetoed a \$455,000 appropriation for the Capitol Area Architectural and Planning Board. The money would have financed a variety of monuments, including a memorial to Coya Knutson, historically Minnesota’s only elected female congressional representative.

Some of the monuments included in the appropriation, Carlson wrote, do not meet the guidelines adopted by the architectural board in 1991.

“The Legislature requested the Capitol Area Architectural and Planning Board to establish guidelines relative to the beautification of the Capitol complex,” Carlson wrote. “Now the Legislature is circumventing the very commands that it gave to the Board and is once again trying to undermine the Board’s responsibilities.”

Specifically, the guidelines state that in order to be memorialized on the Capitol grounds, an individual has to have been dead for at least 10 years. Knutson, who served two terms in the 1950s, died last year.

The planning board funds also would have paid for portraits of Gov. Rudy Perpich and of Carlson.

Also stricken by the governor was lan-

guage that would have allowed the number of legislative leadership positions in each house of the Legislature to increase from three positions to five. Such posts command a salary of \$41,520, which is 40 percent higher than the \$29,657 other lawmakers receive.

“The provision... is unwarranted,” Carlson wrote. “The new committee structure simply divides the work of one former committee chair into three new chairs. Taxpayers should not be responsible to pay for a new committee structure which accomplishes the same result as the previous one.”

Rep. Tom Rukavina (DFL-Virginia) and Sen. Len Price (DFL-Woodbury) sponsored the law in their respective legislative houses.

HFnone/SF1905\*/CH202



HIGHER EDUCATION

No loan forgiveness

Gov. Arne Carlson used his line-item veto authority to strike \$100,000 from the omnibus higher education finance package.

The money would have funded the Loan Repayment Assistance program for graduates of Minnesota law schools working as lawyers in the state.

The vetoed language would have repaid the law school loans of barristers who met income guidelines and provided legal services for the economically disadvantaged or nonprofit organizations, Native American

tribal governments, or public defense offices.

Carlson, in his veto message announcing the action, pointed out that he vetoed a similar provision last year.

“My position on the use of state funding for this purpose has not changed,” Carlson wrote.

The measure was sponsored by Rep. Gene Pelowski (DFL-Winona) and Sen. LeRoy Stumpf (DFL-Thief River Falls).

HF2136/SF1888\*/CH183



HUMAN SERVICES

Child support dollars cut

Gov. Arne Carlson cut provisions from omnibus health and human services legislation that would have provided \$218,000 to the attorney general’s office for programs related to child support enforcement.

The funds were part of a \$5.4 billion health and human services spending package that will fund social service programs during the next two years.

Carlson line-item vetoed \$150,000 that would have been transferred from the Department of Human Services to the attorney general for a child support enforcement public education campaign.

Carlson also cut \$68,000 that would have gone to the attorney general for consultation related to the publishing of the names of “deadbeat” parents — those who fail to pay child support.

“The responsibility for child support enforcement activities rests solely with the Department of Human Services, and I believe that they are eminently capable of executing this function independent of the attorney general,” Carlson wrote in his veto message.

The proposal was sponsored by Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd).

HFnone/SF1908\*/CH203



The governor line-item vetoed an appropriation from a state government finance bill that would have financed a variety of monuments, and would have paid for an oil painting replica of this portrait of former Gov. Rudy Perpich and his wife, Lola, on display at the Minnesota History Center. The replica was to replace the portrait of Perpich now on display in the Capitol.





# Bills in Limbo

## Bills considered, not passed

*Editor's Note: While New Laws 1997 focuses on bills that were approved by the Legislature, it is also important to mention some of the bills that received attention during the session, but did not become law.*

*Because this is the first year of the two-year spending cycle, those measures remain alive, or viable, for consideration next year.*

*At the end of the 1997 session, bills remaining on the various calendars awaiting floor action were returned to the committee of last action, where the bills will stay unless they are acted upon by the 1998 Legislature.*

*Bills remaining in conference committees that have not submitted a report upon adjournment of the session return to the body of origin and are set aside temporarily (laid on the table). The conference committees are disbanded.*

*Bills that passed one body but not the other remain alive for the second year of the biennium. The house that approved the bill in the first year need not repass the bill in the second.*

*Bills remaining in standing committees at the end of the 1997 session can be taken up in the second year of the biennium by the committee to which they were last referred.*

*The Bills in Limbo section includes a selection of bills that remain in limbo during the time between the 1997 and 1998 legislative sessions.*



More than 2,200 bills were introduced in the House and some 2,000 bills in the Senate during the 1997 Legislative Session. Those that were discussed but did not pass both the House and the Senate remain viable for consideration during the 1998 session, the second year of the biennium.

Members of the House Agriculture Committee rejected a plan to allow tightly controlled agricultural production of industrial hemp, but the committee approved a proposal to conduct a study of the issue. The bill was sent to the House floor, where it never came up for a vote.

In the Senate, the plan to allow farmers to grow hemp was similarly dismissed, but the Senate did pass a bill requiring a study of the many issues involved with legalizing industrial hemp.

The hemp proposals ran into opposition from anti-drug activists and law enforcement agencies — who make no distinction between industrial hemp and its intoxicating relative. They say hemp's legalization would undermine current anti-drug efforts.

Supporters, including some of the state's major agricultural organizations, listed several ways farmers could benefit from growing hemp. For instance, the crop could be easily integrated into rotation, and could be good for a variety of products.

In the last few years, hemp production has been legalized in Germany, Canada, the United Kingdom, and Australia. Currently, no states allow the growing of hemp, but the

crop is used in a variety of products available in the U.S., including paper, clothing, cosmetics, and cleaning supplies.

Senate Majority Leader Roger Moe (DFL-Erskine) and Rep. Phyllis Kahn (DFL-Mpls) sponsored the bill.

HF349/SF1181



## BUSINESS

### Smoke ads limited

A proposal to restrict tobacco advertising where it is likely to be seen by minors was defeated in the House.

Lawmakers considered a bill that would have placed limits on outdoor advertising for cigarettes, such as the familiar Joe Camel billboards, and other types of advertising, including the ads placed in the windows of retail stores.

Supporters of the bill said the measure was an effort to combat tobacco company marketing strategies aimed at seducing kids into smoking or chewing tobacco.

Critics questioned the effect such limits could have on the advertisers' First Amendment rights of free speech and asked whether such limitations would survive a court challenge.

The bill was defeated in a House floor vote late in the 1997 session. The vote was 71-62 against the proposal. The Senate bill stalled in committee.

Rep. Michael Paymar (DFL-St. Paul) and Sen. John Marty (DFL-Roseville) sponsored the measure.

HF688/SF1616

### Rent-to-own

A bill that would have regulated rent-to-own contracts didn't make it out of the House this session.

House sponsor Rep. Tom Pugh (DFL-South St. Paul) said the effort was designed to protect buyers from predatory rent-to-own retailers.

Currently, such contracts are prohibited by court order. Rental stores that previously offered rental-purchase agreements, such as Rent-a-Center, now offer only rental agreements, with no purchase option.

Prior to the injunction, many consumers complained that such retailers financed pur-



## AGRICULTURE

### Legal hemp

Minnesota farmers won't be growing hemp legally any time soon.

It was rough going in the Legislature this year for the hemp crowd. First, a plan to allow farmers to begin growing industrial hemp ran into opposition, and later a proposal to study the issue faltered.

Supporters touted industrial hemp as a potentially valuable crop for farmers, but critics charged it would hamper drug enforcement efforts.

chases at exorbitant interest rates after tacking on a variety of costs to a product's base price.

Under the bill, rent-to-own retailers would have had to limit their purchase agreements' ancillary charges, such as setup, delivery, and finance fees, to an amount equal to the original cash price of the items. Current law has no fee limit. The seller also would have been required to disclose detailed information about the number and amount of payments due, in addition to various statements about the legal details of such arrangements.

Rental-purchase stores offer their merchandise without credit checks, deposits, or down payments. Instead, customers agree to lease the goods for a specific period of time with the option to either renew or discontinue the agreement at the end of the term. The lease payments are based on the store's listed purchase price of the item, plus any additional fees, plus interest.

The bill made it to the House floor, but then stalled. The Senate passed the bill April 21 by a vote of 34-31.

Sen. Deanna Wiener (DFL-Eagan) sponsored the Senate proposal.  
HF997/SF865

**CRIME**

**Silencers on police guns**

Lawmakers considered a bill that would have broadened the circumstances under which Department of Corrections (DOC) officials can carry guns, and would have allowed police officers to use silencers on guns in some high-risk situations.

Current law prohibits DOC officials from carrying weapons off prison grounds. That includes on-duty time transporting prisoners between institutions or to other places such as hospitals. The DOC handles between 50 and 100 of those trips every day, according to the department.

One reason guards are prohibited from carrying guns at those times is a fear that the weapons could be used against them in a prisoner attack. But DOC officials said an increasingly dangerous prison population has created a need to give employees the assurance that they will not be put at risk.

The bill considered this year called for DOC officials to be allowed to carry firearms in the course of official duties, including

transporting inmates or apprehending violators of parole or supervised release.

The bill also would have authorized law enforcement agencies to use silencers (devices that silence or muffle the sound of a gunshot) in the course of some duties. Current law prohibits the use of such devices.

An example of a scenario when silencers would be necessary, bill supporters said, would be to stop an attacking dog while police attempt to move in for a raid on a suspected drug house.

The bill was approved by the House Judiciary Committee, but never came up for a vote on the House floor. The Senate version stalled in committee.

Rep. Wes Skoglund (DFL-Mpls) and Sen. Randy Kelly (DFL-St. Paul) sponsored the bill.

HF614/SF572

**DEVELOPMENT**

**Bigger convention center**

The House Economic Development and International Trade Committee approved a bill that would use state dollars to jump-start a long sought expansion of the Minneapolis Convention Center.

However, the full House never voted on the bill. A similar measure stalled on the floor in the Senate.

Minneapolis Mayor Sharon Sayles Belton,

along with several other city finance officials, testified in favor of the bill sponsored by Rep. Richard Jefferson (DFL-Mpls). Sayles Belton called the measure more important to the city's economic vitality than any other project, including the proposed new baseball stadium for the Minnesota Twins.

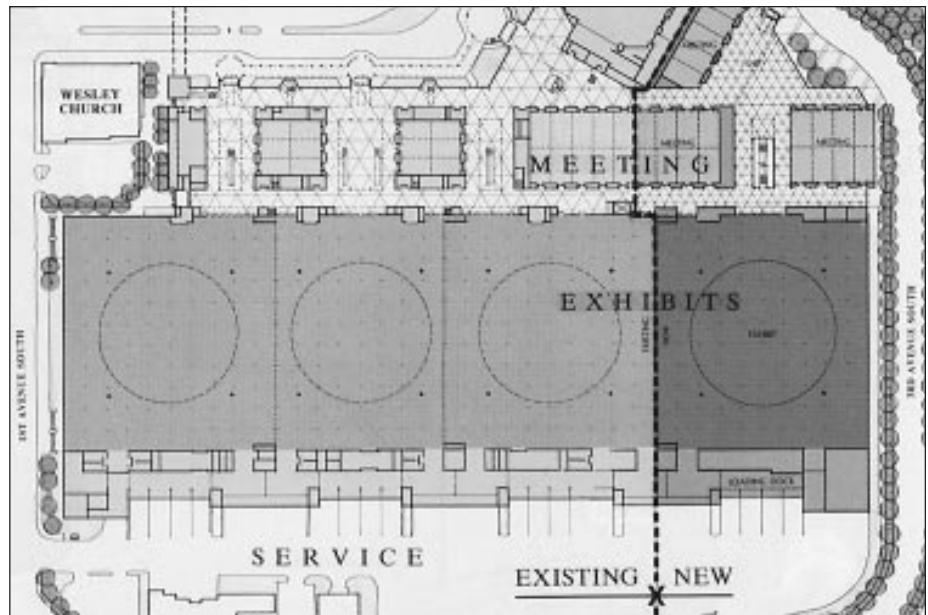
The bill would have provided Minneapolis with an unspecified amount of money from the state's general fund to initiate construction at the facility, with the balance of the cost financed by a future state bonding measure. Jefferson told the committee the state's general fund contribution would be \$37.5 million. The project's total cost is estimated at \$147.5 million.

The expansion, said Jefferson and Sayles Belton, actually represents a completion of the project. The original plans, which called for nearly 500,000 square feet of floor space, were scaled back to the existing 280,000 square feet after then-Gov. Rudy Perpich vetoed proposed state funding in 1985.

Instead, the city paid for the convention center with \$350 million in bonds, imposing a half-cent sales tax to service the debt. Under the bill, the city would have continued to impose the sales tax until all of the bonds issued — including future bonds let by the state — had been retired.

Sen. Allan Spear (DFL-Mpls) sponsored the Senate bill.

HF1529/SF1369



Plans to expand the Minneapolis Convention Center will have to wait. A bill that would have provided state funds for the project stalled this year.

Graphic courtesy of the Minneapolis Convention Center



## EDUCATION

### Later school starts

A proposal to mandate later school start times for secondary school students failed this year.

Lawmakers considered a bill that would have prohibited junior and senior high schools from beginning classes before 8 a.m. Such a move would force changes in the class schedules of thousands of students and hundreds of schools across the state.

Parents, students, law enforcement officials, and other supporters argued that later school start times could help to solve many current problems in and out of the classroom.

But critics argued that changing start times for adolescents would have costly repercussions and that the problems may be more easily solved by having students get to bed a little earlier in the evening.

The issue of school start times has been the center of much discussion since the Minnesota Medical Association in April 1994 urged all school districts to begin school later for teenagers.

The medical group reported that adolescents need more sleep — at least 9.5 hours per night — than do younger children or adults. Also, there is evidence that the timing of adolescents' sleep period is delayed. That means they are unable to fall asleep as early as younger children and adults, and tend to sleep later.

After the plan to mandate later start times

ran into stiff opposition in committee, a provision was included in a House K-12 finance bill (HF1684) that would have provided \$500,000 in grants to help school districts that establish school start times of 8 a.m. or later. But the grant funding was deleted from the bill on the House floor.

The original bill mandating later start times was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Sandy Pappas (DFL-St. Paul).

HF1259/SF1300

### Securing superintendents

A proposal to allow some large school districts to exceed the state-imposed salary cap for school superintendents was rejected this year.

State law caps the salary of school superintendents at 95 percent of the governor's salary of \$114,506 a year. Some school districts have complained that the cap hurts their ability to compete with districts in other states for top superintendent candidates.

Rep. Mindy Greiling (DFL-Roseville), who backed the plan to allow certain districts to exceed the cap, said the proposal would allow local school boards to better compete for top prospects and to set the salary for the position according to what is acceptable within the community.

Under the proposal, districts with more than 5,000 students would have been allowed to exceed the salary cap, but only if the superintendent were to achieve performance incentives included in his or her employment contract.

Contract incentives would have been required to include goals for improving student achievement and other factors such as curriculum improvement and student attendance.

Greiling and Sen. David Knutson (R-Burnsville) introduced the bill. The House version was rolled into a House K-12 omnibus financing bill (HF1684), but the provision did not survive in conference committee.

The salary cap for superintendents has been in place since 1983, and several legislative attempts to repeal the cap in recent years have failed.

HF897/SF584

### Changing school schedules

The House passed a bill this year that would have made it easier for school districts to establish year-round school or alternative schedules, but the measure never came up for a vote in the Senate.

The proposal would have done away with a provision in current law that requires districts to obtain State Board of Education approval before establishing a flexible learning year program at a particular school.

Such a program could include a four-day school week or the elimination of the traditional summer vacation in favor of classes for 45 out of every 60 days.

Under current law, a district wishing to establish a flexible learning year for a school site must submit an application to the Board of Education, which has the authority to review the plans and approve or disapprove them.

The bill would have given local school district officials the authority to decide whether to establish a flexible learning year and would have relegated the Board of Education to a supervisory role.

Rep. Mindy Greiling (DFL-Roseville) and Sen. Sheila Kiscaden (R-Rochester) sponsored the bill.

HF302/SF348

### Just say no to smokes

A proposal to pay for expanded drug and smoking prevention programs in schools by increasing the tax on tobacco products did not find approval this year.

A bill called for a 10-cent-per-pack hike in cigarette taxes, and for some of the revenue generated by tobacco taxes to be dedicated to



Secondary students won't get extra sack time after all. A bill that would have mandated later school start times for junior and senior high school students did not become law this year.

tobacco and drug use prevention programs.

The House Education Committee's K-12 Education Finance Division discussed the bill, but took no action on the matter. The Senate companion never received a committee hearing.

The state currently taxes cigarettes at a rate of 48 cents per pack. Bill supporters said the 10-cent increase would bring in an additional \$36 million annually.

The additional revenue would have greatly expanded state funding for anti-smoking programs in schools. The bill called for the proceeds from the cigarette tax to be directed to the Department of Children, Families and Learning. Funds were to be available for department programs to combat tobacco and drug use or for grants to school districts for similar programs.

Rep. Len Biernat (DFL-Mpls) and Sen. Len Price (DFL-Woodbury) sponsored the bill.

HF792/SF1778

## No class, no car, no way

An effort to link teen driving privileges to academics ran out of gas during the 1997 session.

Lawmakers considered a plan to deny driving privileges to teens who fail the state's basic skills tests in reading and math required for high school graduation. It also would have stripped dropouts of their driver's licenses.

The bill had a rough journey through House committees. First, the provisions related to students who fail the basic skills tests were deleted from the bill, leaving only provisions to take away the driver's licenses of dropouts and habitual truants. Then, the proposal was rejected by the House Transportation and Transit Committee. The Senate bill also stalled in committee.

Critics said the bill linked two things — driving and academics — that aren't necessarily related and that the bill would heap unnecessary punishment on kids struggling to get by in school.

Supporters said the bill would motivate students to stay in school and to take academics seriously.

As originally introduced, the bill would have required 16- and 17-year-olds to pass the state's basic skills tests in reading and math before they could be eligible to receive a driver's license.

The bill also would have allowed the state

to suspend the licenses of students who withdraw from school, are dismissed (suspended or expelled), or are habitually truant. Dropouts and habitual truants would have lost their licenses until they turned 18.

Rep. Len Biernat (DFL-Mpls) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the bill.

HF446/SF672



## EMPLOYMENT

### Employee wage protection

When a group of restaurant workers in Moorhead, Minn., showed up for work one Monday morning, they found the doors locked and an "out of business" note awaiting them. They received no notice or final paycheck from their employer.

The incident prompted a piece of legislation that would have offered such workers relief. The bill stalled in committee in both chambers of the Legislature.

The bill — the Employee Wage Protection Act — called for creation of a special state fund in the Department of Economic Security to ensure payment of employee wages when an employer goes out of business. Employees in such circumstances would have been eligible to receive up to four weeks' salary or a maximum of \$2,000.

The Department of Economic Security also would have been authorized to sue recalcitrant employers for amounts paid from the account, plus costs, and a 25 percent penalty.

Rep. Kevin Goodno (R-Moorhead) and Sen. John Hottinger (DFL-Mankato) sponsored the bill.

HF1038/SF1041

## Contract language

A bill to require written employment agreements in the employee's predominant language was laid over until 1998.

But the need for the bill was underscored by March 1997 testimony before the House Labor-Management Relations Committee.

Speaking through an interpreter, Manuel Torres told the panel that in February 1997 he and seven other Spanish-speaking people were recruited in Atlanta to work for a janitorial service in Minnesota. They were promised \$1,200 a month plus housing, food, and warm clothing in exchange for working eight-hour shifts, six days per week.

"Instead, we worked 11 hours per day and seven days per week," Torres said. "We were living nine to a room and fed one hamburger every 24 hours. We were locked in and couldn't leave. When we complained, they beat us. . . . In the end, we never were paid."

Bill supporters, who agreed in advance to delay action on the bill until 1998, requested a hearing this year because Torres and his fellow workers did not plan to stay in Minnesota much longer. The testimony prompted several lawmakers to pledge to support the bill next year.

The proposal was sponsored by Rep. Carlos Mariani (DFL-St. Paul) and Sen. Ellen Anderson (DFL-St. Paul).

HF216/SF404

## Employee discrimination

A bill to protect contract workers from workplace discrimination failed to win passage in 1997.

The bill would have added discrimination against contract workers to the list of unfair



A bill to protect migrant workers by requiring written employment agreements in the employee's predominant language stalled this year, but lawmakers are expected to revisit the issue in 1998.

employment practices in current law. As contract work becomes more common, so does discrimination against contract workers, according to supporters of the bill.

A typical scenario could involve a temporary worker placed with a business. Because the worker isn't officially an employee of the business, the business could claim it is not responsible for any discrimination experienced by the temporary worker.

"After the discriminatory act happens, it's not clear who is responsible. The [hiring company] says [the person is] 'not our employee.' The contracting company says it's not their responsibility," said Rep. Bill Hilty (DFL-Finlayson), who sponsored the bill in the House.

The bill would have made it clear that it is illegal to discriminate against anyone in an employer's workplace who is providing services according to an agreement with the employer.

The bill was approved by the House Labor-Management Relations Committee and the House Judiciary Committee, but never came up for vote on the floor. The Senate bill, sponsored by Sen. David Knutson (R-Burnsville), languished in the Senate Judiciary Committee.

HF787/SF732



**ENERGY**

**Nuclear Responsibility Act**

A proposed Minnesota nuclear regulatory panel was not to be this year.

A bill — the Minnesota Nuclear Responsibility Act of 1997 — that would have established a Minnesota nuclear waste council stalled in committee in both the House and Senate.

The bill called for a 23-member group, composed of state officials, legislators, and Indian tribal officials to develop technically sound transportation and site selection criteria for the storage of high-level radioactive waste produced in Minnesota.

The council also would have been asked to recommend criteria for choosing a site for the storage of high-level radioactive waste in Minnesota, including compensation for residents of the impacted area. The bill called for the council's activities to be paid for by a special assessment to Northern States Power Co. (NSP) customers.

Minnesota has two nuclear power plants — at Prairie Island and Monticello — that

produce high-level radioactive waste. Both are owned and operated by NSP.

The issue of where to store nuclear waste and how to safely get it there stems from the actions of the 1994 Legislature, which authorized nuclear waste to be stored in dry casks outside the Prairie Island plant. The adjacent Prairie Island Mdewakanton Sioux community strongly objected to the plan. Largely at issue was how long the waste would remain at the site.

The Legislature also required the Environmental Quality Board (EQB) to find a comparable site. Citing transportation concerns, the EQB determined that no suitable alternative was available and halted the alternative site plan in late 1996.

The failed bill would have repealed the alternate storage facility requirement of the 1994 legislation, but would have required NSP to demonstrate to the EQB that the dry casks it is using are capable of being safely unloaded.

NSP objected to the bill, citing its compliance with the state's alternative site selection process and arguing that the bill would be expensive for NSP customers. During a committee hearing, an NSP spokeswoman also said the company is supportive of a federal government plan in place to find a site to accept nuclear waste storage by January 1998.

Since 1982, the federal government has been seeking a long-term high-level radioactive waste storage site. Because no state has agreed to accept such a facility, no permanent site has been announced.

Supporters of the bill said the uncertainty of federal efforts to locate a site for nuclear waste storage only confirms the need for the state to proceed on its own in planning for handling nuclear waste.

Rep. Alice Hausman (DFL-St. Paul) and Sen. John Hottinger (DFL-Mankato) sponsored the bill.

HF880/SF843



**ENVIRONMENT**

**Lottery environment funding**

A proposal to extend the state lottery's revenue dedication to the Environmental Trust Fund passed the House but never came up for a vote in the Senate this year.

The bill would have extended the dedication of 40 percent of net lottery proceeds to the trust fund for environmental projects until the year 2020. Under the Minnesota

Constitution, that dedication is set to expire in 2001. The bill also would have allowed up to 25 percent of the annual revenues deposited in the fund to be used for land acquisition and development until 2020.

According to a report from the Legislative Commission on Minnesota Resources (LCMR), the lottery has contributed \$149 million to the Environmental Trust Fund since it began in 1991. The fund is currently worth about \$140 million. The LCMR projects it will reach \$1 billion in assets by 2016. To date, the trust fund has contributed approximately \$60.5 million to 87 environmental projects. Forty more projects are proposed for 1998-99, which would increase total trust fund expenditures to about \$81 million.

The bill was sponsored by Rep. Willard Munger (DFL-Duluth) and Sen. Steve Morse (DFL-Dakota).

HF113/SF76



**FAMILY**

**Finding parents**

A bill to make it easier for adoptees to identify their birth parents did not become law.

Members of the House Judiciary Committee's Subcommittee on Data Practices grappled with the issue, but no vote was taken on the proposal. Bill sponsor Rep. Mary Jo McGuire (DFL-Falcon Heights), said that the issue may be taken up during the interim and reintroduced during the 1998 Legislative Session.

The bill would have eliminated an existing requirement that a birth parent be notified before an adoptee could receive his or her original birth certificate, which reveals the names of birth parents.

A 1977 law requires birth parents to sign an affidavit stating either a willingness or unwillingness to have their identities disclosed in the event a child should later try to find them. This would not have changed under the terms of McGuire's bill.

However, the bill posed a big question regarding birth parents who relinquished children before the 1977 law, when they were promised confidentiality.

McGuire said the issue was one of balancing rights. "Personally, I think a person has a right to access their own birth certificate."

The committee heard passionate testimony from people for and against the bill, including those in anguish who are prohibited from

finding their birth parents; those whose lives were transformed by finding them; and at least one birth parent who said being discovered would be devastating for the birth parent. At issue was how to weigh an adoptee's right to information against birth parents' right to privacy.

McGuire said that a possible solution would involve the use of intermediaries to make initial contacts with birth parents to reduce the likelihood of upset or trauma upon contact.

Sen. David Knutson (R-Burnsville) sponsored the Senate proposal, which stalled in the Senate Health and Family Security Committee.

HF727/SF727



## GAMBLING

### Card club at the track

A bill that would have allowed a card club to operate at Canterbury Park in Shakopee, Minn., did not make the cut this year.

The bill called for a \$30 per hand limit on wagers, and specified a maximum of 50 card tables at the track. The track would have been required to use some of the revenue raised through the card games for a breeder's fund and purse payments.

The bill would have required card games to be "unbanked," meaning the players bet against each other rather than against the "house." Supporters touted the bill as a way to boost track attendance and increase revenues through a fee charged for card playing. By one estimate, the track stood to make about \$5 million per year.

Supporters also said their plan would help the state's ailing horse racing industry. In 1986, gross revenue generated by horse racing in Minnesota reached a peak of \$133 million when it began a steady decline. In 1996, the total was \$64.8 million. The all-time low was \$36.3 million in 1994 (not counting when the track was closed in 1993). In 1986, the state gained \$8.9 million in income from horse racing; in 1996, \$1.1 million.

The bill was awaiting floor votes in both chambers of the Legislature when the session came to an end.

Rep. David Tomassoni (DFL-Chisholm) and Sen. Jerry Janezich (DFL-Chisholm) sponsored the measure.

HF967/SF807

## Slots at the track

A proposal to install slot machines at Canterbury Park and use proceeds to help Minnesota's struggling horse racing industry stalled this year.

A House bill would have allowed as many as 1,500 slot machines at Canterbury Park in Shakopee.

Under the bill, profits from the slots would have been earmarked to boost purses at the track. That, according to bill supporters, would have kept racing alive and helped the state's thoroughbred industry.

The bill called for 20 percent of the slot machine proceeds to go to the racetrack and another 8.4 percent to reach breeders through increased purses. Funds also would have been devoted to the state's Environmental Trust Fund and to a new "sports infrastructure fund," which could provide revenue for projects such as the proposed Twins ballpark.

The bill was discussed by the House Agriculture Committee and sent without a recommendation to the House Regulated Industries and Energy Committee. The bill never received another committee hearing. There was no Senate companion bill.

Rep. Mark Holsten (R-Stillwater) sponsored the measure.

HF1300/SFnone



## GAME & FISH

### Feeding the deer

A proposal to use a surcharge on hunting licenses to finance wintertime deer feeding failed to win approval this year.

The bill would have tacked a \$2.50 surcharge onto hunting licenses and allocated \$1.5 million for an emergency deer feeding program.

In 1996, lawmakers passed a measure that provided \$750,000 in emergency deer feeding funds. That year, the Department of Natural Resources (DNR) spent a total of \$975,713 to provide 5,115 tons of feed. (The money came from a portion of the proceeds from hunting and fishing licenses, not general taxpayer revenue.)

The project involved 8,300 volunteer distributors spreading food at 9,150 sites over an area of 38,000 square miles. About 23 percent more deer were reached in 1996 than in a similar effort in 1989.

This year, lawmakers heard about a preliminary report from the DNR showing that

deer feeding efforts do not save enough animals to justify the investment of money and staff time. The report was based on an evaluation of the state's 1996 Emergency Deer Feeding Program.

While deer feeding supporters questioned the findings of the report, the proposal to continue funding of deer feeding stalled.

In the House, the bill never made it out of committee. The Senate bill won approval from the Environment and Natural Resources Committee and the State Government Finance Committee, but never came up for a floor vote.

Rep. Tom Bakk (DFL-Cook) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the bill.

HF167/SF195



## GOVERNMENT

### Governor's phone bills

A controversy over cellular telephone bills generated by the governor's office prompted discussion but no action in the Legislature this year.

At issue was whether all details of the cellular telephone bills should be open to the public. In responding to a request for the copies of the bills earlier this year, the governor's office censored portions that detailed the locations and telephone numbers of the incoming calls.

Lawmakers considered a bill that would have specified that the cellular phone bills of legislators, the governor, and other state employees and officeholders, which are paid for by taxpayers, would be — in their entirety — public data. The bill would have been retroactive to May 1993.

Officials from the governor's office listed several objections to the bill. The retroactive provision drew criticism because making such information public could compromise the privacy of people who had a right to be warned, a spokeswoman for the governor said.

Also, revealing cellular phone bills in their entirety could interfere in cases where confidentiality is key, said the spokeswoman. Such circumstances could include negotiations to attract a company to the state or to persuade an existing business to stay.

The House Judiciary Committee's Data Practices Subcommittee discussed the bill, but took no action on the matter. No com-

panion bill was introduced in the Senate.

The bill was sponsored by Rep. Matt Entenza (DFL-St. Paul).

HF902/SFnone

### Lobbying ban

A bill that would have prohibited former legislators from lobbying their one-time colleagues for one year after leaving office stalled this year.

In the House, the one-year ban on legislative lobbying after leaving office was amended to include constitutional officers, top state agency officials and most legislative staff and was sent from the House General Legislation, Veterans Affairs and Elections Committee to the House floor.

But in the Senate, the bill was rejected by members of the Election Laws Committee.

Supporters of the bill expressed concerns about the "apparent coziness" of former members becoming lobbyists. The problem, bill supporters said, is that prior relationships — often friendships — between members and lobbyists can interfere with a legislator's objectivity, or at least appear to.

Critics said the bill would have interfered with the free speech rights of former members of the Legislature, and would send the message that legislators can't be trusted to use good judgment.

The bill was sponsored by Rep. Steve Sviggum (R-Kenyon) and Sen. John Marty (DFL-Roseville).

HF104/SF1825

community registries already are up and running.)

Immunization data collected in the community-based and statewide registries was to include the patient's name, date of birth, gender, address, and other personal information, along with information about the types of vaccine received, the medical clinic performing the vaccinations, and other factors.

The bill also would have required doctors, health plans, and other health care providers to report immunization data to the certified registry serving their geographic area. Data would have been required on children born in the area and on people who move into the community.

The bill would not have required a registry or provider to obtain a person's consent prior to enrollment in a registry. However, the bill would have allowed a person to ask to not receive reminder and recall notices from the registry, and would have established a procedure by which a person could claim an exemption from enrollment based on religious or other conscientiously held beliefs.

Critics questioned the need for a registry and raised concerns about the privacy rights of people who would have been included in such a registry.

The bill did not make it out of committee in either chamber of the Legislature.

Rep. Nora Slawik (DFL-Maplewood) and Sen. Linda Berglin (DFL-Mpls) sponsored the measure.

HF259/SF126

faced penalties, including a \$100 fine for each violation.

Critics of the bill pointed out that many older buildings were not designed to maintain a constant 68-degree temperature under the most extreme conditions. Building excessive capacity into a heating system to guarantee a constant 68 degrees would violate existing federal energy conservation codes, according to critics.

The bill was approved by the House Economic Development and International Trade Committee and its Housing and Housing Finance Division, but stalled in the House Judiciary Committee. There was no Senate companion bill.

The bill was sponsored by Rep. Rob Leighton (DFL-Austin).

HF1378/SFnone

### Rental walk-throughs

One of the most frequent areas of dispute between landlords and tenants concerns a rental unit's condition before the tenant moved in and what damages the tenant caused. Conflicts over apartment conditions often result in withheld damage deposits or legal action.

A bill that aimed to prevent such disputes stalled this year.

The bill would have required a landlord and tenant to walk through a residential rental unit to identify all existing conditions before entering into a lease agreement. The landlord and tenant would have been required to sign a list of conditions and all parties would have received a copy of the signed list. A similar walk-through would have been required after the tenant has moved out to determine what damages took place during the tenancy.

The bill included a provision that would have required a \$100 civil penalty for landlords who failed to comply with the walk-through requirements. The bill also would have provided for restitution to the landlord if the tenant or the tenant's guest was convicted of damaging rental property.

Critics of the bill said it was unnecessary for the state to mandate such practices. The most common reason for walk-throughs not working is that tenants fail to show up, critics said.

Present law gives the landlord 21 days to inspect the apartment and return the damage deposit.

The bill passed the House Economic Development and International Trade Committee and its Housing and Housing Finance



## HEALTH

### Keeping track of shots

A bill to create a statewide immunization registry for all Minnesota children failed to win approval during the 1997 session.

The registry would have been used to remind parents when immunizations are due against measles, hepatitis A and B, polio, and other diseases. It also would have allowed the records to follow children throughout their lives even if they move to a different county or change doctors or health plans.

The bill would have allowed the Department of Health to create a statewide registry using information from community-based registries throughout Minnesota. The bill also would have permitted local boards of health throughout the state to develop and maintain community-based registries. (Several



## HOUSING

### Maintaining 68 degrees

A bill requiring rental property owners to keep the heat at a 68-degree minimum failed to win approval during the 1997 session.

The bill called for landlords to maintain the temperature in all rental units where the tenant does not control the heat, and for all rental heating equipment to be capable of maintaining 68 degrees when the outside temperature is minus 20 degrees or below.

The bill also would have allowed tenants to make repairs to heating equipment that doesn't meet the above standards within 48 hours after making a reasonable attempt to notify the owner. Tenants also could have deducted expenses for heating repairs from monthly rent payments.

Landlords who fail to comply would have

Division, but stalled in the House Judiciary Committee. The Senate bill did not receive a hearing.

Rep. Karen Clark (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul) sponsored the bill.

HF1304/SF1890



## LAW

### Opening juvenile proceedings

Momentum grew during the 1997 Legislative Session to open juvenile court proceedings — and records — to the public, but in the end no laws were changed.

The House Judiciary Committee approved a bill for a pilot program to open hearings involving children in need of protective services (CHIPS), which refers to kids who have been exposed to abuse or neglect. The proposal applied only to proceedings in Hennepin County, the busiest of the state's judicial districts. Later, the full House approved a bill applying to CHIPS proceedings statewide. But the bill hit a snag in conference committee, where senators backed a bill to open CHIPS cases only to family members and others with a demonstrable interest in the child. The differences were not reconciled before the session ended.

The issue generated strong feelings on both sides of the debate.

"If the public had any idea of the kind of decisions being made for these vulnerable children, the public would be outraged," District Court Judge Heidi Schellhas told lawmakers. "Children aren't being protected by closed proceedings; adults are."

Others feared that opening the courts would expose children to further trauma and shame. "It's wrong to drag family crises to where school classes and neighbors can sit and listen," said Tamara Malik, a child protection worker.

The effort to open the closed world of juvenile court is, in part, a response to a Minnesota Supreme Court task force report that recommended opening the proceedings unless "exceptional circumstances" exist.

The proposals were sponsored by Rep. Wes Skoglund (DFL-Mpls) and Sen. David Knutson (R-Burnsville).

HF254/SF855

### Recognizing abuse

A bill to ensure that victims of sexual abuse get their day in court stalled this year.

In 1989, the Legislature passed a law giving victims six years to initiate a civil action after "they knew or had reason to know that [their injuries] were caused by sexual abuse."

However, last year the Minnesota Supreme Court, in *Blackowiak v. Kemp*, ruled that the statute of limitations time clock starts at the time the victim realizes he or she has been abused, regardless of whether the victim understands the nature of the injuries or their cause.

In committee testimony, lawmakers heard from a woman whose claim for civil damages against her parents was dismissed because of the Supreme Court ruling. The woman said she didn't understand the extent of her injuries until later in life, when they interfered with intimate relationships and caused her to have suicidal feelings.

The bill would have clarified the 1989 law, and made a distinction between victims who are minors and those who are adults.

For minors, the bill called for the statute of limitations to end six years after a victim knows or has reason to know he or she was sexually abused, was injured, and the injury was caused by the sexual abuse. Adults would have been given six years from the last incident of abuse to file a claim.

The bill also would have stipulated that a victim under age nine at the time of the last abuse incident may not sue after age 30; a victim between nine and 15 may not sue after age 27; and a victim age 16 or 17 may not sue after age 24.

The proposal was approved by the House Judiciary Committee, but the measure did not come up for a vote on the floor. The bill met a similar fate in the Senate, where it stalled after being approved by the Senate Judiciary Committee.

The bill was sponsored by Rep. Rob Leighton (DFL-Austin) and Sen. Ember Junge (DFL-New Hope).

HF846/SF344



## LOCAL GOVERNMENT

### Mesabi County?

Minnesota's largest county will remain intact, at least for now. A bill that would have allowed voters to decide whether to divide St. Louis County, located in the northeastern part of the state, failed this year.

Rep. Tom Rukavina (DFL-Virginia) sponsored a measure that called for voters to decide in 1998 whether to cut off the northern three-fourths of St. Louis County and form a new county. Rukavina even suggested a possible name for the new political entity — Mesabi County.

St. Louis County includes the city of Duluth, which sits in the county's southeast corner, the Iron Range, and a huge piece of land stretching to the Canadian border in the north.

Rukavina called the push to divide St. Louis County "a question of democracy and equal representation." He said that although the Iron Range has 41 percent of the county's population, residents of the range pay 49 percent of county taxes and receive only 35 percent of the county's spending.

The bill also called for a new county seat in Buhl, if voters were to approve the creation of a new county.

Rukavina's bill was approved in March by the House Local Government and Metropolitan Affairs Committee, but the proposal did not come up for a vote on the House floor. There was no Senate companion bill.

HF698/SFnone



## SAFETY

### Protecting kids in carts

A bill to require retailers to equip their shopping carts with child-protective devices passed the House but was voted down 40-17 by the Senate.

Children, said bill sponsor Rep. Mike Jaros (DFL-Duluth), have a propensity to fall out of shopping carts, often sustaining potentially lethal head injuries as a result.

"There are kids dying out there" because of shopping cart accidents, Jaros said. "This is probably the best pro-life legislation you'll see this session."

HF10/SFnone



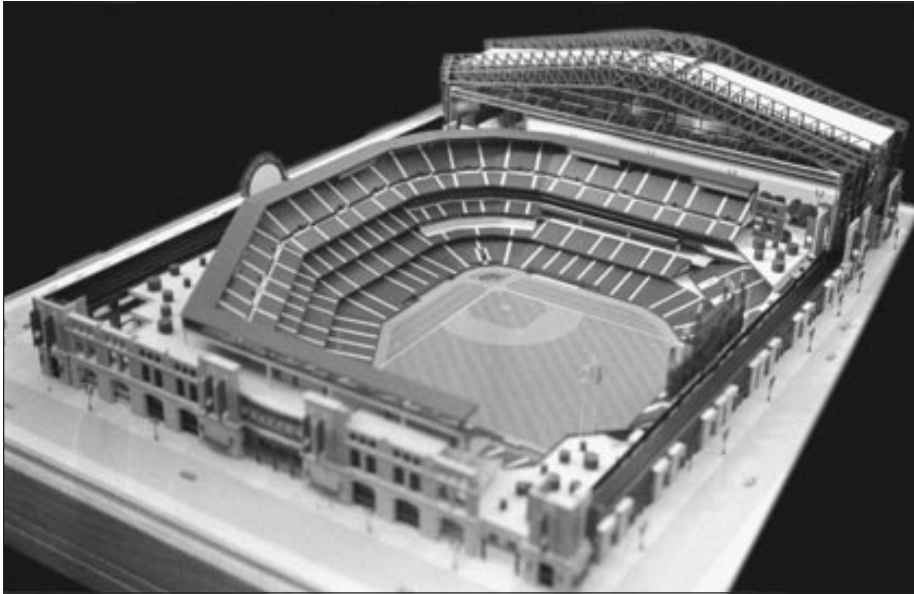
## SPORTS

### Stadium bill stumbles

While the to-build-or-not-to-build stadium debate dominated the talk radio circuit and newspaper headlines, little legislative action occurred on the subject.

Gov. Arne Carlson announced his intention to call a special session to ensure that





The Minnesota Twins unveiled this model for the retractable-roof stadium that the club wants state funds to build, but legislative efforts to provide financing for the project struck out.

professional baseball remains in Minnesota.

For the past two years, the Twins have operated in the red, with team officials blaming the confines of the Hubert H. Humphrey Metrodome and its limited revenue capacity. If 1997 also shows a deficit, the club can escape its Metrodome lease.

Stadium revenues from parking, luxury suites, signs, concessions, and a strong season ticket base have become the key income growth areas for other sports teams, Twins President Jerry Bell said. But the Twins lag far behind most major league teams in these revenues. "In the Metrodome, not only are we last in parking and suite revenues, we have no parking or suite revenues," Bell said.

The team has received formal approval from Major League Baseball to explore relocation options.

Early this year, the governor and the Twins unveiled a plan for the state to pay for a \$424 million retractable-roof stadium in downtown Minneapolis. About \$330 million was to be provided by the state, funded by a 10 cent-per-pack tax on cigarettes. Team owner Carl Pohlad was to lend about \$85 million to the project and hand over a 49 percent interest in the team to the state.

Parts of that plan were embodied in several stadium-related bills. But after countless hours of private negotiations and public committee hearings none gathered enough momentum to make it to the House floor for a vote.

Opinion polls have shown a continuing lack of voter support for a publicly financed ballpark and key legislative leaders on both

sides of the aisle made clear their opposition to any such deal.

The main stadium proposal, sponsored by Rep. Ann H. Rest (DFL-New Hope), was rejected by the House Taxes Committee during the last week of session. The Senate companion, sponsored by Sen. Jerry Janezich (DFL-Chisholm), also died that week.

The cigarette tax was dropped from Rest's bill in favor of a complicated mix of ticket surcharges, a sports memorabilia tax, and other user fees and taxes. Rest was attempting to pay for the facility by taxing those who would benefit most from a new stadium. Her proposal, however, fell short of raising the needed revenue. Other plans then emerged, including ticket buyouts, state ownership of the team, and video slots at Canterbury Park.

More recently, Mayor Sharon Sayles Belton has pledged \$58 million from the city of Minneapolis to acquire and prepare a suitable site for the ballpark in the downtown riverfront area. She also suggested a metrowide half-cent sales tax or a 12-cent-per-pack cigarette tax to fund the project.

