

STATE OF MINNESOTA

# Journal of the Senate

EIGHTIETH LEGISLATURE

SIXTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, January 29, 1998

The Senate met at 9:30 a.m. and was called to order by the President.

## CALL OF THE SENATE

Mr. Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. L. Douglas Throckmorton.

The roll was called, and the following Senators answered to their names:

Anderson	Hanson	Laidig	Novak	Samuelson
Beckman	Higgins	Langseth	Ourada	Scheevel
Berg	Hottinger	Larson	Pappas	Scheid
Berglin	Janezich	Lesewski	Pariseau	Solon
Betzold	Johnson, D.H.	Lessard	Piper	Spear
Cohen	Johnson, D.J.	Limmer	Pogemiller	Stevens
Day	Johnson, J.B.	Lourey	Price	Stumpf
Dille	Kelley, S.P.	Marty	Ranum	Ten Eyck
Fischbach	Kelly, R.C.	Metzen	Robertson	Vickerman
Flynn	Kiscaden	Moe, R.D.	Robling	Wiener
Foley	Kleis	Morse	Runbeck	Wiger
Frederickson	Krentz	Murphy	Sams	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

## MEMBERS EXCUSED

Mr. Johnson, D.E.; Ms. Junge and Mr. Knutson were excused from the Session of today.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

January 6, 1998

The Honorable Allan H. Spear  
President of the Senate

The Honorable Phil Carruthers  
Speaker of the House

Dear President Spear and Speaker Carruthers:

I respectfully request the opportunity of addressing a Joint meeting of the 80th Session of the Minnesota State Legislature on Wednesday, February 4, 1998 at 12:00 noon for the purpose of presenting my State of the State message.

Thank you.

Warmest regards,  
Arne H. Carlson, Governor

January 26, 1998

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

As Chair of the Committee on Rules and Administration, after consultation with and advice from the Minority Leader, I have made the following change:

Budget Division on Property Taxes and Local Government - add Johnson, D.J. and increase the complement from 13 to 14

Thank you.

Sincerely,  
Roger, D. Moe, Chair  
Committee on Rules  
and Administration

January 27, 1998

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

As Chair of the Committee on Rules and Administration, after consultation with and advice from the Minority Leader, I have made the following appointment:

Judiciary Committee - add Fischbach and increase the complement from 12 to 13

Thank you.

Sincerely,  
Roger, D. Moe, Chair  
Committee on Rules  
and Administration

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate in Joint Convention at 11:45 a.m., Wednesday, February 4, 1998, to receive the message of the Honorable Arne H. Carlson, Governor of the State of Minnesota, said message to be delivered at 12:00 noon, Wednesday, February 4, 1998.

The Speaker will be appointing a committee of five members to act with a similar committee to be appointed by the Senate to escort the Governor to the Joint Convention.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 26, 1998

Mr. Moe, R.D. moved that the Senate accept the invitation of the House of Representatives to

meet in Joint Convention in the House Chamber at 11:45 a.m., Wednesday, February 4, 1998, to receive the message of the Honorable Arne H. Carlson, Governor of the State of Minnesota. The motion prevailed.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

**Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 2171:** A bill for an act relating to education; providing for snowmobile safety training; proposing coding for new law in Minnesota Statutes, chapter 126.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Children, Families and Learning. Report adopted.

**Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 2111:** A bill for an act relating to game and fish; modifying restrictions on fish houses; modifying the license period for fish house licenses; amending Minnesota Statutes 1996, section 97C.355, subdivision 7; Minnesota Statutes 1997 Supplement, section 97A.411, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, strike "February 28" and insert "the last day of February"

Page 2, line 26, delete "February 28" and insert "the last day of February"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 1180:** A bill for an act relating to game and fish; permitting persons 65 years of age or older to hunt big game or turkey with a crossbow; amending Minnesota Statutes 1996, sections 97B.035, subdivision 1; and 97B.106.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "person" insert "under the age of 65"

Page 1, line 11, reinstate the stricken language

Page 1, line 13, after the period, insert "Any person hunting with such a bow must comply with the applicable restrictions on such bows in section 97B.106."

Pages 1 and 2, delete section 2

Amend the title as follows:

Page 1, line 4, delete "sections" and insert "section"

Page 1, line 5, delete "; and 97B.106"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2017:** A bill for an act relating to public contracts; exempting the reconstruction of the Bridges Medical Center in Norman County from competitive bid requirements.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2051:** A bill for an act relating to the city of St. Paul; providing for the use of certain sales tax revenues.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "grant" insert "or loan"

Page 1, line 18, after "Grants" insert "or loans"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Mr. Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 2079:** A bill for an act relating to public safety; authorizing release of sex offender registration data to promote public safety; requiring property owners convicted of background check crimes to notify tenants; amending Minnesota Statutes 1996, sections 243.166, subdivision 7; and 299C.69.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary. Report adopted.