House Speaker Rep. Phil Carruthers (DFL-Brooklyn Center) has appointed a 16-member legislative task force to craft a financing plan before the September special session.

HF1367/SF1140

## Civic center improvements

Efforts to garner \$51 million in bonds to renovate the aging St. Paul Civic Center were unsuccessful.

A proposal won approval from a House panel and three Senate committees but ultimately stalled.

On April 2, National Hockey League (NHL) officials toured the 26-year-old civic center with city officials and later met with Mayor Norm Coleman and Gov. Arne Carlson to discuss the possibility of bringing professional hockey to St. Paul. "I don't think a major league team could function in that building under its current condition," NHL commissioner Gary Bettman announced after the civic center tour.

At the time, Minnesota was jockeying for position among a handful of cities hoping to be named as an expansion team site. St. Paul has since been awarded a team, and local and state officials have brokered a deal to build a new hockey arena. A key component of the plan is \$65 million in bonds coming from the state, which the governor has promised to include in his 1998 capital budget proposal.

The \$51 million renovation proposal was sponsored by Rep. Alice Hausman (DFL-St. Paul) and Sen. Randy Kelly (DFL-St. Paul).

HF1176/SF834



## TRANSPORTATION

### Turn up the volume

A bill to allow police officers to ticket motorists who play their car stereos at a volume that "unreasonably disturbs the peace and quiet of a person nearby" did not become law.

The proposal didn't get a hearing in the Senate and failed on the House floor Feb. 27. The vote was 58-72.

Any sound from a radio, tape, or compact disc player "plainly audible" at a distance of 100 feet or more from a vehicle would have brought a petty misdemeanor citation, which carries a fine of up to \$200.

House sponsor Rep. Rich Stanek (R-Maple Grove), a Minneapolis police officer, said he wanted a law that "law enforcement could use to address quality-of-life issues."

But some members had reservations. "This bill could declare open season on kids," said Rep. David Tomassoni (DFL-Chisholm). "Anyone playing a stereo gives the police an open invitation to stop them."

The legislation would not have interfered with the right of municipalities to enact their own noise abatement laws. Several cities, including Minneapolis and St. Paul, already have ordinances related to loud car stereos. Stanek's bill would have provided a statewide standard for car stereo use.

Sen. Warren Limmer (R-Maple Grove) sponsored the Senate proposal.  
HF86/SF358

### Seat belt bill fails

A proposal to give police the authority to pull over motor vehicles carrying juveniles who are not buckled up stalled in the House.

The bill would have required motor vehicle occupants under age 18 to be wearing seat belts. The measure failed to win preliminary approval Feb. 20 on the House floor. The vote was 80-48 against the bill.

Current law requires all vehicle occupants between the ages of 3 and 11 to wear seat belts. (Children under age 4 are required to be secured in child car seats. Occupants 18 or older must wear seat belts only when in the front seat.)

A provision to make violations of the seat

belt requirement a primary offense — giving a new power to police officers — was the focus of criticism from several House members.

Violation of seat belt requirements for occupants older than 3 is now a secondary offense. That means police can issue a citation only after a vehicle is stopped for a moving violation or another violation involving the vehicle's equipment.

The bill would have allowed police to stop any vehicle in which any occupant between 3 to 18 years old, whether in the front seat or back, was not using a seat belt.

The bill was sponsored by Rep. Jim Rhodes (R-St. Louis Park) and Sen. Randy Kelly (DFL-St. Paul).

HF221/SF222

### Pay up or walk

Car owners who fail to pay fines for traffic or parking violations will not be denied new license tabs after all. A bill to force drivers to pay up was approved by a House panel and a separate Senate committee, but then stalled in both bodies.

House sponsor Rep. Jim Rhodes (R-St.

Louis Park) said the bill was an effort to create a "more fail-safe collection system." Currently, unpaid fines are not reported by the courts and, as a result, are not on drivers' records.

The bill required a \$1 surcharge to be added to the fine for each traffic violation to finance the new system of ensuring that tickets are paid.

The Department of Public Safety would have had to set up a computerized database listing motorists with unpaid fines. The courts were then to report unpaid fines to the department for addition to the database, and courts would similarly report when fines are paid.

Deputy registrars, who handle registration renewals around the state, could then access the database to check each vehicle owner seeking new tabs for his or her car.

The bill would have prohibited deputy registrars from registering a vehicle if records showed an unpaid fine. Vehicle owners with unpaid fines could get new tabs by paying the amount due in fines to the deputy registrar or the court.

Sen. Carol Flynn (DFL-Mpls) sponsored the Senate proposal.

HF1353/SF984

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# Summary

## Technical summaries of bills sent to the governor

**Editor's Note:** The Summary section of *New Laws 1997* includes information about all 251 bills and four resolutions the Legislature (House and Senate) approved during the 1997 session.

Of the bills the Legislature approved, Gov. Arne Carlson vetoed 15 and line-item vetoed four.

Most of the bills in this section are categorized numerically by chapter number under the House committee of origin (the committee to which the speaker of the House first referred them). Each entry includes: a brief title; House file, Senate file, and chapter numbers; chief authors; the official technical title as it appeared on the version of the bill the governor considered; the enactment date; and the effective date(s).

The following term definitions will be helpful in reading this section:

- **Enactment date** — The date the governor signed the bill into law.
- **Vetoed** — The governor did not approve the bill.
- **Line-item veto** — The governor signed the appropriations bill, but vetoed individual item(s) to which he objected.
- \* — An asterisk marks the version of the bill the House and Senate approved and passed on to the governor.
- **Effective date** — Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time.
- **Aug. 1, 1997** — Each act the governor signs into law, except for those that make appropriations, takes effect on Aug. 1 following its final enactment, unless the act specifies a different date.
- **July 1, 1997** — An appropriations act, or an act having appropriations items, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.
- **Upon local approval** — A special law requiring approval from the local government unit it affects becomes effective the day after the local governing body files a certificate with the secretary of state, unless the act specifies a later date.
- **Various dates** — Different articles or sections of the act have different effective dates which are cited at the end of each article.
- **With exceptions** — An act is effective, for the most part, on one particular date, but there are some minor exceptions.
- **With qualifications** — The act adds conditions to the effective date.
- **Retroactive** — The act or parts of the act go into effect as of a specified date in the past.

If you would like a copy of a bill, call the House Chief Clerk's Office, (612) 296-2314 or the Senate Information Office, (612) 296-2343. Ask for the bill by chapter number or by the House or Senate file number if no chapter number appears.



## RESOLUTIONS

### Resolution to mitigate economic competition among states

HF538\* (Knoblach)

SF1239 (Lesewski)

Resolution 1: a resolution memorializing Congress to support legislative initiatives to mitigate the economic competition among the states that has resulted from the adoption of targeted business incentive programs.

Filed: 4/16/97

### Resolution for federal milk marketing order system equitable adjustments

HF1067\* (Wenzel)

SF1283 (Sams)

Resolution 2: a resolution memorializing the president, Congress, and the secretary of agriculture of the United States to design and implement adjustments to the federal milk marketing order system that are equitable to Minnesota's family dairy farmers; including reassessment of the use of wholesale price indicators derived from trade on the Green Bay Cheese Exchange.

Filed: 4/21/97

### Strawberry workers

HF1877\* (Jefferson)

SF1675 (Novak)

Resolution 3: a resolution memorializing the strawberry industry to recognize and respect the rights of strawberry workers.

Filed: 4/23/97 without signature

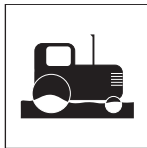
### Earth Day recognition and establishment

HF1692 (Munger)

SF1342\* (Krentz)

Resolution 4: a resolution memorializing Congress to recognize Earth Day as a national day of environmental service and education and establishing Earth Day as a state day of environmental service and education.

Filed: 4/29/97



## AGRICULTURE

### Farm crisis assistance personnel employment status clarified

HF265\* (Molnau)

SF1371 (Fischbach)

Chapter 27: relating to agriculture; clarifying the employment status of certain farm crisis assistance personnel; amending *Minnesota Statutes 1996*, section 17.03, subdivision 9.

Enactment: 4/11/97

Effective: 8/1/97

### Farm animal facilities entry restriction

HF1861\* (Juhnke)

SF1663 (Johnson, D.E.)

Chapter 55: relating to agriculture; limiting entry into facilities in which confined farm animals are kept; proposing coding for new law in *Minnesota Statutes*, chapter 17.

Enactment: 4/23/97

Effective: 8/1/97

### Veterinary services lien provisions modified

HF1381 (Juhnke)

SF329\* (Dille)

Chapter 110: relating to liens; modifying certain provisions of the lien for veterinary services; amending *Minnesota Statutes 1996*, section 514.92, subdivisions 1, 1a, 2, 3, 4, 5.

Enactment: 5/8/97

Effective: 8/1/97

### Corporate farming provisions modifications

HF2097 (Harder)

SF338\* (Sams)

Chapter 126: relating to agriculture; changing limitations on ownership of agricultural land by corporations, limited liability companies, pension or investment funds, and limited partnerships; amending *Minnesota Statutes 1996*, section 500.24, subdivisions 2, 3, 3a, 3b, and 4.

Enactment: 5/9/97

Effective: 5/10/97

### Grain bank license requirements modification

HF569 (Juhnke)

SF543\* (Dille)

Chapter 131: relating to agriculture; changing certain license requirements; clarifying certain terms; repealing the interstate compact on agricultural grain marketing; amending *Minnesota Statutes 1996*, sections 17A.04, subdivision 1; 18B.30; 18B.36, subdivision 1; 231.01, subdivision 5; 236.01, subdivision 3; and 236.02, subdivisions 1 and 2; repealing *Minnesota Statutes 1996*, sections 236A.01; and 236A.02.

Enactment: 5/9/97

Effective: 5/10/97 (Sec. 4); 8/1/97

### Agricultural marketing and bargaining task force

HF1863\* (Vickerman)

SF1630 (Frederickson)

Chapter 142: relating to agriculture; establishing task force to make recommendations on modifications to the agricultural marketing and bargaining law.

Enactment: 5/13/97

Effective: 5/14/97

### Animal feedlot rules provided legislative review

HF1409\* (Kubly)

SF1134 (Sams)

Chapter 158: relating to agriculture; legislative review of feedlot permit rules; amending *Minnesota Statutes 1996*, section 116.07, subdivision 7.

Enactment: 5/16/97 Filed without signature

Effective: 5/17/97

### Food handlers certification

HF1924 (Juhnke)

SF526\* (Pariseau)

Chapter 161: relating to agriculture; providing for food handler certification; proposing coding for new law in *Minnesota Statutes*, chapter 31.

Enactment: 5/16/97

Effective: 8/1/97

### Bison designated as livestock

HF535 (Juhnke)

SF164\* (Wiger)

Chapter 220: relating to agriculture; conforming certain food rules with federal regulations; eliminating a requirement concerning llamas; amending *Minnesota Statutes 1996*, sections 31.101; 31.102, subdivision 1; 31.103, subdivision 1; and 31.104; repealing *Minnesota Statutes 1996*, section 17.456, subdivision 4.

Enactment: 5/30/97

Effective: 8/1/97

### Dairy trade practices laws suspension for the month of June

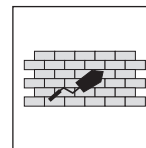
HF1646 (Trimble)

SF1834\* (Lourey)

Chapter 244: relating to agriculture; annually suspending a dairy trade practices provision; requiring an investigation and report; eliminating certain obsolete language; proposing coding for new law in *Minnesota Statutes*, chapter 32; repealing *Minnesota Statutes 1996*, section 32.73.

Enactment: 6/3/97

Effective: 6/4/97



## CAPITAL INVESTMENT

### Duluth family practice residency program responsibility transfer

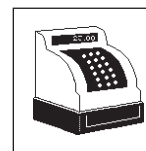
HF1380 (Huntley)

SF1136\* (Solon)

Chapter 136: relating to capital improvements; providing for acquisition of a family practice residency program by the city of Duluth or the Duluth economic development authority; amending Laws 1996, chapter 463, section 24, subdivision 3.

Enactment: 5/12/97

Effective: 5/13/97



## COMMERCE, TOURISM & CONSUMER AFFAIRS

### Business corporations, limited liability companies technical changes

HF431 (Mullery)

SF315\* (Knutson)

Chapter 10: relating to business organizations; making technical changes applicable to business corporations and limited liability companies; permitting mergers of domestic corporations and limited liability companies; regulating filings with the secretary of



state; amending *Minnesota Statutes 1996*, sections 302A.011, subdivisions 11, 30, 38, 39, 50, 53, and by adding subdivisions; 302A.111, subdivision 4; 302A.115, subdivision 1; 302A.171, subdivision 2; 302A.223, subdivision 5; 302A.401, subdivision 3; 302A.402, subdivision 3; 302A.405, subdivision 1; 302A.409, subdivision 4; 302A.413, by adding a subdivision; 302A.417, subdivision 7; 302A.423, subdivision 2; 302A.429, subdivision 2; 302A.437, subdivision 2; 302A.445, subdivision 1; 302A.449, subdivision 1; 302A.457, subdivision 2; 302A.461, subdivision 1; 302A.471, subdivision 3; 302A.473, subdivision 3; 302A.521, subdivisions 4 and 9; 302A.601, subdivision 4; 302A.611; 302A.613, subdivisions 1 and 2; 302A.615; 302A.621, subdivision 6; 302A.631; 302A.641, subdivision 2; 302A.651; 302A.671, subdivision 3; 302A.673, subdivision 3; 302A.675; 308A.005, by adding subdivisions; 317A.011, subdivisions 8 and 19; 322A.01; 322B.03, subdivisions 18 and 45; 322B.11; 322B.115, subdivisions 1 and 4; 322B.12, subdivision 1; 322B.20, subdivision 2; 322B.313, subdivision 2; 322B.33, by adding a subdivision; 322B.346, subdivision 2; 322B.356, subdivision 1; 322B.363, subdivision 1; 322B.37, subdivisions 1 and 3; 322B.383, subdivision 1, and by adding a subdivision; 322B.386, subdivision 3; 322B.699, subdivision 9; 322B.70, subdivisions 1 and 2; 322B.72, subdivisions 2 and 3; 322B.74, subdivisions 1 and 2; 322B.80, subdivision 1; 323.02, by adding subdivisions; and 333.001, subdivision 5, and by adding subdivisions; repealing *Minnesota Statutes 1996*, section 302A.011, subdivision 33.  
Enactment: 3/18/97  
Effective: 8/1/97

#### Uniform Commercial Code changes

HF441\* (Orfield)  
SF299 (Kelley)  
Chapter 11: relating to commerce; enacting the revised article 5 of the Uniform Commercial Code; regulating letters of credit; making conforming changes; amending *Minnesota Statutes 1996*, sections 336.1-105; 336.2-512; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-304; and 336.9-305; proposing coding for new law in *Minnesota Statutes*, chapter 336; repealing *Minnesota Statutes 1996*, sections 336.5-101; 336.5-102; 336.5-103; 336.5-104; 336.5-105; 336.5-106; 336.5-107; 336.5-108; 336.5-109; 336.5-110; 336.5-111; 336.5-112; 336.5-113; 336.5-114; 336.5-115; 336.5-116; and 336.5-117.  
Enactment: 3/18/97  
Effective: 8/1/97

#### Minnesota professional firms act

HF794 (Rest)  
SF624\* (Junge)  
Chapter 22: relating to professional firms; modernizing and standardizing the law regulating professional business organizations; amending *Minnesota Statutes 1996*, sections 13.99, subdivision 92e; 144A.43, subdivision 4; 322B.12, subdivision 1; 322B.92; 323.44, by adding a subdivision; and 323.49, by adding a subdivision; proposing coding for new law in *Minnesota Statutes*, chapter 303; proposing coding for new law as *Minnesota Statutes*, chapter 319B; repealing *Minnesota Statutes 1996*, sections 319A.01; 319A.02; 319A.03; 319A.04; 319A.05; 319A.06; 319A.07; 319A.08; 319A.09; 319A.10; 319A.11; 319A.12; 319A.13; 319A.14; 319A.15; 319A.16; 319A.17; 319A.18; 319A.19; 319A.20; 319A.21; and 319A.22.  
Enactment: 4/8/97  
Effective: 1/1/97 (Art. 1); 4/9/97 (Art. 2, Secs. 1-7); 1/1/99 (Art. 2, Sec. 9)

#### Real estate tenant referral compensation regulated

HF1183 (Pugh)  
SF1094\* (Scheid)  
Chapter 73: relating to real estate; regulating compensation paid by licensees to tenants for referrals; amending *Minnesota Statutes 1996*, section 82.19, subdivision 3.  
Enactment: 4/29/97  
Effective: 8/1/97

#### Professional health services regulation

HF1075\* (Pugh)  
SF891 (Johnson, D.H.)  
Chapter 76: relating to health; regulating the practice of certain professional health services; amending *Minnesota Statutes 1996*, section 319A.02, by adding a subdivision; Laws 1997, chapter 22, section 6, subdivision 1; proposing coding for new law as *Minnesota Statutes*, chapter 319B.  
Enactment: 5/1/97  
Effective: 8/1/97

#### Motor vehicle broker regulation provided

HF890 (Entenza)  
SF890\* (Scheid)  
Chapter 92: relating to motor vehicles; providing for regulation and licensing of motor vehicle brokers; amending *Minnesota Statutes 1996*, section 168.27, subdivisions 1, 2, 10, 11, 12, 19a, 24, and by adding a subdivision.

Enactment: 5/6/97  
Effective: 8/1/97

#### Cigarette, tobacco products sales tax provisions recodification

HF340 (Harder)  
SF472\* (Belanger)  
Chapter 106: relating to taxation; recodifying sales taxes on cigarettes and tobacco products; providing criminal and civil penalties; appropriating money; amending *Minnesota Statutes 1996*, sections 16A.26; 16A.661, subdivision 3; 16A.6701, subdivision 1; 116P.13, subdivision 1; 325D.32, subdivision 4; and 325D.415; proposing coding for new law as *Minnesota Statutes*, chapter 297F; repealing *Minnesota Statutes 1996*, sections 297.01; 297.02; 297.03; 297.031; 297.032; 297.04; 297.041; 297.05; 297.06; 297.07; 297.075; 297.08; 297.09; 297.10; 297.11; 297.12; 297.13; 297.21; 297.22; 297.23; 297.24; 297.25; 297.26; 297.31; 297.32; 297.321; 297.33; 297.335; 297.34; 297.35; 297.36; 297.37; 297.38; 297.385; 297.39; 297.40; 297.41; 297.42; 297.43; and 297.44.  
Enactment: 5/6/97  
Effective: Various dates

#### Building and construction contract payments regulated

HF335 (Jennings)  
SF256\* (Metzen)  
Chapter 127: relating to commerce; regulating building and construction contracts; regulating payments and retainages; proposing coding for new law in *Minnesota Statutes*, chapter 337.  
Enactment: 5/9/97  
Effective: 8/1/97

#### Liquor provisions modifications

HF524 (Tunheim)  
SF277\* (Solon)  
Chapter 129: relating to alcoholic beverages; providing for permits for alcoholic beverage manufacturer warehouses, central distribution centers, or holding facilities; allowing a municipality to authorize a holder of an on-sale intoxicating liquor license to dispense intoxicating liquor at community festivals; allowing uniform licensing periods for holders of multiple on-sale licenses; modifying liability insurance requirements for liquor retailers; modifying shipping restrictions for certain wineries; allowing municipalities to authorize on-sale of 3.2 percent malt liquor at 10 a.m. on Sundays; authorizing the sale of intoxicating liquor at professional athletic events in the St. Paul Civic

Center; authorizing the issuance of intoxicating liquor licenses to the Division of Parks and Recreation of the city of St. Paul; authorizing the city of Moorhead to issue additional on-sale licenses; modifying time of day restrictions for the off-sale of intoxicating liquor in municipal liquor stores in certain cities; authorizing the city of Spring Lake Park to issue an additional on-sale license; consolidating divisions in the Department of Public Safety; providing civil and criminal penalties; amending *Minnesota Statutes 1996*, sections 16B.54, subdivision 2; 43A.34, subdivision 4; 299A.02, subdivisions 1, 2, and 3; 299L.01, subdivisions 1 and 2; 299L.02, subdivisions 4 and 5; 299L.03, subdivisions 1, 5, and 7; 340A.201; 340A.404, subdivision 4, and by adding a subdivision; 340A.409, subdivisions 1 and 4; 340A.417; and 340A.504, subdivision 3; Laws 1969, chapter 783, section 1, subdivision 1, as amended; and Laws 1990, chapter 554, section 19; proposing coding for new law in *Minnesota Statutes*, chapter 340A.

Enactment: 5/9/97

Effective: Various dates

#### Secretary of State filing fees

HF156\* (Slawik)

SF269 (Ten Eyck)

Chapter 137: relating to state government; secretary of state; regulating filing fees and procedures; amending *Minnesota Statutes 1996*, sections 5.12; 5.23; 5.25, subdivision 1; 5A.03; 5A.04; 302A.821, subdivision 5; 303.14, subdivision 1; 308A.005, by adding a subdivision; 317A.821, subdivision 3; 317A.827, subdivision 1; 322A.03; 331A.02, subdivision 1; 333.035; 336.9-403; 336.9-404; 336A.04, subdivision 4; and 514.08, subdivision 2; proposing coding for new law in *Minnesota Statutes*, chapter 5; repealing *Minnesota Rules*, part 3650.0030, subpart 8.

Enactment: 5/12/97

Effective: 8/1/97

#### Minneapolis building contractor licensing requirement exemption extended

HF970 (Wejcman)

SF868\* (Higgins)

Chapter 146: relating to occupations; extending the sunset relating to state licensing of Minneapolis building contractors; amending *Minnesota Statutes 1996*, section 326.991, subdivision 1.

Vetoed: 5/13/97

#### Uniform Partnership Act of 1994

HF329 (Leighton)

SF298\* (Ten Eyck)

Chapter 174: relating to partnerships; enacting the Uniform Partnership Act of 1994; providing for limited liability partnerships; amending Laws 1997, chapter 22, article 1, section 6, subdivision 3; proposing coding for new law in *Minnesota Statutes*, chapter 322A; proposing coding for new law as *Minnesota Statutes*, chapter 323A; repealing *Minnesota Statutes 1996*, sections 323.01; 323.02, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 323.03; 323.04; 323.05; 323.06; 323.07; 323.08; 323.09; 323.10; 323.11; 323.12; 323.13; 323.14; 323.15; 323.16; 323.17; 323.18; 323.19; 323.20; 323.21; 323.22; 323.23; 323.24; 323.25; 323.26; 323.27; 323.28; 323.29; 323.30; 323.31; 323.32; 323.33; 323.34; 323.35; 323.36; 323.37; 323.38; 323.39; 323.40; 323.41; 323.42; 323.43; 323.44; 323.45; 323.46; and 323.47.

Enactment: 5/19/97

Effective: Various dates

#### Liquor tax provisions modification

HF341 (Daggett)

SF378\* (Murphy)

Chapter 179: relating to taxation; recodifying taxes on liquor; providing civil and criminal penalties; appropriating money; amending *Minnesota Statutes 1996*, sections 16A.26; 340A.301, subdivision 8; 340A.302, subdivision 1; 340A.414, subdivision 7; 340A.417; and 340A.7035; proposing coding for new law as *Minnesota Statutes*, chapter 297C; repealing *Minnesota Statutes 1996*, sections 297C.01; 297C.02; 297C.03; 297C.04; 297C.045; 297C.05; 297C.06; 297C.07; 297C.08; 297C.09; 297C.10; 297C.11; 297C.12; 297C.13; 297C.14; 297C.16; and 297C.17.

Enactment: 5/19/97

Effective: Various dates

#### Small corporate offering securities registration

HF379\* (Abrams)

SF860 (Oliver)

Chapter 197: relating to commerce; regulating securities; authorizing small corporate offering registrations; proposing coding for new law in *Minnesota Statutes*, chapter 80A.

Enactment: 5/20/97

Effective: 5/21/97

#### Commerce department provisions modifications

HF1032 (Entenza)

SF501\* (Solon)

Chapter 222: relating to commerce; providing powers and duties to the commissioner; regulating investments by certain licensees; regulating securities; modifying the real estate licensing exemption for closing agents; regulating real property appraisers; regulating residential building contractors and remodelers; requiring a compliance bond for sign contractors; modifying licensing requirements for collection agencies; regulating charitable trusts; regulating notaries public; regulating certificates of release by title insurance companies; making technical changes; amending *Minnesota Statutes 1996*, sections 45.011, subdivision 1; 45.028, subdivision 1; 67A.231; 80A.02, subdivision 1; 80A.04, subdivisions 3, 4, and by adding a subdivision; 80A.05, subdivisions 4, 5, and by adding a subdivision; 80A.06, subdivisions 1, 2, and 3; 80A.08; 80A.12, by adding a subdivision; 80A.14, subdivisions 3, 4, and by adding subdivisions; 80A.15, subdivisions 1 and 2; 80A.16; 80A.28, subdivisions 1 and 2; 80C.01, subdivision 4; 82.19, by adding a subdivision; 82.20, subdivision 15; 82.22, subdivision 13; 82.24, subdivision 5; 82B.13, subdivisions 1, 4, and 5; 82B.14; 82B.19, subdivision 1; 317A.141, by adding a subdivision; 317A.671; 326.83, subdivisions 11 and 19; 326.84, subdivision 3; 326.85, by adding a subdivision; 326.921; 332.33, subdivision 1, and by adding a subdivision; 332.34; 333.01; 359.061; 359.071; 501B.35, subdivision 3; and 507.401, subdivisions 2 and 3; proposing coding for new law in *Minnesota Statutes*, chapters 45; 60K; 80A; 325E; and 333; repealing *Minnesota Statutes 1996*, section 60K.07, subdivision 1.

Enactment: 5/30/97

Effective: Various dates

#### Youth access to tobacco

HF117\* (Rest)

SF6 (Junge)

Chapter 227: relating to commerce; requiring local units of government to license the retail sale of tobacco; providing for mandatory penalties against license holders for sales to minors; requiring compliance checks; restricting self-service sales; requiring disclosure of specified substances in tobacco products; prescribing penalties; amending *Minnesota Statutes 1996*, sections 171.171; 260.195, subdivisions 3 and 3a; and 461.12; proposing coding for new law in *Minnesota*

*Statutes*, chapter 461; repealing *Minnesota Statutes 1996*, section 325E.075.  
Enactment: 5/30/97  
Effective: 8/1/97

**State park land additions**

HF299\* (Bakk)  
SF386 (Morse)  
Chapter 236: relating to state parks; adding to state parks; renaming O.L. Kipp state park; permitting liquor sales in certain parks; authorizing the commissioner to contract out certain restaurant services; permitting a land sale in St. Louis county; providing for entry to Tettegouche State Park; amending *Minnesota Statutes 1996*, sections 85.012, by adding a subdivision; and 85.0505; repealing *Minnesota Statutes 1996*, section 85.012, subdivision 46.  
Enactment: 6/2/97  
Effective: 8/1/97



**ECONOMIC DEVELOPMENT & INTERNATIONAL TRADE\***

**Housing Finance Agency; temporary approval for certain loans**

HF343 (Kubly)  
SF264\* (Frederickson)  
Chapter 4: relating to housing; providing temporary authority for certain loans.  
Enactment: 2/25/97  
Effective: 2/26/97 to 7/1/97

**Hopkins Performing Arts Center modified**

HF631\* (Folliard)  
SF508 (Kelley)  
Chapter 5: relating to public administration; clarifying the terms and conditions of a state appropriation; amending Laws 1994, chapter 643, section 2, subdivision 12.  
Enactment: 3/5/97  
Effective: 3/6/97

**St. Paul teacher training institute building rental authority**

HF582 (Hausman)  
SF463\* (Anderson)  
Chapter 14: relating to the city of St. Paul education center and teacher training insti-

tute; allowing rentals to offset certain costs; amending Laws 1994, chapter 643, section 72, as amended.  
Enactment: Recalled by Senate 3/26/97

**Zion Lutheran Church historic place designation**

HF763\* (Tunheim)  
SF696 (Moe)  
Chapter 54: relating to historic places; designating Zion Lutheran Church and cemetery as a historic place; amending *Minnesota Statutes 1996*, section 138.664, by adding a subdivision.  
Enactment: 4/23/97  
Effective: 8/1/97

**Mobile home park owners rights modified**

HF889\* (Evans)  
SF786 (Krentz)  
Chapter 61: relating to housing; providing for changes in rights of parties to mobile home park rentals; amending *Minnesota Statutes 1996*, sections 327C.02, subdivision 5; 327C.07, subdivision 2; and 327C.09, subdivision 4.  
Enactment: 4/28/97  
Effective: 8/1/97

**Employer reemployment compensation payment schedule**

HF1880\* (Jennings)  
SF1519 (Kiscaden)  
Chapter 80: relating to reemployment compensation; providing less frequent payment schedules for certain employers; providing for noncharging of benefits in certain situations; proposing coding for new law in *Minnesota Statutes*, chapter 268.  
Enactment: 5/2/97  
Effective: 7/1/97 (Sec. 1); 1/1/99 (Sec. 2)

**Workforce service areas designation**

HF745 (Wejzman)  
SF399\* (Lesewski)  
Chapter 118: relating to economic security; providing for the administration of certain employment and training services; proposing coding for new law in *Minnesota Statutes*, chapter 268.  
Enactment: 5/8/97  
Effective: 7/1/97

**Nuclear waste storage escrow account**

HF1879 (Trimble)  
SF1646\* (Murphy)  
Chapter 201: relating to nuclear waste; requiring the commissioner of public service to collect and hold in escrow funds for the disposal of high-level radioactive waste.  
Enactment: 5/22/97  
Effective: 7/1/97



**EDUCATION†**

**Education caps removal**

HF1\* (Johnson, A.)  
SF3 (Langseth)  
Chapter 1: relating to education; repealing the K-12 education appropriations caps; permitting statewide testing; appropriating money; amending *Minnesota Statutes 1996*, sections 121.11, subdivision 7c; 121.1115, by adding a subdivision; 124.17, subdivision 1; and 124A.22, subdivision 2; repealing Laws 1995, First Special Session chapter 3, article 14, section 5, as amended.  
Enactment: 2/14/97  
Effective: 2/15/97; 1997-98 sch. yr. (Sec. 2)

**Youth initiative grant; neighborhood addition provided**

HF121\* (Jefferson)  
SF109 (Higgins)  
Chapter 3: relating to youth initiative grants; adding the Harrison neighborhood to the Sumner-Glenwood neighborhood for purposes of eligibility for certain enrichment grants; amending Laws 1996, chapter 463, section 4, subdivision 2.  
Enactment: 2/25/97  
Effective: 8/1/97

**Moorhead land transfer authorized**

HF1213 (Goodno)  
SF1052\* (Langseth)  
Chapter 32: relating to state lands; authorizing the board of trustees of Minnesota state colleges and universities to convey certain land.  
Enactment: 4/16/97  
Effective: 8/1/97

\* See also Ways & Means

† See also Ways & Means, First Special Session

### Range technical employees retirement benefits protection

HF108\* (Tomassoni)

SF56 (Janezich)

**Chapter 50:** relating to employment; providing for the protection of health insurance benefits for certain Range technical college employees.

Enactment: 4/23/97

Effective: 8/1/97

### School district extended area telecommunications service

HF211\* (Sviggum)

SF201 (Day)

**Chapter 59:** relating to telecommunications; authorizing the installation of extended area service within combined school districts.

Enactment: 4/28/97

Effective: 4/29/97; 6/30/00 (expires)

### Teacher background check working group recommendations adopted

HF1029 (Mares)

SF950\* (Kelly)

**Chapter 99:** relating to education; adopting working group recommendations for conducting teacher background checks; amending *Minnesota Statutes 1996*, section 120.1045.

Enactment: 5/6/97

Effective: 5/7/97

### Medical practice board records maintenance requirements

HF75 (Koskinen)

SF38\* (Sams)

**Chapter 103:** relating to health; modifying provisions relating to recordkeeping by persons regulated by the board of medical practice; amending *Minnesota Statutes 1996*, section 147.091, subdivision 2; repealing *Minnesota Rules*, part 5600.0605, subpart 10.

Enactment: 5/6/97

Effective: 8/1/97

### Statewide testing

HF2179\* (Opatz)

SF1934 (Pogemiller)

**Chapter 138:** relating to education; formulating a statewide testing and reporting system; requiring the state board of education to amend certain educational testing rules; proposing coding for new law in *Minnesota Statutes*, chapter 121.

Enactment: 5/12/97

Effective: 5/13/97

### Omnibus K-12 education appropriations bill

HF1684\* (Kelso)

SF1003 (Pogemiller)

**Chapter 242:** relating to education; kindergarten through grade 12; providing for general education; special programs; lifework development; education organization, cooperation, and facilities; education excellence; academic performance; education policy issues; libraries; technology; state agencies; conforming and technical amendments; school bus safety; appropriating money; amending *Minnesota Statutes 1996*, sections 12.21, subdivision 3; 120.0111; 120.062, subdivisions 3, 6, 7, 9, and 11; 120.0621, subdivisions 5a, 6, and by adding a subdivision; 120.064, subdivisions 3, 8, 10, 20a, and by adding a subdivision; 120.101, subdivisions 5, 5c, and by adding a subdivision; 120.1701, subdivision 3; 120.181; 121.15, subdivisions 6, 7, and by adding subdivisions; 121.602, subdivisions 1, 2, and 4; 121.611; 121.615, subdivisions 2, 3, 5, 6, 7, 8, 9, and 10; 121.703, subdivision 3; 121.904, subdivision 4a; 123.35, subdivision 8, and by adding a subdivision; 123.3514, subdivisions 4, 4a, 4c, 4e, 6c, 8, and by adding subdivisions; 123.39, subdivision 6; 123.70, subdivisions 5, 7, and 10; 123.799, subdivision 1; 123.7991, subdivisions 1 and 2; 123.935, subdivision 7; 123.951; 123.972, subdivision 5; 124.155, subdivisions 1 and 2; 124.17, subdivisions 1d, 4, and by adding subdivisions; 124.193; 124.195, subdivisions 2, 7, 10, 11, and by adding a subdivision; 124.225, subdivisions 1, 13, 14, 15, 16, and 17; 124.226, subdivision 10; 124.2445; 124.2455; 124.248, subdivisions 3, 4, and by adding subdivisions; 124.26, subdivision 1b; 124.2613, subdivisions 3, 4, and 6; 124.2727, subdivision 6d; 124.273, subdivisions 1d, 1e, 1f, and 5; 124.276, by adding a subdivision; 124.312, subdivisions 4 and 5; 124.313; 124.314, subdivisions 1 and 2; 124.3201, subdivisions 1, 2, 3, and 4; 124.321, subdivision 1; 124.323, subdivisions 1 and 2; 124.42, subdivision 4; 124.431, subdivisions 2 and 11; 124.45; 124.481; 124.574, subdivisions 1, 2d, 2f, 5, 6, and 9; 124.83, subdivisions 1 and 2; 124.86, subdivision 2, and by adding a subdivision; 124.91, subdivisions 1 and 5; 124.912, subdivisions 1, 2, 3, and 6; 124.916, subdivisions 1, 2, and 3; 124.918, subdivision 6; 124.95, subdivision 2; 124.961; 124A.03, subdivisions 1c and 1g; 124A.04, subdivision 2; 124A.22, subdivisions 1, 2, 3, 6, 6a, 8a, 10, 11, 13, 13b, 13d, and by adding a subdivision; 124A.225, subdivision 1; 124A.23, subdivi-

sions 1, 2, 3, and 5; 124A.26, subdivision 1; 124A.28; 124C.45, subdivision 1a; 124C.46, subdivisions 1 and 2; 124C.498, subdivisions 2 and 3; 125.05, subdivisions 1c and 2; 125.12, subdivision 14; 126.22, subdivisions 2, 3, 3a, and 8; 126.23, subdivision 1; 126.77, subdivision 1; 127.26; 127.27, subdivisions 5, 6, 7, 8, 10, and by adding a subdivision; 127.281; 127.29; 127.30, subdivisions 1, 2, 3, and by adding a subdivision; 127.31, subdivisions 2, 7, 8, 13, 14, and 15; 127.311; 127.32; 127.33; 127.36; 127.37; 127.38; 128A.02, by adding a subdivision; 128C.02, subdivision 2, and by adding a subdivision; 128C.12, subdivision 1; 129C.10, subdivision 3; 134.155, subdivisions 2 and 3; 134.34, subdivision 4; 136D.72, subdivisions 2 and 3; 144.29; 169.01, subdivision 6; 169.435, subdivision 2; 169.443, subdivision 3; 169.447, subdivision 6; 169.4501, subdivisions 1 and 2; 169.4502, subdivisions 2, 7, 9, 11, and by adding subdivisions; 169.4503, subdivisions 1, 2, 10, 13, 14, 17, 19, 23, 24, and by adding a subdivision; 169.4504, subdivision 1, and by adding a subdivision; 169.452; 171.321, subdivision 3; 171.3215, subdivision 4; 245.493, subdivision 1; 245.91, subdivision 2; 260.185, subdivision 1; 260A.02, subdivision 3; and 268.665, subdivision 2; Laws 1991, chapter 265, article 1, section 30, as amended; Laws 1993, chapter 146, article 5, section 20; Laws 1994, chapter 647, article 7, section 18, subdivisions 2 and 3; Laws 1995 First Special Session, chapter 3, articles 1, section 56; 2, section 52; 3, section 11, subdivisions 1, 2, and 5; 4, section 29, subdivision 8; 8, section 25, subdivision 12; 11, section 21, subdivision 3; and 12, section 7, subdivision 1; Laws 1996, chapter 412, articles 4, section 34, subdivision 4; and 12, section 11; proposing coding for new law in *Minnesota Statutes*, chapters 120; 121; 124; 126; 127; 128C; and 135A; repealing *Minnesota Statutes 1996*, sections 120.105; 120.65; 121.11, subdivision 8; 121.602, subdivisions 3 and 5; 121.904, subdivision 4d; 121.912, subdivision 7; 124.177; 124.223; 124.225, subdivisions 3a, 7a, 7b, 7d, 7e, 8a, and 8k; 124.226; 124.2728; 124.276, subdivision 2; 124.3201, subdivisions 2a and 2b; 124.912, subdivisions 2 and 3; 124A.22, subdivisions 4a and 4b; 124A.26, subdivisions 1a, 2, 3, 4, and 5; 124C.74; 127.31, subdivision 6; 128B.10; 134.34, subdivision 4a; 134.46; 169.4502, subdivision 6; 169.4503, subdivisions 3, 8, 9, 11, 12, and 22; and 169.454, subdivision 11.

Vetoed: 6/3/97



## ENVIRONMENT & NATURAL RESOURCES\*

### BWSR voting membership increase

HF266\* (Munger)

SF796 (Laidig)

**Chapter 28:** relating to water; including ex officio agency members as voting members of the board of water and soil resources; amending *Minnesota Statutes 1996*, section 103B.101, subdivisions 1, 2, and 5; repealing *Minnesota Statutes 1996*, section 103B.101, subdivisions 3 and 8.

Enactment: 4/11/97

Effective: 8/1/97

### Environmental advisory councils, committees provisions modifications

HF436 (Wagenius)

SF127\* (Stevens)

**Chapter 45:** relating to the environment; modifying requirements relating to certain environmental advisory councils; amending *Minnesota Statutes 1996*, sections 115A.12; and 473.803, subdivision 4; repealing *Minnesota Statutes 1996*, section 473.149, subdivision 4.

Enactment: 4/21/97

Effective: 7/1/97 (Sec. 1); 8/1/97 (Secs. 2, 3)

### Conservation Corps Youth Advisory Committee modifications

HF718 (Folliard)

SF137\* (Morse)

**Chapter 46:** relating to natural resources; modifying the provisions of the Youth Corps Advisory Committee; authorizing the commissioner to make certain contracts and grants; making conservation corps crew services available for natural resources projects; changing the method of allocation of conservation corps crew services; amending *Minnesota Statutes 1996*, sections 84.0887, subdivision 4, and by adding a subdivision; and 84.99.

Enactment: 4/21/97

Effective: 7/1/97

### Environmental Quality Board membership increase

HF255\* (Johnson, R.)

SF354 (Belanger)

**Chapter 53:** relating to state agencies; changing the membership of the environmental quality board; amending *Minnesota Statutes 1996*, section 116C.03, subdivision 2.

Enactment: 4/23/97

Effective: 8/1/97

### Mercury devices disposal prohibition expansion

HF949\* (Wagenius)

SF885 (Johnson, J.B.)

**Chapter 62:** relating to the environment; making manufacturers of electric relays or other electrical devices responsible for the waste management costs of these devices; amending *Minnesota Statutes 1996*, sections 115A.932, subdivision 1; and 116.92, subdivision 3, and by adding a subdivision.

Enactment: 4/28/97

Effective: 8/1/97 (Secs. 1, 2); 7/1/98 (Sec. 3)

### Municipal wastewater infrastructure action authorized

HF317\* (Huntley)

SF16 (Johnson, D.J.)

**Chapter 82:** relating to capital improvements; authorizing towns to exercise eminent domain and other powers for purposes of wastewater infrastructure; proposing coding for new law in *Minnesota Statutes*, chapter 444.

Enactment: 5/2/97

Effective: 5/3/97

### Disabled residents fishing license requirements exemption

HF311 (Luther)

SF574\* (Scheid)

**Chapter 95:** relating to game and fish; permitting certain angling assistance without a license; amending *Minnesota Statutes 1996*, section 97A.441, by adding a subdivision.

Enactment: 5/6/97

Effective: 8/1/97

### Municipal water use permit established

HF1118 (Sekhon)

SF413\* (Frederickson)

**Chapter 104:** relating to water; authorizing a state general permit for water appropriation; amending *Minnesota Statutes 1996*, section 103G.271, subdivision 1.

Enactment: 5/6/97

Effective: 5/7/97

### BWSR contributions acceptance authority expansion

HF664\* (McCollum)

SF301 (Frederickson)

**Chapter 109:** relating to state government; adding authority for the Board of Water and Soil Resources to accept and administer federal grants, donations, gifts, and other contributions to achieve authorized objectives of the agency; amending *Minnesota Statutes 1996*, sections 103B.101, subdivision 9; and 103C.401, subdivision 1.

Enactment: 5/8/97

Effective: 8/1/97

### Tree planting stock production restricted

HF1908 (Finseth)

SF1165\* (Price)

**Chapter 119:** relating to natural resources; restricting the production of planting stock by the commissioner of natural resources; requiring public disclosure of information relating to the commissioner's production of planting stock; extending certain timber permits; amending *Minnesota Statutes 1996*, sections 89.35, subdivision 1; 89.36, subdivision 1, and by adding a subdivision; and 89.37, subdivision 3, and by adding a subdivision.

Enactment: 5/8/97

Effective: 5/9/97 (Sec. 6); 6/1/97

### Soil and water conservation district supervisor provided four-year term

HF232 (Finseth)

SF296\* (Frederickson)

**Chapter 173:** relating to elections; providing for four-year terms for soil and water conservation district supervisors; conforming the timelines for appointing supervisor replacements to other election law; cancelling the general election and annual meeting for the East Grand Forks School District; amending *Minnesota Statutes 1996*, sections 103C.301, subdivisions 1 and 6; 103C.305, subdivision 6; 103C.311; and 103C.315, subdivision 2.

Enactment: 5/19/97

Effective: 8/1/97; Upon local approval (Sec. 7)

### Toxics in packaging regulations modified

HF947 (Wagenius)

SF900\* (Johnson, J.B.)

**Chapter 186:** relating to environment; amending provisions regulating toxics in packaging; amending *Minnesota Statutes 1996*, section 115A.965, subdivisions 3, 7, and by adding a subdivision; repealing *Minnesota Statutes 1996*, section 115A.965, subdivision 6.

\* See also Ways & Means

Enactment: 5/20/97  
Effective: 8/1/97

### Incinerator emissions mercury testing requirements modification

HF742 (Kahn)

SF780\* (Johnson, J.B.)

Chapter 189: relating to the environment; modifying requirements for mercury testing in incinerator emissions; amending *Minnesota Statutes 1996*, section 116.85, subdivision 1.

Enactment: 5/20/97

Effective: 8/1/97

### State and tax forfeited land conveyances

HF424 (Koppendrayer)

SF309\* (Stevens)

Chapter 207: relating to state lands; authorizing the conveyance of certain tax-forfeited land that borders public water in Blue Earth, Cass, Crow Wing, Becker, Aitkin, Mille Lacs, Cook, Carlton, and Washington counties; authorizing the private sale of certain state lands to wild rice lessees; authorizing the private sale of surplus state land in Houston County.

Enactment: 5/22/97

Effective: 5/23/97

### Toxics in products

HF707 (Wagenius)

SF184\* (Stevens)

Chapter 221: relating to the environment; modifying requirements relating to toxics in products; amending *Minnesota Statutes 1996*, section 115A.9651.

Enactment: 5/30/97

Effective: 5/31/97

### Game and fish provisions

HF313 (Milbert)

SF254\* (Frederickson)

Chapter 226: relating to natural resources; modifying fish habitat, harvest, and propagation provisions; authorizing the commissioner to establish special hunts for youth; permitting youth residents to hunt deer without a license tag; authorizing the commissioner to sell merchandise; modifying watercraft provisions; modifying trapping provisions; modifying stamp provisions; modifying the procedure for vacating or modifying a state game refuge; defining terms; modifying hunting provisions; modifying license provisions; modifying recreational motor vehicle provisions; modifying special license plate provisions; modifying provisions relat-

ing to personal flotation devices; establishing firearms safety pilot program; requiring reports; providing civil penalties; appropriating money; amending *Minnesota Statutes 1996*, sections 17.4982, by adding subdivisions; 17.4983, by adding a subdivision; 17.4998; 84.0855; 84.82, subdivision 2; 84.87, subdivision 2; 84.872, by adding a subdivision; 84.873; 86B.201, by adding a subdivision; 97A.015, subdivisions 49, 53, and by adding a subdivision; 97A.045, subdivision 7; 97A.075, subdivision 3; 97A.085, subdivision 8; 97A.101, by adding a subdivision; 97A.411, subdivisions 1 and 3; 97A.421, subdivision 1; 97A.465, subdivision 4; 97A.475, subdivisions 2 and 3; 97A.485, subdivisions 6, 9, and by adding a subdivision; 97B.055, subdivision 2; 97B.075; 97B.211, subdivision 1; 97B.301, subdivision 6; 97B.655, subdivision 1; 97C.035, subdivision 1; 97C.211, subdivision 1, and by adding a subdivision; 97C.321, subdivision 1; 97C.505, by adding a subdivision; 97C.801, subdivision 2; 168.1291; 168.1296, subdivision 1; and 609.487, by adding a subdivision; Laws 1993, chapter 273, as amended; Laws 1996, chapter 410, section 56; proposing coding for new law in *Minnesota Statutes*, chapter 97B; repealing *Minnesota Statutes 1996*, sections 97A.111; and 97C.801, subdivision 1.

Enactment: 5/30/97

Effective: 5/31/97 (Secs. 6, 28, 46); 7/1/97 (balance)

### Individual sewage treatment systems provisions modified

HF244\* (Bishop)

SF389 (Price)

Chapter 235: relating to the environment; modifying requirements relating to individual sewage treatment systems; amending *Minnesota Statutes 1996*, sections 115.55, subdivisions 1, 2, 3, 5, 6, 7, and by adding a subdivision; and 115.57, subdivision 7.

Enactment: 6/2/97

Effective: 6/3/97

### Bonding bill

HF632\* (Solberg)

SF436 (Morse)

Chapter 246: relating to capital improvements; cleaning up lands contaminated by petroleum leaks; providing for replacement of leaking underground petroleum tanks; cleaning up contaminated building sites; transferring authority to administer individual on-site sewage treatment programs to the Pollution Control Agency; modifying sewer loan repayment provisions; appropri-

ating money for flood damage reduction and for local bridges; modifying previous appropriations for certain capital improvements; changing the source of funds for certain projects; defining design and predesign; transferring authority to administer grants for certain projects; appropriating money; authorizing the sale of state bonds; amending *Minnesota Statutes 1996*, sections 16B.335, subdivision 3; 115C.09, by adding a subdivision; 116.18, subdivision 3c; 116J.554, subdivisions 1 and 2; 116J.556; and 446A.072, by adding a subdivision; Laws 1994 chapter 643, sections 3, subdivision 2; 10, subdivision 10, as amended; 15, subdivisions 2 and 4; 19, subdivision 8, as amended; and 23, subdivision 28, as amended, and by adding a subdivision; Laws 1996, chapters 407, section 8, subdivision 3; and 463, sections 7, subdivision 9; 13, subdivisions 2, 4, and 8; 14, subdivision 7; 22, subdivision 8; and 24, subdivision 8; Laws 1997, chapter 202, article 1, section 35; proposing coding for new law in *Minnesota Statutes*, chapter 116J; repealing Laws 1994, chapter 643, section 19, subdivision 11; Laws 1996, chapter 463, section 7, subdivision 26; and Laws 1997, chapter 200, article 2, section 5.

Enactment: 6/2/97

Effective: 6/3/97

### Public waters boathouses restriction

HF276\* (Pelowski)

SF385 (Morse)

Chapter 247: relating to natural resources; requiring public waters work permits for boathouses; providing authority to issue public waters work permits for boathouses to the commissioner of natural resources; amending *Minnesota Statutes 1996*, section 103G.245, subdivision 4.

Enactment: 6/3/97

Effective: 7/1/97



## FINANCIAL INSTITUTIONS & INSURANCE\*

### Direct patient access to obstetric, gynecologic services

HF447\* (Murphy)  
SF398 (Wiener)

**Chapter 26:** relating to insurance; requiring health plan companies to provide direct access to obstetric and gynecologic services; proposing coding for new law in *Minnesota Statutes*, chapter 62Q.

Enactment: 4/8/97

Effective: 1/1/98

### Health insurance plans care definition

HF645\* (Tomassoni)  
SF622 (Scheid)

**Chapter 49:** relating to insurance; providing a uniform minimum definition of medically necessary care for mental health coverage in health plans; proposing coding for new law in *Minnesota Statutes*, chapter 62Q.

Enactment: 4/23/97

Effective: 1/1/98

### Minnesota Insurance Guaranty Act modifications

HF1005 (Tomassoni)  
SF1527\* (Hottinger)

**Chapter 52:** relating to insurance; Minnesota Insurance Guaranty Act; conforming state law to provisions of the Post-Assessment Property and Liability Insurance Guaranty Association Model Act of the National Association of Insurance Commissioners; amending *Minnesota Statutes 1996*, sections 60C.02; 60C.03, subdivisions 6, 8, and by adding a subdivision; 60C.05, subdivision 1; 60C.07, subdivision 2; 60C.09; 60C.11, subdivision 5; 60C.13, subdivision 1; 60C.14, subdivision 2; 60C.15; 60C.19; and 60C.21, subdivision 2; proposing coding for new law in *Minnesota Statutes*, chapter 60C; repealing *Minnesota Statutes 1996*, section 60C.06, subdivision 6.

Enactment: 4/23/97

Effective: 4/24/97

### Diabetes outpatient self-management training, education health insurance coverage required

HF653 (Pugh)  
SF495\* (Novak)

**Chapter 57:** relating to insurance; health; requiring coverage for diabetes outpatient self-management training and education; amending *Minnesota Statutes 1996*, section 62A.45.

Enactment: 4/28/97

Effective: 8/1/97

### Automobile insurance surcharge prohibitions

HF1045\* (Farrell)  
SF759 (Kelly)

**Chapter 64:** relating to insurance; prohibiting a surcharge for an automobile accident in which the insured is a passenger in a bus, taxi, or commuter van; amending *Minnesota Statutes 1996*, section 65B.133, by adding a subdivision.

Enactment: 4/28/97

Effective: 4/29/97

### Long-term care insurance policy sales regulated

HF571 (Kalis)  
SF465\* (Wiener)

**Chapter 71:** relating to insurance; regulating the sale of certain qualified long-term care insurance policies; amending *Minnesota Statutes 1996*, sections 61A.072, subdivisions 1 and 4; 62A.011, subdivision 3; 62A.31, subdivision 6; 62A.48, by adding a subdivision; 62A.50, by adding a subdivision; and 62L.02, subdivision 15; proposing coding for new law as *Minnesota Statutes*, chapter 62S.

Enactment: 4/29/97

Effective: 4/30/97 (Art. 1, Art. 2, Secs. 1-5, 7); 8/1/97 (Art. 2, Sec. 6)

### Fire insurance provisions modification

HF1637\* (Anderson, I.)  
SF1424 (Novak)

**Chapter 77:** relating to insurance; adopting insurance-related recommendations of the arson task force; amending *Minnesota Statutes 1996*, sections 65A.296, subdivision 1; 65A.50, subdivision 13; 72A.20, subdivision 12; 72A.201, subdivision 8; 299F.053, subdivision 2; and 299F.054, subdivision 4.

Enactment: 5/2/97

Effective: 5/3/97 (Secs. 5-7); 1/1/98 (Secs. 1-4)

### Self insured employee benefit plan dissolution notification required

HF630 (Rukavina)  
SF683\* (Janezich)

**Chapter 117:** relating to public employment; requiring notice before dissolution of certain self insured employee benefit plans; amending *Minnesota Statutes 1996*, section 471.617, subdivision 4.

Enactment: 5/8/97

Effective: 7/1/97

### Financial institutions provisions modifications

HF753\* (Kubly)  
SF339 (Metzen)

**Chapter 157:** relating to financial institutions; authorizing facsimile or electronic filings and certifications; regulating the powers and structure of certain institutions; regulating consumer credit; modifying lending authority; regulating fees and charges; making technical and conforming changes; amending *Minnesota Statutes 1996*, sections 46.04, by adding a subdivision; 46.044, by adding a subdivision; 46.046, by adding a subdivision; 46.047, subdivision 2; 46.07, subdivision 2; 46.131, subdivision 2; 47.20, subdivisions 9 and 14; 47.206, subdivision 6; 47.55, subdivision 1; 47.56; 47.59, subdivisions 1, 4, 5, 6, and 12; 47.61, subdivision 3; 47.64, by adding a subdivision; 47.75, subdivision 1; 48.01, subdivision 2; 48.09, by adding a subdivision; 48.15, subdivisions 2 and 4; 48.24, subdivision 2, and by adding a subdivision; 48.512, by adding a subdivision; 48.61, subdivision 7, and by adding a subdivision; 49.215, subdivision 3; 49.33; 49.36, subdivision 4; 49.42; 50.245; 51A.38, subdivision 1; 52.04, subdivision 2a, and by adding a subdivision; 52.062, subdivision 1, and by adding a subdivision; 52.063; 52.064, by adding a subdivision; 52.13; 52.201; 53.04, by adding a subdivision; 53.05; 53.09, subdivision 2a; 55.06, subdivision 1; 56.07; 56.10, subdivision 1; 56.131, subdivisions 1 and 4; 59A.08, subdivision 3, and by adding a subdivision; 59A.11, subdivisions 2 and 3; 62B.04, subdivision 1; 300.20, subdivision 2; 303.02, subdivision 4; 303.25, subdivision 5; 325F.68, subdivision 2; 332.21; 332.23, subdivisions 1, 2, and 5; and 332.50, subdivisions 1 and 2; Laws 1996, chapter 414, article 1, section 45; proposing coding for new law in *Minnesota Statutes*, chapter 48; repealing *Minnesota Statutes 1996*, sections 13.99, subdivision 13; 47.29; 47.31; 47.32; 49.47; 49.48; 50.03; 50.23; and 59A.14.

Enactment: 5/16/97

Effective: Various dates

\* See also First Special Session

### Health insurance portability and accountability requirements

HF1605 (Davids)

SF1715\* (Oliver)

**Chapter 175:** relating to insurance; making changes in response to the federal Health Insurance Portability and Accountability Act of 1996; amending *Minnesota Statutes 1996*, sections 62E.02, subdivision 13; 62E.14, subdivisions 3 and 4c; 62H.01; 62L.02, subdivisions 9, 11, 15, 19, 23, 24, 26, and by adding subdivisions; 62L.03, subdivisions 1, 2, 3, 4, and 5; and 62Q.18, subdivisions 1 and 7; proposing coding for new law in *Minnesota Statutes*, chapter 62Q.

Enactment: 5/19/97

Effective: 5/20/97 (Secs. 1, 2); 7/1/97 (Sec. 3)

### Minnesota Electronic Authentication Act

HF56 (Kahn)

SF173\* (Kelley)

**Chapter 178:** relating to commerce; providing for the use, validity, and security of electronic signatures and messages transmitted in commerce; prescribing penalties; proposing coding for new law as *Minnesota Statutes*, chapter 325K.

Enactment: 5/19/97

Effective: Various dates



## GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

### Candidate name rotation allowed on ballots

HF1088\* (Hasskamp)

SF1030 (Scheid)

**Chapter 18:** relating to elections; allowing towns to rotate names of candidates on town ballots; amending *Minnesota Statutes 1996*, section 205.17, subdivision 1.

Enactment: 4/4/97

Effective: 8/1/97

### Metropolitan town election date change authorized

HF1093\* (Macklin)

SF1104 (Robling)

**Chapter 19:** relating to elections; authorizing the electors of a metropolitan town to move the town election from March to November; amending *Minnesota Statutes 1996*, section 205.075, subdivision 2.

Enactment: 4/4/97

Effective: 4/5/97 with qualifications

### Military provisions modifications

HF453\* (McCollum)

SF99 (Betzold)

**Chapter 24:** relating to the military; changing certain military requirements, procedures, and duties; clarifying certain language; changing armory provisions; amending *Minnesota Statutes 1996*, sections 190.02; 190.05, by adding subdivisions; 190.07; 190.16, subdivision 2; 190.25, subdivision 1; 192.19; 192.20; 192.23; 192.37; 192.38, subdivision 1; 192.40; 192.49, subdivisions 1 and 2; 193.142, subdivisions 1, 2, and 3; 193.143; 193.144, subdivisions 1, 2, and 6; 193.145, subdivisions 2, 4, and 5; 193.148; and 193.29, subdivision 4; repealing *Minnesota Statutes 1996*, sections 190.13; 190.29; 192.36; 192.435; 192.44; 192.45; 192.46; 192.47; and 192.51, subdivision 2.

Enactment: 4/8/97

Effective: 8/1/97

### State House District 9A description modification

HF1884 (Westfall)

SF1356\* (Langseth)

**Chapter 44:** relating to legislative districts; changing two districts to reflect an annexation; amending *Minnesota Statutes 1996*, section 2.123, subdivision 2.

Enactment: 4/21/97

Effective: 4/22/97

### Soil and water conservation district election modification

HF212 (McCollum)

SF35\* (Wiger)

**Chapter 130:** relating to elections; permitting the election of soil and water conservation district supervisors from single-member districts in the counties of Ramsey and Washington; amending *Minnesota Statutes 1996*, section 103C.311.

Enactment: 5/9/97

Effective: 7/1/97

### Minneapolis School Board election modification

HF1914 (Biernat)

SF1684\* (Spear)

**Chapter 144:** relating to education; authorizing Minneapolis School Board elections to be held at the same time as state elections; amending *Minnesota Statutes 1996*, section 128D.08, subdivision 1; repealing *Minnesota Statutes 1996*, section 128D.08, subdivision 2.

Enactment: 5/15/97

Effective: 5/16/97

### Mail balloting authority expansion

HF168 (Tunheim)

SF703\* (Scheid)

**Chapter 145:** relating to elections; allowing mail balloting in certain elections in additional cities and towns; amending *Minnesota Statutes 1996*, section 204B.45, subdivision 1.

Enactment: 5/13/97

Effective: 8/1/97

### Election, voter registration provisions

HF127 (Folliard)

SF72\* (Marty)

**Chapter 147:** relating to elections; changing and clarifying provisions of the Minnesota election law; amending *Minnesota Statutes 1996*, sections 200.031; 201.061, subdivision 1; 201.071, subdivision 1; 201.081; 201.12, subdivision 2; 201.121, subdivision 1; 201.13, subdivisions 1 and 2; 201.15; 201.171; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.08, subdivision 1; 203B.11, subdivision 1, and by adding a subdivision; 203B.12, subdivision 2, and by adding a subdivision; 203B.13, subdivisions 1 and 2; 203B.16, by adding a subdivision; 203B.19; 204B.06, by adding a subdivision; 204B.146; 204B.15; 204B.16, subdivisions 1a and 3; 204B.22, subdivision 1; 204B.23; 204B.27, by adding a subdivision; 204B.31; 204B.36, subdivision 2; 204C.08, by adding a subdivision; 204C.15, subdivision 1; 204C.31, subdivision 2; 204C.32; 204C.33, subdivision 1; 205.10, subdivision 3; 205.13, subdivision 1; 205.17, by adding a subdivision; 205A.05, subdivision 1; 205A.08, by adding a subdivision; 206.55; 206.56, subdivisions 1, 3, 5, 8, and 9; 206.57; 206.58; 206.59; 206.61, subdivisions 1, 3, and 5; 206.62; 206.64, subdivision 1; 206.66; 206.80; 206.81; 206.83; 206.84, subdivisions 3, 6, and 7; 206.86, subdivisions 1 and 2; 206.90, subdivisions 4 and 6; 207A.03, subdivision 2; 211B.14; 367.03, subdivision 1; 367.25, subdivision 1; 387.01; 388.01; and 626.846, subdivision 6; proposing coding for new law in *Minnesota Statutes*,



chapters 201; 203B; and 204B; repealing *Minnesota Statutes 1996*, sections 204D.15, subdivision 2; 206.065; 206.56, subdivisions 4, 6, 10, 11, 12, 13, and 15; 206.60; 206.61, subdivisions 2, 6, 7, and 8; 206.63; 206.64, subdivision 2; 206.68; 206.685; 206.69; 206.70; 206.71; 206.72; 206.73; 206.74; 206.75; 206.76; 206.77; 206.84, subdivisions 2, 4, and 5; and 211B.11, subdivision 2.  
Enactment: 5/13/97  
Effective: 8/1/97

#### Absentee ballot voting procedures modified

HF74 (Osthoff)  
SF78\* (Marty)  
Chapter 166: relating to elections; changing certain absentee ballot provisions; amending *Minnesota Statutes 1996*, sections 203B.02, subdivision 1; 203B.03, subdivision 1; 203B.04, subdivision 1; and 203B.06, subdivision 3; proposing coding for new law in *Minnesota Statutes*, chapter 203B.  
Vetoed: 5/19/97

#### Voters address change system

HF294 (Folliard)  
SF73\* (Marty)  
Chapter 167: relating to elections; providing a change of address system for registered voters; amending *Minnesota Statutes 1996*, section 201.13, subdivision 3.  
Vetoed: 5/19/97

#### Minors as political party convention delegates

HF703 (Dawkins)  
SF1170\* (Scheid)  
Chapter 168: relating to elections; precinct caucus; authorizing certain minors to be elected a delegate or officer at the precinct caucus; amending *Minnesota Statutes 1996*, section 202A.16, subdivision 1.  
Vetoed: 5/19/97

#### Election campaign contribution bundling limit exception

HF1463 (Mahon)  
SF1255\* (Belanger)  
Chapter 224: relating to campaign finance; clarifying limits on contributions to candidates for local elected office; prohibiting solicitation and acceptance of certain contributions during legislative sessions; amending *Minnesota Statutes 1996*, section 211A.12; proposing coding for new law in *Minnesota Statutes*, chapter 211A.  
Enactment: 5/30/97  
Effective: 5/31/97

#### Military property losses tort liability exclusion

HF445 (Pugh)  
SF117\* (Betzold)  
Chapter 249: relating to the military; adding an exclusion to the tort claims act; amending *Minnesota Statutes 1996*, section 3.736, subdivision 3.  
Enactment: 6/3/97  
Effective: 8/1/97



### GOVERNMENTAL OPERATIONS\*

#### Itasca County Government Innovation and Cooperation Board law

HF566\* (Solberg)  
SF434 (Lessard)  
Chapter 42: relating to the Board of Government Innovation and Cooperation; extending an exemption from enforcement of law granted by the board during calendar year 1996; amending *Minnesota Statutes 1996*, section 465.797, subdivision 5a.  
Enactment: 4/21/97  
Effective: 4/22/97

#### State employment provisions modifications

HF1162\* (Koppendrayner)  
SF363 (Johnson, D.H.)  
Chapter 79: relating to state employment; making changes of a technical and house-keeping nature; amending *Minnesota Statutes 1996*, sections 43A.01, subdivision 2; 43A.02, subdivisions 1, 14, 20, 30, and 37; 43A.04, subdivisions 1, 2, 3, and 9; 43A.05, subdivisions 1 and 3; 43A.08, subdivisions 1 and 1a; 43A.13, subdivision 7; 43A.27, subdivision 1; 43A.30, subdivision 1; and 43A.36, subdivisions 1 and 2.  
Enactment: 5/1/97  
Effective: 8/1/97

#### State demographer population estimate procedures modified

HF756\* (Hilty)  
SF691 (Knutson)  
Chapter 87: relating to the state demographer; changing procedures for certain population and related estimates; amending *Minnesota Statutes 1996*, sections 4A.02; 379.02; and 414.01, subdivision 14; repealing *Minne-*

*sota Statutes 1996*, section 414.033, subdivision 9.  
Enactment: 5/6/97  
Effective: 8/1/97

#### State employment provision modifications

HF694 (Koppendrayner)  
SF512\* (Runbeck)  
Chapter 97: relating to employment; making technical and administrative changes in the Department of Employee Relations; modifying provisions governing state employment; modifying terms of certain pilot projects; requiring a study and report; amending *Minnesota Statutes 1996*, sections 13.67; 15.53, subdivision 2; 43A.04, subdivision 1; 43A.07, subdivision 5; 43A.27, subdivision 3; and 43A.30, subdivisions 4 and 5; Laws 1993, chapter 301, section 1, subdivision 4; and Laws 1995, chapter 248, articles 12, section 2; and 13, sections 2, subdivisions 2, 5, and 6; and 3, subdivision 2; proposing coding for new law in *Minnesota Statutes*, chapters 15; and 43A; repealing *Minnesota Statutes 1996*, section 43A.182; and Laws 1995, chapter 248, article 10, section 12.  
Enactment: 5/6/97  
Effective: 8/1/97

#### LCC responsible for review of legislative reviews

HF182 (Greiling)  
SF351\* (Hottinger)  
Chapter 98: relating to administrative rules; assigning responsibility for legislative review of administrative rules to the Legislative Coordinating Commission; abolishing authority to suspend rules without enactment of a statute; amending *Minnesota Statutes 1996*, sections 3.841; 3.842, subdivisions 2 and 4a; 3.843; 14.05, subdivision 5; 14.131; 14.14, subdivision 1a; 14.15, subdivision 4; 14.18, subdivision 1; 14.19; 14.22, subdivision 1; 14.225; 14.23; 14.26, subdivisions 1 and 3; and 14.47, subdivision 6; repealing *Minnesota Statutes 1996*, sections 3.842, subdivisions 4, 5, 6, and 7; 3.844; 3.845; and 15.065.  
Enactment: 5/6/97  
Effective: 8/1/97

#### Police state aid amount ratified, money appropriated

HF22 (Rukavina)  
SF91\* (Cohen)  
Chapter 125: relating to retirement; appropriating money as 1996 police state aid; ratifying the calculation of certain 1996 police state aid amounts.

\* See also Second Special Session

Enactment: 5/9/97

Effective: 5/10/97

### Retirement provisions modifications

HF1129 (Kahn)

SF995\* (Morse)

**Chapter 139:** relating to retirement; revising various police state aid provisions to fully implement intended 1996 modifications; ratifying the calculation of certain 1996 police state aid amounts; modifying various fire state aid provisions; authorizing the exclusion of certain pipefitters from Public Employee Retirement Association membership; authorizing benefit increases for the Richfield Fire Department Relief Association; providing postretirement adjustments for retirees and benefit recipients of the Nashwauk Police Pension Plan and the Eveleth Police and Fire Retirement Trust Fund; clarifying the benefit floor for certain benefit recipients of the St. Paul Police and fire consolidation accounts; providing alternative retirement coverage for transferred employees of the Jackson Medical Center, the Melrose Hospital, and the Tracy Municipal Hospital; creating a trust for the state deferred compensation program; modifying the handling of sabbatical leave contributions by the Teachers Retirement Association; modifying the timing of higher education supplemental retirement plan contributions; making administrative changes in the higher education individual retirement account plan and supplemental retirement plan; authorizing additional individual retirement account plans; modifying various economic actuarial assumptions; clarifying certain retirement dates; authorizing certain purchases of prior service credit; extending the volunteer firefighter flexible service pension maximums; modifying retirement coverage for transferred university academic health center employees; modifying tax-sheltered annuity programs for university and college employees; including additional classes of persons in definition of state employee; providing general statewide and local employee pension plan modifications; modifying investment reporting provisions; making miscellaneous retirement plan modifications; amending *Minnesota Statutes 1996*, sections 69.021, subdivisions 4, 5, 6, 7a, 8, 9, 10, and 11; 69.031, subdivisions 1, 3, and 5; 69.051, subdivisions 1, 1a, and 1b; 136F.45, by adding subdivisions; 352.01, subdivisions 2a and 2b; 352.96, subdivisions 2, 3, and 6; 352F.02, subdivisions 3, 6, and by adding subdivisions; 352F.03; 352F.04; 352F.05; 352F.06;

352F.07; 352F.08; 353.01, subdivision 2b; 353B.07, subdivision 3; 353B.08, subdivision 6; 353B.11, subdivisions 3, 4, and 5; 354.092, subdivisions 1, 3, and 4; 354B.21, subdivision 3; 354B.25, subdivision 5, and by adding a subdivision; 354C.11; 354C.12, subdivisions 1 and 4; 354D.02, subdivision 2; 354D.06; 354D.07; 354D.08, subdivisions 1, 2, 3, and 5; 356.215, subdivision 4d; 356.219; 423A.02, subdivision 2; 423B.06, subdivisions 1 and 1a; and 424A.02, subdivisions 3 and 10; Laws 1943, chapter 196, section 4, as amended; Laws 1965, chapter 705, section 1, subdivision 4; Laws 1967, chapter 798, sections 2 and 4; Laws 1992, chapter 563, section 5, as amended; and Laws 1996, chapter 408, article 8, sections 21, 22, subdivision 1, and 24; repealing *Minnesota Statutes 1996*, section 356.218; Laws 1995, chapter 262, article 1, sections 8, 9, 10, 11, and 12.

Vetoed: 5/13/97

### Government bodies meeting on interactive television

HF829 (Solberg)

SF755\* (Flynn)

**Chapter 154:** relating to meetings of governmental bodies; authorizing meetings by interactive television if certain criteria are met; amending *Minnesota Statutes 1996*, sections 3.055, by adding a subdivision; and 471.705, subdivision 1.

Enactment: 5/15/97

Effective: 5/16/97; 6/30/98 (Secs. 3, 4 expire)

### Public employment labor agreements ratification

HF1542 (Solberg)

SF1351\* (Flynn)

**Chapter 156:** relating to public employment; making technical changes; modifying definitions; modifying certain arbitration procedures; ratifying certain labor agreements and proposals; amending *Minnesota Statutes 1996*, sections 3.855, subdivision 2; 43A.06, subdivision 1; 179A.03, subdivision 14; 179A.10, subdivision 1; and 179A.11, subdivision 1.

Enactment: 5/16/97

Effective: 5/17/97 (Sec. 6); 8/1/97

### Legislative Audit Commission membership provisions modified

HF450 (Rest)

SF1383\* (Belanger)

**Chapter 184:** relating to the legislature; increasing membership on the Legislative Audit Commission and the Commission Advisory Council; prescribing procedures for rotation of the chair; amending *Minnesota Stat-*

*utes 1996*, sections 3.97, subdivision 2; and 3.971, subdivision 4.

Enactment: 5/20/97

Effective: 5/21/97 (Sec. 1); 8/1/97 (Sec. 2)

### Administrative rule procedure modification

HF197 (Leppik)

SF157\* (Betzold)

**Chapter 187:** relating to state government; rulemaking; enacting, eliminating, continuing, or modifying certain exemptions from the rulemaking requirements of the administrative procedures act; making technical and conforming changes; amending *Minnesota Statutes 1996*, sections 3.305, by adding a subdivision; 14.03, subdivision 3, and by adding a subdivision; 14.386; 14.47, subdivision 1; 15.50, subdivision 2; 16A.632, subdivision 2; 16A.641, subdivision 4; 16A.671, subdivision 5; 16B.18, subdivision 3; 16D.11, subdivision 7; 17.03, subdivision 10; 17.54, subdivision 4; 17.56, subdivision 2; 17.57, subdivision 1; 17.64, subdivision 2; 18.022, subdivision 9; 18.0227, subdivision 3; 32.394, subdivision 12; 41B.07; 41C.13; 43A.182; 48.221; 50.175, subdivision 2; 51A.361; 52.17, subdivision 2; 53.07, subdivision 1; 60A.13, subdivision 6; 60K.19, subdivision 6; 61B.21, subdivision 1; 62E.10, subdivision 8; 62J.04, subdivision 1; 62J.152, subdivision 4; 62J.61; 62L.13, subdivision 3; 62N.23; 62N.25, subdivision 6; 65B.28, subdivision 3; 79.34, subdivisions 1 and 2a; 79.362; 84.98, subdivision 2; 85.045, subdivision 3; 85A.02, subdivision 5b; 85A.05, subdivision 2; 88.80, subdivision 2; 97A.085, subdivision 4a; 115A.11, subdivision 2; 115A.20; 115A.58, subdivision 2; 116.17, subdivision 2; 116.44, subdivision 1; 116C.06, subdivision 1; 116O.05, subdivision 3; 123.3514, subdivision 8; 124.41, subdivision 2; 124.46, subdivision 2; 124.648, subdivision 3; 128C.02, subdivision 4; 129C.10, subdivision 3; 136A.40; 145.925, subdivision 9; 147A.26; 148B.66, subdivision 3; 148C.03, subdivision 1; 150A.04, subdivision 5; 152.02, subdivision 12; 153A.15, subdivision 3; 161.1231, subdivision 5; 167.50, subdivision 2; 169.06, subdivision 1; 169.452; 169.99, subdivision 2; 171.321, subdivision 2; 174.51, subdivision 2; 176.102, subdivision 2; 176.136, subdivision 1a; 176A.08; 182.655, subdivision 1; 216D.03, subdivision 2; 240A.02, subdivision 2; 244.13, subdivision 1; 245.494, subdivision 1; 245A.09, subdivision 10; 256.027; 256.9357, subdivision 3; 256.9685, subdivision 1; 256.969, subdivision 3a; 256B.431, subdivision 2e; 256B.434, subdivision 12; 256B.501, subdivision 10;

256B.502; 256B.503; 273.112, subdivision 6a; 299F.093, subdivision 1; 325F.665, subdivision 6; 346.58; 347.51, subdivision 2a; 401.03; 458A.03, subdivision 2; 474A.17; 475A.06, subdivision 2; 507.09; 518.14, subdivision 2; 518.611, subdivision 9; 518.613, subdivision 6; 518.64, subdivision 5; 518.641, subdivision 4; 624.22, subdivision 1; and 624.7151; Laws 1988, chapter 688, article 21, section 7, subdivision 1; and Laws 1991, chapter 265, article 4, section 28; proposing coding for new law in *Minnesota Statutes*, chapters 14; and 128C; repealing *Minnesota Statutes 1996*, sections 14.38, subdivisions 5, 6, 7, 8, and 9; 14.387; 126.56, subdivision 8; 214.06, subdivision 3; 469.173, subdivision 2; and 469.308, subdivision 2.

Enactment: 5/20/97

Effective: 5/21/97; 6/30/97 (Sec. 36, Par. A, C)

#### State agency publication dates, requirements modified

HF1618 (Greiling)

SF1316\* (Wiener)

Chapter 192: relating to state agencies; modifying requirements for advisory councils and committees and multimember agencies; changing certain publication dates and requirements; changing expiration dates; amending *Minnesota Statutes 1996*, sections 15.059, subdivision 5, and by adding a subdivision; 15.0597, subdivisions 2 and 3; 15.0599, subdivisions 1, 4, 5, and by adding subdivisions; 16B.42, subdivision 1; 17.136; 17.49, subdivision 1; 18B.305, subdivision 3; 21.112, subdivision 2; 28A.20, subdivision 2, and by adding a subdivision; 31.95, subdivision 3a; 62Q.03, subdivision 5a; 120.1701, subdivision 3; 124.48, subdivision 3; 126.531, subdivision 3; 126.56, subdivision 5; 134.31, subdivision 5; 144.672, subdivision 1; 145.881, subdivision 1; 148.622, subdivision 3; 161.1419, subdivision 8; 175.008; 178.02, subdivision 2; 182.656, subdivision 3; 214.32, subdivision 1; 245.697, subdivision 1; 254A.035, subdivision 2; and 254A.04.

Enactment: 5/20/97

Effective: 6/30/97

#### Omnibus state departments appropriations

HF0 (Rukavina)

SF1905\* (Price)

Chapter 202: relating to the organization and operation of state government; appropriating money for the general legislative and administrative expenses of state government; modifying provisions relating to state government operations; modifying information

technology provisions; providing for community-based planning; modifying provisions relating to the municipal board; establishing dispute resolution procedures; providing criminal penalties; amending *Minnesota Statutes 1996*, sections 1.34, subdivision 2; 3.056; 3.099, subdivision 3; 3.225, subdivision 1; 3.85, subdivision 3; 10A.09, subdivision 6; 10A.20, subdivision 2; 14.47, subdivision 8; 15.0597, subdivisions 5 and 7; 15.0599, subdivision 4; 16A.10, subdivision 2; 16A.103, subdivision 1; 16A.11, subdivisions 1, 3b, and 3c; 16A.1285, subdivision 3; 16A.129, subdivision 3; 16A.15, subdivision 3; 16A.642, subdivision 1, and by adding a subdivision; 16B.05, subdivision 2; 16B.20, subdivision 2; 16B.24, subdivision 5; 16B.35, by adding a subdivision; 16B.42, subdivision 1; 16B.465; 16B.467; 16B.70, subdivision 2; 43A.17, subdivision 4; 43A.38, subdivision 4; 115.49, by adding a subdivision; 116P.05, subdivision 1; 138.31, by adding a subdivision; 138.35; 138.91, by adding a subdivision; 151.21, by adding a subdivision; 176.611, by adding a subdivision; 327.33, subdivision 2; 327B.04, subdivision 7; 349.163, subdivision 4; 356.865, subdivision 3; 363.073, subdivision 1; 394.23; 394.24, subdivision 1; 403.02, subdivision 2, and by adding a subdivision; 403.08, by adding a subdivision; 403.11, subdivision 2; 403.113, subdivisions 1, 2, 3, and 4; 403.13; 414.0325, subdivision 1; 414.033, subdivisions 2b, 11, and 12; 422A.101, subdivision 3; 462.352, subdivisions 5, 6, and by adding a subdivision; 462.357, subdivision 2; 473.894, subdivision 3; and 475A.06, subdivision 7; proposing coding for new law in *Minnesota Statutes*, chapters 4A; 16B; 43A; 62J; 197; 394; 403; 414; 462; 465; and 473; proposing coding for new law as *Minnesota Statutes*, chapters 16E and 572A; repealing *Minnesota Statutes 1996*, sections 10A.21; 15.95; 15.96; 16B.40; 16B.41; 16B.43; 16B.58, subdivision 8; 138.35, subdivision 3; and 414.033, subdivision 2a.

Enactment: 5/30/97

#### Line-item veto:

Page 4, Art. 1, Sec. 6, Line 10

Page 6, Art. 1, Sec. 12, Subd. 2, Lines 6-8

Page 12, Art. 1, Sec. 14, Lines 21-33

Page 24, Art. 2, Sec. 3, Subd. 3, Lines 24-36

Effective: Various dates

#### Administration department provisions modifications

HF1134 (Knight)

SF420\* (Wiger)

Chapter 206: relating to state agencies; modifying Department of Administration authority for elevator regulation, the building code, leases, and other administrative matters; modifying lighting standards; modifying licensure provisions for manufactured home installers; amending *Minnesota Statutes 1996*, sections 16B.24, subdivisions 6 and 6a; 16B.482; 16B.49; 16B.50; 16B.54, subdivision 8; 16B.72; 16B.73; 16B.747, subdivision 3; 216C.195, subdivision 3; and 326.841; Laws 1996, chapter 463, section 13, subdivision 7; repealing *Minnesota Statutes 1996*, sections 15.171; 15.172; 15.173; 15.174; and 16B.88, subdivision 6.

Enactment: 5/22/97

Effective: 8/1/97; 4/1/98 (Sec.11)

#### Retirement provisions modifications

HF647 (Jefferson)

SF637\* (Morse)

Chapter 233: relating to retirement; increasing pension benefit accrual rates; adjusting financing for pension plans; adding supplemental financial conditions information for pension funds; reducing appropriations; modifying or establishing various pension aids; appropriating money; amending *Minnesota Statutes 1996*, sections 3.85, subdivisions 11 and 12; 3A.02, subdivisions 1 and 4; 3A.07; 11A.18, subdivision 9; 69.011, subdivisions 1, 2, and by adding a subdivision; 69.021, subdivisions 5, 7a, 10, and 11; 69.031, subdivision 5; 352.01, subdivision 25; 352.04, subdivisions 2 and 3; 352.115, subdivision 3; 352.72, subdivision 2; 352.92, subdivisions 1 and 2; 352.93, subdivisions 2, 3, and by adding a subdivision; 352.95, subdivisions 1 and 5; 352B.02, subdivisions 1a and 1c; 352B.08, subdivisions 2 and 2a; 352B.10, subdivision 1; 352B.30, by adding a subdivision; 352C.031, subdivision 4; 352C.033; 352D.02, subdivisions 1 and 2; 352D.04, subdivisions 1 and 2; 353.01, subdivision 37; 353.27, subdivisions 2 and 3a; 353.29, subdivision 3; 353.651, subdivision 3; 353.656, subdivision 1; 353.71, subdivision 2; 353A.08, subdivisions 1 and 2; 353A.083, by adding a subdivision; 354.05, subdivision 38; 354.42, subdivisions 2, 3, and 5; 354.44, subdivision 6, and by adding a subdivision; 354.53, subdivision 1; 354.55, subdivision 11; 354A.011, subdivision 15a; 354A.12, subdivisions 1, 2a, 3a, 3b, and 3c; 354A.31, subdivisions 4 and 4a; 356.20, subdivision 2; 356.215, subdivisions 2, 4d, and

4g; 356.217; 356.30, subdivisions 1 and 3; 356.32, subdivision 2; 422A.06, subdivision 8; 422A.151; 423B.01, subdivision 9, and by adding a subdivision; 423B.06, by adding a subdivision; 423B.07; 423B.09, subdivision 1, and by adding a subdivision; 423B.10, subdivision 1; 423B.15, subdivisions 2, 3, 6, and by adding a subdivision; and 490.124, subdivisions 1 and 5; Laws 1965, chapter 519, section 1, as amended; Laws 1979, chapter 109, section 1, as amended; Laws 1989, chapter 319, article 19, section 7, subdivisions 1, as amended, 3, 4, as amended, and 7; Laws 1993, chapter 125, article 1, section 1; and Laws 1996, chapter 448, article 1, section 3; proposing coding for new law in *Minnesota Statutes*, chapters 124; 273; 352; 352C; 354A; 355; and 356; repealing *Minnesota Statutes 1996*, sections 124.195, subdivision 12; 124.2139; 353C.01; 353C.02; 353C.03; 353C.04; 353C.05; 353C.06; 353C.07; 353C.08; 353C.09; 353C.10; 354A.12, subdivision 2b; 356.70; and 356.88, subdivision 2; Laws 1985, chapter 259, section 3; and Laws 1993, chapter 336, article 3, section 1.

Enactment: 6/2/97

Effective: Various dates

### Retirement provisions

HF1727 (Kahn)

SF1486\* (Morse)

**Chapter 241:** relating to retirement; revising various police state aid provisions to fully implement intended 1996 modifications; ratifying the calculation of certain 1996 police state aid amounts; modifying various fire state aid provisions; authorizing the exclusion of certain pipefitters from Public Employee Retirement Association membership; authorizing benefit increases for the Richfield Fire Department Relief Association; providing postretirement adjustments for retirees and benefit recipients of the Nashwauk Police Pension Plan and the Eveleth Police and Fire Retirement trust Fund; clarifying the benefit floor for certain benefit recipients of the St. Paul police and fire consolidation accounts; providing alternative retirement coverage for transferred employees of the Jackson Medical Center, the Melrose Hospital, and the Tracy Municipal Hospital; creating a trust for the state deferred compensation program; modifying the handling of sabbatical leave contributions by the Teachers Retirement Association; modifying the timing of higher education supplemental retirement plan contributions; making administrative changes in the higher education individual retirement account plan and supplemental retirement plan; modifying various economic

actuarial assumptions; clarifying certain retirement dates; authorizing certain purchases of prior service credit; extending the volunteer firefighter flexible service pension maximums; modifying retirement coverage for transferred university academic health center employees; modifying tax-sheltered annuity programs for university and college employees; including additional classes of persons in definition of state employee; providing general statewide and local employee pension plan modifications; modifying investment reporting provisions; making miscellaneous retirement plan modifications; amending *Minnesota Statutes 1996*, sections 69.021, subdivisions 4, 5, 6, 7a, 8, 9, 10, and 11; 69.031, subdivisions 1, 3, and 5; 69.051, subdivisions 1, 1a, and 1b; 136F.45, by adding subdivisions; 352.01, subdivisions 2a and 2b; 352.96, subdivisions 2, 3, and 6; 352F.02, subdivisions 3, 6, and by adding subdivisions; 352F.03; 352F.04; 352F.05; 352F.06; 352F.07; 352F.08; 353.01, subdivision 2b; 353B.07, subdivision 3; 353B.08, subdivision 6; 353B.11, subdivisions 3, 4, and 5; 354.092, subdivisions 1, 3, and 4; 354B.21, subdivision 3; 354B.25, subdivision 5, and by adding a subdivision; 354C.11; 354C.12, subdivisions 1 and 4; 356.215, subdivision 4d; 356.219; 423A.02, subdivision 2; 423B.06, subdivisions 1 and 1a; and 424A.02, subdivisions 3 and 10; Laws 1943, chapter 196, section 4, as amended; Laws 1965, chapter 705, section 1, subdivision 4; Laws 1967, chapter 798, sections 2 and 4; Laws 1992, chapter 563, section 5, as amended; and Laws 1996, chapter 408, article 8, sections 21, 22, subdivision 1, and 24; repealing *Minnesota Statutes 1996*, section 356.218; Laws 1995, chapter 262, article 1, sections 8, 9, 10, 11, and 12.

Enactment: 6/3/97

Effective: Various dates



## HEALTH & HUMAN SERVICES

### Adoption assistance

HF374 (Knoblach)

SF274\* (Robertson)

**Chapter 8:** relating to human service; making void the cap on adoption assistance purchase of service reimbursement.

Enactment: 3/11/97

Effective: 3/12/97

### County operated day training, habilitation program audit exception

HF835\* (Delmont)

SF754 (Betzold)

**Chapter 36:** relating to human services; creating an exception for a separate annual audit of a county operated day training and habilitation program; amending *Minnesota Statutes 1996*, section 252.46, subdivision 10.

Enactment: 4/16/97

Effective: 8/1/97

### Autism treatment options advisory task force

HF750 (Bradley)

SF652\* (Kiscaden)

**Chapter 69:** relating to human services; establishing a task force to study treatment options for autism.

Enactment: 4/29/97

Effective: 8/1/97

### Welfare reform bill

HF159 (Jennings)

SF1\* (Samuelson)

**Chapter 85:** relating to welfare reform; establishing the Minnesota family investment program-statewide and work first program pilot projects; making changes to public assistance programs; making technical changes; making program integrity initiatives; amending *Minnesota Statutes 1996*, sections 13.46, subdivisions 1 and 2; 13.82, subdivision 1; 84.98, subdivision 3; 136A.125, subdivision 2; 196.27; 237.70, subdivision 4a; 254B.02, subdivision 1; 256.01, subdivisions 2 and 4a; 256.017, subdivisions 1, 2, and 4; 256.019; 256.031, subdivision 5, and by adding a subdivision; 256.033, subdivisions 1 and 1a; 256.045, subdivision 3; 256.046; 256.736, subdivision 3a; 256.74, subdivision 1, and by adding a subdivision; 256.81; 256.82, subdivision 2; 256.935, subdivision 1; 256.9354, by adding a subdivision; 256.98, subdivisions 1, 4, and 8; 256.981; 256.983, subdivisions 1 and 4; 256.984, subdivision 1; 256.986; 256.9861, subdivisions 1, 2, 4, and 5; 256B.055, subdivisions 3, 5, and by adding a subdivision; 256B.056, subdivisions 1a, 3, and 4; 256B.057, subdivisions 1, 1b, and 2b; 256B.06, subdivision 4, and by adding a subdivision; 256B.062; 256D.01, subdivisions 1, 1a, and 1e; 256D.02, subdivisions 6 and 12a; 256D.03, subdivision 3; 256D.05, subdivisions 1, 2, 5, 7, and 8; 256D.051, subdivisions 1a, 2a, 3a, and by adding a subdivision; 256D.055; 256D.06, subdivision 2; 256D.08, subdivisions 1 and 2; 256D.09, subdivision 6, and by adding a subdivision; 256D.435, subdivision 3; 256D.44,

subdivision 5; 256E.03, subdivision 2; 256E.06, subdivisions 1 and 3; 256E.07, subdivision 1; 256E.08, subdivision 3; 256F.05, subdivision 5; 256G.01, subdivision 4; 256G.03, subdivision 2; 256G.05, subdivision 2; 257.3573, subdivision 2; 259.67, subdivision 4; 260.38; 268.0111, subdivisions 5 and 7; 268.0122, subdivision 3; 268.552, subdivision 5; 268.6751, subdivision 1; 268.676, subdivision 1; 268.86, subdivision 2; 268.871, subdivision 1; 268.90, subdivision 2; 268.916; 268.95, subdivision 4; 270A.03, subdivision 5; 388.23, subdivision 1; 393.07, subdivisions 6 and 10; 477A.0122, subdivision 2; and 550.37, subdivision 14; proposing coding for new law in *Minnesota Statutes*, chapters 256; 256B; and 256D; proposing coding for new law as *Minnesota Statutes*, chapters 256J; and 256K; repealing *Minnesota Statutes 1996*, sections 256.12, subdivisions 9, 10, 14, 15, 19, 20, 21, 22, and 23; 256.72; 256.73, subdivisions 1, 1a, 1b, 2, 3a, 3b, 5, 5a, 6, 8, 8a, 9, 10, and 11; 256.7341; 256.7351; 256.7352; 256.7353; 256.7354; 256.7355; 256.7356; 256.7357; 256.7358; 256.7359; 256.736, subdivisions 16 and 18; 256.7365, subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; 256.7366; 256.737; 256.738; 256.7381; 256.7382; 256.7383; 256.7384; 256.7385; 256.7386; 256.7387; 256.7388; 256.739; 256.74, subdivisions 1, 1a, 1b, 2, and 6; 256.745; 256.75; 256.76, subdivision 1; 256.78; 256.80; 256.81; 256.84; 256.85; 256.86; 256.863; 256.871; 256.8711; 256.879; 256D.02, subdivision 5; 256D.0511; and 256D.065.

Enactment: 4/30/97

Effective: Various dates

### Child placement provisions modifications

HF209\* (Vickerman)

SF210 (Knutson)

Chapter 86: relating to human services; changing provisions for placement of children; amending *Minnesota Statutes 1996*, sections 257.071, subdivisions 1a and 7; 257.072, subdivisions 1, 2, 3, 4, 7, and 9; 259.29; 259.57, subdivision 2; 259.77; 260.181, subdivision 3; and 260.191, subdivision 1a.

Enactment: 5/6/97

Effective: 5/7/97

### Mental health case management services

HF1356 (Slawik)

SF1155\* (Wiger)

Chapter 93: relating to mental health case management services for children and adults; extending the time period for review of indi-

vidual community support plans; modifying rules extending the time period for updating the community support plans and completing a functional assessment of progress relative to the community support plan; amending *Minnesota Statutes 1996*, sections 245.4711, subdivision 4; and 245.4881, subdivision 4; repealing *Minnesota Statutes 1996*, section 245.4711, subdivision 9.

Enactment: 5/6/97

Effective: 8/1/97

### Hospital districts serve persons not needing nursing home care

HF469 (Otremba)

SF36\* (Sams)

Chapter 94: relating to hospital districts, authorizing hospital districts to provide support services to certain persons not in need of nursing home care; authorizing a study of assisted living financing; amending *Minnesota Statutes 1996*, sections 447.33; 447.34, subdivision 1; and 447.45, subdivision 2.

Enactment: 5/6/97

Effective: 8/1/97

### Volunteer psychology practitioner licensure requirements established

HF861 (Delmont)

SF662\* (Sams)

Chapter 102: relating to health professions; establishing licensure requirements for volunteer practitioners of psychology; modifying requirements for licensure as licensed psychologists and for professional identification; amending *Minnesota Statutes 1996*, sections 148.907, subdivisions 2, 3, and 4; and 148.96, subdivisions 1 and 3; proposing coding for new law in *Minnesota Statutes*, chapter 148.

Enactment: 5/6/97

Effective: 5/7/97 (Secs. 1-3);

8/1/97 (Secs. 4-6)

### Long-term care provisions modification

HF289 (Johnson, R.)

SF101\* (Berglin)

Chapter 107: relating to human services; adding an exclusion to elderly housing with services establishment; downsizing the number of IMD beds; modifying the appeal process for nursing facilities; changing procedure for permanent placement of a child and provisions for reimbursement for family foster care; removing the time limitation on family general assistance; amending *Minnesota Statutes 1996*, sections 144D.01, subdivision 4; 245.466, by adding a subdivision;

256B.059, subdivisions 1, 2, 5, and by adding a subdivision; 256B.17, subdivision 7; 256B.431, subdivision 18; 256B.50, subdivisions 1, 1b, 1c, and 1e; 256D.01, subdivision 1a; 257.071, subdivision 2; 260.191, subdivision 3b; 260.192; 260.242, subdivision 2; and 382.18; repealing *Minnesota Statutes 1996*, sections 256B.17, subdivisions 1, 2, 3, 4, 5, 6, and 8; and 256B.50, subdivisions 1d, 1g, 1h, and 2.

Enactment: 5/6/97

Effective: 8/1/97

### Home care providers establishment

HF291 (Greenfield)

SF333\* (Berglin)

Chapter 113: relating to home care; modifying an exemption from the definition of provider; requiring rules to include certain standards; establishing an assisted living home care provider license; redefining elderly housing with services establishment; modifying reimbursement procedures for assisted living services under medical assistance and alternative care; defining certain housing with services establishments as a permitted single family residential use of property for zoning purposes; requiring a study; amending *Minnesota Statutes 1996*, sections 144A.43, subdivision 4; 144A.45, subdivision 1, and by adding a subdivision; 144A.46, subdivisions 1 and 3; 144D.01, subdivisions 4, 5, 6, and by adding a subdivision; 144D.03, subdivision 1; 144D.06; 157.17, subdivisions 2 and 5; 245A.03, subdivision 2; 256B.0913, subdivision 5; 256B.0915, subdivision 3; 256I.04, subdivision 2a; and 462.357, subdivision 7; proposing coding for new law in *Minnesota Statutes*, chapters 144A; and 144D; repealing *Minnesota Statutes 1996*, sections 144A.45, subdivision 3; 144A.49; 144B.01; 144B.02; 144B.03; 144B.04; 144B.05; 144B.06; 144B.07; 144B.08; 144B.09; 144B.10; 144B.11; 144B.12; 144B.13; 144B.14; 144B.15; 144B.16; and 144B.17.

Enactment: 5/8/97

Effective: 8/1/97

### Respiratory care practitioners registration, regulation

HF1702 (McCollum)

SF741\* (Kelley)

Chapter 120: relating to health; regulating the practice of respiratory care; establishing the requirements for registration and regulation of respiratory care practitioners; providing for continuing education, fees, reporting obligations, disciplinary actions, and for an advisory council; providing criminal penal-

ties; creating a physician assistant advisory council; proposing coding for new law in *Minnesota Statutes*, chapter 147A; proposing coding for new law as *Minnesota Statutes*, chapter 147C; repealing *Minnesota Rules*, parts 4762.0010; 4762.0020; 4762.0030; 4762.0040; 4762.0050; 4762.0060; 4762.0065; 4762.0070; 4762.0080; 4762.0090; 4762.0100; 4762.0200; and 4762.0300.  
 Enactment: 5/8/97  
 Effective: 8/1/97 with qualifications

#### Prescriptions for intractable pain

HF136 (Leppik)  
 SF244\* (Kiscaden)  
 Chapter 124: relating to health; allowing physicians to prescribe and administer controlled substances in cases of intractable pain; proposing coding for new law in *Minnesota Statutes*, chapter 152.  
 Enactment: 5/9/97  
 Effective: 5/10/97

#### Pharmacy technician definition and regulation

HF2042 (Delmont)  
 SF1722\* (Sams)  
 Chapter 132: relating to professions and occupations; defining and regulating pharmacy technicians; amending *Minnesota Statutes 1996*, sections 151.01, by adding a subdivision; and 151.06, subdivision 1; proposing coding for new law in *Minnesota Statutes*, chapter 151.  
 Enactment: 5/9/97  
 Effective: 8/1/97

#### Psychology practice licensure requirements modifications

HF1071 (Mulder)  
 SF1000\* (Kelley)  
 Chapter 134: relating to professions; modifying certain Board of Psychology requirements relating to education and supervision; amending *Minnesota Statutes 1996*, sections 148.907, subdivisions 2 and 4; 148.908, subdivision 2; and 148.925, subdivision 7.  
 Enactment: 5/12/97  
 Effective: 8/1/97

#### Mental health provider peer review

HF1246 (Huntley)  
 SF641\* (Berglin)  
 Chapter 140: relating to utilization review organizations; requiring a peer of the treating mental health or substance abuse provider to review a utilization review organization's determination not to certify a mental health or substance abuse service;

amending *Minnesota Statutes 1996*, section 62M.09, subdivision 3, and by adding a subdivision.

Enactment: 5/12/97  
 Effective: 8/1/97

#### Health care cost containment provisions

HF858\* (Huntley)  
 SF920 (Morse)  
 Chapter 150: relating to health; regulating health plans; providing for certain disclosures; amending *Minnesota Statutes 1996*, sections 62J.04, subdivisions 1, 1a, and 3; 62J.041; and 62J.301, subdivision 3; repealing *Minnesota Statutes 1996*, section 62J.042.  
 Enactment: 5/15/97  
 Effective: 8/1/97

#### National Guard reimbursement grant formula modification

HF397 (Jennings)  
 SF4\* (Johnson, D.E.)  
 Chapter 160: relating to the military; changing the tuition and textbook reimbursement grant program; amending *Minnesota Statutes 1996*, section 192.501, subdivision 2.  
 Enactment: 5/16/97  
 Effective: 8/1/97

#### Tuberculosis Health Threat Act

HF555 (Goodno)  
 SF97\* (Betzold)  
 Chapter 164: relating to health; providing for the isolation and detention of persons with active tuberculosis who pose an endangerment to the public health; establishing standards and procedures for isolation and detention; requiring reporting by licensed health professionals; modifying tuberculosis screening requirements; amending *Minnesota Statutes 1996*, section 144.445, subdivisions 1 and 3; proposing coding for new law in *Minnesota Statutes*, chapter 144.  
 Enactment: 5/19/97  
 Effective: 8/1/97

#### Adoption provision modifications

HF58 (McElroy)  
 SF122\* (Robertson)  
 Chapter 177: relating to human services; requiring notification of placement or adoption of a child to the other birth parent; requiring background checks for adoption; requiring affidavits for an emergency order requiring updates to adoption study; defining content of post-placement assessment and report; permitting court-ordered grandparent visitation with an adopted child; rec-

ognition of adoption which occurred in a foreign country; defining when adoption records shall become public records; amending *Minnesota Statutes 1996*, sections 245A.04, subdivision 10; 257.022, subdivision 2, and by adding a subdivision; 259.20, subdivision 2; 259.22, subdivisions 2 and 4; 259.24, subdivision 2a; 259.41; 259.47, subdivisions 3, 6, 7, 8, and 10; 259.53, subdivisions 1 and 2; 259.55, subdivision 1; 259.59, subdivision 1; 259.61; 259.67, subdivision 7; 259.79, subdivision 3; and 259.83, subdivision 3; proposing coding for new law in *Minnesota Statutes*, chapter 259; repealing *Minnesota Statutes 1996*, section 259.47, subdivision 9.  
 Enactment: 5/19/97  
 Effective: 8/1/97

#### Social work practice and board provisions modifications

HF864 (McGuire)  
 SF457\* (Betzold)  
 Chapter 193: relating to professions; modifying provisions relating to the board of social work; providing civil penalties; amending *Minnesota Statutes 1996*, sections 13.99, subdivision 50; 148B.01, subdivisions 4 and 7; 148B.03; 148B.04, subdivisions 2, 3, and 4; 148B.06, subdivision 3; 148B.07; 148B.08, subdivision 2; 148B.18, subdivisions 4, 5, 11, and by adding subdivisions; 148B.19, subdivisions 1, 2, and 4; 148B.20, subdivision 1, and by adding a subdivision; 148B.21, subdivisions 3, 4, 5, 6, 7, and by adding a subdivision; 148B.215; 148B.22, by adding a subdivision; 148B.26, subdivision 1, and by adding a subdivision; 148B.27, subdivisions 1 and 2; and 148B.28, subdivisions 1 and 4; proposing coding for new law in *Minnesota Statutes*, chapter 148B; repealing *Minnesota Statutes 1996*, sections 148B.01, subdivision 3; 148B.18, subdivisions 6 and 7; 148B.19, subdivision 3; and 148B.23.  
 Enactment: 5/20/97  
 Effective: 5/21/97 (Secs. 28, 46); 8/1/97

#### Community health clinics prepaid health services option

HF931 (Clark)  
 SF302\* (Berglin)  
 Chapter 194: relating to health; allowing certain community health clinics to offer health care services on a prepaid basis; proposing coding for new law in *Minnesota Statutes*, chapter 62Q.  
 Enactment: 5/20/97  
 Effective: 8/1/97

### Medicare maximization program certification requirement repealed

HF1057 (Greenfield)

SF473\* (Berglin)

Chapter 195: relating to human services; clarifying the exemptions for persons required to obtain a home care provider license; eliminating the Medicare certification requirement for home care providers; requiring the commissioner of health to develop licensure for providers of personal care assistant services; amending *Minnesota Statutes 1996*, sections 144A.46, subdivision 2; and 256B.071, subdivisions 1, 3, and 4.

Enactment: 5/20/97

Effective: 5/21/97

### Ambulance service licensing requirements established

HF257\* (Dorn)

SF510 (Lourey)

Chapter 199: relating to health; establishing licensing requirements for the provision of ambulance service; relocating provisions related to emergency medical services; appropriating money; providing penalties; proposing coding for new law in *Minnesota Statutes 1996*, chapter 144E; repealing *Minnesota Statutes 1996*, sections 144.801; 144.802; 144.803; 144.804; and 144.806.

Enactment: 5/22/97

Effective: 5/23/97 (Sec. 2); 7/1/97

### Omnibus health and human services appropriations

HF0 (Greenfield)

SF1908\* (Samuelson)

Chapter 203: relating to human services; appropriating money; changing provisions for health care, long-term care facilities, children's programs, child support enforcement, continuing care for disabled persons; creating a demonstration project for persons with disabilities; changing provisions for marriage; accelerating state payments; making technical amendments to welfare reform; amending *Minnesota Statutes 1996*, sections 13.46, subdivision 2; 13.99, by adding a subdivision; 16A.124, subdivision 4b; 62D.04, subdivision 5; 62E.14, by adding a subdivision; 62J.69, subdivision 2, and by adding a subdivision; 62N.25, subdivision 2; 103I.101, subdivision 6; 103I.208; 103I.401, subdivision 1; 144.0721, subdivision 3; 144.121, subdivision 1, and by adding subdivisions; 144.125; 144.223; 144.226, subdivision 1, and by adding a subdivision; 144.394; 144A.071, subdivisions 1, 2, and 4a, as amended;

144A.073, subdivision 2, and by adding a subdivision; 145.925, subdivision 9; 151.40; 153A.17; 157.15, by adding subdivisions; 157.16, subdivision 3; 214.12, by adding a subdivision; 245.03, subdivision 2; 245.4882, subdivision 5; 245.493, subdivision 1, and by adding a subdivision; 245.652, subdivisions 1 and 2; 245.98, by adding a subdivision; 245A.11, subdivision 2a; 246.02, subdivision 2; 246.18, by adding a subdivision; 252.025, subdivisions 1, 4, and by adding a subdivision; 252.28, by adding a subdivision; 252.32, subdivisions 1a, 3, 3a, 3c, and 5; 254.04; 254A.17, subdivision 3; 254B.01, subdivision 3; 254B.02, subdivisions 1 and 3; 254B.03, subdivision 1; 254B.04, subdivision 1; 254B.09, subdivisions 4, 5, and 7; 256.01, subdivision 2, and by adding a subdivision; 256.025, subdivisions 2 and 4; 256.045, subdivisions 3, 3b, 4, 5, 7, 8, and 10; 256.476, subdivisions 2, 3, 4, and 5; 256.82, subdivision 1, and by adding a subdivision; 256.87, subdivisions 1, 1a, 3, 5, and by adding a subdivision; 256.871, subdivision 6; 256.935; 256.9354, subdivision 8, as added; 256.969, subdivision 1; 256.9695, subdivision 1; 256.9742; 256.9744, subdivision 2; 256.978, subdivisions 1 and 2; 256.9792, subdivisions 1 and 2; 256.998, subdivisions 1, 6, 7, and by adding subdivisions; 256B.037, subdivision 1a; 256B.04, by adding a subdivision; 256B.055, subdivision 12; 256B.056, subdivisions 4 and 5; 256B.057, subdivisions 1, 1b, and 2; 256B.06, subdivision 5, as added; 256B.0625, subdivisions 13, 14, and by adding a subdivision; 256B.0626; 256B.0627, subdivision 5, and by adding a subdivision; 256B.064, subdivisions 1a, 1c, and 2; 256B.0644; 256B.0911, subdivisions 2 and 7; 256B.0912, by adding a subdivision; 256B.0913, subdivisions 7, 10, 14, 15, and by adding a subdivision; 256B.0915, subdivisions 1b, 3, and by adding subdivisions; 256B.0917, subdivisions 7 and 8; 256B.19, subdivision 2a; 256B.421, subdivision 1; 256B.431, subdivisions 3f, 25, and by adding a subdivision; 256B.433, by adding a subdivision; 256B.434, subdivisions 2, 3, 4, 9, and 10; 256B.49, subdivision 1, and by adding a subdivision; 256B.69, subdivisions 2, 3a, 5, 5b, and by adding subdivisions; 256D.02, subdivision 12a, as amended; 256D.03, subdivisions 2, 2a, 3, as amended, and 6; 256D.05, subdivisions 1, as amended, and 8, as amended; 256D.36; 256E.06, by adding a subdivision; 256F.04, subdivisions 1 and 2; 256F.05, subdivisions 2, 3, 4, and 8; 256F.06, subdivisions 1 and 2; 256F.11, subdivision 2; 256G.02, subdivision 6; 256G.05, subdivi-

sion 2; 256I.05, subdivision 1a, and by adding a subdivision; 257.62, subdivisions 1 and 2; 257.66, subdivision 3, and by adding a subdivision; 257.70; 257.75, subdivisions 2, 3, 4, 5, and 7; 299C.46, subdivision 3; 326.37, subdivision 1; 327.20, subdivision 1; 393.07, subdivision 2; 466.01, subdivision 1; 469.155, subdivision 4; 471.59, subdivision 11; 508.63; 508A.63; 517.01; 517.03; 517.08, subdivision 1a; 517.20; 518.005, by adding a subdivision; 518.10; 518.148, subdivision 2; 518.17, subdivision 1; 518.171, subdivisions 1 and 4; 518.54, subdivision 6, and by adding a subdivision; 518.551, subdivisions 12 and 13; 518.5512, subdivision 2, and by adding subdivisions; 518.575; 518.68, subdivision 2; 518C.101; 518C.205; 518C.207; 518C.304; 518C.305; 518C.310; 518C.401; 518C.501; 518C.603; 518C.605; 518C.608; 518C.611; 518C.612; 518C.701; 548.091, subdivisions 1a, 2a, 3a, and by adding subdivisions; 550.37, subdivision 24; 626.556, subdivisions 10b, 10d, 10e, 10f, 11c, and by adding a subdivision; 626.558, subdivisions 1 and 2; and 626.559, subdivision 5; Laws 1995, chapter 207, article 6, section 115; article 8, section 41, subdivision 2; Laws 1997, chapter 7, article 1, section 75; Laws 1997, chapter 85, article 1, sections 7, subdivision 2; 8, subdivision 2; 12, subdivision 3; 16, subdivision 1; 26, subdivision 2; 32, subdivision 5; 33; and 75; article 3, sections 28, subdivision 1; and 42; Laws 1997, chapter 105, section 7; proposing coding for new law in *Minnesota Statutes*, chapters 13B; 62J; 145A; 157; 252; 256; 256B; 256J; 257; 325F; 518; 518C; and 552; repealing *Minnesota Statutes 1996*, sections 145.9256; 252.32, subdivision 4; 256.026; 256.74, subdivisions 5 and 7; 256.82, subdivision 1; 256.979, subdivision 9; 256B.057, subdivisions 2a and 2b; 256B.0625, subdivision 13b; 256B.501, subdivision 5c; 256F.05, subdivisions 5 and 7; 469.154, subdivision 6; 518.5511, subdivisions 5, 6, 7, 8, and 9; 518.611; 518.613; 518.645; 518C.9011; and 609.375, subdivisions 3, 4, and 6; *Minnesota Rules*, part 9505.1000.

Enactment: 6/2/97

#### Line-item veto:

Page 26, Art. 1, Sec. 2, Lines 55-65 and  
Page 27, Lines 1-3

Effective: Various dates

## Health and HMO provisions modifications

HF485 (Tingelstad)

SF95\* (Lourey)

**Chapter 205:** relating to health; modifying provisions related to health maintenance organizations; modifying lead inspection provisions; modifying vital statistics provisions; modifying asbestos abatement provisions; modifying provisions relating to traumatic brain injury and spinal cord injury notification and data; modifying provisions for hearings related to permitting, licensing, registration, and certification; modifying revocation and suspension provisions for permits, licenses, registration, and certifications; modifying provisions for testing infants for inborn metabolic errors; modifying medical education and research costs trust fund provisions; requiring conformance with federal regulations; amending *Minnesota Statutes 1996*, sections 62D.02, subdivision 10; 62D.03, subdivisions 3 and 4; 62D.04, subdivision 3; 62D.042, subdivision 3; 62D.06, subdivision 1; 62D.07, subdivision 3; 62D.09, subdivisions 1, 3, and 8; 62D.102; 62D.11, subdivisions 1, 1b, and 3; 62D.12, by adding a subdivision; 62D.20, subdivision 2; 62J.60, subdivision 3; 62J.69, subdivision 1; 144.125; 144.215, subdivision 1; 144.218; 144.664, subdivision 3; 144.665; 144.9501, subdivision 29, and by adding a subdivision; 144.9504, subdivision 2; 144.9506, subdivisions 1 and 5; 144.99, subdivisions 9 and 10; 257.73; 326.71, subdivisions 4 and 6; 326.72, subdivision 2; 326.74; 326.76; 326.78, subdivision 1; and 326.785; repealing *Minnesota Statutes 1996*, sections 62D.03, subdivision 2; and 62D.11, subdivision 4; Laws 1988, chapter 495, section 1; *Minnesota Rules*, part 4600.3900.

Enactment: 5/22/97

Effective: 5/23/97 (Sec. 19); 8/1/97

## Omnibus mortuary science regulation law

HF367 (Davids)

SF199\* (Foley)

**Chapter 215:** relating to health; providing comprehensive regulation of mortuary science; providing for the disposition of dead bodies; establishing enforcement mechanisms; providing civil penalties; amending *Minnesota Statutes 1996*, sections 13.99, subdivision 52a; 52.04, subdivision 1; 116J.70, subdivision 2a; 145.423, subdivision 3; 169.71, subdivision 4; and 524.1-201; proposing coding for new law as *Minnesota Statutes*, chapter 149A; repealing *Minnesota Statutes 1996*,

sections 145.14; 145.15; 145.16; 145.162; 145.163; 145.24; 149.01; 149.02; 149.03; 149.04; 149.05; 149.06; 149.08; 149.09; 149.10; 149.11; 149.12; 149.13; 149.14; and 149.15; *Minnesota Rules*, parts 4610.0400; 4610.0410; 4610.0700; 4610.0800; 4610.0900; 4610.1000; 4610.1100; 4610.1200; 4610.1300; 4610.1500; 4610.1550; 4610.1600; 4610.1700; 4610.1800; 4610.1900; 4610.2000; 4610.2200; 4610.2300; 4610.2400; 4610.2500; 4610.2600; and 4610.2700.

Enactment: 5/22/97

Effective: 8/1/97

## Civil commitment procedure modifications

HF735\* (Entenza)

SF53 (Betzold)

**Chapter 217:** relating to civil commitment; clarifying and reorganizing portions of the commitment act; allowing the designated agency to consent to voluntary treatment for certain incompetent persons; creating a new standard for court-ordered early intervention to provide less intrusive treatment; modifying standards and procedures for the administration of neuroleptic medications; providing for access to records; amending the provisional discharge procedures; requiring medical documentation of a patient's refusal to be examined and allowing determination of need for treatment based on other information; prohibiting prepetition screeners from filing commitment petitions; limiting use of prepetition screening reports in unrelated proceedings; requiring distribution to specified parties; increasing time for return after provisional discharge; modifying provisions governing special review boards; increasing time for hearing appeals; changing provisions for state liens for cost of care; amending *Minnesota Statutes 1996*, sections 13.42, subdivisions 2 and 3; 55.10, subdivision 4; 246B.01, subdivisions 3 and 4; 253B.01; 253B.02, subdivisions 2, 4, 4a, 7, 9, 13, 14, 15, 18, 18a, 18b, and by adding subdivisions; 253B.03, subdivisions 1, 2, 3, 4, 5, 6, 6b, 7, 8, and by adding a subdivision; 253B.04; 253B.05, subdivisions 1, 2, 3, 4, and by adding a subdivision; 253B.06; 253B.07, subdivisions 1, 2, 2a, 3, 4, 5, 7, and by adding subdivisions; 253B.08, subdivisions 1, 2, 3, 5, and by adding subdivisions; 253B.09, subdivisions 1, 2, 3, 5, and by adding a subdivision; 253B.095; 253B.10; 253B.11, subdivision 2, and by adding a subdivision; 253B.12, subdivisions 1, 3, 4, and by adding a subdivision; 253B.13, subdivisions 1 and 2; 253B.14; 253B.15, subdivisions 1, 1a, 2, 3, 5, 10, and by

adding subdivisions; 253B.16, subdivision 1; 253B.17, subdivisions 1 and 3; 253B.18, subdivisions 1, 2, 3, 4, 4a, 4b, 5, 6, 7, 9, 12, 14, 15, and by adding a subdivision; 253B.185, subdivision 4; 253B.19, subdivisions 1, 2, 3, and 5; 253B.20, subdivisions 1, 3, 4, 6, and 7; 253B.21, subdivision 4; 253B.22, subdivision 1; 253B.23, subdivisions 1, 4, 6, 7, and 9; 256.015, subdivisions 1, 2, and 4; 256B.042, subdivisions 1, 2, and 4; 256B.37, subdivision 1; 514.71; 514.980, subdivision 2; 514.981, subdivision 2; 514.982, subdivisions 1 and 2; 514.985; 524.1-201; 524.3-801; 524.3-1004; 524.3-1201; and 524.6-207; proposing coding for new law in *Minnesota Statutes*, chapter 253B; repealing *Minnesota Statutes 1996*, sections 253B.03, subdivisions 6c and 9; 253B.05, subdivisions 2a and 5; 253B.07, subdivision 6; 253B.08, subdivisions 4 and 6; 253B.091; 253B.12, subdivisions 5 and 8; 253B.13, subdivision 3; 253B.15, subdivisions 4 and 6; 253B.18, subdivision 4; 253B.21, subdivision 5; and 253B.23, subdivision 1a.

Enactment: 5/22/97

Effective: 8/1/97

## MinnesotaCare program

HF1441 (Greenfield)

SF1208\* (Berglin)

**Chapter 225:** relating to health; modifying the MinnesotaCare program; modifying general assistance medical care provisions; modifying loss ratio provisions for health care policies; modifying Medicare supplement plan provisions; modifying the regional coordinating boards; modifying the health technology advisory committee; eliminating the health care commission; modifying mandatory Medicare assignment; modifying MinnesotaCare tax provisions; regulating community purchasing arrangements; modifying disclosure provisions; eliminating integrated service networks; modifying community integrated service network provisions; modifying provisions of the public programs risk adjustment work group; modifying essential community provider provisions; modifying requirements for health plan companies; modifying provisions of the rural physician education account; modifying rural hospital provisions; modifying medical assistance provisions; establishing a senior citizen drug program; modifying Minnesota Comprehensive Health Association provisions; requiring studies; making technical changes; appropriating money; providing criminal penalties; amending *Minnesota Statutes 1996*, sections 60A.15, subdivision 1; 60A.951, subdivision 5; 62A.021, subdivi-



sion 1, and by adding a subdivision; 62A.316; 62A.61; 62D.02, subdivision 5; 62D.09, subdivision 3; 62E.02, subdivisions 13 and 18; 62E.11, subdivision 5; 62E.13, subdivision 2; 62J.017; 62J.06; 62J.07, subdivisions 1 and 3; 62J.09, subdivision 1; 62J.15, subdivision 1; 62J.152, subdivisions 1, 2, 4, 5, and by adding subdivisions; 62J.17, subdivision 6a; 62J.22; 62J.25; 62J.2914, subdivision 1; 62J.2915; 62J.2916, subdivision 1; 62J.2917, subdivision 2; 62J.2921, subdivision 2; 62J.451, subdivision 6b; 62M.02, subdivision 21; 62N.01, subdivision 1; 62N.22; 62N.23; 62N.25, subdivision 5; 62N.26; 62N.40; 62Q.01, subdivisions 3, 4, and 5; 62Q.03, subdivision 5a; 62Q.106; 62Q.19, subdivision 1; 62Q.33, subdivision 2; 62Q.45, subdivision 2; 136A.1355; 144.147, subdivisions 1, 2, 3, and 4; 144.1484, subdivision 1; 256.01, subdivision 2; 256.045, subdivision 3a; 256.9352, subdivision 3; 256.9353, subdivisions 1, 3, and 7; 256.9354, subdivisions 4, 5, 6, 7, and by adding a subdivision; 256.9355, subdivisions 1, 4, and by adding a subdivision; 256.9357, subdivision 3; 256.9358, subdivision 4; 256.9359, subdivision 2; 256.9362, subdivision 6; 256.9363, subdivisions 1 and 5; 256.9657, subdivision 3; 256B.056, subdivision 8; 256B.0625, subdivisions 13 and 15; 256B.0911, subdivision 2, as amended; 256B.0913, subdivision 16, as added; 256D.03, subdivisions 3 and 3b; 295.50, subdivisions 3, 4, 6, 7, 13, and 14; 295.51, subdivision 1; 295.52, subdivision 4, and by adding subdivisions; 295.53, subdivisions 1, 3, 4, and by adding a subdivision; 295.54, subdivisions 1 and 2; 295.55, subdivision 2; 295.582; S. F. No. 1908, article 1, sections 2; 3, subdivision 2; article 4, sections 70 and 73; and article 9, section 24; proposing coding for new law in *Minnesota Statutes*, chapters 16A; 62Q; 144; and 256; proposing coding for new law as *Minnesota Statutes*, chapter 62T; repealing *Minnesota Statutes 1996*, sections 62E.11, subdivision 12; 62J.03, subdivision 3; 62J.04, subdivisions 4 and 7; 62J.05; 62J.051; 62J.09, subdivision 3a; 62J.37; 62N.01, subdivision 2; 62N.02, subdivisions 2, 3, 4b, 4c, 6, 7, 8, 9, 10, and 12; 62N.03; 62N.04; 62N.05; 62N.06; 62N.065; 62N.071; 62N.072; 62N.073; 62N.074; 62N.076; 62N.077; 62N.078; 62N.10; 62N.11; 62N.12; 62N.13; 62N.14; 62N.15; 62N.17; 62N.18; 62N.24; 62N.38; 62Q.165, subdivision 3; 62Q.25; 62Q.29; 62Q.41; 147.01, subdivision 6; 295.52, subdivision 1b; and 295.53, subdivision 5; Laws 1993, chapter 247, article 4, section 8; Laws 1994, chapter 625, article 5, section 5, as amended; Laws 1995, chapter 96, section 2; Laws 1995, First Special Session

chapter 3, article 13, section 2; Laws 1997, chapters 31, article 4; and 84, article 4.  
Enactment: 6/2/97  
Effective: Various dates

#### Health data practices provisions modifications

HF556\* (Greenfield)  
SF98 (Betzold)  
Chapter 228: relating to health; modifying provisions for unique identifiers for health care providers, group purchasers, and patients; modifying birth data provisions; limiting access to certified copies of birth and death certificates; requiring standardized format for birth and death certificates; extending date of commissioner's access to fetal, infant, and maternal death data; modifying lead inspection and notice requirements; amending *Minnesota Statutes 1996*, sections 62J.451, subdivision 6c; 62J.54; 144.212, by adding subdivisions; 144.215, by adding subdivisions; 144.225, subdivision 2, and by adding subdivisions; 144.9504, subdivision 2; and 145.90, subdivision 2.  
Enactment: 6/2/97  
Effective: Various dates

#### Patient Protection Act

HF1365 (Wejcman)  
SF960\* (Berglin)  
Chapter 237: relating to health care; providing for patient protection; requiring certain disclosures; prohibiting certain provider contracts; providing for continuity of care and specialty care; prohibiting certain exclusive arrangements; modifying dispute resolution provisions; requiring identification of health care providers; requiring studies; requiring emergency services coverage; establishing a consumer advisory board; providing civil penalties; amending *Minnesota Statutes 1996*, sections 62Q.105, subdivision 1; 62Q.30; 181.932, subdivision 1; and 214.16, subdivisions 1 and 3; proposing coding for new law in *Minnesota Statutes*, chapters 62J; 62Q; and 144; repealing *Minnesota Statutes 1996*, sections 62J.2911; 62J.2912; 62J.2913; 62J.2914; 62J.2915; 62J.2916; 62J.2917; 62J.2918; 62J.2919; 62J.2920; and 62J.2921.  
Enactment: 6/2/97  
Effective: Various dates

#### Human services licensing act provisions modifications

HF272 (Wejcman)  
SF234\* (Morse)  
Chapter 248: relating to human services; adding provisions for licensing programs; imposing and modifying civil penalties; requiring reports on nonresidential child care programs; providing interim expansion of unlicensed child care providers; requiring reports from the commissioner of health and the commissioner of human services; creating a legislative task force to review the background study process; amending *Minnesota Statutes 1996*, sections 144.057, subdivision 1; 144A.46, subdivision 5; 245A.02, subdivisions 15, 16, 17, and by adding subdivisions; 245A.03, subdivision 2; 245A.04, subdivisions 3, 3a, 3b, 3c, 4, 5, 6, 7, and by adding a subdivision; 245A.06, subdivisions 1, 3, 4, 5, 5a, 6, and 7; 245A.07, subdivisions 1 and 3; 245A.08, subdivisions 1 and 2; 245A.09, subdivision 7; 245A.11, subdivision 2; 245A.16, subdivision 2; 256E.115; and 364.09; Laws 1995, chapter 158, section 7; proposing coding for new law in *Minnesota Statutes*, chapter 245A; proposing coding for new law as *Minnesota Statutes*, chapter 245B; repealing *Minnesota Statutes 1996*, sections 245A.091; 245A.20; 245A.21; and 252.53; Laws 1996, chapter 408, article 10, section 13; *Minnesota Rules*, parts 4668.0020; 9503.0170, subpart 7; 9525.0215; 9525.0225; 9525.0235; 9525.0243; 9525.0245; 9525.0255; 9525.0265; 9525.0275; 9525.0285; 9525.0295; 9525.0305; 9525.0315; 9525.0325; 9525.0335; 9525.0345; 9525.0355; 9525.0500; 9525.0510; 9525.0520; 9525.0530; 9525.0540; 9525.0550; 9525.0560; 9525.0570; 9525.0580; 9525.0590; 9525.0600; 9525.0610; 9525.0620; 9525.0630; 9525.0640; 9525.0650; 9525.0660; 9525.1240, subpart 1, item E, subitem (6); 9525.1500; 9525.1510; 9525.1520; 9525.1530; 9525.1540; 9525.1550; 9525.1560; 9525.1570, subparts 1, 2, 3, 4, 5, and 6; 9525.1590; 9525.1610; 9525.1620; 9525.1630; 9525.1640; 9525.1650; 9525.1660; 9525.1670; 9525.1680; 9525.1690; 9525.2000; 9525.2010; 9525.2020; 9525.2025; 9525.2030; 9525.2040; 9525.2050; 9525.2060; 9525.2070; 9525.2080; 9525.2090; 9525.2100; 9525.2110; 9525.2120; 9525.2130; 9525.2140; 9543.3070; 9555.8000; 9555.8100; 9555.8200; 9555.8300; 9555.8400; and 9555.8500.  
Enactment: 6/3/97  
Effective: Various dates



## JUDICIARY\*

### Revisor's bill

HF13\* (Skoglund)

SF17 (Kelly)

**Chapter 2:** relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amending *Minnesota Statutes 1996*, sections 84.035, subdivision 5; 103G.005, subdivision 14a; 103G.2243; 119A.31, subdivision 1; 124A.22, subdivision 13; 256B.431, subdivision 25; 366.125; 394.235; and 462.353, subdivision 5; and Laws 1996, chapter 408, article 2, section 8.

Enactment: 2/19/97

Effective: 7/1/96 retro. (Sec. 6)

### Revisor's bill

HF35\* (Chaudhary)

SF12 (Betzold)

**Chapter 7:** relating to *Minnesota Statutes*, correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending *Minnesota Statutes 1996*, sections 3.873, subdivisions 5 and 7; 9.041, subdivision 2; 13.99, subdivision 38b; 14.62, subdivision 3; 15.0591, subdivision 2; 15.441, subdivision 1; 15.471, subdivision 1; 16A.276; 16A.672, subdivisions 2 and 5; 17.138, subdivision 2; 18.023, subdivision 3; 18B.33, subdivision 1; 18C.121, subdivision 1; 18C.575, subdivision 1; 18E.03, subdivision 4; 19.51, subdivision 1; 25.31; 25.32; 25.33; 25.34; 25.36; 25.37; 25.39; 25.40; 25.41; 25.42; 25.43; 25.47, subdivision 2; 27.13; 27.14; 27.19; 27.20; 31.874; 32.078; 32.481, subdivision 1; 32.532; 32.71, subdivision 1; 41.53, subdivision 2; 41A.09, subdivision 4; 45.027, subdivision 1; 60A.15; 62N.05, subdivision 1; 62N.24; 65A.16; 65A.17; 65A.18; 65A.19; 65A.22; 65A.23; 65A.24; 84.027, subdivision 13; 92.46, subdivision 1; 103L.341, subdivision 1; 103L.535, subdivision 9; 115A.10; 115A.11, subdivision 1b; 115A.12; 115A.9651, subdivision 1; 115B.20, subdivisions 1 and 2; 115B.39, subdivision 2; 115B.412, subdivision 5; 115B.42, subdivision 2; 116.07, subdivisions

4b and 10; 116C.91, subdivision 1; 116J.75, subdivision 1; 119A.04, subdivision 5; 119A.13, subdivisions 3 and 4; 119A.26, subdivision 2; 119B.17, subdivision 3; 120.062, subdivision 12; 120.075, subdivision 5; 120.0751, subdivision 6; 120.0752, subdivision 4; 121.15, subdivision 1; 121.1601, subdivision 3; 121.912, subdivision 1; 124.155, subdivision 2; 124.248, subdivision 3; 124.2725, subdivision 11; 124.3201, subdivisions 1 and 2b; 124.321, subdivisions 1 and 2; 124.322, subdivisions 1a and 5; 124.323, subdivision 1; 124.574, subdivision 7; 124.91, subdivision 1; 124.918, subdivision 8; 124A.036, subdivision 5; 124A.225, subdivision 2; 124A.26, subdivision 1; 124A.711, subdivision 2; 124C.60, subdivisions 1 and 3; 126.22, subdivision 7; 126.51, subdivision 1; 126.72, subdivision 2; 136A.172; 136A.173; 136A.174; 136A.175; 136A.176; 136A.177; 136A.178; 136D.94; 144.056; 144.062; 144.092; 144A.073, subdivision 3; 144A.33, subdivision 5; 144A.53, subdivision 1; 144A.54, subdivisions 1 and 2; 145.894; 147A.13, subdivision 1; 148.235, subdivision 4; 148B.23, subdivision 3; 148C.11, subdivision 3; 152.02, subdivision 13; 152.21, subdivision 3; 161.10; 161.1419, subdivision 7; 168.129, subdivision 1; 169.145; 176.081, subdivision 1; 176.108; 176.1351, subdivisions 5 and 6; 176.1812, subdivision 7; 176.83, subdivision 5; 179A.03, subdivisions 7 and 14; 179A.06, subdivision 2; 179A.09, subdivision 3; 181.14; 181.15; 181.16; 182.676; 183.57, subdivision 2; 192.551; 197.133; 197.447; 214.01, subdivision 2; 214.07, subdivision 1; 214.13, subdivision 5; 216C.35; 223.19; 237.70, subdivision 7; 237.711; 241.01, subdivision 3a; 242.56, subdivision 3; 244.09, subdivisions 7 and 13; 244.13, subdivision 3; 244.17, subdivision 2; 245.462, subdivision 16; 245.4881, subdivision 2; 245.4886, subdivision 2; 245.62, subdivisions 2 and 4; 245.69, subdivision 2; 245.697, subdivisions 2 and 3; 246.06; 246.64, subdivision 3; 252.035; 252.275, subdivision 6; 252.291, subdivisions 3 and 5; 252.40; 252.41, subdivision 1; 252.43; 252.46, subdivision 1; 252.50, subdivision 6; 254A.16, subdivision 2; 256.01, subdivision 2; 256.016; 256.736, subdivisions 3a and 7; 256.7365, subdivision 7; 256.82, subdivision 4; 256.9742, subdivision 1; 256B.04, subdivision 2; 256B.092, subdivision 6; 256B.49, subdivision 2; 256D.03, subdivision 7; 256D.04; 256E.04, subdivision 1; 256F.04, subdivision 3; 257.072, subdivision 5; 257.0755, subdivision 1; 257.0768, subdivision 1; 257.0769; 257.41; 259.71, subdivision 5; 260.152, subdivisions 2, 3, and 6; 260.161,

subdivision 3; 260.181, subdivision 3a; 268.0122, subdivision 5; 268.0124; 268.03; 268.15, subdivision 3; 268.361, subdivision 1; 268.90, subdivision 3; 270A.09, subdivision 3; 272.12; 273.1398, subdivision 1; 279.01, subdivision 3; 280.05; 280.28, subdivision 2; 280.33; 280.35; 281.16; 281.32; 282.07; 284.04; 290.091, subdivision 6; 290.171; 297A.259; 299C.11; 299F.051, subdivision 3; 299F.46, subdivision 1; 299L.02, subdivision 1; 325F.84, subdivision 1; 326.2421, subdivision 2; 327A.08; 345.48, subdivision 1; 349.19, subdivision 2a; 353.64, subdivision 2; 353C.02; 354.66, subdivision 4; 360.013, subdivision 20; 360.015, subdivision 17; 363.05, subdivision 1; 383A.43, subdivision 6; 383B.78, subdivision 3; 383D.35; 390.35; 412.191, subdivision 1; 412.581; 412.631; 422A.01, subdivision 18; 427.02; 435.27; 458.40; 458A.08; 462A.03, subdivision 10; 462A.07, subdivision 7; 463.01; 465.15; 465.20; 466.03, subdivision 6d; 469.078, subdivision 1; 469.141, subdivision 3; 469.173, subdivision 7; 469.183, subdivision 4; 471.9981, subdivision 1; 473.1623, subdivisions 3, 4, and 5; 473.206; 473.208; 473.3994, subdivision 9; 473.598, subdivision 3; 473.638, subdivision 2; 473.859, subdivision 2; 475.51, subdivision 9; 475.53, subdivision 1; 475.57; 475.61, subdivision 2; 480.242, subdivision 2; 500.24, subdivision 3; 508A.01, subdivision 3; 524.2-402; 525.152, subdivisions 1, 2, and 3; 609.101, subdivision 4; 611.216, subdivision 3; 611.25, subdivision 3; 611A.56, subdivision 1; 626.843; 626.845; 626.846; 626.847; 626.851; and 626.88; Laws 1995 chapter 220, section 7, subdivision 3; and Laws 1996, chapter 310, section 1; proposing coding for new law in *Minnesota Statutes*, chapter 35; repealing *Minnesota Statutes 1996*, sections 3.922, subdivision 9; 13.99, subdivisions 21d and 24a; 15.475; 16B.87, subdivision 4; 17.452, subdivision 3; 115A.03, subdivision 16; 116D.11, subdivision 4; 116J.975; 124.2442; 124.245; 124.3202; 126.78, subdivision 5; 144.95, subdivision 9; 145A.12, subdivision 6; 148.578; 174.23, subdivision 5; 196.22, subdivision 4; 216C.06, subdivisions 10 and 11; 246.57, subdivision 2; 254B.03, subdivision 8; 256B.04, subdivision 11; 256B.0629, subdivision 3; 256F.11, subdivision 3; 256F.12, subdivision 5; 260.152, subdivision 7; 325F.98; 388.24, subdivision 5; 466.01, subdivisions 4 and 5; 471A.02, subdivisions 2 and 15; 473.638, subdivision 1; 473.639; 494.05, subdivision 3; 611.27, subdivision 14; and 611A.75; Laws 1989, chapters 209, article 2, section 42; and 282, article 3, section 28; Laws 1991, chapter

292, article 2, section 2; Laws 1993, chapter 286, section 1; Laws 1994, chapters 411, section 4; and 416, article 1, sections 47, 51, and 56; Laws 1995, chapters 171, sections 54 and 56; and 186, section 26; Laws 1995, First Special Session chapter 3, article 13, section 2; and Laws 1996, chapters 414, article 1, section 30; and 471, article 11, section 1.  
Enactment: 3/11/97  
Effective: Various dates

#### Property disposition modification

HF220 (Mullery)  
SF202\* (Ten Eyck)  
Chapter 9: relating to property; validating certain conveyances by religious corporations; regulating adverse claims by a government agency; clarifying the manner of service of certain notices regarding mechanics liens; requiring published notice of dispositions of certain real property in a marriage dissolution action; regulating property held in revocable trusts upon the dissolution of marriage; regulating specific devises and distributions of property under the uniform probate code; amending *Minnesota Statutes 1996*, sections 315.121; 508.70, by adding a subdivision; 514.06; 518.11; 524.2-402; 524.2-403; and 524.2-606; proposing coding for new law in *Minnesota Statutes*, chapters 501B; and 524.  
Enactment: 3/13/97  
Effective: 8/1/97

#### Alternative dispute resolution presiders liability immunity

HF439 (Leighton)  
SF368\* (Junge)  
Chapter 29: relating to civil actions; providing immunity from civil liability for persons who preside at alternative dispute resolution proceedings; proposing coding for new law in *Minnesota Statutes*, chapter 604A.  
Enactment: 4/11/97  
Effective: 8/1/97

#### Mille Lacs treaty implementation costs

HF1885 (Solberg)  
SF1645\* (Moe)  
Chapter 30: relating to public safety; appropriating money for costs relating to the 1837 treaty.  
Enactment: 4/11/97  
Effective: 4/12/97

#### Prison inmate lawsuit provisions clarified

HF908 (Pugh)  
SF305\* (Krentz)  
Chapter 33: relating to civil actions; modifying and clarifying provisions governing lawsuits by prison inmates; amending *Minnesota Statutes 1996*, sections 244.035; and 563.02, subdivision 3.  
Enactment: 4/16/97  
Effective: 8/1/97

#### Stalking bill

HF5\* (McGuire)  
SF32 (Junge)  
Chapter 96: relating to crime; clarifying the elements of the harassment and stalking crime; increasing the penalties for a violation of a domestic abuse order for protection and a harassment restraining order; adding certain violations of the harassment and stalking law to the list of crimes for which mandatory minimum prison sentences must be imposed; expanding the definition of "pattern of harassing conduct"; clarifying that the application of the sentencing guidelines system is not a right that a defendant may waive; limiting a defendant's right to take an appeal regarding a sentence; requiring a study on the sentencing guidelines; amending *Minnesota Statutes 1996*, sections 244.09, subdivision 5; 244.11; 518B.01, subdivision 14; 609.11, subdivision 9; 609.748, subdivision 6; and 609.749, subdivisions 1, 2, 5, and by adding a subdivision.  
Enactment: 5/6/97  
Effective: 5/7/97 (Secs. 1, 6-9, 11); 8/1/97 (Secs. 2-5, 10)

#### Nuisance acts definition expansion

HF246 (Dawkins)  
SF513\* (Anderson)  
Chapter 100: relating to public nuisance; adding to the acts that constitute a nuisance; modifying nuisance remedies and procedures; amending *Minnesota Statutes 1996*, sections 617.81, subdivision 2; 617.82; 617.83; and 617.85; repealing *Minnesota Statutes 1996*, section 617.80, subdivision 6.  
Enactment: 5/6/97  
Effective: 8/1/97

#### Impounded motor vehicles sale waiting period reduction

HF342 (Farrell)  
SF166\* (Kelly)  
Chapter 108: relating to motor vehicles; allowing sale 15 days after notice of vehicles impounded in Minneapolis or St. Paul; amending *Minnesota Statutes 1996*, sections

168B.051, subdivision 2, and by adding a subdivision; 168B.06, subdivision 1; and 168B.07, subdivision 1.  
Enactment: 5/6/97  
Effective: Upon local approval

#### Child custody transfer provided via consent decree

HF1373 (Wagenius)  
SF813\* (Ranum)  
Chapter 112: relating to children; providing for transfer of custody of a child to a relative by a consent decree; authorizing communication or contact agreements between adoptive parents and birth parents; providing for a relative conference and relative care agreement following a report of child abuse or neglect; amending *Minnesota Statutes 1996*, sections 257.02; 259.59, by adding a subdivision; 260.191, subdivision 3b; 260.241, subdivision 1; and 518.158; proposing coding for new law in *Minnesota Statutes*, chapters 257; 259; and 626.  
Enactment: 5/8/97  
Effective: 7/1/97

#### Public nuisance definition expanded

HF932 (Wejzman)  
SF536\* (Berglin)  
Chapter 122: relating to public nuisances; adding to the definition of nuisance and the list of acts constituting a public nuisance; amending *Minnesota Statutes 1996*, sections 617.81, subdivision 2; and 617.88.  
Enactment: 5/8/97  
Effective: 7/31/97 with qualifications

#### Human rights investigative data classification modification

HF227 (Goodno)  
SF324\* (Knutson)  
Chapter 172: relating to human rights; reclassifying certain investigative data; amending *Minnesota Statutes 1996*, section 363.061, subdivisions 2 and 3.  
Enactment: 5/19/97  
Effective: 8/1/97

#### Human rights alternative dispute resolution deadline suspended

HF786 (Hilty)  
SF242\* (Kiscaden)  
Chapter 182: relating to human rights; suspending a deadline during mediation in certain cases; amending *Minnesota Statutes 1996*, section 363.06, by adding a subdivision.  
Enactment: 5/19/97  
Effective: 8/1/97

### Lower Sioux Indian community law enforcement authority

HF464 (Vickerman)

SF542\* (Frederickson)

**Chapter 185:** relating to law enforcement; authorizing the Lower Sioux Indian community to exercise law enforcement authority; proposing coding for new law in *Minnesota Statutes*, chapter 626.

Enactment: 5/20/97

Effective: 5/21/97

### Public participation federal court action damages relief

HF642 (Skoglund)

SF848\* (Flynn)

**Chapter 209:** relating to civil actions; creating a state court action for relief for damages caused by a federal court action that affects public participation by the plaintiff; proposing coding for new law in *Minnesota Statutes*, chapter 554.

Enactment: 5/22/97

Effective: 8/1/97

### Municipal tort liability modified

HF1489 (Pugh)

SF1114\* (Kelly)

**Chapter 210:** relating to claims against governmental units; increasing tort liability limits; amending *Minnesota Statutes 1996*, sections 3.736, subdivision 4; and 466.04, subdivisions 1 and 3; proposing coding for new law in *Minnesota Statutes*, chapter 6.

Enactment: 5/22/97 Filed without signature

Effective: 8/1/97 (Sec. 2); 1/1/98 (Secs. 1, 3, 4)

### Seat belt bill

HF1076 (McGuire)

SF877\* (Foley)

**Chapter 211:** relating to civil actions; clarifying admissibility of evidence regarding seat belts and child passenger restraint systems in certain actions; amending *Minnesota Statutes 1996*, section 169.685, subdivision 4.

Vetoed: 6/3/97

### Professional malpractice expert certification required

HF832 (Pugh)

SF627\* (Ranum)

**Chapter 212:** relating to public administration; requiring certification of expert review in civil actions against certain professionals; setting duties of the office of technology; amending *Minnesota Statutes 1996*, section 136F.59, by adding a subdivision; 1997 S. F. No. 1905, article 3, section 9, subdivisions 1 and 3; proposing coding for new law in *Min-*

*nesota Statutes*, chapter 544; repealing 1997 S. F. No. 1888, article 3, section 35.

Enactment: 5/30/97

Effective: 8/1/97

### Civil action sanction provisions expanded

HF1404 (Pugh)

SF1513\* (Hottinger)

**Chapter 213:** relating to civil actions; modifying and expanding provisions for sanctions in civil actions; fixing time limitations on civil actions against occupational therapists; amending *Minnesota Statutes 1996*, sections 336.2A-108; 541.07; 566.25; 570.041, subdivision 1; 571.932, subdivision 6; and 609.5314, subdivision 3; proposing coding for new law in *Minnesota Statutes*, chapter 549; repealing *Minnesota Statutes 1996*, section 549.21.

Enactment: 5/22/97

Effective: 8/1/97

### Peace officer applicants background investigation requirement

HF606 (Stanek)

SF294\* (Junge)

**Chapter 214:** relating to peace officers; requiring law enforcement agencies to do background investigations for applicants for employment as peace officers; requiring employers to disclose personnel records for law enforcement background investigations; providing immunity for employers who disclose information to law enforcement; requiring notice to the POST board when a background investigation is initiated; authorizing sharing of data on subjects of background investigations; amending *Minnesota Statutes 1996*, sections 13.41, subdivision 2a; 13.43, by adding a subdivision; 604A.31, subdivision 3; and 626.845, subdivision 1; proposing coding for new law in *Minnesota Statutes*, chapter 626.

Enactment: 5/22/97

Effective: 8/1/97; 7/1/98 (Sec. 4)

### Adoption registry establishment

HF296 (Wejzman)

SF203\* (Berglin)

**Chapter 218:** relating to adoption; creating a putative fathers' adoption registry; amending adoption notice and consent provisions relating to fathers; amending *Minnesota Statutes 1996*, sections 13.99, by adding a subdivision; 257.352, subdivision 3, and by adding subdivisions; 257.58, subdivision 1; 259.21, by adding a subdivision; 259.49, subdivision 1; 260.221, subdivision 1, and by adding a subdivision; and 357.021, subdivision 2; pro-

posing coding for new law in *Minnesota Statutes*, chapter 259; repealing *Minnesota Statutes 1996*, section 259.51.

Enactment: 5/30/97

Effective: Various dates

### Omnibus data classification

HF1460\* (McGuire)

SF1277 (Betzold)

**Chapter 229:** relating to government data practices; classifying data; making certain welfare and housing data available to law enforcement agencies; classifying data on individuals who receive homeless services; eliminating the requirement that government agencies pay a fee for commissioner's opinions; modifying school immunization and health record provisions; modifying patient consent to release of records for research; authorizing destruction of records of deceased patients; requiring notice of investigations to health board licensees; providing for retention of juvenile history records; providing for juvenile justice system access to certain education data; providing for misdemeanor offense reports and access to certain adult criminal history data; providing for disclosure or inspection of certain tax data or return information; limiting disclosure of certain tax data under subpoena; indexing statutes that restrict data access and are located outside chapter 13; providing criminal penalties; amending *Minnesota Statutes 1996*, sections 13.32, subdivisions 1, 3, and by adding a subdivision; 13.41, subdivision 2; 13.46, subdivision 2; 13.54, by adding a subdivision; 13.65, subdivision 2; 13.99, subdivision 53b, and by adding subdivisions; 53A.081, by adding a subdivision; 123.70, subdivisions 5, 7, and 10; 144.29; 144.335, subdivision 3a; 214.10, subdivision 1; 260.161, subdivision 1a, and by adding a subdivision; 270.66, subdivision 3; 270B.01, subdivision 8; 270B.03, subdivisions 1, 3, and 4; 270B.08, subdivision 1; 270B.085, subdivision 1; 270B.09; 270B.12, subdivision 7; 270B.14, subdivision 1, and by adding subdivisions; 270B.16; 287.34; 299C.095; 299C.10, subdivision 1; 299C.13; and 626.556, subdivision 11; proposing coding for new law in *Minnesota Statutes*, chapters 13; and 270B; repealing *Minnesota Statutes 1996*, sections 13.072, subdivision 3; 13.71, subdivisions 18, 19, 20, and 21; and 13.99, subdivision 21d.

Vetoed: 6/2/97

**Rush City correctional facility**

HF268\* (Murphy)

SF179 (Kelly, R.C.)

**Chapter 238:** relating to corrections; amending the appropriation to build a close-custody correctional facility of at least 800 beds; providing that the new facility shall be at custody level four; deleting certain construction bid requirements; authorizing construction of an access road; forbidding inmates from being housed at the facility until its opening is specifically authorized by law; requiring trunk highway improvements; designating county state-aid highway; prohibiting certain designations; changing occupancy requirements applicable to state prisons; amending *Minnesota Statutes 1996*, sections 162.02, by adding a subdivision; and 243.53, subdivision 1; Laws 1996, chapter 463, section 16, subdivision 3; repealing *Minnesota Statutes 1996*, section 243.53, subdivision 2. Enactment: 6/2/97

Effective: Various dates

**Crime bill**

HF0 (Murphy)

SF1880\* (Kelly, R.C.)

**Chapter 239:** relating to the operation of state government; crime and crime prevention; appropriating money for the judicial branch, public safety, public defense, corrections, human rights, and related purposes; increasing and prescribing criminal penalties for a variety of offenses; increasing penalties for certain controlled substance offenses; clarifying provisions of the Community Notification Act; expanding and clarifying the sex offender registration law; clarifying and expanding crime victim rights; providing additional protections to children; providing for increased access by peace officers to juvenile records; creating a statewide criminal gang council and a criminal gang strike force to improve the investigation and prosecution of gang-related crime; increasing protections for correctional employees who are assaulted by inmates; clarifying the powers of the ombudsman for corrections; restricting certain computer uses by inmates; clarifying laws relating to probation; providing an action for an order for protection against a minor; amending *Minnesota Statutes 1996*, sections 13.99, by adding a subdivision; 144.761, subdivisions 5 and 7; 144.762, subdivision 2, and by adding a subdivision; 144.765; 144.767, subdivision 1; 152.01, subdivision 18, and by adding a subdivision; 152.02, subdivisions 2 and 5; 152.021, subdivisions 1 and 2; 152.022, subdivisions 1 and 2;

152.023, subdivisions 1, 2, and 3; 152.024, subdivision 1; 152.029; 169.042, subdivision 1; 169.20, subdivision 5; 169.797, subdivision 3; 171.29, subdivision 2; 241.01, subdivisions 3a and 3b; 241.42, subdivision 2; 241.44, subdivision 1, and by adding a subdivision; 242.19, subdivision 3; 242.32, by adding a subdivision; 243.166, subdivisions 2, 3, and 4; 243.51, subdivisions 1, 3, and by adding a subdivision; 244.05, subdivision 8; 244.052, subdivisions 3, 4, 5, and 6; 244.17, subdivision 2; 256E.03, subdivision 2; 256F.09, subdivisions 2 and 3; 257.071, subdivisions 3, 4, and by adding subdivisions; 257.072, subdivision 1; 259.41; 259.59, by adding a subdivision; 259.67, subdivision 2; 260.012; 260.015, subdivisions 2a and 29; 260.131, subdivisions 1 and 2; 260.155, subdivisions 1a, 2, 3, 4, and 8; 260.161, subdivisions 1, 1a, 2, 3, and by adding a subdivision; 260.165, subdivisions 1 and 3; 260.171, subdivision 2; 260.1735; 260.191, subdivisions 1, 3a, 3b, as amended, and 4; 260.192; 260.221, subdivisions 1 and 5; 260.241, subdivisions 1 and 3; 260.311, subdivision 1; 299A.61, subdivision 1; 299A.63, subdivision 4; 299C.065, subdivision 1; 299C.095; 299C.10, subdivisions 1 and 4; 299C.13; 299C.65, by adding a subdivision; 299D.07; 299F.051; 299F.06, subdivisions 1 and 3; 326.3321, subdivision 1; 326.3386, subdivision 3, and by adding subdivisions; 357.021, subdivision 1a; 363.02, subdivision 1; 363.073, subdivision 1; 388.23, subdivision 1; 401.13; 480.30, subdivision 1; 504.181, subdivision 1; 518.10; 518.175, subdivision 5, and by adding a subdivision; 518.179, subdivision 2; 518B.01, subdivisions 4, 8, 14, 17, and 18; 566.05; 566.18, subdivision 6; 609.02, by adding a subdivision; 609.035, subdivision 1, and by adding a subdivision; 609.10; 609.101, subdivision 5; 609.115, subdivision 1; 609.125; 609.135, subdivisions 1, 2, and by adding a subdivision; 609.15, subdivision 1; 609.221; 609.2231, subdivision 3; 609.2244; 609.2245, subdivision 2; 609.347, subdivision 7; 609.487, subdivision 3; 609.495, subdivision 1; 609.498, by adding subdivisions; 609.52, subdivision 2; 609.684, subdivision 4; 609.746, subdivision 1; 609.748, subdivision 1; 609.78; 609.902, subdivision 4; 611.27, subdivision 4, and by adding a subdivision; 611A.01; 611A.035; 611A.038; 611A.039, subdivision 1; 611A.04, by adding a subdivision; 611A.045, subdivision 1; 611A.25, subdivision 3; 611A.361, subdivision 3; 611A.52, subdivisions 6 and 8; 611A.53, subdivision 1b; 611A.675; 611A.71, subdivisions 5 and 7; 611A.74, subdivisions 1, 3, and by adding a

subdivision; 611A.75; 617.82; 617.85; 626.843, subdivision 1; 629.725; 631.07; 631.52, subdivision 2; and 641.12; Laws 1995, chapter 226, articles 2, section 37, subdivision 2; 3, section 60, subdivision 4; Laws 1996, chapter 408, article 8, sections 21; 22, subdivision 1; and 24; Laws 1997, chapter 112, section 3; proposing coding for new law in *Minnesota Statutes*, chapters 241; 242; 243; 244; 257; 299A; 299C; 299F; 609; 611A; and 626; repealing *Minnesota Statutes 1996*, sections 119A.30; 145.406; 244.06; 244.09, subdivision 11a; 259.33; 299A.01, subdivision 6; 299F.07; and 609.684, subdivision 2; *Minnesota Rules*, parts 7419.0100; 7419.0200; 7419.0300; 7419.0400; 7419.0500; 7419.0600; 7419.0700; and 7419.0800.

Enactment: 5/30/97

Effective: Various dates

**DWI provisions modification**

HF1004 (Entenza)

SF985\* (Foley)

**Chapter 243:** relating to crimes; driving while impaired; reducing the legal limit for alcohol concentration from 0.10 to 0.04 for youth under age 19 for operating any kind of vehicle; creating a zero-tolerance standard for school bus drivers; advancing criminal penalties and administrative sanctions for committing a DWI crime while having an alcohol concentration of 0.20 or more; expanding DWI laws to include snowmobiles, all-terrain vehicles, and motorboats and repealing the separate DWI laws relating to those recreational vehicles; authorizing the imposition of a penalty assessment of up to \$1,000 for persons driving motor vehicles with an alcohol concentration of 0.20 or more; creating an enhanced gross misdemeanor-level DWI crime and restructuring criminal penalties for DWI, including the provision of mandatory minimum periods of incarceration and home detention for repeat DWI offenders; mandating pretrial and posttrial electronic alcohol monitoring for certain offenders; advancing license plate impoundment and motor vehicle forfeiture by one offense; providing an administrative process for forfeiture and permitting it to be based on license revocation; authorizing peace officers to stop vehicles bearing special series license plates; enhancing criminal penalties for repeat violations involving commercial motor vehicles; authorizing the use of preliminary breath tests results for prosecuting certain driving offenses; making technical changes; providing enhanced criminal penalties and civil sanctions; appropriating

money; amending *Minnesota Statutes 1996*, sections 84.83, subdivision 5; 84.91, subdivision 1; 84.911, subdivision 7; 84.927, subdivision 1; 86B.331, subdivision 1; 86B.705, subdivision 2; 97A.065, subdivision 2; 97B.065, subdivision 1; 97B.066, subdivisions 1, 5, and by adding subdivisions; 168.042, subdivisions 1, 2, 4, 9, 11, and by adding a subdivision; 169.01, subdivision 75, and by adding subdivisions; 169.121, subdivisions 1, 1c, 2, 3, 3b, 3c, 4, 6, 11, and by adding subdivisions; 169.1211, subdivision 1, and by adding subdivisions; 169.1217; 169.1218; 169.123, subdivisions 1, 2, 4, 5a, 5c, and 6; 169.126, subdivision 1; 169.1261; 169.129; 171.07, by adding a subdivision; 171.12, by adding a subdivision; 171.19; 171.20, subdivision 4; 171.30, by adding a subdivision; 340A.503, subdivision 2; 357.021, subdivision 1a; 364.09; 609.02, subdivision 2, and by adding a subdivision; 609.105; 609.135, subdivision 2; 609.15, subdivision 2; 609.487, by adding a subdivision; and 634.15, subdivision 2; proposing coding for new law in *Minnesota Statutes*, chapter 168; repealing *Minnesota Statutes 1996*, sections 84.873; 84.91, subdivisions 2, 3, 4, 5, 5a, 6, 7, and 8; 84.911, subdivisions 1, 2, 3, 4, 5, and 6; 84.912; 84.9254; 86B.331, subdivisions 2, 3, 4, 5, 5a, 6, 7, and 8; 86B.335, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; 86B.337; 97B.066, subdivision 6; and 169.121, subdivision 3a. Vetoed: 6/3/97

#### Omnibus child support enforcement provisions modification

HF925 (Entenza)

SF830\* (Cohen)

Chapter 245: relating to family law; modifying provisions and procedures governing child support and maintenance, visitation, and related matters; making complying and technical changes; amending *Minnesota Statutes 1996*, sections 168A.05, subdivision 8; 171.19; 256.87, by adding a subdivision; 256.978, subdivision 2, as amended; 256.979, subdivisions 5, 6, 7, 8, and by adding a subdivision; 256.9791, subdivision 1; 256.998, subdivisions 3 and 9; 257.75, subdivisions 1a and 4; 518.157; 518.175, subdivision 6; 518.1751; 518.179, subdivision 1; 518.195; 518.54, subdivision 6, as amended; 518.551, subdivisions 5b, 7, 12, as amended, 14, and by adding subdivisions; 518.5511, subdivisions 1, 2, 3, 4, and by adding a subdivision; 518.5512, subdivisions 2, as amended, 3, and by adding a subdivision; 518.553; 518.5852; 518.64, subdivision 2; 518.641, subdivision 2; 518.68, subdivision 2; 518C.305; 518C.306; 518C.307;

518C.605; 518C.606; 519.05; 548.091, subdivision 9, as added; 609.375, by adding a subdivision; 626.556, subdivision 2; and 631.52, subdivision 1; Laws 1997, chapter 85, article 1, sections 16, subdivision 1, as amended; 36, subdivision 2; 43, subdivisions 4 and 5; and 66, subdivision 2; and article 3, by adding a section; S.F. No. 1908, article 6, sections 3, subdivisions 1, 4, 6, and 10; and 5, subdivision 4; proposing coding for new law in *Minnesota Statutes*, chapter 518; repealing *Minnesota Statutes 1996*, sections 256.996; and 609.375, subdivisions 3, 4, and 6.

Enactment: 6/3/97

Effective: Various dates



### LABOR-MANAGEMENT RELATIONS\*

#### Civil Air Patrol members provided unpaid leaves of absence

HF219\* (Hasskamp)

SF118 (Samuelson)

Chapter 20: relating to employment; requiring leaves of absence without pay for employees rendering services as members of the Civil Air Patrol; proposing coding for new law in *Minnesota Statutes*, chapter 181.

Enactment: 4/4/97

Effective: 8/1/97

#### Show boiler and engine inspection provisions modified

HF1382\* (Dehler)

SF1051 (Langseth)

Chapter 38: relating to boilers; modifying show boiler and engine provisions; amending *Minnesota Statutes 1996*, section 183.411, subdivisions 1, 2, and 3.

Enactment: 4/16/96

Effective: 8/1/97

#### Reemployment insurance technical and administrative changes

HF312 (Jefferson)

SF145\* (Runbeck)

Chapter 66: relating to reemployment insurance; making technical and administrative changes; providing civil and criminal penalties; providing for a waiver from certain waiting periods for certain individuals;

amending *Minnesota Statutes 1996*, sections 268.0111, by adding a subdivision; 268.022, subdivision 1; 268.04, subdivisions 5, 15, 17, 25, and by adding subdivisions; 268.06, subdivisions 1, 3a, 6, 8, 8a, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, and 31; 268.07, subdivisions 2, 3, 3a, and 3b; 268.071, subdivisions 3, 6, and 9; 268.08, subdivisions 1, 2, 3, 3a, 3b, 10, and by adding a subdivision; 268.09, subdivision 3, and by adding subdivisions; 268.101, subdivisions 2, 3, 4, and by adding a subdivision; 268.105; 268.11, subdivision 3; 268.12, subdivisions 8 and 9a; 268.121; 268.14, subdivision 1; 268.16, subdivision 2; 268.161, subdivisions 4, 6, and 7; 268.167; 268.18, subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; and 268.21; proposing coding for new law in *Minnesota Statutes*, chapter 268; repealing *Minnesota Statutes 1996*, sections 268.026; 268.04, subdivisions 8, 13, 14, 20, 21, 32, and 35; 268.06, subdivisions 2, 4, 5, 30, and 33; 268.073, subdivision 7; 268.09, subdivisions 1, 2, 4, 5, 6, 7, and 8; 268.12, subdivisions 2, 4, 5, 7, and 11; 268.14, subdivisions 3 and 4; 268.16, subdivision 8; 268.161, subdivision 3; 268.165; and 268.18, subdivision 5.

Enactment: 4/23/97

Effective: 1/1/97 (Secs. 1-59, 61-77, 79-81); 4/24/97 (Sec. 60)

#### Reemployment insurance wage reporting requirements modification

HF271\* (Rukavina)

SF608 (Lesewski)

Chapter 74: relating to reemployment insurance; modifying wage reporting requirements for employers; amending *Minnesota Statutes 1996*, section 268.121.

Enactment: 5/1/97

Effective: 1/1/98

#### Occupational safety and health notice service provision modified

HF1383\* (Kinkel)

SF1081 (Ten Eyck)

Chapter 81: relating to occupational safety and health; providing that certain notices are filed when placed in the United States mail; amending *Minnesota Statutes 1996*, section 182.661, subdivision 3b.

Enactment: 5/2/97

Effective: 8/1/97

### Wages payment requirements modification

HF966\* (Garcia)  
SF911 (Johnson, D.H.)

Chapter 83: relating to employment; modifying provisions governing payment of wages; including the state in the definition of employer for certain purposes; amending *Minnesota Statutes 1996*, sections 181.02; 181.03; 181.063; 181.10; 181.13; 181.14; and 181.171, by adding a subdivision.

Enactment: 5/2/97  
Effective: 8/1/97

### Employment search firm bond requirements modified

HF810 (Wolf)  
SF839\* (Belanger)

Chapter 88: relating to employment; modifying bond requirements for certain search firms; amending *Minnesota Statutes 1996*, section 184.30, subdivision 1.

Enactment: 5/6/97  
Effective: 8/1/97

### Employees exclusive representatives recognition

HF1106 (Leighton)  
SF1693\* (Hottinger)

Chapter 115: relating to labor relations; requiring employers to recognize certain employee organizations; amending *Minnesota Statutes 1996*, section 179A.12, by adding a subdivision.

Vetoed: 5/9/97

### Workers' compensation insurance reporting deadline delay

HF1870 (Leighton)  
SF1807\* (Runbeck)

Chapter 128: relating to workers' compensation; changing certain reporting deadlines; modifying certain workers' compensation procedures; adding state correctional officers to the presumption of occupational disease; amending *Minnesota Statutes 1996*, sections 79.55, subdivisions 9 and 10; 176.011, subdivision 15; and 176.191, subdivisions 1 and 5.

Enactment: 5/9/97  
Effective: 5/10/97 (Secs. 3, 4); 8/1/97 (Secs. 1, 2)

### Labor disputes mandatory arbitration

HF1936\* (Murphy)  
SF1823 (Anderson)

Chapter 152: relating to labor relations; requiring arbitration in certain circumstances; establishing procedures; providing penalties; amending *Minnesota Statutes 1996*, sections

179.06, by adding a subdivision; and 179A.16, subdivision 3, and by adding a subdivision.  
Vetoed: 5/15/97

### Minimum wage increase

HF892\* (Rukavina)  
SF882 (Kelly)

Chapter 163: relating to employment; increasing the minimum wage; amending *Minnesota Statutes 1996*, section 177.24, subdivision 1.

Vetoed: 5/16/97

### Discriminatory reprisals prohibition expansion

HF814 (Koskinen)  
SF323\* (Knutson)

Chapter 171: relating to human rights; prohibiting reprisals by any individual; amending *Minnesota Statutes 1996*, section 363.03, subdivision 7.

Enactment: 5/19/97  
Effective: 8/1/97

### Labor, employment provisions modifications

HF1711 (Leighton)  
SF575\* (Runbeck)

Chapter 180: relating to employment; modifying wage payment provisions; modifying requirements for drug and alcohol testing; clarifying provisions governing review of personnel records by employees; setting a limit for penalties on unpaid OSHA fines; providing the criminal penalty of gross misdemeanor for an assault on an occupational safety and health investigation; amending *Minnesota Statutes 1996*, sections 181.14, subdivision 1, as amended; 181.953, subdivision 6; 181.961, subdivision 2; 182.666, subdivision 7; and 609.2231, subdivision 6.

Enactment: 5/19/97  
Effective: 8/1/97



## LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

### Kenyon tax levy recertification authorized.

HF125\* (Sviggum)  
SF160 (Day)

Chapter 6: relating to taxation; authorizing the city of Kenyon to recertify its final levy for taxes levied in 1996.

Enactment: 3/11/97  
Effective: 3/12/97

### Emergency snow removal

HF100\* (Wenzel)  
SF114 (Vickerman)

Chapter 12: relating to public safety; providing for emergency expenditures related to the continuing severe weather conditions and their aftermath; providing additional funding for state road operations and state trooper overtime in fiscal year 1997; making certain cross-reference corrections; reinstating authority inadvertently stricken; appropriating money; amending *Minnesota Statutes 1996*, sections 12.221, subdivision 3; 84.912, subdivision 1; 86B.337, subdivision 1; 168.042, subdivision 1; 169.121, subdivision 4; 169.1217, subdivision 1; 171.043; 171.24, subdivision 5; 171.30, subdivision 3; and 171.305, subdivision 5.

Enactment: 3/19/97  
Effective: 3/20/97 (Art. 1, 2); 8/1/96 retroactive (Art. 3, Sec. 1); 2/1/97 retroactive (Art. 3, Secs. 2-10)

### Becker County economic development authority

HF564 (Olson, E.)  
SF417\* (Moe)

Chapter 15: relating to Becker County; authorizing an economic development authority.

Enactment: 3/26/97  
Effective: Upon local approval

### Towns emergency service charges

HF483 (Olson, E.)  
SF124\* (Vickerman)

Chapter 16: relating to towns; authorizing the charging and collection of certain service charges; proposing coding for new law in *Minnesota Statutes*, chapter 366.

Enactment: 3/26/97  
Effective: 8/1/97

### City mayor and fire chief positions compatibility

HF941 (Nornes)  
SF700\* (Larson)

Chapter 23: relating to statutory cities; providing that the offices of mayor of a statutory city and fire chief of an independent nonprofit firefighting corporation are not incompatible under certain circumstances; proposing coding for new law in *Minnesota Statutes*, chapter 412.

Enactment: 4/8/97  
Effective: 8/1/97

#### St. Louis County unorganized territory attachment authorized

HF958\* (Rukavina)  
SF748 (Janezich)

Chapter 37: relating to local government; providing that St. Louis County may attach certain unorganized territory to the town of White without a petition of residents.

Enactment: 4/16/97  
Effective: 4/17/97

#### Federal payments in lieu of taxes on entitlement land distributed

HF2009 (Bakk)  
SF227\* (Vickerman)

Chapter 39: relating to local government; providing for the distribution of certain federal payments; amending *Minnesota Statutes 1996*, section 471.653.

Enactment: 4/21/97  
Effective: 4/22/97

#### Ramsey County eligibles certification under county rules

HF972 (Hausman)  
SF424\* (Wiger)

Chapter 40: relating to Ramsey County; providing for certification of eligibility for a position under county rules; amending *Minnesota Statutes 1996*, section 383A.291, by adding a subdivision; repealing *Minnesota Statutes 1996*, section 383A.291, subdivisions 1, 2, 3, and 4.

Enactment: 4/21/97  
Effective: Upon local approval

#### Buffalo Lake Wastewater Treatment Facility contract bid requirements

HF1187\* (Kubly)  
SF1306 (Johnson, D.E.)

Chapter 41: relating to the city of Buffalo Lake; authorizing the city to negotiate contracts for a specific project without competitive bids.

Enactment: 4/21/97  
Effective: Upon local approval

#### Luverne Maplewood Cemetery bodies removal and reinterment

HF1257 (Winter)  
SF1071\* (Vickerman)

Chapter 43: relating to local government; authorizing removal and reinterment of bodies in the city of Luverne.

Enactment: 4/21/97  
Effective: Upon local approval

#### Fire insurance escrow account requirements

HF429 (Jefferson)  
SF458\* (Higgins)

Chapter 47: relating to insurance; clarifying the right to escrow for certain losses in certain cases; amending *Minnesota Statutes 1996*, section 65A.50, subdivisions 2, 3, 8, 16, and 17.

Enactment: 4/21/97  
Effective: 8/1/97

#### Local government units official newspapers designation cost considered

HF356\* (Greiling)  
SF284 (Marty)

Chapter 56: relating to legal newspapers; providing for the effect of certain errors in publication; authorizing the city of Roseville and Independent School District No. 623 to consider cost as a criterion in the designation of newspapers for official publication; amending *Minnesota Statutes 1996*, section 331A.05, by adding a subdivision.

Enactment: 4/23/97  
Effective: Upon local approval

#### Hennepin County radio system facility lease authorized

HF971 (Mullery)  
SF1116\* (Higgins)

Chapter 58: relating to Hennepin County; allowing use of certain county facilities for commercial wireless service providers and allowing the lease of sites for public safety communication equipment; modifying Hennepin County housing and redevelopment authority provisions; amending *Minnesota Statutes 1996*, sections 383B.255, subdivision 1, and by adding a subdivision; and 383B.77, subdivision 2.

Enactment: 4/28/97  
Effective: 8/1/97 (Secs. 1, 2);  
Upon local approval (Sec. 3)

#### St. Paul Ramsey County Public Health Department classified service defined

HF1301\* (Slawik)  
SF884 (Wiger)

Chapter 63: relating to local government; defining the department's classified service under a merged Saint Paul and Ramsey County Department of Public Health; amending *Minnesota Statutes 1996*, section 383A.288, subdivisions 3 and 4.

Enactment: 4/28/97  
Effective: 8/1/97

#### Metropolitan Council employee recognition services program

HF473\* (Chaudhary)  
SF197 (Wiger)

Chapter 72: relating to metropolitan government; permitting the metropolitan council to provide a program for health and wellness services for council employees; amending *Minnesota Statutes 1996*, section 473.129, by adding a subdivision.

Enactment: 4/29/97  
Effective: 8/1/97

#### Counties and cities flood assistance authority

HF2169 (Skare)  
SF1928\* (Vickerman)

Chapter 75: relating to local government; allowing cities and counties to provide assistance to other Minnesota cities and counties for 1997 flood relief.

Enactment: 5/1/97  
Effective: 5/2/97; 1/1/98 (expires)

#### Boundary commissions provisions modifications

HF601\* (Wenzel)  
SF869 (Vickerman)

Chapter 78: relating to local government; authorizing boundary commissions; amending *Minnesota Statutes 1996*, section 465.79.

Enactment: 5/1/97  
Effective: 8/1/97

#### County boards authorized to assign duties of auditor and treasurer

HF1144 (Tunheim)  
SF951\* (Stumpf)

Chapter 89: relating to county officers; authorizing the county board to assign certain duties of the county auditor and treasurer; proposing coding for new law in *Minnesota Statutes*, chapter 375A.

Enactment: 5/6/97  
Effective: 5/7/97

#### Scott County auditor appointment

HF1148 (Wolf)  
SF1037\* (Belanger)

Chapter 90: relating to Scott County; permitting the appointment of the auditor, recorder, and treasurer; providing for a reverse referendum.

Enactment: 5/6/97  
Effective: 7/1/97



**Benton County offices modification**

HF1840 (Schumacher)

SF1669\* (Stevens)

**Chapter 91:** relating to Benton County; permitting the combining of the offices of auditor and treasurer and appointment to the combined office and to the offices of recorder and coroner; providing for completion of current terms and for a reverse referendum; providing for the reorganization of certain duties and terms of office.

Enactment: 5/6/97

Effective: 7/1/97

**Duluth Miller-Dwan Medical Center nonprofit corporation creation**

HF1379 (Huntley)

SF1146\* (Solon)

**Chapter 101:** relating to the city of Duluth; authorizing the creation of a nonprofit corporation and the transfer of all of the assets and liabilities of the Miller-Dwan Medical Center to the nonprofit corporation; requiring that the nonprofit corporation satisfy the state law requirement relating to charitable trusts.

Enactment: 5/6/97

Effective: Upon local approval

**Wastewater treatment facility privatization ownership restrictions modified**

HF713 (Koskinen)

SF525\* (Pappas)

**Chapter 111:** relating to public administration; modifying ownership restrictions for privatization of capital intensive public services; providing for the nonpublic status of internal competitive proposals; amending *Minnesota Statutes 1996*, sections 13.37; 471A.02, subdivisions 6, 11, and 13; 471A.03, subdivision 3; and 471A.10.

Enactment: 5/8/97

Effective: 5/9/97

**Displaced public employees' rights**

HF1078 (Koskinen)

SF854\* (Higgins)

**Chapter 116:** relating to public employment; providing rights and procedures for certain public employees of local government units who are displaced as a result of a transfer of the provision of services from one local government unit to another local government unit; proposing coding for new law in *Minnesota Statutes*, chapter 465.

Vetoed: 5/9/97

**Municipal bankruptcy filing authorized**

HF512\* (Rest)

SF388 (Hottinger)

**Chapter 148:** relating to municipalities; authorizing bankruptcy filing; proposing coding for new law in *Minnesota Statutes*, chapter 471.

Enactment: 5/13/97

Effective: 5/14/97

**Metro transit police officers**

HF282\* (Stanek)

SF470 (Wiger)

**Chapter 149:** relating to the Metropolitan Council; providing for appointment, discharge, and discipline of metropolitan transit police peace officers; providing an exception; amending *Minnesota Statutes 1996*, sections 473.125; 473.407, subdivision 4, and by adding a subdivision; and 626.84, subdivision 1.

Enactment: 5/15/97

Effective: 5/16/97 (Secs. 1, 2, 4, 5); 1/1/98 (Sec. 3)

**Elected Metropolitan Council**

HF423\* (Orfield)

SF175 (Flynn)

**Chapter 151:** relating to elections; providing a change of address system for registered voters; amending *Minnesota Statutes 1996*, section 201.13, subdivision 3.

Vetoed: 5/15/97

**Washington County appointed auditor permitted**

HF658 (Marko)

SF612\* (Wiger)

**Chapter 153:** relating to local government; permitting the appointment of the Washington County recorder and auditor/treasurer; limiting the effect of a general law on the city of St. Paul.

Enactment: 5/15/97

Effective: Upon local approval

**Hennepin County Housing and Redevelopment Authority procedures modified**

HF1755\* (Jefferson)

SF1584 (Kelley)

**Chapter 165:** relating to local government; providing for procedures between the county housing and redevelopment authority and certain municipalities and municipal authorities; expanding authority of regional rail authorities; providing for contamination

cleanup and rail improvement; amending *Minnesota Statutes 1996*, sections 383B.77, subdivision 2; and 398A.04, subdivision 1.  
Vetoed: 5/19/97

**Municipal road snow, ice removal vote**

HF1313 (Dehler)

SF1266\* (Vickerman)

**Chapter 170:** relating to local government; authorizing town electors to require the removal of snow or ice from town roads in certain circumstances; proposing coding for new law in *Minnesota Statutes*, chapter 366.

Enactment: 5/19/97

Effective: 8/1/97

**Metropolitan Council wastewater services cost allocation modification**

HF857 (Rhodes)

SF735\* (Robling)

**Chapter 181:** relating to metropolitan government; modifying the Metropolitan Council cost allocation method for wastewater services; amending *Minnesota Statutes 1996*, sections 473.511, subdivision 4; 473.517; and 473.519.

Enactment: 5/19/97

Effective: 5/20/97 (Sec. 1); 1/1/98 (Sec. 2, 3)

**St. Louis County court bailiffs added to unclassified service**

HF1291 (Tomassoni)

SF1423\* (Janezich)

**Chapter 188:** relating to St. Louis County; adding court bailiffs to the unclassified service; authorizing the town of Breitung to convey certain real property for nominal or other consideration; amending *Minnesota Statutes 1996*, section 383C.035.

Enactment: 5/20/97

Effective: 5/21/97 (Sec. 2); 8/1/97 (Sec. 1)

**County permit issuance injury liability provisions modified**

HF1620 (Kinkel)

SF1833\* (Ten Eyck)

**Chapter 204:** relating to counties; providing that issuance of a certain permit does not make a county liable for certain injuries; amending *Minnesota Statutes 1996*, section 86B.121.

Enactment: 5/22/97

Effective: 8/1/97



## REGULATED INDUSTRIES & ENERGY

### Nashwauk gas utility establishment authority

HF640 (Solberg)

SF504\* (Lessard)

Chapter 21: relating to local government; permitting the city of Nashwauk to own and operate a gas utility.

Enactment: 4/8/97

Effective: Upon local approval

### Natural gas public utilities performance regulation plans

HF281\* (Jennings)

SF147 (Novak)

Chapter 25: relating to utilities; providing performance regulation plans for gas utility services; amending *Minnesota Statutes 1996*, section 216B.16, by adding a subdivision; proposing coding for new law in *Minnesota Statutes*, chapter 216B.

Enactment: 4/8/97

Effective: 8/1/97; 1/1/06 (expires)

### Telecommunication company slamming, loading prohibited

HF1123\* (Delmont)

SF1156 (Johnson, J.B.)

Chapter 68: relating to telecommunications; establishing the practices of slamming and loading as consumer fraud; providing penalties and remedies; making permanent the requirement to disclose local telecommunications service options; amending *Minnesota Statutes 1996*, sections 237.121; 237.16, subdivision 5; 237.5799; and 237.66, by adding a subdivision; proposing coding for new law in *Minnesota Statutes*, chapter 325F.

Enactment: 4/29/97

Effective: 4/30/97

### Utility deposit interest payments regulated

HF1287 (Delmont)

SF156\* (Sams)

Chapter 121: relating to consumer protection; regulating interest payments on utility deposits; amending *Minnesota Statutes 1996*, section 325E.02.

Enactment: 5/8/97

Effective: 8/1/96 (applies on or after)

### Public right-of-way telecommunication services use control

HF322 (Jennings)

SF442\* (Novak)

Chapter 123: relating to utilities; modifying provisions relating to municipal utilities, cooperative electric cooperatives, and natural gas pipelines; regulating use of public rights-of-way by telecommunications carriers; creating task force; requiring rulemaking; amending *Minnesota Statutes 1996*, sections 237.04; 237.16, subdivision 1; and 237.74, subdivision 5; proposing coding for new law in *Minnesota Statutes*, chapters 237; and 238; repealing *Minnesota Statutes 1996*, section 237.163, subdivision 5.

Enactment: 5/9/97

Effective: Various dates

### Lawful gambling profit expenditure provisions modified

HF700 (Delmont)

SF566\* (Vickerman)

Chapter 155: relating to lawful gambling; authorizing certain groupings of paddleticket cards; authorizing certain lawful purpose expenditures; increasing percentage of lawful gambling gross profits that may be spent for expenses; restricting authority of gambling control board to impose sanctions against lawful gambling premises permits for illegal gambling; increasing maximum bingo prices; authorizing certain social skill games; amending *Minnesota Statutes 1996*, sections 297E.04, subdivision 3; 349.12, subdivisions 25 and 26a; 349.15, subdivision 1; 349.155, by adding a subdivision; 349.16, by adding a subdivision; 349.163, subdivision 8; 349.211, subdivisions 1 and 2; and 609.761, by adding a subdivision.

Enactment: 5/15/97

Effective: 5/16/97

### Wind, biomass power purchase provided

HF1508 (Kubly)

SF1328\* (Johnson, D.E.)

Chapter 176: relating to renewable energy; providing for action by the Public Utilities Commission on purchases of wind and biomass power; exempting certain plants from certificate of need proceedings; requiring a study; amending *Minnesota Statutes 1996*, section 216B.2422, subdivision 5; proposing coding for new law in *Minnesota Statutes*, chapter 216B.

Enactment: 5/19/97

Effective: 8/1/97

### Electric Energy Task Force reorganization

HF1299 (Jennings)

SF1820\* (Novak)

Chapter 191: relating to energy; providing for customer-specific terms in electric utility service contracts; modifying provisions relating to the Legislative Electric Energy Task Force; requiring study on restructuring the electric industry; allowing exception to prohibition on natural gas outdoor lighting; exempting property that produces hydroelectric or hydromechanical power on federal land from property taxation; requiring reports on mercury emissions resulting from generation of electricity; amending *Minnesota Statutes 1996*, sections 216B.05; 216B.162, subdivisions 1, 4, and by adding subdivisions; 216C.051, subdivisions 2 and 6; 216C.19, subdivision 5; 272.02, subdivision 1; and 295.44, subdivision 1; proposing coding for new law in *Minnesota Statutes*, chapter 116.

Enactment: 5/20/97

Effective: Various dates

### Excavation notification planning provisions

HF1370\* (Anderson, I.)

SF546 (Novak)

Chapter 196: relating to excavation notification; requiring notice of underground facilities in drawings for bid specifications; amending *Minnesota Statutes 1996*, section 216D.04, by adding a subdivision.

Enactment: 5/20/97

Effective: 8/1/97

### Large electric power plants certificate of need proceeding exemptions

HF704\* (Ozment)

SF1289 (Johnson, D.H.)

Chapter 198: relating to utilities; exempting large electric power generating plant from certificate of need proceeding when selected by Public Utilities Commission from a bidding process to select resources to meet utility's projected energy demand; amending *Minnesota Statutes 1996*, section 216B.2422, subdivision 5.

Enactment: 5/20/97

Effective: 8/1/97

### Telecommunication services purchasing cooperatives

HF854 (Clark)  
SF555\* (Kelley)

**Chapter 208:** relating to telecommunications; authorizing creation of telecommunication services purchasing cooperatives; amending *Minnesota Statutes 1996*, section 237.065; proposing coding for new law in *Minnesota Statutes*, chapter 308A.

**Enactment:** 5/22/97 Filed without signature  
**Effective:** 8/1/97

### Telecommunications regulation

HF1172 (Jennings)  
SF739\* (Kelley)

**Chapter 223:** relating to telecommunications; providing policies to carry out the state's role in telecommunications regulation; providing for a state policy encouraging high speed telecommunication services and greater capacity for services; providing for a single statewide local access and transport area (LATA); amending *Minnesota Statutes 1996*, sections 8.33, subdivision 2; 237.12, by adding a subdivision; 237.121; 237.16, subdivision 9; 237.761, subdivisions 4 and 8; 237.762, subdivisions 1, 3, and by adding a subdivision; 237.764, subdivision 1; 237.765; 237.766; and 237.769; proposing coding for new law in *Minnesota Statutes*, chapter 237.

**Enactment:** 5/30/97  
**Effective:** 5/31/97

### Municipal cooperative electric utilities joint venture

HF1464 (Juhnke)  
SF1419\* (Johnson, D.E.)

**Chapter 232:** relating to utilities; authorizing a municipal and cooperative utility to form joint ventures for the provision of utility services; amending Laws 1996, chapter 300, section 1.

**Enactment:** 6/2/97  
**Effective:** Various dates

### Telephone assistance plan eligibility expansion

HF853 (Clark)  
SF740\* (Kelley)

**Chapter 234:** relating to utilities; requiring a review of the state telephone assistance program; establishing pilot programs for voice messaging assistance.

**Enactment:** 6/2/97  
**Effective:** 6/3/97



## RULES & LEGISLATIVE ADMINISTRATION

### Revisor's bill

HF2203 (Skoglund)  
SF1955\* (Ranum)

**Chapter 251:** relating to legislative enactments; correcting miscellaneous noncontroversial oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending *Minnesota Statutes 1996*, sections 115.55, subdivision 5, as amended; 124.918, subdivision 1; 168B.07, subdivision 1, as amended; 171.041, as amended; 242.32, subdivision 4, as added; 256.9355, subdivision 4, as amended; 275.08, by adding a subdivision; 290.9725, as amended; 295.52, subdivision 7, as added; 297A.15, subdivision 7, as amended; and 352.96, subdivision 2; Laws 1997, chapter 121, section 2; Senate File 1208, articles 3, sections 23 and 24; and 4, section 2, subdivision 7; Senate File 1905, article 1, section 19; and Senate File 1908, article 1, section 3, subdivision 1; House File 1684, article 9, section 12, subdivision 6; House File 2158, article 1, sections 2, subdivision 2; 17, subdivision 5; and 25; and House File 2163, articles 1, section 12; 2, section 52; 8, section 17; 9, section 5, subdivision 2; and 16, sections 13, subdivision 3; and 14, subdivisions 1 and 4.

**Enactment:** 6/3/97  
**Effective:** Various dates



## TAXES\*

### Tax provisions technical corrections, administrative changes

HF293\* (Johnson, A.)  
SF216 (Belanger)

**Chapter 31:** relating to taxation; making technical and administrative changes and corrections; amending *Minnesota Statutes 1996*, sections 60A.15, subdivision 2a; 60E.04, subdivision 4; 69.021, subdivision 2; 270.07,

subdivision 3; 272.02, subdivision 4; 272.04, subdivision 1; 273.032; 273.124, subdivisions 1 and 13; 273.1392; 273.1398, subdivision 1; 275.011, subdivision 1; 275.065, subdivision 3; 275.295, subdivision 3; 276A.01, subdivision 7; 277.21, subdivision 3; 287.22; 289A.01; 289A.08, subdivision 11; 289A.09, subdivision 2; 289A.10, subdivision 1; 289A.11, subdivision 1; 289A.18, subdivision 2; 289A.19, subdivisions 1, 2, 3, and 4; 289A.35; 289A.38, subdivision 7; 289A.65, subdivision 1; 290.01, subdivisions 2 and 4a; 290.06, subdivision 22; 290.17, subdivision 2; 290.92, subdivision 24; 290A.04, subdivision 6; 295.50, subdivisions 3, 4, 7, 13, and by adding a subdivision; 295.51, subdivision 1; 295.52, subdivision 1b; 295.53, subdivisions 1, 3, and 5; 295.54, subdivision 1; 295.582; 297A.01, subdivision 1; 297A.09; 297A.12; 297A.14, subdivision 4; 297A.22; 297A.23; 297A.25, subdivisions 1, 2, 3, 6, 8, 9, 11, 16, 17, 18, 19, 20, 21, 23, 26, 27, 28, 29, 30, 34, 35, 38, 39, 40, 41, 42, 43, 46, 49, 51, 52, 53, 57, and 61; 297A.256, subdivision 1; 297A.44, subdivision 1; 297B.03; 297B.035, subdivision 3; 297B.11; 299F.21, subdivision 2; 414.033, subdivisions 7 and 12; 469.177, subdivision 9; 473.388, subdivision 7; and 473F.02, subdivision 7.

**Enactment:** 4/15/97  
**Effective:** Various dates

### Income tax filing extension for flood disaster area residents

HF2132\* (Tunheim)  
SF1904 (Stumpf)

**Chapter 34:** relating to taxation; providing an extension of time to file and pay certain state taxes for residents in a flood disaster area.

**Enactment:** 4/15/97  
**Effective:** 4/16/97

### Tax bill

HF807\* (Olson, E.)  
SF456 (Belanger)

**Chapter 84:** relating to taxation; making policy changes to income and withholding taxes, property taxes, mortgage registry and deed taxes, sales and use taxes, MinnesotaCare taxes, and tax collections; providing civil penalties; amending *Minnesota Statutes 1996*, sections 8.30; 60A.15, subdivision 1; 270.02, subdivision 3; 270.063; 270.10, subdivisions 1 and 5; 270.101, subdivisions 2, 3, and by adding a subdivision; 270.271, by adding a subdivision; 270.273, subdivision 2; 270.276, subdivision 2; 270.67, subdivision 2; 270.68, subdivision 1; 270.69, subdivision 11; 270.701, subdivisions 2 and 5; 270.708, subdivision 1;

\* See also Ways & Means

270.721; 270.73, subdivision 1; 271.06, subdivision 2; 271.08, subdivision 1; 271.10, subdivision 2; 275.075; 287.08; 287.28; 287.31, subdivision 1; 289A.08, subdivision 3; 289A.09, subdivision 2; 289A.20, subdivisions 1 and 2; 289A.31, subdivision 1; 289A.36, subdivision 4; 289A.37, subdivision 1; 289A.40, subdivisions 1 and 2; 289A.60, subdivision 15; 290.095, subdivision 3; 290.17, subdivision 2; 290.35, subdivision 2; 290A.04, subdivision 2h; 295.50, subdivisions 3 and 14; 295.52, subdivision 4; 295.53, subdivision 4; 295.55, subdivision 2; 297A.01, by adding a subdivision; 297A.041; 297A.07, subdivision 3; 297A.24, by adding a subdivision; 297A.25, subdivisions 12 and 41; 297A.45, subdivision 4; 297B.035, subdivision 3; 297B.11; 299F.21; 515B.1-105; and 515B.1-116; Laws 1995, chapter 264, article 10, section 15; proposing coding for new law in *Minnesota Statutes*, chapters 270; and 287. Enactment: 5/2/97  
Effective: Various dates

#### Tenants' police, emergency assistance right

HF686\* (Paymar)  
SF756 (Johnson, D.H.)

Chapter 133: relating to landlord and tenant; prohibiting landlords from penalizing tenants solely for seeking police or emergency assistance; superseding inconsistent local regulation; authorizing the attorney general to investigate and prosecute violations; providing civil penalties; proposing coding for new law in *Minnesota Statutes*, chapter 504.

Enactment: 5/12/97  
Effective: 7/1/97

#### Early childhood and family education appropriations

HF2147\* (Kinkel)  
SF1858 (Piper)

Chapter 162: relating to family and early childhood education; providing for community and prevention programs; promoting self-sufficiency; providing for child care; establishing grant programs; appropriating money; amending *Minnesota Statutes 1996*, sections 12.21, subdivision 3; 15.53, subdivision 2; 119A.01, subdivision 3; 119A.04, subdivision 6, and by adding a subdivision; 119A.13, subdivisions 2, 3, and 4; 119A.14; 119A.15, subdivisions 2, 5, and by adding a subdivision; 119A.16; 119A.31, subdivision 1; 119B.01, subdivisions 8, 9, 12, 15, 16, 17, and by adding subdivisions; 119B.02; 119B.03, subdivisions 3, 4, 5, 6, 7, 8, and by adding subdivisions; 119B.04; 119B.05, subdivi-

sions 1, 5, 6, and by adding a subdivision; 119B.07; 119B.08, subdivisions 1 and 3; 119B.09, subdivisions 1, 2, and by adding subdivisions; 119B.10, subdivision 1; 119B.11, subdivisions 1, 3, and by adding a subdivision; 119B.12; 119B.13, subdivision 1, and by adding subdivisions; 119B.15; 119B.16, subdivision 1; 119B.18, by adding a subdivision; 119B.20, subdivisions 7, 9, and 10; 119B.21, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11; 120.05, subdivision 2; 121.11, by adding a subdivision; 121.831, subdivisions 3 and 4; 121.8355, subdivision 1; 121.88, subdivisions 1, 10, and by adding a subdivision; 121.882, subdivision 2; 124.17, subdivision 2e; 124.26, subdivision 2; 124.2601, subdivisions 3, 4, 5, and 6; 124.261, subdivision 1; 124.2615, subdivisions 1 and 2; 124.2711, subdivisions 1 and 2a; 124.2713, subdivisions 6 and 8; 124.2716, subdivision 3; 268.53, subdivision 5; 268.912; 268.913, subdivisions 2 and 4; 268.914, subdivision 1; and 517.08, subdivision 1c; Laws 1996, chapter 463, section 4, subdivision 2, as amended; proposing coding for new law in *Minnesota Statutes*, chapters 119A; and 119B; repealing *Minnesota Statutes 1996*, sections 119B.03, subdivision 7; 119B.05, subdivisions 2 and 3; 119B.11, subdivision 2; 119B.19, subdivision 2; 119B.21, subdivision 7; 121.8355, subdivision 1a; and 268.913, subdivision 5. Enactment: 5/16/97  
Effective: 7/1/97

#### Bonding authority allocation provisions modifications

HF1996 (Rest)  
SF1697\* (Pogemiller)

Chapter 169: relating to public finance; updating and clarifying bond allocation provisions; amending *Minnesota Statutes 1996*, sections 474A.03, subdivisions 1 and 2a; 474A.04, subdivision 1a; 474A.047, subdivision 1; 474A.061, subdivision 2b; 474A.091, subdivisions 3 and 6; and 474A.131, subdivisions 1 and 1a. Enactment: 5/19/97  
Effective: 8/1/97

#### Motor vehicle rental fee imposition authority

HF1888 (Milbert)  
SF1023\* (Murphy)

Chapter 190: relating to taxation; authorizing a fee on motor vehicle rentals to compensate for the cost of the registration of the vehicle; proposing coding for new law in *Minnesota Statutes*, chapter 168. Enactment: 5/20/97  
Effective: 8/1/97

#### Public finance provisions modifications

HF1995 (Rest)  
SF1754\* (Pogemiller)  
Chapter 219: relating to public finance; modifying provisions relating to the issuance of debt and the use and investment of public funds; amending *Minnesota Statutes 1996*, sections 118A.05, subdivision 4; 136A.32, subdivision 7; 373.40, subdivision 7; 414.067, subdivision 2; 429.021, subdivision 1; 447.45, subdivision 2; 469.0171; 471.981, by adding a subdivision; and 641.23; proposing coding for new law in *Minnesota Statutes*, chapters 465; and 475. Enactment: 5/30/97  
Effective: 5/31/97



## TRANSPORTATION & TRANSIT

#### Minnesota ID cards for minors

HF40 (Leppik)  
SF129\* (Robertson)  
Chapter 13: relating to driver's licenses; providing for Under-21 Minnesota identification cards; amending *Minnesota Statutes 1996*, sections 171.06, subdivision 2; and 171.07, subdivisions 3 and 4. Enactment: 3/19/97  
Effective: 8/1/97

#### Commercial driver's license requirements exemption for snowplows

HF90\* (Lieder)  
SF61 (Johnson, J.B.)  
Chapter 35: relating to driver's licenses; allowing exemption from commercial driver's license requirement for certain snowplow operators; amending *Minnesota Statutes 1996*, section 171.02, by adding a subdivision. Enactment: 4/16/97  
Effective: 4/17/97

#### Farm worker driver's license exemptions

HF768 (Westrom)  
SF475\* (Vickerman)  
Chapter 48: relating to driver's licenses; exempting applicants for farm work licenses from minimum six-month permit posses-

sion requirement; amending *Minnesota Statutes 1996*, section 171.041.  
Enactment: 4/23/97  
Effective: 4/24/97

#### Trunk Highway 19 designated memorial highway

HF385 (Swenson, H.)  
SF539\* (Frederickson)  
Chapter 51: relating to highways; modifying designation of the George Mann memorial highway; designating the Augie Mueller and Don Rickers memorial highways; designating the Ruby L. Hughes Boulevard; amending *Minnesota Statutes 1996*, section 161.14, subdivision 21, and by adding subdivisions.  
Enactment: 4/23/97  
Effective: 8/1/97

#### Driver's license health care directives designation

HF179\* (Bishop)  
SF178 (Ranum)  
Chapter 60: relating to driver's licenses; providing for designation of advance health care directives on driver's licenses and Minnesota identification cards; amending *Minnesota Statutes 1996*, sections 171.06, subdivision 3; and 171.07, subdivision 7.  
Enactment: 4/28/97  
Effective: 1/1/98

#### Designated caregiver agreement execution, consent agreements modified

HF626 (Luther)  
SF432\* (Hanson)  
Chapter 65: relating to children; modifying execution and consent requirements for designated caregiver agreements; amending *Minnesota Statutes 1996*, sections 171.07, subdivision 11; 257A.01, subdivision 2, and by adding a subdivision; and 257A.03, subdivision 2.  
Enactment: 4/28/97  
Effective: 8/1/97

#### Faribault Trunk Highway 218 easement transfer requirement

HF591\* (Boudreau)  
SF578 (Neuville)  
Chapter 67: relating to highways; requiring the commissioner of transportation to transfer certain easements to the city of Faribault; authorizing the commissioner of transportation to transfer certain excess property.  
Enactment: 4/29/97  
Effective: Upon local approval

#### Impounded vehicle notice required within 10 days

HF1223 (Rest)  
SF1025\* (Junge)  
Chapter 70: relating to motor vehicles; changing notice period relating to impounded vehicles in custody; amending *Minnesota Statutes 1996*, section 168B.06, subdivision 1.  
Enactment: 4/29/97  
Effective: 8/1/97

#### Snow plowing vehicles seasonal over width permits

HF1243 (Tingelstad)  
SF1179\* (Hanson)  
Chapter 114: relating to traffic regulations; authorizing state and local authorities to issue annual overwidth permits for certain snowplowing vehicles; amending *Minnesota Statutes 1996*, section 169.86, subdivision 5, and by adding a subdivision.  
Enactment: 5/8/97  
Effective: 5/9/97

#### Motor vehicle transfer notice time limit reduction

HF609 (Erhardt)  
SF1404\* (Robling)  
Chapter 135: relating to motor vehicles; requiring vehicle buyer to notify registrar of motor vehicles of vehicle transfer within ten days; imposing fees and penalties; amending *Minnesota Statutes 1996*, sections 168.101, subdivision 2; and 168.15, subdivision 1; proposing coding for new law in *Minnesota Statutes*, chapter 168; repealing *Minnesota Statutes 1996*, section 168A.10, subdivision 6.  
Enactment: 5/12/97  
Effective: 8/1/97

#### Highway revolving loan account project funding

HF723 (Marko)  
SF1097\* (Pappas)  
Chapter 141: relating to transportation; creating revolving loan accounts for trunk highways, county state-aid highways, and municipal state-aid streets; creating transportation revolving loan fund for federally eligible transportation projects, managed by public facilities authority; adding commissioner of transportation as member of the authority; creating transportation committee; providing for rulemaking; amending *Minnesota Statutes 1996*, sections 161.04, by adding a subdivision; 162.06, by adding a subdivision; 162.07, subdivision 1; 162.12, by adding a subdivision; 162.13, subdivision 1; 446A.03, subdivision 1; and 446A.04, subdivision 5;

proposing coding for new law in *Minnesota Statutes*, chapters 162; and 446A.  
Enactment: 5/12/97  
Effective: Various dates

#### Speed limits

HF458 (Juhnke)  
SF724\* (Johnson, J.B.)  
Chapter 143: relating to transportation; exempting certain roads, streets, and highways from noise standards; clarifying that specific service signs may be placed at certain intersections of trunk highways; modifying provisions relating to implements of husbandry; defining residential roadway; defining daytime and nighttime; setting speed limits; directing the commissioner of transportation to determine cost reimbursement policies; correcting obsolete reference; directing commissioner of transportation to study and prepare a report proposing a comprehensive, statewide highway access management policy; directing transfer of ownership of licenses for public safety radio system frequencies; modifying requirements for Highway 280 noise barrier; providing civil penalties; amending *Minnesota Statutes 1996*, sections 116.07, subdivision 2a; 160.292, subdivision 5; 168.012, subdivision 2; 168A.01, subdivision 8; 169.01, subdivisions 55 and 81, and by adding subdivisions; 169.14, subdivisions 2, 3, and 5d; 169.145; 169.17; 169.522, subdivision 1; 169.801, subdivision 1; 174.23, by adding a subdivision; and 473.894, subdivision 3; Laws 1994, chapter 635, article 1, section 35; repealing *Minnesota Statutes 1996*, section 169.14, subdivision 4a; *Minnesota Rules*, parts 8840.0100; 8840.0200; 8840.0300; 8840.0400; 8840.0500; 8840.0600; 8840.0700; 8840.0800; 8840.0900; 8840.1000; 8840.1100; 8840.1200; and 8840.1300.  
Enactment: 6/3/97  
Effective: 8/1/97

#### Transportation bill

HF0 (Lieder)  
SF1881\* (Johnson, J.B.)  
Chapter 159: relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; regulating certain activities and practices; providing for fees; establishing revolving account; requiring studies; amending *Minnesota Statutes 1996*, sections 16B.335, subdivision 1; 161.082, by adding a subdivision; 161.14, subdivision 29; 162.09, subdivision 4; 162.181, subdivisions 1 and 3; 168.011, subdivision 9; 168.018; 168.1291, subdivi-

sion 1; 168.27, subdivision 5a; 168A.29, subdivision 1; 169.01, subdivision 78; 169.045, subdivision 1; 169.06, subdivision 4; 169.14, subdivisions 3 and 5a; 169.17; 169.21, subdivision 2; 169.444, subdivisions 2, 5, 6, 7, and by adding a subdivision; 169.81, subdivision 3c; 169.85; 169.974, subdivision 2; 171.06, subdivision 2a; 171.13, subdivision 5, and by adding a subdivision; 171.29, subdivision 2; 173.13, subdivision 4; 174.03, by adding a subdivision; 221.84, subdivision 1; 296.16, subdivision 1; 299A.38, subdivision 2, and by adding a subdivision; 299C.10, subdivision 4; 299C.46, subdivision 3, and by adding a subdivision; 360.017, subdivision 1; 457A.04, subdivision 2; 473.408, subdivision 7; and 473.446, subdivision 1a; proposing coding for new law in *Minnesota Statutes*, chapters 168; 299A; and 360; repealing *Minnesota Statutes 1996*, section 299D.10.

Enactment: 5/16/97

Effective: Various dates

### Motor carriers regulations modifications

HF241\* (Mullery)

SF1096 (Sams)

**Chapter 230:** relating to motor carriers; allowing personnel of departments of transportation and public safety to conduct joint or combined audits of motor carrier records; requiring commissioner of public safety to provide commissioner of transportation information on traffic accidents involving commercial motor vehicles; providing for enforcement authority of personnel of departments of transportation and public safety relating to motor carriers; modifying requirements to obtain restricted driver's license for farm work; conforming state statutes to federal motor carrier safety regulations; providing for the reauthorization of the uniform hazardous materials registration and permit program for an additional year; authorizing commissioner of transportation to accept electronic signatures for electronically transmitted motor carrier documents; providing immunity from civil liability for certain disclosures by motor carrier employers; providing for hazardous waste transporter licensing under state law; amending *Minnesota Statutes 1996*, sections 168.187, subdivision 20; 169.09, subdivision 13; 169.85; 169.871, subdivisions 1 and 1a; 171.041, as amended; 221.0314, subdivisions 1, 2, 6, 7, 9, 10, and 11; 221.0355, subdivisions 5 and 15; 221.221, subdivisions 2 and 4; 296.17, subdivision 18; 296.171, subdivision 4; and 299D.06; Laws 1994, chapter 589, section 8, as amended;

proposing coding for new law in *Minnesota Statutes*, chapter 221.

Enactment: 6/2/97

Effective: 8/1/97

### Collector motor vehicle single license plate

HF454\* (Johnson, A.)

SF397 (Flynn)

**Chapter 240:** relating to motor vehicles; allowing issuance and display of single license plate for collector vehicles and vehicles that meet collector vehicle requirements but are used for general transportation purposes; amending *Minnesota Statutes 1996*, sections 168.10, subdivisions 1a, 1b, 1c, and 1d; and 169.79.

Enactment: 6/3/97

Effective: 6/1/97

### Motor vehicle, driver's license provisions

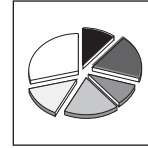
HF242 (Juhnke)

SF435\* (Foley)

**Chapter 250:** relating to motor vehicles; making technical change to clarify that pickup truck with slip in camper may be registered depending upon its weight; providing registration tax refund for total loss vehicle damaged by flood; eliminating in 2009 the authority for the appointment of corporations as deputy registrars; restricting telephonic access to certain information related to vehicle registration; allowing vehicle dealers 21 days to send purchase receipt to department of public safety if vehicle not sold; providing for display of fleet vehicle license plates; removing sunset date relating to recreational vehicle combination length; allowing waiver of six-month possession requirement for driver's instruction permit in limited cases; providing for driver's license agents; requiring adoption of rules; requiring study and report on deputy registrar costs; amending *Minnesota Statutes 1996*, sections 168.011, subdivision 25; 168.16; 168.33, subdivision 2; 168.345, subdivision 1; 168A.11, subdivision 2; 169.79; 169.81, subdivision 3c; 171.05, subdivision 2a; 171.06, subdivision 4; 373.33; and 373.35, subdivision 1; proposing coding for new law in *Minnesota Statutes*, chapter 171; repealing *Minnesota Statutes 1996*, section 171.06, subdivision 4.

Enactment: 6/3/97

Effective: Various dates



## WAYS & MEANS

### Payment of claims against state

HF105 (Olson, E.)

SF85\* (Kelly)

**Chapter 17:** relating to claims; providing for payment of certain claims against the state; increasing a limit on settlements; adding claims to the Revenue Recapture Act; appropriating money; amending *Minnesota Statutes 1996*, sections 3.732, subdivision 2; and 270A.03, subdivision 7.

Enactment: 4/3/97

Effective: 4/4/97

### Flood related disaster relief provided, money appropriated

HF2129 (Peterson)

SF1894\* (Moe)

**Chapter 105:** relating to flood relief; providing an exception to the nursing home moratorium; providing for early payment of state aids to local governments; providing certain temporary authority, waivers, and transfers due to the flood situation; appropriating money; amending *Minnesota Statutes 1996*, section 144A.071, subdivision 4a.

Enactment: 5/6/97

Effective: 5/7/97

### Omnibus higher ed appropriations

HF0 (Pelowski)

SF1888\* (Stumpf)

**Chapter 183:** relating to education; appropriating money for education and related purposes to the higher education services office, board of trustees of the Minnesota state colleges and universities, board of regents of the University of Minnesota, and the Mayo Medical Foundation, with certain conditions; establishing and modifying programs that promote college affordability; providing for agriculture education; clarifying the role of the higher education services office; making technical changes related to the post-secondary merger; increasing the higher education facilities authority bonding authority; modifying certain conditions for the Minnesota state colleges and universities; prescribing uses for the permanent university fund; extending the repeal of the farmer-lender mediation act; permitting certain land con-

veyances; placing a condition on referenda by campus student associations; establishing the Minnesota Virtual University, a roundtable on vocational technical education, and an agriculture education leadership council; amending *Minnesota Statutes 1996*, sections 16A.69, subdivision 2; 125.1385, subdivision 2; 126.56, subdivisions 2, 4a, and 7; 135A.052, subdivision 1; 136A.03; 136A.101, by adding a subdivision; 136A.121, subdivisions 5 and 9a; 136A.125, subdivision 4; 136A.1355; 136A.136, subdivision 2; 136A.16, subdivision 8, and by adding subdivisions; 136A.171; 136A.173, subdivision 3; 136A.233, subdivisions 2, 3, and by adding a subdivision; 136A.29, subdivision 9; 136F.28, subdivision 2; 136F.32; 136F.49; 136F.581, subdivision 2; 136F.72, subdivision 1; 136F.80; 137.022, subdivision 2; 181.06, subdivision 2; 216C.27, subdivision 7; and 583.22, subdivision 5; Laws 1986, chapter 398, article 1, section 18, as amended; Laws 1994, chapter 643, section 19, subdivision 9, as amended; Laws 1996, chapter 366, section 6; and Laws 1997, chapter 32, by adding a section; proposing coding for new law in *Minnesota Statutes*, chapters 16A; 136A; and 136F; proposing coding for new law as *Minnesota Statutes*, chapter 41D; repealing *Minnesota Statutes 1996*, sections 126.113 and 137.41; Laws 1995, chapter 212, article 4, section 34; and Laws 1995, First Special Session chapter 2, article 1, sections 35 and 36.  
Enactment: 5/20/97

**Line-item veto:**

Page 3, Art. 1, Sec. 2, Lines 35-57

Effective: 5/21/97 (Secs. 21, 29, 31); 7/1/97

**Omnibus economic development and housing bill**

HF2158\* (Jaros)

SF1909 (Beckman)

**Chapter 200:** relating to the organization and operation of state government; appropriating money for economic development and certain agencies of state government; establishing and modifying certain programs; providing for regulation of certain activities and practices; standardizing certain licensing service fees; establishing and modifying certain fees; modifying housing programs; establishing a task force; providing for a manufactured home park to be a conditional use; requiring reports; modifying definitions; amending *Minnesota Statutes 1996*, sections 44A.01, subdivision 2; 60A.23, subdivision 8; 60A.71, by adding a subdivision; 60K.06, subdivision 2; 65B.48, subdivision 3;

72B.04, subdivision 10; 79.253, subdivision 1; 79.255, by adding a subdivision; 82.21, subdivision 1; 82B.09, subdivision 1; 115B.03, subdivision 5; 115C.021, by adding a subdivision; 115C.03, subdivision 9; 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 115C.13; 116J.01, subdivision 5; 116J.552, subdivision 4; 116J.615, subdivision 1; 116L.04, subdivision 1, and by adding a subdivision; 116O.05, by adding a subdivision; 116O.122, subdivision 1; 155A.045, subdivision 1; 176.181, subdivision 2a; 268.38, subdivision 7; 268.672, subdivision 6, and by adding subdivisions; 268.673, subdivisions 3, 4a, and 5; 268.6751, subdivision 1; 268.677, subdivision 1; 268.681; 268.917; 268A.15, subdivisions 2, 6, and by adding subdivisions; 298.22, by adding a subdivision; 326.86, subdivision 1; 394.25, by adding a subdivision; 446A.04, subdivision 5; 446A.081, subdivisions 1, 4, and 9; 446A.12, subdivision 1; 462.357, by adding a subdivision; 462A.05, subdivisions 14d, 30, 39, and by adding a subdivision; 462A.13; 462A.201, subdivision 2; 462A.205; 462A.206, subdivisions 2 and 4; 462A.207, subdivisions 1, 2, 3, 4, and 6; 462A.21, subdivision 12a; and 469.305, subdivision 1; Laws 1997, chapter 85, article 1, section 39, subdivision 4; proposing coding for new law in *Minnesota Statutes*, chapters 45; 79; 116J; 116L; 268; 366; 462A; and 469; repealing *Minnesota Statutes 1996*, sections 116J.581; 116J.990, subdivision 7; 268.39; 268.672, subdivision 4; 268.673, subdivision 6; 268.676; 268.677, subdivisions 2 and 3; 268.678; 268.679, subdivision 3; 462A.05, subdivision 20; 462A.206, subdivision 5; and 462A.21, subdivisions 4k, 12, and 14.  
Enactment: 5/30/97

**Line-item veto:**

Page 26, Art. 1, Sec. 24, Lines 47-56

Page 27, Art. 1, Sec. 24, Lines 1-41

Page 28, Art. 1, Sec. 24, Lines 1-2

Effective: Various dates

**Omnibus environment bill**

HF2150\* (Osthoff)

SF1907 (Morse)

**Chapter 216:** relating to the organization and operation of state government; appropriating money for environmental, natural resource, and agricultural purposes; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending *Minnesota Statutes 1996*, sections 17.03, by adding a subdivision; 17.101; 17.116, subdivisions 2 and 3; 17.4988; 17.76; 18.79, by adding a subdivi-

sion; 18C.421, subdivision 1; 18C.425, subdivisions 1, 2, 3, and 6; 18C.531, subdivision 2; 18C.551; 25.31; 25.32; 25.33, subdivisions 1, 5, 6, 9, 20, and by adding subdivisions; 25.35; 25.36; 25.37; 25.38; 25.39; 25.41, subdivision 6; 28A.08, subdivision 3; 32.103; 32.394, subdivision 11; 32.415; 41A.09, subdivision 3a; 84.027, by adding a subdivision; 84.0273; 84.0887, subdivision 2; 84.82, subdivision 3; 84.86, subdivision 1; 85.015, by adding subdivisions; 85.055, by adding a subdivision; 85A.04, subdivision 4; 86A.23; 88.79, by adding a subdivision; 92.06, subdivisions 1 and 4; 92.16, subdivision 1; 94.10, subdivision 2; 97A.015, by adding a subdivision; 97A.028, subdivisions 1 and 3; 97A.075, subdivision 1; 97A.405, subdivision 2; 97A.415, subdivision 2; 97A.475; 97B.667; 97B.715, subdivision 1; 97B.721; 97B.801; 97C.305, subdivision 1; 97C.501, subdivision 2; 97C.801; 103C.501, subdivision 6; 103F.378, subdivision 1; 115.03, by adding a subdivision; 115A.54, subdivision 2a; 115A.912, by adding a subdivision; 115A.916; 115A.932, subdivision 1; 115B.02, subdivision 16, and by adding a subdivision; 115B.17, subdivisions 14, 15, and by adding subdivisions; 115B.175, subdivisions 2 and 6a; 115B.412, subdivision 10; 115B.48, subdivisions 3 and 8; 115B.49, subdivision 4; 116.07, subdivision 4d, and by adding a subdivision; 116.92, by adding a subdivision; 116C.834, subdivision 2; 116O.09, subdivisions 2, 5, and 9; 216B.2423, by adding a subdivision; 216C.41, subdivision 1; 223.17, subdivision 3; 300.111, by adding a subdivision; 308A.101, by adding a subdivision; 308A.201, by adding a subdivision; 325E.10, subdivision 2, and by adding subdivisions; 325E.11; 325E.112, subdivision 2; 394.25, subdivision 2, and by adding a subdivision; and 462.357, subdivision 1; Laws 1995, chapter 220, section 19, subdivisions 4, as amended; and 11; proposing coding for new law in *Minnesota Statutes*, chapters 17; 25; 84; 92; 94; 115; 116; 219; and 394; repealing *Minnesota Statutes 1996*, sections 25.34; 115A.908, subdivision 3; 115A.9523; 115B.223; 115B.224; 116.991; 116.992; and 296.02, subdivision 7a; Laws 1995, chapters 77, section 3; and 220, section 21.

Enactment: 5/30/97

Effective: Various dates

## Tax bill

HF2163\* (Long)

SFO (Johnson, D.J.)

**Chapter 231:** relating to the financing and operation of state and local government; providing property tax class rate reform; dedicating future state revenues to property tax reform; providing a property tax rebate; providing for calculation of rent constituting property taxes; changing truth-in-taxation requirements; imposing levy limits on cities and counties for taxes levied in 1997 and 1998; authorizing deferral of property taxes by senior citizens; changing fiscal note requirements for state mandates; requiring periodic review of administrative rules; making miscellaneous property, income, and sales tax changes; changing and modifying the application of tax increment financing provisions; authorizing certain local governments to exercise certain powers; authorizing local tax levies, abatements, and assessments; modifying certain local aids; conforming certain income tax laws with changes in federal law; modifying certain income tax definitions and formulas; providing income tax credits; modifying the application of sales and excise taxes; exempting certain purchases from the sales tax; modifying waste management tax and minerals tax provisions; increasing the budget reserve; revising the law governing regional development commissions; modifying certain provisions relating to insurance companies; requiring studies; requiring reports; appropriating money; repealing an appropriation; amending *Minnesota Statutes 1996*, sections 6.76; 16A.152, subdivision 2; 60A.075, subdivisions 1, 8, and 9; 60A.077, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, and by adding a subdivision; 69.021, subdivision 7; 93.41; 103D.905, subdivisions 4, 5, and by adding a subdivision; 115A.554; 117.155; 121.15, by adding a subdivision; 124.195, subdivisions 7 and 10; 124.239, subdivision 5, and by adding subdivisions; 161.45, by adding a subdivision; 216B.16, by adding a subdivision; 270.60, by adding a subdivision; 270B.01, subdivision 8; 270B.02, by adding a subdivision; 270B.12, by adding a subdivision; 271.01, subdivision 5; 271.19; 272.02, subdivision 1, and by adding a subdivision; 272.115; 273.11, subdivisions 1, 1a, and 16; 273.111, subdivisions 3 and 6; 273.112, subdivisions 2, 3, and 4; 273.12; 273.121; 273.124, subdivision 1, and by adding a subdivision; 273.13, subdivisions 22, 23, 24, 25, 31, 32, and by adding a subdivision; 273.1393; 273.1398, subdivision 8; 273.18; 274.01; 274.13, by adding subdivisions; 275.065, sub-

divisions 1, 3, 5a, 6, 8, and by adding subdivisions; 275.07, subdivision 4; 275.16; 275.62, subdivision 1; 276.04, subdivision 2; 278.07; 281.13; 281.23, subdivision 6, and by adding a subdivision; 281.273; 281.276; 282.01, subdivision 8; 282.04, subdivision 1; 287.22; 289A.02, subdivision 7; 289A.56, subdivision 4; 290.01, subdivisions 19, 19a, 19b, 19c, 19d, 19f, 19g, 31, and by adding a subdivision; 290.014, subdivisions 2 and 3; 290.015, subdivisions 3 and 5; 290.06, subdivision 22, and by adding a subdivision; 290.067, subdivision 1; 290.068, subdivision 1; 290.0922, subdivision 1; 290.17, subdivisions 1 and 4; 290.191, subdivision 4; 290.371, subdivision 2; 290.92, by adding a subdivision; 290.9725; 290.9727, subdivision 1; 290.9728, subdivision 1; 290A.03, subdivisions 7, 11, and 13; 290A.04, by adding a subdivision; 290A.19; 291.005, subdivision 1; 296.141, subdivision 4; 296.18, subdivision 1; 297A.01, subdivisions 3, 4, 7, 11, and 16; 297A.09; 297A.15, subdivision 7; 297A.211, subdivision 1; 297A.25, subdivisions 2, 3, 5, 7, 11, 16, 56, 59, and by adding subdivisions; 297A.44, subdivision 1; 297B.01, subdivisions 7 and 8; 298.24, subdivision 1; 298.28, subdivision 9a, and by adding a subdivision; 298.296, subdivision 4; 298.2961, subdivision 1; 298.75, subdivisions 1, 4, and by adding a subdivision; 308A.705, subdivision 1; 325D.33, subdivision 3; 349.154, subdivision 2; 349.19, subdivision 2a; 349.191, subdivision 1b; 373.40, subdivision 7; 375.192, subdivision 2; 383A.75, subdivision 3; 398A.04, subdivision 1; 462.381; 462.383; 462.384, subdivision 5; 462.385, subdivisions 1 and 3; 462.386, subdivision 1; 462.387; 462.388; 462.389, subdivisions 1, 3, and 4; 462.39, subdivisions 2 and 3; 462.391, subdivision 5, and by adding subdivisions; 462.393; 462.394; 462.396, subdivisions 1, 3, and 4; 462.398; 465.71; 465.81, subdivisions 1 and 3; 465.82, subdivisions 1, 2, and by adding a subdivision; 465.87, subdivisions 1a and 2; 465.88; 469.012, subdivision 1; 469.033, subdivision 6; 469.040, subdivision 3; 469.169, by adding a subdivision; 469.174, subdivision 10, and by adding subdivisions; 469.175, subdivision 3; 469.176, subdivisions 1b, 4c, 4j, and 5; 469.177, subdivisions 1 and 3; 473.39, by adding a subdivision; 477A.011, subdivision 36; 477A.05; Laws 1992, chapter 511, article 2, section 52; Laws 1993, chapter 375, articles 7, section 29, and 9, sections 45, subdivisions 2, 3, 4, and by adding a subdivision, and 46, subdivision 2; Laws 1995, chapters 255, article 3, section 2, subdivision 1, as amended, and 264, article 5, sections 44, subdivision 4, as amended, and 45, subdivi-

sion 1, as amended; and Laws 1997, chapters 34, section 2, and 75, section 2; proposing coding for new law in *Minnesota Statutes*, chapters 3; 14; 16A; 273; 275; 287; 290; 297A; 383A; 383B; 458D; 462A; 465; and 469; proposing coding for new law as *Minnesota Statutes*, chapters 290B; and 297H; repealing *Minnesota Statutes 1996*, sections 3.982; 116.07, subdivision 10; 121.904, subdivision 4d; 124.2134; 270B.12, subdivision 11; 273.1317; 273.1318; 276.012; 276.20; 276.21; 290A.03, subdivisions 12a and 14; 290A.055; 290A.26; 297A.01, subdivisions 20 and 21; 297A.02, subdivision 5; 297A.45, as amended; 462.384, subdivision 7; 462.385, subdivision 2; 462.389, subdivision 5; 462.391, subdivisions 1, 2, 3, 4, 6, 7, 8, and 9; 462.392; 469.181; Laws 1995, chapter 264, article 4, as amended; and H.F. 2158, article 1, section 25, if enacted.

Enactment: 6/2/97

Effective: Various dates

June 26, 1997

## FIRST SPECIAL SESSION

**Retroactive health insurance coverage**  
HFnone

SF3\* (Kelly)

**Chapter 1:** relating to public safety; providing a retroactive effective date for the requirement that employers continue to provide health insurance coverage when a peace officer or firefighter is disabled or injured in the line of duty; providing for the availability of related appropriations.

Enactment: 6/30/97

Effective: 6/1/97 retroactive

**Omnibus DWI bill**

HFnone (Entenza)

SF1\* (Foley)

**Chapter 2:** relating to crimes; driving while impaired; creating a zero-tolerance alcohol concentration standard for school bus drivers; advancing criminal penalties and administrative sanctions for committing a DWI crime while having an alcohol concentration of 0.20 percent or more; expanding DWI laws to include snowmobiles, all-terrain vehicles, and motorboats and repealing the separate DWI laws relating to those recreational vehicles; authorizing the imposition of a penalty assessment of up to \$1,000 for persons driving motor vehicles with an alcohol concentration 0.20 percent or more; creating an enhanced gross misdemeanor-



level DWI crime and restructuring criminal penalties for DWI, including the provision of mandatory minimum periods of incarceration and home detention for repeat DWI offenders; mandating pretrial and posttrial electronic alcohol monitoring for certain offenders; advancing license plate impoundment and motor vehicles forfeiture by one offense; providing an administrative process for forfeiture and permitting it to be based on license revocation; authorizing peace officers to stop vehicles bearing special series license plates; enhancing criminal penalties for repeat violations involving commercial motor vehicles; authorizing the use of preliminary breath tests results for prosecuting certain driving offenses; making technical changes; providing enhanced criminal penalties and civil sanctions; appropriating money; amending *Minnesota Statutes 1996*, sections 84.83, subdivision 5; 84.91, subdivision 1; 84.911, subdivision 7; 84.927, subdivision 1; 86B.331, subdivision 1; 86B.705, subdivision 2; 97A.065, subdivision 2; 97B.066, subdivision 5, and by adding subdivisions; 168.042, subdivisions 1, as amended, 2, 4, 9, 11, and by adding a subdivision; 169.01, subdivision 75, and by adding subdivisions; 169.121, subdivisions 1, 1c, 2, 3, 3b, 3c, 4, as amended, 6, 11, and by adding subdivisions; 169.1211, subdivision 1, and by adding subdivisions; 169.1217, as amended; 169.1218; 169.123, subdivisions 1, 4, 5c, and 6; 169.126, subdivision 1; 169.1261; 169.129; 171.07, by adding a subdivision; 171.12, by adding a subdivision; 171.19, as amended; 171.20, subdivision 4; 171.30, by adding a subdivision; 340A.503, subdivision 2; 364.09, as amended; 609.02, subdivision 2, and by adding a subdivision; 609.105; 609.135, subdivision 2, as amended; 609.15, subdivision 2; 609.487, by adding a subdivision; and 634.15, subdivision 2; proposing codomg for new law in *Minnesota Statutes*, chapter 168; repealing *Minnesota Statutes 1996*, sections 84.873; 84.91, subdivisions 2, 3, 4, 5, 5a, 6, 7, and 8; 84.911, subdivisions 1, 2, 3, 4, 5, and 6; 84.912; 84.9254; 86B.331, subdivisions 2, 3, 4, 5, 5a, 6, 7, and 8; 86B.335, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; 86B.337; 97B.066, subdivision 6; and 169.121, subdivision 3a. Enactment: 6/30/97 Effective: 7/1/97 (Secs. 19, 55, 68); 8/1/97 (Sec. 57); 1/1/98 (Secs. 1-18, 20-54, 56, 58-67, 69)

### Data privacy bill

HFnone (McGuire)

SF7\* (Betzold)

Chapter 3: relating to government data practices; classifying data; making certain welfare and housing data available to law enforcement agencies; classifying data on individuals who receive homeless services; eliminating the requirement that government agencies pay a fee for commissioner's opinions; modifying school immunization and health record provisions; modifying patient consent to release of records for research; requiring notice of investigations to health board licensees; providing for juvenile justice system access to certain education data; providing for disclosure or inspection of certain tax data or return information; limiting disclosure of certain tax data under subpoena; indexing statutes that restrict data access and are located outside chapter 13; providing criminal penalties; amending *Minnesota Statutes 1996*, sections 13.32, subdivisions 1, 3, and by adding a subdivision; 13.41, subdivision 2, 13.46, subdivision 2; 13.54, by adding a subdivision; 13.99, subdivision 53b, and by adding subdivisions; 53A.081, by adding a subdivision; 123.70, subdivisions 5, 7, and 10; 144.29; 144.335, subdivision 3a; 214.10, subdivision 1; 260.161, by adding a subdivision; 270.66, subdivision 3; 270B.01, subdivision 8, as amended; 270B.03, subdivisions 1, 3, and 4; 270B.08, subdivision 1; 270B.085, subdivision 1; 270B.09; 270B.12, subdivision 7; 270B.14, subdivision 1, and by adding subdivisions; 270B.16; 287.34; and 626.556, subdivision 11; proposing coding for new law in *Minnesota Statutes*, chapters 13; and 270B; repealing *Minnesota Statutes 1996*, sections 13.072, subdivision 3; and 13.71, subdivisions 18, 19, 20, and 21.

Enactment: 6/30/97

Effective: 1/1/97 (Sec. 24 retroactive); 7/1/97 (Secs. 29-42); 8/1/97

(Secs. 1-23, 25-28, 43-47)

### Omnibus K-12 bill

HF1 (Kelso)

SF8 (Pogemiller)

Chapter 4: relating to education; kindergarten through grade 12; providing for general education; special programs; lifework development; education organization, cooperation, and facilities; education excellence; academic performance; education policy issues; libraries; technology; state agencies; conforming and technical amendments; school bus safety; tax deduction and credit; appropriating money; amending *Minne-*

*sota Statutes 1996*, section 12.21, subdivision 3; 120.0111; 120.062, subdivisions 3, 6, 7, 9, and 11; 120.0621, subdivisions 5a, 6, and by adding a subdivision; 120.064, subdivisions 3, 8, 10, 20a, and by adding a subdivision; 120.101, subdivisions 5, 5c, and by adding a subdivision; 120.1701, subdivision 3; 120.181; 121.15, subdivisions 6, 7, and by adding subdivisions; 121.602, subdivisions 1, 2, and 4; 121.611; 121.615, subdivisions 2, 3, 5, 6, 7, 8, 9, and 10; 121.703, subdivision 3; 121.904, subdivision 4a; 123.35, subdivision 8, and by adding a subdivision; 123.3514, subdivisions 4, 4a, 4c, 4e, 6c, 8, and by adding subdivisions; 123.39, subdivision 6; 123.70, subdivisions 5, 7, and 10; 123.799, subdivision 1; 123.7991, subdivisions 1 and 2; 123.951; 123.972, subdivision 5; 124.155, subdivisions 1 and 2; 124.17, subdivisions 1d, 4, and by adding subdivisions; 124.193; 124.195, subdivisions 2, 7, 10, 11, and by adding a subdivision; 124.225, subdivisions 1, 13, 14, 15, 16, and 17; 124.226, subdivision 10; 124.2445; 124.2455; 124.248, subdivisions 3, 4, and by adding subdivisions; 124.26, subdivision 1b; 124.2613, subdivisions 3, 4, and 6; 124.2727, subdivision 6d; 124.273, subdivisions 1d, 1e, 1f, and 5; 124.276, by adding a subdivision; 124.312, subdivisions 4 and 5; 124.313; 124.314, subdivisions 1 and 2; 124.3201, subdivisions 1, 2, 3, and 4; 124.321, subdivision 1; 124.323, subdivisions 1 and 2; 124.42, subdivision 4; 124.431, subdivisions 2 and 11; 124.45; 124.481; 124.574, subdivisions 1, 2d, 2f, 5, 6, and 9; 124.83, subdivision 1 and 2; 124.86, subdivision 2, and by adding a subdivision; 124.91, subdivisions 1 and 5; 124.912, subdivisions 1, 2, 3, and 6; 124.916, subdivisions 1, 2, and 3; 124.918, subdivision 6; 124.95, subdivision 2; 124.961; 124A.03, subdivisions 1c and 1g; 124A.04, subdivision 2; 124A.22, subdivisions 1, 2, as amended, 3, 6, 6a, 8a, 10, 11, 13, 13b, 13d, and by adding a subdivision; 124A.225, subdivision 1; 124A.23, subdivisions 1, 2, 3, and 5; 124A.26, subdivision 1; 124.28; 124C.45, subdivision 1a; 124C.46, subdivisions 1 and 2; 124C.498, subdivisions 2 and 3; 125.05, subdivisions 1c and 2; 125.12, subdivision 14; 126.22, subdivisions 2, 3, 3a, and 8; 126.23, subdivision 1; 126.77, subdivision 1; 127.26; 127.27, subdivisions 5, 6, 7, 8, 10, and by adding a subdivision; 127.281; 127.29; 127.30, subdivisions 1, 2, 3, and by adding a subdivision; 127.31, subdivisions 2, 7, 8, 13, 14, and 15; 127.311; 127.32; 127.33; 127.36; 127.37; 127.38; 128A.02, by adding a subdivision; 128B.10, subdivision 1; 128C.02, subdivision 2, and by adding a

subdivision; 128C.12, subdivision 1; 129C.10, subdivision 3; 134.155, subdivisions 2 and 3; 134.34, subdivision 4; 136D.72, subdivisions 2 and 3; 144.29; 169.01, subdivision 6; 169.435, subdivision 2; 169.443, subdivision 3; 169.447, subdivision 6; 169.4501, subdivisions 1 and 2; 169.4502, subdivisions 2, 7, 9, 11, and by adding subdivisions; 169.4503, subdivisions 1, 2, 10, 13, 14, 17, 19, 23, 24, and by adding a subdivision; 169.452; 171.321, subdivision 3; 171.3215, subdivision 4; 245.493, subdivision 1; 245.91, subdivision 2; 260.185, subdivision 1; 260A.02, subdivision 3; 268.665, subdivision 2; 290.01, subdivision 19b; and 290.0671, subdivision 1; Laws 1991, chapter 265, article 1, section 30, as amended; Laws 1993, chapter 146, article 5, section 20; Laws 1994, chapter 647, article 7, section 18, subdivisions 2 and 3; Laws 1995 First Special Session, chapter 3, articles 1, section 56; 2, section 52; 3, section 11, subdivisions 1, 2, and 5; 11, section 21, subdivision 3; and 12, section 7, subdivision 1; Laws 1996, chapter 412, articles 4, section 34, subdivision 4; and 12, section 11; proposing coding for new law in *Minnesota Statutes*, chapters 120; 121; 124; 126; 127; 128C; 135A; and 290; repealing *Minnesota Statutes 1996*, sections 120.105; 120.65; 121.11, subdivision 8; 121.602, subdivisions 3 and 5; 121.904, subdivision 4d; 121.912, subdivision 7; 124.17, subdivision 5; 124.177; 124.223; 124.225, subdivisions 3a, 7a, 7b, 7d, 7e, 8a, 8k, and 10; 124.226; 124.2728; 124.276, subdivision 2; 124.3201, subdivisions 2a and 2b; 124.912, subdivisions 2 and 3; 124A.22, subdivisions 4a and 4b; 124A.26, subdivisions 1a, 2, 3, 4, and 5; 124C.74; 127.31, subdivision 6; 134.34, subdivision 4a; 134.46; 169.4502, subdivision 6; 169.4503, subdivisions 3, 8, 9, 11, 12, and 22; and 169.454, subdivision 11.

Enactment: 6/30/97

Effective: Various dates

#### Revisor's bill

HFnone

SF5\* (Knutson)

Chapter 5: relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amending *Minnesota Statutes 1996*, sections 62J.54, as amended; 69.021, subdivision 10, as amended; 119A.04, subdivision 6, as amended; 119B.05, subdivision 1, as

amended; 119B.13, subdivision 6, as added; 124.239, subdivision 5, as amended, and subdivision 5a, as added, and by adding; 124.2601, subdivision 5, as amended; 254B.03, subdivision 1, as amended; 256.045, subdivision 1, as amended, 256.98, subdivision 1, and by adding a subdivision; 268.121, as amended; 270.60, subdivision 4, as added; 273.126, subdivision 2, as added; 273.1382, subdivision 1, as amended; 297A.25, subdivision 71, as added; 326.71, subdivision 4, as amended; 518.6111, subdivision 13, as added, Laws 1995, chapter 248, article 13, section 4, subdivision 2; Laws 1997, chapter 84, article 3, section 9; chapter 85, article 1, section 62; chapter 106, article 1, section 19; chapter 113, section 6, subdivision 5; chapter 162, article 2, section 31, subdivision 9, and article 4, section 63, subdivision 5; chapter 200, article 1, sections 5, subdivision 4 and 75; chapter 202, article 1, section 13; chapter 203, article 1, section 2, subdivision 8, and by adding sections, and section 3, subdivision 2; article 6; section 94; chapter 231, article 1, section 16; article 1, section 19;., subdivision 1; article 2, section 65; article 3, sections 3, subdivision 5, 4, subdivisions 2 and 3; 5, subdivision 2; article 7, section 47; article 8, section 16; article 16, section 31; chapter 239, article 1, section 12, subdivision 4; article 3, sections 25 and 26; and chapter 248, section 46; repealing *Minnesota Statutes 1996*, section 256.73, subdivisions 1 and 1b; Laws 1997, chapter 231, article 1, section 1.

Enactment: 6/30/97

Effective: Various dates

Aug. 19, 1997

## SECOND SPECIAL SESSION

### Minimum wage increase

HF2 (Farrell)

SF1\* (Kelly)

Chapter 1: relating to employment; raising the minimum wage; amending *Minnesota Statutes 1996*, section 177.24, subdivision 1.

Enactment: 8/22/97

Effective: 9/1/97

### Flood relief bill

HF1\* (Tunheim)

SF4 (Stumpf)

Chapter 2: relating to flood relief; appropriating money; authorizing the sale of state bonds; providing for temporary waivers of certain programs and other relief; canceling certain appropriations; amending *Minnesota*

*Statutes 1996*, sections 41B.04, by adding a subdivision; 41B.043, by adding a subdivision; 103F.105; 268.073, subdivisions 1 and 3; 273.124, subdivision 14; and 462A.202, subdivision 7, and by adding a subdivision; Laws 1997, chapter 105, section 3; Laws 1997, chapter 202, article 1, section 35, as amended; repealing *Minnesota Statutes 1996*, sections 103F.141, subdivision 2; and Laws 1997, chapter 203, article 3, section 16.

Enactment: 8/22/97

Effective: 8/23/97 (Secs. 1-19, 21-22, 24-32); for taxes payable in 1998 (Sec. 28); 4/1/97 retroactive (Sec. 23)

### Agency head pay bill

HF3 (Solberg)

SF2\* (Terwilliger)

Chapter 3: relating to employment; regulating public employee and official compensation; amending *Minnesota Statutes 1996*, sections 3.855, subdivision 3; 15A.081, subdivisions 7b, 8, and 9; 15A.083, subdivisions 5, 6a, and 7; 43A.17, subdivisions 1 and 3; 43A.18, subdivisions 4 and 5; 85A.02, subdivision 5a; 298.22, subdivision 1; and 349A.02, subdivision 1; proposing coding for new law in *Minnesota Statutes*, chapter 15A; repealing *Minnesota Statutes 1996*, section 15A.081, subdivisions 1 and 7.

Enactment: 8/22/97

Effective: 7/1/97 retroactive

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## House committee abbreviations key

AG	Agriculture	HH	Health & Human Services	HF	House File
CI	Capital Investment	JU	Judiciary	SF	Senate File
CTCA	Commerce, Tourism & Consumer Affairs	LMR	Labor-Management Relations	CH	Chapter
ECIT	Economic Development & International Trade	LOGMA	Local Government & Metropolitan Affairs	Res.	Resolution
ED	Education	RIE	Regulated Industries & Energy	SS	Special Session
EN	Environment & Natural Resources	RLA	Rules & Legislative Administration		
FII	Financial Institutions & Insurance	TA	Taxes		
GLVAE	General Legislation, Veterans Affairs & Elections	TT	Transportation & Transit		
GO	Governmental Operations	WM	Ways & Means		

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115	1106	1693*	LMR	66	109	174	329	298*	CTCA		88
116	1078	854*	LOGMA	67	111	175	1605	1715*	FII	48	94
117	630	683*	FII		93	176	1508	1328*	RIE	29	112
118	745	399*	ECIT		89	177	58	122*	HH	14	100
119	1908	1165*	EN		91	178	56	173*	FII	57	94
120	1702	741*	HH		99	179	341	378*	CTCA		88
121	1287	156*	RIE	14	112	180	1711	575*	LMR	27	109
122	932	536*	JU	19	105	181	857	735*	LOGMA		111
123	322	442*	RIE	57	112	182	786	242*	JU		105
124	136	244*	HH		100	183	none	1888*	WM	40, 69	116
125	22	91*	GO		95	184	450	1383*	GO		96
126	2097	338*	AG		86	185	464	542*	JU	50	106
127	335	256*	CTCA		87	186	947	900*	EN		91
128	1870	1807*	LMR		109	187	197	157*	GO		96
129	524	277*	CTCA	13	87	188	1291	1423*	LOGMA		111
130	212	35*	GLVAE		94	189	742	780*	EN	31	92
131	569	543*	AG		86	190	1888	1023*	TA	61	114
132	2042	1722*	HH		100	191	1299	1820*	RIE	28	112
133	686*	756	TA	42	114	192	1618	1316*	GO		97
134	1071	1000*	HH		100	193	864	457*	HH		100
135	609	1404*	TT	60	115	194	931	302*	HH	39	100
136	1380	1136*	CI		86	195	1057	473*	HH		101
137	156*	269	CTCA		88	196	1370*	546	RIE		112
138	2179*	1934	ED	24	90	197	379*	860	CTCA		88
139	1129	995*	GO	68	96	198	704*	1289	RIE		112
140	1246	641*	HH		100	199	257*	510	HH		101
141	723	1097*	TT		115	200	2158*	1909	WM	19, 41, 68	117
142	1863*	1630	AG	10	86	201	1879	1646*	ECIT	28	89
143	458	724*	TT	59	115	202	none	1905*	GO	19, 36, 56, 57, 62, 68	97
144	1914	1684*	GLVAE		94	203	none	1908*	HH	42, 69	101
145	168	703*	GLVAE	26	94	204	1620	1833*	LOGMA		111
146	970	868*	CTCA	68	88	205	485	95*	HH		102
147	127	72*	GLVAE	25	94	206	1134	420*	GO		97
148	512*	388	LOGMA	51	111	207	424	309*	EN		92
149	282*	470	LOGMA		111	208	854	555*	RIE		113
150	858*	920	HH		100	209	642	848*	JU	49	106
151	423*	175	LOGMA	67	111	210	1489	1114*	JU		106

CH#	HF#	SF#	Committee	Highlights Page	Summary Page
211	1076	877*	JU	67	106
212	832	627*	JU		106
213	1404	1513*	JU		106
214	606	294*	JU	50	106
215	367	199*	HH		102
216	2150*	1907	WM	29, 52	117
217	735*	53	HH	39	102
218	296	203*	JU	34	106
219	1995	1754*	TA		114
220	535	164*	AG		86
221	707	184*	EN		92
222	1032	501*	CTCA		88
223	1172	739*	RIE		113
224	1463	1255*	GLVAE	26	95
225	1441	1208*	HH	37	102
226	313	254*	EN	35, 52	92
227	117*	6	CTCA	12	88
228	556*	98	HH		103
229	1460*	1277	JU	67	106
230	241*	1096	TT		116
231	2163*	none	WM	13, 53	118
232	1464	1419*	RIE		113
233	647	637*	GO		97
234	853	740*	RIE		113
235	244*	389	EN	32	92
236	299*	386	CTCA	32	89
237	1365	960*	HH	47	103

CH#	HF#	SF#	Committee	Highlights Page	Summary Page
238	268*	179	JU	18	107
239	none	1880*	JU	15	107
240	454*	397	TT	61	116
241	1727	1486*	GO		98
242	1684*	1003	ED	65	90
243	1004	985*	JU	65	107
244	1646	1834*	AG	9	86
245	925	830*	JU	34	108
246	632*	436	EN	11	92
247	276*	385	EN		92
248	272	234*	HH	46	103
249	445	117*	GLVAE		95
250	242	435*	TT		116
251	2203	1955*	RLA		113

**1997 First Special Session**

1	none	3*	none	39	118
2	none	1*	none	20	118
3	none	7*	none	49	119
4	1*	8	none	21	119
5	none	5*	none		120

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1	none	1*	none	27	120
2	1*	4	none	46	120
3	3	2*	none	37	120

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HF#	SF#	CH#	Committee	Highlights Page	Summary Page	HF#	SF#	CH#	Committee	Highlights Page	Summary Page
none	1881*	159	TT	58	115	276*	385	247	EN		92
none	1908*	203	HH	42, 69	101	281*	147	25	RIE		112
none	1905*	202	GO	19, 36, 56, 57, 62, 68	97	282*	470	149	LOGMA		111
none	1888*	183	WM	40, 69	116	289	101*	107	HH		99
none	1880*	239	JU	15	107	291	333*	113	HH	52	99
1*	3	1	ED	24	89	293*	216	31	TA		113
5*	32	96	JU	18	105	294	73*	167	GLVAE	66	95
13*	17	2	JU		104	296	203*	218	JU	34	106
22	91*	125	GO		95	299*	386	236	CTCA	32	89
35*	12	7	JU		104	311	574*	95	EN	35	91
40	129*	13	TT	50	114	312	145*	66	LMR		108
56	173*	178	FII	57	94	313	254*	226	EN	35, 52	92
58	122*	177	HH	14	100	317*	16	82	EN		91
74	78*	166	GLVAE	66	95	322	442*	123	RIE	57	112
75	38*	103	ED		90	329	298*	174	CTCA		88
90*	61	35	TT	60	114	335	256*	127	CTCA		87
100*	114	12	LOGMA	36	109	340	472*	106	CTCA		87
105	85*	17	WM	36	116	341	378*	179	CTCA		88
108*	56	50	ED		90	342	166*	108	JU	60	105
117*	6	227	CTCA	12	88	343	264*	4	ECIT	36	89
121*	109	3	ED		89	356*	284	56	LOGMA	51	110
125*	160	6	LOGMA		109	367	199*	215	HH		102
127	72*	147	GLVAE	25	94	374	274*	8	HH		98
136	244*	124	HH		100	379*	860	197	CTCA		88
156*	269	137	CTCA		88	385	539*	51	TT	61	115
159	1*	85	HH	44	98	397	4*	160	HH	52	100
168	703*	145	GLVAE	26	94	423*	175	151	LOGMA	67	111
179*	178	60	TT	38	115	424	309*	207	EN		92
182	351*	98	GO		95	429	458*	47	LOGMA		110
197	157*	187	GO		96	431	315*	10	CTCA		86
209*	210	86	HH	14	99	436	127*	45	EN		91
211*	201	59	ED	25	90	439	368*	29	JU		105
212	35*	130	GLVAE		94	441*	299	11	CTCA		87
219*	118	20	LMR	27	108	445	117*	249	GLVAE		95
220	202*	9	JU		105	447*	398	26	FII	48	93
227	324*	172	JU		105	450	1383*	184	GO		96
232	296*	173	EN		91	453*	99	24	GLVAE		94
241*	1096	230	TT		116	454*	397	240	TT	61	116
242	435*	250	TT		116	458	724*	143	TT	59	115
244*	389	235	EN	32	92	464	542*	185	JU	50	106
246	513*	100	JU		105	469	36*	94	HH		99
255*	354	53	EN		91	473*	197	72	LOGMA		110
257*	510	199	HH		101	483	124*	16	LOGMA	51	109
265*	1371	27	AG		86	485	95*	205	HH		102
266*	796	28	EN		91	512*	388	148	LOGMA	51	111
268*	179	238	JU	18	107	524	277*	129	CTCA	13	87
271*	608	74	LMR		108	535	164*	220	AG		86
272	234*	248	HH	46	103	538*	1239	Res. 1	ECIT	14	85

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HF#	SF#	CH#	Committee	Highlights Page	Summary Page	HF#	SF#	CH#	Committee	Highlights Page	Summary Page
555	97*	164	HH	38	100	932	536*	122	JU	19	105
556*	98	228	HH		103	941	700*	23	LOGMA	50	109
564	417*	15	LOGMA		109	947	900*	186	EN		91
566*	434	42	GO		95	949*	885	62	EN	31	91
569	543*	131	AG		86	958*	748	37	LOGMA		110
571	465*	71	FII		93	966*	911	83	LMR		109
582	463*	14	ECIT		89	970	868*	146	CTCA	68	88
591*	578	67	TT		115	971	1116*	58	LOGMA		110
601*	869	78	LOGMA		110	972	424*	40	LOGMA		110
606	294*	214	JU	50	106	1004	985*	243	JU	65	107
609	1404*	135	TT	60	115	1005	1527*	52	FII		93
626	432*	65	TT	15	115	1029	950*	99	ED	24	90
630	683*	117	FII		93	1032	501*	222	CTCA		88
631*	508	5	ECIT		89	1045*	759	64	FII	48	93
632*	436	246	EN	11	92	1057	473*	195	HH		101
640	504*	21	RIE		112	1067*	1283	Res. 2	AG	9	85
642	848*	209	JU	49	106	1071	1000*	134	HH		100
645*	622	49	FII	48	93	1075*	891	76	CTCA		87
647	637*	233	GO		97	1076	877*	211	JU	67	106
653	495*	57	FII	48	93	1078	854*	116	LOGMA	67	111
658	612*	153	LOGMA	26	111	1088*	1030	18	GLVAE	26	94
664*	301	109	EN		91	1093*	1104	19	GLVAE	26	94
686*	756	133	TA	42	114	1106	1693*	115	LMR	66	109
694	512*	97	GO		95	1118	413*	104	EN		91
700	566*	155	RIE	35	112	1123*	1156	68	RIE		112
703	1170*	168	GLVAE	66	95	1129	995*	139	GO	68	96
704*	1289	198	RIE		112	1134	420*	206	GO		97
707	184*	221	EN		92	1144	951*	89	LOGMA		110
713	525*	111	LOGMA		111	1148	1037*	90	LOGMA		110
718	137*	46	EN	31	91	1162*	363	79	GO		95
723	1097*	141	TT		115	1172	739*	223	RIE		113
735*	53	217	HH	39	102	1183	1094*	73	CTCA		87
742	780*	189	EN	31	92	1187*	1306	41	LOGMA		110
745	399*	118	ECIT		89	1213	1052*	32	ED		89
750	652*	69	HH	15	98	1223	1025*	70	TT	61	115
753*	339	157	FII	10	93	1243	1179*	114	TT	60	115
756*	691	87	GO		95	1246	641*	140	HH		100
763*	696	54	ECIT		89	1257	1071*	43	LOGMA		110
768	475*	48	TT	59	114	1287	156*	121	RIE	14	112
786	242*	182	JU		105	1291	1423*	188	LOGMA		111
794	624*	22	CTCA		87	1299	1820*	191	RIE	28	112
807*	456	84	TA		113	1301*	884	63	LOGMA		110
810	839*	88	LMR		109	1313	1266*	170	LOGMA	51	111
814	323*	171	LMR	27	109	1356	1155*	93	HH		99
829	755*	154	GO	36	96	1365	960*	237	HH	47	103
832	627*	212	JU		106	1370*	546	196	RIE		112
835*	754	36	HH		98	1373	813*	112	JU	34	105
853	740*	234	RIE		113	1379	1146*	101	LOGMA	51	111
854	555*	208	RIE		113	1380	1136*	136	CI		86
857	735*	181	LOGMA		111	1381	329*	110	AG		86
858*	920	150	HH		100	1382*	1051	38	LMR		108
861	662*	102	HH	39	99	1383*	1081	81	LMR		108
864	457*	193	HH		100	1404	1513*	213	JU		106
889*	786	61	ECIT	42	89	1409*	1134	158	AG	10	86
890	890*	92	CTCA	61	87	1441	1208*	225	HH	37	102
892*	882	163	LMR	66	109	1460*	1277	229	JU	67	106
908	305*	33	JU	50	105	1463	1255*	224	GLVAE	26	95
925	830*	245	JU	34	108	1464	1419*	232	RIE		113
931	302*	194	HH	39	100	1489	1114*	210	JU		106

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1508	1328*	176	RIE	29	112	1995	1754*	219	TA		114
1542	1351*	156	GO		96	1996	1697*	169	TA		114
1605	1715*	175	FII	48	94	2009	227*	39	LOGMA		110
1618	1316*	192	GO		97	2042	1722*	132	HH		100
1620	1833*	204	LOGMA		111	2097	338*	126	AG		86
1637*	1424	77	FII		93	2129	1894*	105	WM	46	116
1646	1834*	244	AG	9	86	2132*	1904	34	TA	56	113
1684*	1003	242	ED	65	90	2147*	1858	162	TA	33	114
1692	1342*	Res. 4	EN	32	85	2150*	1907	216	WM	29, 52	117
1702	741*	120	HH		99	2158*	1909	200	WM	19, 41, 68	117
1711	575*	180	LMR	27	109	2163*	none	231	WM	13, 53	118
1727	1486*	241	GO		98	2169	1928*	75	LOGMA	51	110
1755*	1584	165	LOGMA	67	111	2179*	1934	138	ED	24	90
1840	1669*	91	LOGMA		111	2203	1955*	251	RLA		113
1861*	1663	55	AG	10	86						
1863*	1630	142	AG	10	86	<b>1997 First Special Session</b>					
1870	1807*	128	LMR		109	none	1*	2	none	20	118
1877	1675*	Res. 3	LMR	27	85	none	7*	3	none	49	119
1879	1646*	201	ECIT	28	89	none	3*	1	none	39	118
1880*	1519	80	ECIT		89	none	5*	5	none		120
1884	1356*	44	GLVAE		94	1*	8	4	none	21	119
1885	1645*	30	JU		105	<b>1997 Second Special Session</b>					
1888	1023*	190	TA	61	114	none	1*	1	none	27	120
1908	1165*	119	EN		91	1*	4	2	none	46	120
1914	1684*	144	GLVAE		94	3	2*	3	none	37	120
1924	526*	161	AG		86						
1936*	1823	152	LMR	66	109						



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none	2163*	231	WM	13, 53	118	201	211*	59	ED	25	90
1*	159	85	HH	44	98	202*	220	9	JU		105
3	1*	1	ED	24	89	203*	296	218	JU	34	106
4*	397	160	HH	52	100	210	209*	86	HH	14	99
6	117*	227	CTCA	12	88	216	293*	31	TA		113
12	35*	7	JU		104	227*	2009	39	LOGMA		110
16	317*	82	EN		91	234*	272	248	HH	46	103
17	13*	2	JU		104	242*	786	182	JU		105
32	5*	96	JU	18	105	244*	136	124	HH		100
35*	212	130	GLVAE		94	254*	313	226	EN	35, 52	92
36*	469	94	HH		99	256*	335	127	CTCA		87
38*	75	103	ED		90	264*	343	4	ECIT	36	89
53	735*	217	HH	39	102	269	156*	137	CTCA		88
56	108*	50	ED		90	274*	374	8	HH		98
61	90*	35	TT	60	114	277*	524	129	CTCA	13	87
72*	127	147	GLVAE	25	94	284	356*	56	LOGMA	51	110
73*	294	167	GLVAE	66	95	294*	606	214	JU	50	106
78*	74	166	GLVAE	66	95	296*	232	173	EN		91
85*	105	17	WM	36	116	298*	329	174	CTCA		88
91*	22	125	GO		95	299	441*	11	CTCA		87
95*	485	205	HH		102	301	664*	109	EN		91
97*	555	164	HH	38	100	302*	931	194	HH	39	100
98	556*	228	HH		103	305*	908	33	JU	50	105
99	453*	24	GLVAE		94	309*	424	207	EN		92
101*	289	107	HH		99	315*	431	10	CTCA		86
109	121*	3	ED		89	323*	814	171	LMR	27	109
114	100*	12	LOGMA	36	109	324*	227	172	JU		105
117*	445	249	GLVAE		95	329*	1381	110	AG		86
118	219*	20	LMR	27	108	333*	291	113	HH	52	99
122*	58	177	HH	14	100	338*	2097	126	AG		86
124*	483	16	LOGMA	51	109	339	753*	157	FII	10	93
127*	436	45	EN		91	351*	182	98	GO		95
129*	40	13	TT	50	114	354	255*	53	EN		91
137*	718	46	EN	31	91	363	1162*	79	GO		95
145*	312	66	LMR		108	368*	439	29	JU		105
147	281*	25	RIE		112	378*	341	179	CTCA		88
156*	1287	121	RIE	14	112	385	276*	247	EN		92
157*	197	187	GO		96	386	299*	236	CTCA	32	89
160	125*	6	LOGMA		109	388	512*	148	LOGMA	51	111
164*	535	220	AG		86	389	244*	235	EN	32	92
166*	342	108	JU	60	105	397	454*	240	TT	61	116
173*	56	178	FII	57	94	398	447*	26	FII	48	93
175	423*	151	LOGMA	67	111	399*	745	118	ECIT		89
178	179*	60	TT	38	115	413*	1118	104	EN		91
179	268*	238	JU	18	107	417*	564	15	LOGMA		109
184*	707	221	EN		92	420*	1134	206	GO		97
197	473*	72	LOGMA		110	424*	972	40	LOGMA		110
199*	367	215	HH		102	432*	626	65	TT	15	115

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SF#	HF#	CH#	Committee	Highlights Page	Summary Page	SF#	HF#	CH#	Committee	Highlights Page	Summary Page
434	566*	42	GO		95	813*	1373	112	JU	34	105
435*	242	250	TT		116	830*	925	245	JU	34	108
436	632*	246	EN	11	92	839*	810	88	LMR		109
442*	322	123	RIE	57	112	848*	642	209	JU	49	106
456	807*	84	TA		113	854*	1078	116	LOGMA	67	111
457*	864	193	HH		100	860	379*	197	CTCA		88
458*	429	47	LOGMA		110	868*	970	146	CTCA	68	88
463*	582	14	ECIT		89	869	601*	78	LOGMA		110
465*	571	71	FII		93	877*	1076	211	JU	67	106
470	282*	149	LOGMA		111	882	892*	163	LMR	66	109
472*	340	106	CTCA		87	884	1301*	63	LOGMA		110
473*	1057	195	HH		101	885	949*	62	EN	31	91
475*	768	48	TT	59	114	890*	890	92	CTCA	61	87
495*	653	57	FII	48	93	891	1075*	76	CTCA		87
501*	1032	222	CTCA		88	900*	947	186	EN		91
504*	640	21	RIE		112	911	966*	83	LMR		109
508	631*	5	ECIT		89	920	858*	150	HH		100
510	257*	199	HH		101	950*	1029	99	ED	24	90
512*	694	97	GO		95	951*	1144	89	LOGMA		110
513*	246	100	JU		105	960*	1365	237	HH	47	103
525*	713	111	LOGMA		111	985*	1004	243	JU	65	107
526*	1924	161	AG		86	995*	1129	139	GO	68	96
536*	932	122	JU	19	105	1000*	1071	134	HH		100
539*	385	51	TT	61	115	1003	1684*	242	ED	65	90
542*	464	185	JU	50	106	1023*	1888	190	TA	61	114
543*	569	131	AG		86	1025*	1223	70	TT	61	115
546	1370*	196	RIE		112	1030	1088*	18	GLVAE	26	94
555*	854	208	RIE		113	1037*	1148	90	LOGMA		110
566*	700	155	RIE	35	112	1051	1382*	38	LMR		108
574*	311	95	EN	35	91	1052*	1213	32	ED		89
575*	1711	180	LMR	27	109	1071*	1257	43	LOGMA		110
578	591*	67	TT		115	1081	1383*	81	LMR		108
608	271*	74	LMR		108	1094*	1183	73	CTCA		87
612*	658	153	LOGMA	26	111	1096	241*	230	TT		116
622	645*	49	FII	48	93	1097*	723	141	TT		115
624*	794	22	CTCA		87	1104	1093*	19	GLVAE	26	94
627*	832	212	JU		106	1114*	1489	210	JU		106
637*	647	233	GO		97	1116*	971	58	LOGMA		110
641*	1246	140	HH		100	1134	1409*	158	AG	10	86
652*	750	69	HH	15	98	1136*	1380	136	CI		86
662*	861	102	HH	39	99	1146*	1379	101	LOGMA	51	111
683*	630	117	FII		93	1155*	1356	93	HH		99
691	756*	87	GO		95	1156	1123*	68	RIE		112
696	763*	54	ECIT		89	1165*	1908	119	EN		91
700*	941	23	LOGMA	50	109	1170*	703	168	GLVAE	66	95
703*	168	145	GLVAE	26	94	1179*	1243	114	TT	60	115
724*	458	143	TT	59	115	1208*	1441	225	HH	37	102
735*	857	181	LOGMA		111	1239	538*	Res. 1	ECIT	14	85
739*	1172	223	RIE		113	1255*	1463	224	GLVAE	26	95
740*	853	234	RIE		113	1266*	1313	170	LOGMA	51	111
741*	1702	120	HH		99	1277	1460*	229	JU	67	106
748	958*	37	LOGMA		110	1283	1067*	Res. 2	AG	9	85
754	835*	36	HH		98	1289	704*	198	RIE		112
755*	829	154	GO	36	96	1306	1187*	41	LOGMA		110
756	686*	133	TA	42	114	1316*	1618	192	GO		97
759	1045*	64	FII	48	93	1328*	1508	176	RIE	29	112
780*	742	189	EN	31	92	1342*	1692	Res. 4	EN	32	85
786	889*	61	ECIT	42	89	1351*	1542	156	GO		96
796	266*	28	EN		91	1356*	1884	44	GLVAE		94

SF#	HF#	CH#	Committee	Highlights Page	Summary Page
1371	265*	27	AG		86
1383*	450	184	GO		96
1404*	609	135	TT	60	115
1419*	1464	232	RIE		113
1423*	1291	188	LOGMA		111
1424	1637*	77	FII		93
1486*	1727	241	GO		98
1513*	1404	213	JU		106
1519	1880*	80	ECIT		89
1527*	1005	52	FII		93
1584	1755*	165	LOGMA	67	111
1630	1863*	142	AG	10	86
1645*	1885	30	JU		105
1646*	1879	201	ECIT	28	89
1663	1861*	55	AG	10	86
1669*	1840	91	LOGMA		111
1675*	1877	Res. 3	LMR	27	85
1684*	1914	144	GLVAE		94
1693*	1106	115	LMR	66	109
1697*	1996	169	TA		114
1715*	1605	175	FII	48	94
1722*	2042	132	HH		100
1754*	1995	219	TA		114
1807*	1870	128	LMR		109
1820*	1299	191	RIE	28	112
1823	1936*	152	LMR	66	109
1833*	1620	204	LOGMA		111

SF#	HF#	CH#	Committee	Highlights Page	Summary Page
1834*	1646	244	AG	9	86
1858	2147*	162	TA	33	114
1880*	none	239	JU	15	107
1881*	none	159	TT	58	115
1888*	none	183	WM	40, 69	116
1894*	2129	105	WM	46	116
1904	2132*	34	TA	56	113
1905*	none	202	GO	19, 36, 56, 57, 62, 68	97
1907	2150*	216	WM	29, 52	117
1908*	none	203	HH	42, 69	101
1909	2158*	200	WM	19, 41, 68	117
1928*	2169	75	LOGMA	51	110
1934	2179*	138	ED	24	90
1955*	2203	251	RLA		113

**1997 First Special Session**

1*	none	2	none	20	118
3*	none	1	none	39	118
5*	none	5	none		120
7*	none	3	none	49	119
8	1*	4	none	21	119

**1997 Second Special Session**

1*	none	1	none	27	120
2*	3	3	none	37	120
4	1*	2	none	46	120

# Effective Date Index

Effective Date	Committee	Title	HF#	SF#	Highlights Page	Summary Page
1/1/97 (Art. 1);						
4/9/97 (Art. 2, Secs. 1-7);						
1/1/99 (Art. 2, Sec. 9)	CTCA	Minnesota professional firms act	794	624*		87
1/1/97 (Secs. 1-59, 61-77, 79-81);						
4/24/97 (Sec. 60)	LMR	Reemployment insurance technical and administrative changes	312	145*		108
1/1/98	FII	Direct patient access to obstetric, gynecologic services	447*	398	48	93
1/1/98	TT	Driver's license health care directives designation	179*	178	38	115
1/1/98	FII	Health insurance plans care definition	645*	622	48	93
1/1/98	LMR	Reemployment insurance wage reporting requirements modification	271*	608		108
2/15/97;						
1997-98 sch. yr. (Sec. 2)	ED	Education caps removal	1*	3	24	89
2/26/97 to 7/1/97	ECIT	Housing Finance Agency; providing temporary approval for certain loans	343	264*	36	89
3/12/97	HH	Adoption assistance	374	274*		98
3/12/97	LOGMA	Kenyon tax levy recertification authorized	125*	160		109
3/20/97 (Art. 1, 2);						
8/1/96 retro. (Art. 3, Sec. 1);						
2/1/97 retro. (Art. 3, Secs. 2-10)	LOGMA	Emergency snow removal	100*	114	36	109
3/6/97	ECIT	Hopkins Performing Arts Center modified	631*	508		89
4/12/97	JU	Mille Lacs treaty implementation costs	1885	1645*		105
4/16/97	TA	Income tax filing extension for flood disaster area residents	2132*	1904	56	113
4/17/97	LOGMA	St. Louis County unorganized territory attachment authorized	958*	748		110
4/17/97	TT	Commercial driver's license requirements exemption for snowplows	90*	61	60	114
4/22/97	GLVAE	State House District 9A description modification	1884	1356*		94
4/22/97	GO	Itasca County Government Innovation and Cooperation Board law	566*	434		95
4/22/97	LOGMA	Federal payments in lieu of taxes on entitlement land distributed	2009	227*		110
4/24/97	FII	Minnesota Insurance Guaranty Act modifications	1005	1527*		93
4/24/97	TT	Farm worker driver's license exemptions	768	475*	59	114
4/29/97	FII	Automobile insurance surcharge prohibitions	1045*	759	48	93
4/29/97; 6/30/00 (expires)	ED	School district extended area telecommunications service	211*	201	25	90
4/30/97	RIE	Telecommunication company slamming, loading prohibited	1123*	1156		112
4/30/97 (Art. 1, Art. 2, Secs. 1-5, 7);						
8/1/97 (Art. 2, Sec. 6)	FII	Long-term care insurance policy sales regulated	571	465*		93
4/4/97	WM	Payment of claims against state	105	85*	36	116
4/5/97 wq	GLVAE	Metropolitan town election date change authorized	1093*	1104	26	94
5/10/97	AG	Corporate farming provisions modifications	2097	338*		86
5/10/97	GO	Police state aid amount ratified, money appropriated	22	91*		95
5/10/97	HH	Prescriptions for intractable pain	136	244*		100
5/10/97 (Sec. 4); 8/1/97	AG	Grain bank license requirements modification	569	543*		86
5/10/97 (Secs. 3, 4);						
8/1/97 (Secs. 1, 2)	LMR	Workers compensation insurance reporting deadline delay	1870	1807*		109
5/13/97	ED	Statewide testing	2179*	1934	24	90
5/13/97	CI	Duluth family practice residency program responsibility transfer	1380	1136*		86
5/14/97	LOGMA	Municipal bankruptcy filing authorized	512*	388	51	111
5/14/97	AG	Agricultural marketing and bargaining task force	1863*	1630	10	86
5/16/97	RIE	Lawful gambling profit expenditure provisions modified	700	566*	35	112
5/16/97	GLVAE	Minneapolis School Board election modification	1914	1684*		94
5/16/97;						
6/30/98 (Secs. 3, 4 expire)	GO	Government bodies meeting on interactive television	829	755*	36	96

## House committee abbreviations key

AG	Agriculture	HH	Health & Human Services	HF	House File
CI	Capital Investment	JU	Judiciary	SF	Senate File
CTCA	Commerce, Tourism & Consumer Affairs	LMR	Labor-Management Relations	CH	Chapter
ECIT	Economic Development & International Trade	LOGMA	Local Government & Metropolitan Affairs	Res.	Resolution
ED	Education	RIE	Regulated Industries & Energy	SS	Special Session
EN	Environment & Natural Resources	RLA	Rules & Legislative Administration		
FII	Financial Institutions & Insurance	TA	Taxes	wq	with qualifications
GLVAE	General Legislation, Veterans Affairs & Elections	TT	Transportation & Transit		
GO	Governmental Operations	WM	Ways & Means		

Effective Date	Committee	Title	HF#	SF#	Highlights Page	Summary Page
5/16/97 (Secs. 1, 2, 4, 5);						
1/1/98 (Sec. 3)	LOGMA	Metro transit police officers	282*	470		111
5/17/97	AG	Animal feedlot rules provided legislative review	1409*	1134	10	86
5/17/97 (Sec. 6); 8/1/97	GO	Public employment labor agreements ratification	1542	1351*		96
5/2/97; 1/1/98 (expires)	LOGMA	Counties and cities flood assistance authority	2169	1928*	51	110
5/20/97 (Sec. 1);						
1/1/98 (Sec. 2, 3)	LOGMA	Metropolitan Council wastewater services cost allocation modification	857	735*		111
5/20/97 (Secs. 1, 2);						
7/1/97 (Sec. 3)	FII	Health insurance portability and accountability requirements	1605	1715*	48	94
5/21/97	CTCA	Small corporate offering securities registration	379*	860		88
5/21/97	HH	Medicare maximization program certification requirement repealed	1057	473*		101
5/21/97	JU	Lower Sioux Indian community law enforcement authority	464	542*	50	106
5/21/97;						
6/30/97 (Sec. 36, Par. A, C)	GO	Administrative rule procedure modification	197	157*		96
5/21/97 (Sec. 1); 8/1/97 (Sec. 2)	GO	Legislative Audit Commission membership provisions modified	450	1383*		96
5/21/97 (Sec. 2); 8/1/97 (Sec. 1)	LOGMA	St. Louis County court bailiffs added to unclassified service	1291	1423*		111
5/21/97 (Secs. 21, 29, 31);						
7/1/97	WM	Omnibus higher ed appropriations	none	1888*	40, 69	116
5/21/97 (Secs. 28, 46); 8/1/97	HH	Social work practice, board provisions modifications	864	457*		100
5/23/97	EN	State and tax forfeited land conveyances	424	309*		92
5/23/97 (Sec. 19); 8/1/97	HH	Health and HMO provisions modifications	485	95*		102
5/23/97 (Sec. 2); 7/1/97	HH	Ambulance service licensing requirements established	257*	510		101
5/3/97	EN	Municipal wastewater infrastructure action authorized	317*	16		91
5/3/97 (Secs. 5-7);						
1/1/98 (Secs. 1-4)	FII	Fire insurance provisions modification	1637*	1424		93
5/31/97	TA	Public finance provisions modifications	1995	1754*		114
5/31/97	EN	Toxics in products	707	184*		92
5/31/97	RIE	Telecommunications regulation	1172	739*		113
5/31/97	GLVAE	Election campaign contribution bundling limit exception	1463	1255*	26	95
5/31/97 (Secs. 6, 28, 46);						
7/1/97 (balance)	EN	Game and fish provisions	313	254*	35, 52	92
5/7/97	WM	Flood related disaster relief provided, money appropriated	2129	1894*	46	116
5/7/97	EN	Municipal water use permit established	1118	413*		91
5/7/97	ED	Teacher background check working group recommendations adopted	1029	950*	24	90
5/7/97	LOGMA	County boards authorized to assign duties of auditor and treasurer	1144	951*		110
5/7/97	HH	Child placement provisions modifications	209*	210	14	99
5/7/97 (Secs. 1, 6-9, 11);						
8/1/97 (Secs. 2-5, 10)	JU	Stalking bill	5*	32	18	105
5/7/97 (Secs. 1-3);						
8/1/97 (Secs. 4-6)	HH	Volunteer psychology practitioner licensure requirements established	861	662*	39	99
5/9/97	TT	Snow plowing vehicles seasonal over width permits	1243	1179*	60	115
5/9/97	LOGMA	Wastewater treatment facility privatization ownership restrictions modified	713	525*		111
5/9/97 (Sec. 6); 6/1/97	EN	Tree planting stock production restricted	1908	1165*		91
6/1/97	TT	Collector motor vehicle single license plate	454*	397	61	116
6/3/97	RIE	Telephone assistance plan eligibility expansion	853	740*		113
6/3/97	EN	Individual sewage treatment systems provisions modified	244*	389	32	92
6/3/97	EN	Bonding bill	632*	436	11	92
6/30/97	GO	State agency publication dates, requirements modified	1618	1316*		97
6/4/97	AG	Dairy trade practices laws suspension for the month of June	1646	1834*	9	86
7/1/96 retro. (Sec. 6)	JU	Revisor's bill	13*	17		104
7/1/97	EN	Conservation Corps Youth Advisory Committee modifications	718	137*	31	91
7/1/97	LOGMA	Benton County offices modification	1840	1669*		111
7/1/97	LOGMA	Scott County auditor appointment	1148	1037*		110
7/1/97	ECIT	Workforce service areas designation	745	399*		89
7/1/97	FII	Self insured employee benefit plan dissolution notification required	630	683*		93
7/1/97	JU	Child custody transfer provided via consent decree	1373	813*	34	105
7/1/97	TA	Tenants' police, emergency assistance right	686*	756	42	114
7/1/97	GLVAE	Soil and water conservation district election modification	212	35*		94
7/1/97	TA	Early childhood and family education appropriations	2147*	1858	33	114

Effective Date	Committee	Title	HF#	SF#	Highlights Page	Summary Page
7/1/97	ECIT	Nuclear waste storage escrow account	1879	1646*	28	89
7/1/97	EN	Public waters boathouses restriction	276*	385		92
7/1/97 (Sec. 1); 1/1/99 (Sec. 2)	ECIT	Employer reemployment compensation payment schedule	1880*	1519		89
7/1/97 (Sec. 1);						
8/1/97 (Secs. 2, 3)	EN	Environmental advisory councils, committees provisions modifications	436	127*		91
7/31/97 wq	JU	Public nuisance definition expanded	932	536*	19	105
8/1/96 (applies on or after)	RIE	Utility deposit interest payments regulated	1287	156*	14	112
8/1/97	LMR	Show boiler and engine inspection provisions modified	1382*	1051		108
8/1/97	HH	County operated day training, habilitation program audit exception	835*	754		98
8/1/97	JU	Prison inmate lawsuit provisions clarified	908	305*	50	105
8/1/97	ED	Moorhead land transfer authorized	1213	1052*		89
8/1/97	JU	Alternative dispute resolution presiders liability immunity	439	368*		105
8/1/97	EN	BWSR voting membership increase	266*	796		91
8/1/97	AG	Farm crisis assistance personnel employment status clarified	265*	1371		86
8/1/97	GLVAE	Military provisions modifications	453*	99		94
8/1/97	LOGMA	City mayor and fire chief positions compatibility	941	700*	50	109
8/1/97	LMR	Civil Air Patrol members provided unpaid leaves of absence	219*	118	27	108
8/1/97	GLVAE	Candidate name rotation allowed on ballots	1088*	1030	26	94
8/1/97	LOGMA	Towns emergency service charges	483	124*	51	109
8/1/97	TT	Minnesota ID cards for minors	40	129*	50	114
8/1/97	CTCA	Uniform Commercial Code changes	441*	299		87
8/1/97	CTCA	Business corporations, limited liability companies technical modifications	431	315*		86
8/1/97	JU	Property disposition modification	220	202*		105
8/1/97	ED	Youth initiative grant; neighborhood addition provided	121*	109		89
8/1/97	TT	Designated caregiver agreement execution, consent agreements modified	626	432*	15	115
8/1/97	LOGMA	St. Paul Ramsey County Public Health Department classified service defined	1301*	884		110
8/1/97	ECIT	Mobile home park owners rights modified	889*	786	42	89
8/1/97	FII	Diabetes outpatient self-management training, ed. health ins. coverage req.	653	495*	48	93
8/1/97	AG	Farm animal facilities entry restriction	1861*	1663	10	86
8/1/97	ECIT	Zion Lutheran Church historic place designation	763*	696		89
8/1/97	EN	Environmental Quality Board membership increase	255*	354		91
8/1/97	TT	Trunk Highway 19 designated memorial highway	385	539*	61	115
8/1/97	ED	Range technical employees retirement benefits protection	108*	56		90
8/1/97	LOGMA	Fire insurance escrow account requirements	429	458*		110
8/1/97	LMR	Wages payment requirements modification	966*	911		109
8/1/97	LMR	Occupational safety and health notice service provision modified	1383*	1081		108
8/1/97	GO	State employment provisions modifications	1162*	363		95
8/1/97	LOGMA	Boundary commissions provisions modifications	601*	869		110
8/1/97	CTCA	Professional health services regulation	1075*	891		87
8/1/97	CTCA	Real estate tenant referral compensation regulated	1183	1094*		87
8/1/97	LOGMA	Metropolitan Council employee recognition services program	473*	197		110
8/1/97	TT	Impounded vehicle notice required within 10 days	1223	1025*	61	115
8/1/97	HH	Autism treatment options advisory task force	750	652*	15	98
8/1/97	HH	Long-term care provisions modification	289	101*		99
8/1/97	ED	Medical practice board records maintenance requirements	75	38*		90
8/1/97	JU	Nuisance acts definition expansion	246	513*		105
8/1/97	GO	LCC responsible for review of legislative reviews	182	351*		95
8/1/97	GO	State employment provision modifications	694	512*		95
8/1/97	EN	Disabled residents fishing license requirements exemption	311	574*	35	91
8/1/97	HH	Hospital districts serve persons not needing nursing home care	469	36*		99
8/1/97	HH	Mental health case management services	1356	1155*		99
8/1/97	CTCA	Motor vehicle broker regulation provided	890	890*	61	87
8/1/97	LMR	Employment search firm bond requirements modified	810	839*		109
8/1/97	GO	State demographer population estimate procedures modified	756*	691		95
8/1/97	HH	Home care providers establishment	291	333*	52	99
8/1/97	AG	Veterinary services lien provisions modified	1381	329*		86
8/1/97	EN	BWSR contributions acceptance authority expansion	664*	301		91
8/1/97	HH	Health care cost containment provisions	858*	920		100
8/1/97	GLVAE	Election, voter registration provisions	127	72*	25	94

Effective Date	Committee	Title	HF#	SF#	Highlights Page	Summary Page
8/1/97	GLVAE	Mail balloting authority expansion	168	703*	26	94
8/1/97	TT	Speed limits	458	724*	59	115
8/1/97	HH	Mental health provider peer review	1246	641*		100
8/1/97	CTCA	Secretary of State filing fees	156*	269		88
8/1/97	TT	Motor vehicle transfer notice time limit reduction	609	1404*	60	115
8/1/97	HH	Psychology practice licensure requirements modifications	1071	1000*		100
8/1/97	HH	Pharmacy technician definition and regulation	2042	1722*		100
8/1/97	CTCA	Building and construction contract payments regulated	335	256*		87
8/1/97	AG	Food handlers certification	1924	526*		86
8/1/97	HH	National Guard reimbursement grant formula modification	397	4*	52	100
8/1/97	HH	Civil commitment procedure modifications	735*	53	39	102
8/1/97	HH	Omnibus mortuary science regulation bill	367	199*		102
8/1/97	JU	Civil action sanction provisions expanded	1404	1513*		106
8/1/97	JU	Professional malpractice expert certification required	832	627*		106
8/1/97	JU	Public participation federal court action damages relief	642	848*	49	106
8/1/97	RIE	Telecommunication services purchasing cooperatives	854	555*		113
8/1/97	LOGMA	County permit issuance injury liability provisions modified	1620	1833*		111
8/1/97	RIE	Large electric power plants certificate of need proceeding exemptions	704*	1289		112
8/1/97	RIE	Excavation notification planning provisions	1370*	546		112
8/1/97	HH	Community health clinics prepaid health services option	931	302*	39	100
8/1/97	TA	Motor vehicle rental fee imposition authority	1888	1023*	61	114
8/1/97	EN	Incinerator emissions mercury testing requirements modification	742	780*	31	92
8/1/97	EN	Toxics in packaging regulations modified	947	900*		91
8/1/97	JU	Human rights alternative dispute resolution deadline suspended	786	242*		105
8/1/97	LMR	Labor, employment provisions modifications	1711	575*	27	109
8/1/97	HH	Adoption provision modifications	58	122*	14	100
8/1/97	RIE	Wind and biomass power purchase provided	1508	1328*	29	112
8/1/97	JU	Human rights investigative data classification modification	227	324*		105
8/1/97	LMR	Discriminatory reprisals prohibition expansion	814	323*	27	109
8/1/97	LOGMA	Municipal road snow, ice removal vote	1313	1266*	51	111
8/1/97	TA	Bonding authority allocation provisions modifications	1996	1697*		114
8/1/97	HH	Tuberculosis health threat act	555	97*	38	100
8/1/97	AG	Bison designated as livestock	535	164*		86
8/1/97	CTCA	Youth access to tobacco	117*	6	12	88
8/1/97	TT	Motor carriers regulations modifications	241*	1096		116
8/1/97	CTCA	State park land additions	299*	386	32	89
8/1/97	GLVAE	Military property losses tort liability exclusion	445	117*		95
8/1/97; 1/1/06 (expires)	RIE	Natural gas public utilities performance regulation plans	281*	147		112
8/1/97; 4/1/98 (Sec. 11)	GO	Administration department provisions modifications	1134	420*		97
8/1/97; 7/1/98 (Sec. 4)	JU	Peace officer applicants background investigation requirement	606	294*	50	106
8/1/97 (Sec. 2); 1/1/98 (Secs. 1, 3, 4)	JU	Municipal tort liability modified	1489	1114*		106
8/1/97 (Secs. 1, 2); 7/1/98 (Sec. 3)	EN	Mercury devices disposal prohibition expansion	949*	885	31	91
8/1/97 (Secs. 1, 2); Upon local approval (Sec. 3)	LOGMA	Hennepin County radio system facility lease authorized	971	1116*		110
8/1/97; Upon local approval (Sec. 7)	EN	Soil and water conservation district supervisor provided four-year term	232	296*		91
8/1/97 wq	HH	Respiratory care practitioners registration, regulation	1702	741*		99
Upon local approval	RIE	Nashwauk gas utility establishment authority	640	504*		112
Upon local approval	LOGMA	Becker County economic development authority	564	417*		109
Upon local approval	LOGMA	Local government units official newspapers designation cost consideration	356*	284	51	110
Upon local approval	LOGMA	Luverne Maplewood Cemetery bodies removal and reinterment	1257	1071*		110
Upon local approval	LOGMA	Buffalo Lake Wastewater Treatment Facility contract bid requirements	1187*	1306		110
Upon local approval	LOGMA	Ramsey County eligibles certification under county rules	972	424*		110
Upon local approval	TT	Faribault Trunk Highway #218 easement transfer requirement	591*	578		115
Upon local approval	JU	Impounded motor vehicles sale waiting period reduction	342	166*	60	105
Upon local approval	LOGMA	Duluth Miller-Dwan Medical Center nonprofit corporation creation	1379	1146*	51	111
Upon local approval	LOGMA	Washington County appointed auditor permitted	658	612*	26	111

Effective Date	Committee	Title	HF#	SF#	Highlights Page	Summary Page
Various dates	TA	Tax provisions technical corrections, administrative changes	293*	216		113
Various dates	JU	Revisor's bill	35*	12		104
Various dates	HH	Welfare reform bill	159	1*	44	98
Various dates	TA	Tax bill	807*	456		113
Various dates	CTCA	Cigarette, tobacco products sales tax provisions recodification	340	472*		87
Various dates	TT	Highway revolving loan account project funding	723	1097*		115
Various dates	CTCA	Liquor provisions modifications	524	277*	13	87
Various dates	RIE	Public right-of-way telecommunication services use control	322	442*	57	112
Various dates	TT	Transportation bill	none	1881*	58	115
Various dates	FII	Financial institutions provisions modifications	753*	339	10	93
Various dates	JU	Adoption registry establishment	296	203*	34	106
Various dates	WM	Omnibus environment bill	2150*	1907	29, 52	117
Various dates	HH	Omnibus health and human services appropriations	none	1908*	42, 69	101
Various dates	GO	Omnibus state departments appropriations	none	1905*	19, 36, 56, 57, 62, 68	97
Various dates	WM	Omnibus economic development and housing bill	2158*	1909	19, 41, 68	117
Various dates	RIE	Electric Energy Task Force reorganization	1299	1820*	28	112
Various dates	CTCA	Liquor tax provisions modification	341	378*		88
Various dates	FII	Minnesota Electronic Authentication Act	56	173*	57	94
Various dates	CTCA	Uniform Partnership Act of 1994	329	298*		88
Various dates	CTCA	Commerce department provisions modifications	1032	501*		88
Various dates	HH	MinnesotaCare program	1441	1208*	37	102
Various dates	HH	Health data practices provisions modifications	556*	98		103
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Various dates	HH	Patient Protection Act	1365	960*	47	103
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Various dates	JU	Crime bill	none	1880*	15	107
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1/1/97 (Sec. 24 retro.);

7/1/97 (Secs. 29-42);

8/1/97

(Secs. 1-23, 25-28, 43-47) ..... none ..... Data privacy bill ..... none ..... 7\* ..... 49 ..... 119

6/1/97 (retro.) ..... none ..... Retroactive health insurance coverage ..... none ..... 3\* ..... 39 ..... 118

7/1/97 (Secs. 19, 55, 68);

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1/1/98

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9/1/97 ..... none ..... Minimum wage increase ..... none ..... 1\* ..... 27 ..... 120



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# Minnesota House of Representatives 1997 Members

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-
45A Abrams, Ron (R)	209	9934	40A Mahon, Mark P. (DFL)	401	7158
19B Anderson, Bruce (R)	281	5063	55A Mares, Harry (R)	239	5363
3A Anderson, Irv (DFL)	563	4936	65B Mariani, Carlos (DFL)	403	9714
6A Bakk, Thomas (Tom) (DFL)	575	2190	57B Marko, Sharon (DFL)	439	3135
10B Bettermann, Hilda (R)	243	4317	55B McCollum, Betty (DFL)	501	1188
59A Biernat, Len (DFL)	429	4219	36B McElroy, Dan (R)	259	4212
30B Bishop, Dave (R)	343	0573	54A McGuire, Mary Jo (DFL)	379	4342
25B Boudreau, Lynda (R)	327	8237	39B Milbert, Bob (DFL)	579	4192
30A Bradley, Fran (R)	233	9249	35A Molnau, Carol L. (R)	287	8872
53B Broecker, Sherry (R)	321	7153	21B Mulder, Richard (R)	283	4336
46B Carlson, Lyndon R. (DFL)	365	4255	58A Mullery, Joe (DFL)	359	4262
47B Carruthers, Phil (DFL)	463	3709	7A Munger, Willard (DFL)	479	4282
52A Chaudhary, Satveer (DFL)	507	4331	8A Murphy, Mary (DFL)	557	2676
61A Clark, Karen (DFL)	503	0294	20A Ness, Robert "Bob" (R)	289	4344
38A Commers, Tim (R)	217	3533	10A Nornes, Bud (R)	357	4946
11A Daggett, Roxann (R)	253	4293	2B Olson, Edgar (DFL)	565	4265
31B Davids, Gregory M. (R)	371	9278	19A Olson, Mark (R)	323	4237
65A Dawkins, Andy (DFL)	409	5158	16A Opatz, Joe (DFL)	473	6612
14A Dehler, Steve (R)	203	7808	60B Orfield, Myron (DFL)	521	9281
51A Delmont, Mike (DFL)	433	4226	29B Osskopp, Mike (R)	329	9236
29A Dempsey, Jerry (R)	251	8635	66A Osthoff, Tom (DFL)	585	4224
24A Dorn, John (DFL)	571	3248	11B Otremba, Ken (DFL)**	545	3201
64A Entenza, Matt (DFL)	421	8799	37A Ozment, Dennis (R)	317	4306
42A Erhardt, Ron (R)	237	4363	42B Paulsen, Erik (R)	221	7449
52B Evans, Geri (DFL)	413	0141	38B Pawlenty, Tim (R)	231	4128
67A Farrell, Jim (DFL)	491	4277	64B Paymar, Michael (DFL)	529	4199
1B Finseth, Tim (R)	377	9918	32A Pelowski Jr., Gene (DFL)	549	8637
44A Folliard, Betty (DFL)	523	3964	13B Peterson, Doug (DFL)	569	4228
63B Garcia, Edwina (DFL)	417	5375	39A Pugh, Thomas W. (DFL)	583	6828
9A Goodno, Kevin (R)	369	5515	46A Rest, Ann H. (DFL)	485	4176
62A Greenfield, Lee (DFL)	381	0173	28A Reuter, Doug (R)	241	5368
54B Greiling, Mindy (DFL)	553	5387	44B Rhodes, Jim (R)	309	9889
26A Gunther, Bob (R)	337	3240	32B Rifenberg, Michelle (R)	215	1069
48A Haas, Bill (R)	201	5513	18A Rostberg, Jim (R)	311	5364
22B Harder, Elaine (R)	277	5373	5A Rukavina, Tom (DFL)	471	0170
12A Hasskamp, Kris (DFL)	453	4333	17B Schumacher, Leslie J. (DFL)	517	5377
66B Hausman, Alice (DFL)	449	3824	41A Seagren, Alice (R)	315	7803
8B Hilty, Bill (DFL)	525	4308	21A Seifert, Marty (R)	213	5374
56A Holsten, Mark (R)	345	3018	50A Sekhon, Kathleen (DFL)	451	2439
6B Huntley, Thomas (DFL)	533	2228	4A Skare, Gail (DFL)	431	5516
7B Jaros, Mike (DFL)	559	4246	62B Skoglund, Wes (DFL)	477	4330
58B Jefferson, Richard (DFL)	577	8659	57A Slawik, Nora (DFL)	551	7807
18B Jennings, Loren Geo (DFL)	591	0518	34A Smith, Steve (R)	353	9188
48B Johnson, Alice M. (DFL)	539	5510	3B Solberg, Loren A. (DFL)	445	2365
24B Johnson, Ruth (DFL)	567	7065	33B Stanek, Rich (R)	351	5502
15A Juhnke, Al (DFL)	531	6206	14B Stang, Doug (R)	223	4373
59B Kahn, Phyllis (DFL)	367	4257	28B Sviggum, Steve (R)	267	2273
26B Kalis, Henry J. (DFL)	543	4240	51B Swenson, Doug (R)	255	4124
35B Kelso, Becky (DFL)	415	1072	23B Swenson, Howard (R)	331	8634
20B Kielkucki, Tony (R)	313	1534	43B Sykora, Barb (R)	389	4315
4B Kinkel, Anthony G. (Tony) (DFL)	537	2451	50B Tingelstad, Kathy (R)	295	5369
40B Knight, Kevin (R)	229	4218	5B Tomassoni, David J. (DFL)	593	0172
16B Knoblach, Jim (R)	207	6316	36A Tompkins, Eileen (R)	245	5506
17A Koppendrayner, LeRoy (R)	247	6746	67B Trimble, Steve (DFL)	597	4201
49B Koskinen, Luanne (DFL)	411	4231	25A Tuma, John (R)	301	4229
27A Kraus, Ron (R)	279	8216	1A Tunheim, Jim (DFL)	509	9635
53A Krinkie, Philip (R)	303	2907	34B Van Dellen, Todd (R)	291	5511
15B Kubly, Gary W. (DFL)	423	4346	23A Vickerman, Barb (R)	211	9303
31A Kuisle, William (R)	375	4378	63A Wagenius, Jean (DFL)	437	4200
56B Larsen, Peg (R)	307	4244	49A Weaver, Charlie (R)	261	1729
27B Leighton, Rob (DFL)	527	4193	61B Wejcman, Linda (DFL)	407	7152
45B Leppik, Peggy (R)	393	7026	12B Wenzel, Stephen G. (DFL)	487	4247
2A Lieder, Bernie L. (DFL)	515	5091	9B Westfall, Robert L. (Bob) (R)	225	6829
33A Lindner, Arlon (R)	227	7806	13A Westrom, Torrey (R)	273	4929
60A Long, Dee (DFL)	443	0171	22A Winter, Ted (DFL)	459	5505
47A Luther, Darlene (DFL)	581	3751	41B Wolf, Ken (R)	387	5185
37B Macklin, Bill (R)	349	6926	43A Workman, Tom (R)	335	5066

Note: Room numbers are subject to change.

\*All rooms are in the State Office Building, St. Paul, MN 55155  
 \*\* Rep. Ken Otremba passed away Sept. 4, 1997. A special election is scheduled for Nov. 4, 1997.

# Minnesota Senate 1997 Members

District/Member/Party	Room*	Phone (612) 296-	District/Member/Party	Room*	Phone (612) 296-
66 Anderson, Ellen R. (DFL)	G-24 Cap.	5537	8 Lourey, Becky (DFL)	G-9 Cap.	0293
26 Beckman, Tracy L. (DFL)	124G Cap.	5713	54 Marty, John (DFL)	325 Cap.	5645
41 Belanger Jr., William V. (R)	113 SOB	5975	39 Metzen, James P. (DFL)	303 Cap.	4370
13 Berg, Charles A. (Ind.)	G-95 SOB	5094	2 Moe, Roger D. (DFL)	208 Cap.	2577
61 Berglin, Linda (DFL)	309 Cap.	4261	32 Morse, Steven (DFL)	G-24 Cap.	5649
48 Betzold, Don (DFL)	306 Cap.	2556	29 Murphy, Steve (DFL)	301 Cap.	4264
64 Cohen, Richard J. (DFL)	317 Cap.	5931	25 Neuville, Thomas M. (R)	123 SOB	1279
28 Day, Dick (R)	147 SOB	9457	52 Novak, Steven G. (DFL)	322 Cap.	4334
20 Dille, Steve (R)	103 SOB	4131	43 Oliver, Edward C. (R)	121 SOB	4837
14 Fischbach, Michelle L. (R)	151 SOB	2084	34 Olson, Gen (R)	119 SOB	1282
62 Flynn, Carol (DFL)	120 Cap.	4274	19 Ourada, Mark (R)	145 SOB	5981
49 Foley, Leo T. (DFL)	G-9 Cap.	4154	65 Pappas, Sandra L. (DFL)	120 Cap.	1802
23 Frederickson, Dennis R. (R)	139 SOB	8138	37 Pariseau, Pat (R)	109 SOB	5252
50 Hanson, Paula E. (DFL)	328 Cap.	3219	27 Piper, Pat (DFL)	G-9 Cap.	9248
58 Higgins, Linda I. (DFL)	227 Cap.	9246	59 Pogemiller, Lawrence J. (DFL)	235 Cap.	7809
24 Hottinger, John C. (DFL)	120 Cap.	6153	57 Price, Leonard R. (DFL)	235 Cap.	7-8060
5 Janezich, Jerry R. (DFL)	328 Cap.	8017	63 Ranum, Jane B. (DFL)	306 Cap.	7-8061
40 Johnson, Dave (DFL)	111 Cap.	9261	45 Robertson, Martha R. (R)	125 SOB	4314
15 Johnson, Dean E. (R)	117 SOB	3826	35 Robling, Claire A. (R)	132D SOB	4123
6 Johnson, Douglas J. (DFL)	205 Cap.	8881	53 Runbeck, Linda (R)	107 SOB	1253
18 Johnson, Janet B. (DFL)	G-9 Cap.	5419	11 Sams, Dallas C. (DFL)	328 Cap.	7-8063
46 Junge, Ember Reichgott (DFL)	205 Cap.	2889	12 Samuelson, Don (DFL)	124 Cap.	4875
44 Kelley, Steve (DFL)	321 Cap.	7-8065	31 Scheevel, Kenric J. (R)	129 SOB	3903
67 Kelly, Randy C. (DFL)	323 Cap.	5285	47 Scheid, Linda (DFL)	317 Cap.	8869
30 Kiscaden, Sheila M. (R)	135 SOB	4848	7 Solon, Sam G. (DFL)	303 Cap.	4188
16 Kleis, Dave (R)	143 SOB	6455	60 Spear, Allan H. (DFL)	120 Cap.	4191
36 Knutson, David L. (R)	133 SOB	4120	17 Stevens, Dan (R)	105 SOB	8075
51 Krentz, Jane (DFL)	235 Cap.	7061	1 Stumpf, LeRoy A. (DFL)	G-24 Cap.	8660
56 Laidig, Gary W. (R)	141 SOB	4351	4 Ten Eyck, David J. (DFL)	G-24F Cap.	4913
9 Langseth, Keith (DFL)	122 Cap.	3205	42 Terwilliger, Roy (R)	115 SOB	6238
10 Larson, Cal (R)	153 SOB	5655	22 Vickerman, Jim (DFL)	226 Cap.	5650
21 Lesewski, Arlene J. (R)	131 SOB	4125	38 Wiener, Deanna L. (DFL)	303 Cap.	7-8073
3 Lessard, Bob (DFL)	111 Cap.	4136	55 Wiger, Charles W. (DFL)	325 Cap.	6820
33 Limmer, Warren (R)	127 SOB	2159			

\*Capitol or State Office Building, St. Paul, MN 55155

## Minnesota House and Senate Membership

<b>1</b> A • Rep. Jim Tunheim-DFL B • Rep. Tim Fintseh-R Sen. LeRoy A. Stumpf-DFL	<b>15</b> A • Rep. Al Juhnke-DFL B • Rep. Gary W. Kubly-DFL Sen. Dean E. Johnson-R	<b>29</b> A • Rep. Jerry Dempsey-R B • Rep. Mike Oskopp-R Sen. Steve Murphy-DFL	<b>43</b> A • Rep. Tom Workman-R B • Rep. Barb Sykora-R Sen. Edward C. Oliver-R	<b>57</b> A • Rep. Nora Slawik-DFL B • Rep. Sharon Marko-DFL Sen. Leonard R. Price-DFL
<b>2</b> A • Rep. Bernie L. Lieder-DFL B • Rep. Edgar Olson-DFL Sen. Roger D. Moe-DFL	<b>16</b> A • Rep. Joe Opatz-DFL B • Rep. Jim Knobloch-R Sen. Dave Kleis-R	<b>30</b> A • Rep. Fran Bradley-R B • Rep. Dave Bishop-R Sen. Sheila M. Kiscaden-R	<b>44</b> A • Rep. Betty Follard-DFL B • Rep. Jim Rhodes-R Sen. Steve Kelley-DFL	<b>58</b> A • Rep. Joe Mullery-DFL B • Rep. Richard Jefferson-DFL Sen. Linda I. Higgins-DFL
<b>3</b> A • Rep. Irv Anderson-DFL B • Rep. Loren A. Solberg-DFL Sen. Bob Lessard-DFL	<b>17</b> A • Rep. LeRoy Koppendraye-R B • Rep. Leslie J. Schumacher-DFL Sen. Dan Stevens-R	<b>31</b> A • Rep. William Kuisle-R B • Rep. Gregory M. Davids-R Sen. Kenric J. Scheevel-R	<b>45</b> A • Rep. Ron Abrams-R B • Rep. Peggy Leppik-R Sen. Martha R. Robertson-R	<b>59</b> A • Rep. Len Biernat-DFL B • Rep. Phyllis Kahn-DFL Sen. Lawrence J. Pogemiller-DFL
<b>4</b> A • Rep. Gail Skare-DFL B • Rep. Anthony G. (Tony) Kinkel-DFL Sen. David J. Ten Eyck-DFL	<b>18</b> A • Rep. Jim Rostberg-R B • Rep. Loren Geo Jennings-DFL Sen. Janet B. Johnson-DFL	<b>32</b> A • Rep. Gene Pelowski Jr.-DFL B • Rep. Michelle Rifenberg-R Sen. Steven Morse-DFL	<b>46</b> A • Rep. Ann H. Rest-DFL B • Rep. Lyndon R. Carlson-DFL Sen. Ember R. Junge-DFL	<b>60</b> A • Rep. Dee Long-DFL B • Rep. Myron Orfield-DFL Sen. Allan H. Spear-DFL
<b>5</b> A • Rep. Tom Rukavina-DFL B • Rep. David J. Tomassoni-DFL Sen. Jerry R. Janezich-DFL	<b>19</b> A • Rep. Mark Olson-R B • Rep. Bruce Anderson-R Sen. Warren Limmer-R	<b>33</b> A • Rep. Arlon Lindner-R B • Rep. Rich Stanek-R Sen. Warren Limmer-R	<b>47</b> A • Rep. Darlene Luther-DFL B • Rep. Phil Carruthers-DFL Sen. Linda Scheid-DFL	<b>61</b> A • Rep. Karen Clark-DFL B • Rep. Linda Wejman-DFL Sen. Linda Berglin-DFL
<b>6</b> A • Rep. Thomas (Tom) Bakk-DFL B • Rep. Thomas Huntley-DFL Sen. Douglas J. Johnson-DFL	<b>20</b> A • Rep. Robert "Bob" Ness-R B • Rep. Tony Kielkucki-R Sen. Steve Dille-R	<b>34</b> A • Rep. Steve Smith-R B • Rep. Todd Van Dellen-R Sen. Gen Olson-R	<b>48</b> A • Rep. Bill Haas-R B • Rep. Alice M. Johnson-DFL Sen. Don Betzold-DFL	<b>62</b> A • Rep. Lee Greenfield-DFL B • Rep. Wes Skoglund-DFL Sen. Carol Flynn-DFL
<b>7</b> A • Rep. Willard Munger-DFL B • Rep. Mike Jaros-DFL Sen. Sam G. Solon-DFL	<b>21</b> A • Rep. Marty Seifert-R B • Rep. Richard Mulder-R Sen. Arlene J. Lesewski-R	<b>35</b> A • Rep. Carol L. Molnau-R B • Rep. Becky Kelso-DFL Sen. Claire A. Robling-R	<b>49</b> A • Rep. Charlie Weaver-R B • Rep. Luanne Koskinen-DFL Sen. Leo Foley-DFL	<b>63</b> A • Rep. Jean Wagenius-DFL B • Rep. Edwina Garcia-DFL Sen. Jane B. Ranum-DFL
<b>8</b> A • Rep. Mary Murphy-DFL B • Rep. Bill Hilly-DFL Sen. Becky Lourey-DFL	<b>22</b> A • Rep. Ted Winter-DFL B • Rep. Elaine Harder-R Sen. Jim Vickerman-DFL	<b>36</b> A • Rep. Eileen Tompkins-R B • Rep. Dan McElroy-R Sen. David L. Knutson-R	<b>50</b> A • Rep. Kathleen Sekhon-DFL B • Rep. Kathy Tingelstad-R Sen. Paula E. Hanson-DFL	<b>64</b> A • Rep. Matt Intenza-DFL B • Rep. Michael Pymar-DFL Sen. Richard J. Cohen-DFL
<b>9</b> A • Rep. Kevin Goodno-R B • Rep. Robert L. (Bob) Westfall-R Sen. Keith Langseth-DFL	<b>23</b> A • Rep. Barb Vickerman-R B • Rep. Howard Swenson-R Sen. Dennis R. Frederickson-R	<b>37</b> A • Rep. Dennis Ozment-R B • Rep. Bill Macklin-R Sen. Pat Pariseau-R	<b>51</b> A • Rep. Mike Delmont-DFL B • Rep. Doug Swenson-R Sen. Jane Krentz-DFL	<b>65</b> A • Rep. Andy Dawkins-DFL B • Rep. Carlos Mariani-DFL Sen. Sandra L. Pappas-DFL
<b>10</b> A • Rep. Bud Nornes-R B • Rep. Hilda Bettermann-R Sen. Cal Larson-R	<b>24</b> A • Rep. John Dorn-DFL B • Rep. Ruth Johnson-DFL Sen. John C. Hottinger-DFL	<b>38</b> A • Rep. Tim Commers-R B • Rep. Tim Pawlenty-R Sen. Deanna L. Wiener-DFL	<b>52</b> A • Rep. Salveer Chaudhary-DFL B • Rep. Geri Evans-DFL Sen. Steven G. Novak-DFL	<b>66</b> A • Rep. Tom Osthoff-DFL B • Rep. Alice Hausman-DFL Sen. Ellen R. Anderson-DFL
<b>11</b> A • Rep. Roxann Daggett-R B • Rep. Ken Otremba-DFL** Sen. Dallas C. Sams-DFL	<b>25</b> A • Rep. John Tuma-R B • Rep. Lynda Boudreau-R Sen. Thomas M. Neuville-R	<b>39</b> A • Rep. Thomas W. Pugh-DFL B • Rep. Bob Milbert-DFL Sen. James P. Metzen-DFL	<b>53</b> A • Rep. Phil Krinkie-R B • Rep. Sherry Broecker-R Sen. Linda Runbeck-R	<b>67</b> A • Rep. Jim Farrell-DFL B • Rep. Steve Trimble-DFL Sen. Randy C. Kelly-DFL
<b>12</b> A • Rep. Kris Hasskamp-DFL B • Rep. Stephen G. Wenzel-DFL Sen. Don Samuelson-DFL	<b>26</b> A • Rep. Bob Gunther-R B • Rep. Henry J. Kalis-DFL Sen. Tracy L. Beckman-DFL	<b>40</b> A • Rep. Mark P. Mahon-DFL B • Rep. Kevin Knight-R Sen. Dave Johnson-DFL	<b>54</b> A • Rep. Mary Jo McGuire-DFL B • Rep. Mindy Greiling-DFL Sen. John Marty-DFL	
<b>13</b> A • Rep. Torrey Westrom-R B • Rep. Doug Peterson-DFL Sen. Charles A. Berg-IND.	<b>27</b> A • Rep. Ron Kraus-R B • Rep. Rob Leighton-DFL Sen. Pat Piper-DFL	<b>41</b> A • Rep. Alice Seagren-R B • Rep. Ken Wolf-R Sen. William V. Belanger Jr.-R	<b>55</b> A • Rep. Harry Mares-R B • Rep. Betty McCollum-DFL Sen. Charles W. Wiger-DFL	
<b>14</b> A • Rep. Steve Dehler-R B • Rep. Doug Stang-R Sen. Michelle L. Fischbach-R	<b>28</b> A • Rep. Doug Reuter-R B • Rep. Steve Sviggum-R Sen. Dick Day-R	<b>42</b> A • Rep. Ron Erhardt-R B • Rep. Erik Paulsen-R Sen. Roy Terwilliger-R	<b>56</b> A • Rep. Mark Holsten-R B • Rep. Peg Larsen-R Sen. Gary W. Laidig-R	

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\*\* Rep. Ken Otremba passed away Sept. 4, 1997. A special election is scheduled for Nov. 4, 1997.