**Mr. Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 2089:** A bill for an act relating to crime; clarifying liability for the crime of burglary; amending Minnesota Statutes 1996, section 609.582.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Ms. Ranum from the Committee on Judiciary, to which was referred**

**S.F. No. 2031:** A bill for an act relating to commerce; regulating conveyances and other transactions relating to real and personal property; making corrective and conforming changes to the Uniform Partnership Act of 1994; amending Minnesota Statutes 1996, sections 501B.57, subdivision 1, and by adding a subdivision; 507.24; and 580.24; Minnesota Statutes 1997 Supplement, sections 315.121; 322A.88; 323A.1-04; 323A.3-06; and 524.2-403; Laws 1997, chapter 174, article 12, sections 67 and 68; proposing coding for new law in Minnesota Statutes, chapter 507; repealing Minnesota Statutes 1996, section 525.152, subdivisions 4 and 5; Minnesota Statutes 1997 Supplement, section 525.152, subdivisions 1, 2, and 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, lines 27 and 28, reinstate the stricken language

Page 9, line 35, delete "1998" and insert "1999"

Page 10, delete section 14

Amend the title as follows:

Page 1, line 11, delete the semicolon and insert a period

Page 1, delete lines 12 to 14

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Ms. Ranum from the Committee on Judiciary, to which was referred**

**S.F. No. 2230:** A bill for an act relating to human rights; modifying the definition of housing for the elderly; amending Minnesota Statutes 1996, section 363.02, subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2156:** A bill for an act relating to Hennepin county; increasing the dollar amount for certain small purchases that may be authorized by the board; amending Minnesota Statutes 1996, section 383B.143, subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike ", not to" and insert a period

Page 1, lines 12 to 14, delete the new language and strike the old language

Amend the title as follows:

Page 1, lines 2 and 3, delete "increasing the dollar amount" and insert "removing the dollar limitation"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Ms. Ranum from the Committee on Judiciary, to which was re-referred**

**S.F. No. 663:** A bill for an act relating to landlords and tenants; recodifying, clarifying, and relocating landlord tenant law; proposing coding for new law as Minnesota Statutes, chapter 504A; repealing Minnesota Statutes 1996, sections 504.01; 504.012; 504.015; 504.02; 504.03; 504.04; 504.05; 504.06; 504.07; 504.08; 504.09; 504.18; 504.181; 504.183; 504.185; 504.20; 504.201; 504.21; 504.22; 504.23; 504.24; 504.245; 504.246; 504.25; 504.255; 504.257; 504.26; 504.265; 504.27; 504.28; 504.29; 504.30; 504.31; 504.32; 504.36; 566.01; 566.02; 566.021; 566.03; 566.04; 566.05; 566.051; 566.06; 566.07; 566.08; 566.09; 566.10; 566.11; 566.12; 566.13; 566.14; 566.15; 566.16; 566.17; 566.175; 566.18; 566.19; 566.20; 566.205; 566.21; 566.22; 566.23; 566.24; 566.25; 566.26; 566.27; 566.28; 566.29; 566.291; 566.30; 566.31; 566.32; 566.33; 566.34; and 566.35.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"CHAPTER 504A

LANDLORDS AND TENANTS

Section 1. [504A.001] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. [COMMERCIAL TENANT.] "Commercial tenant" means a person paying rent in a residential building defined in subdivision 10 who is not a residential tenant, as defined in subdivision 11. [566.18, s.4]

Subd. 3. [EVICT OR EVICTION.] "Evict" or "eviction" means to remove a renter or occupant from or otherwise recover possession of real property by process of law.

Subd. 4. [INSPECTOR.] "Inspector" means the person charged by the governing body of the political subdivision in which a residential building is situated, with the responsibility of enforcing provisions of local law, the breach of which could constitute a violation as defined in subdivision 13, clause (1). If there is no such person, "inspector" means the county agent of a board of health as authorized under section 145A.04 or the chair of the board of county commissioners, and in the case of a manufactured home park, the state department of health or its designee. [566.18, s.8]

Subd. 5. [LANDLORD.] "Landlord" means an owner of real property, a contract for deed vendee, receiver, executor, trustee, lessee, agent, or other person directly or indirectly in control of rental property. [566.18, s.3]

Subd. 6. [LEASE.] "Lease" means a written or oral agreement to rent real property, other than a hotel as defined in section 327.70, for any period of time.

Subd. 7. [NEIGHBORHOOD ORGANIZATION.] "Neighborhood organization" means a nonprofit corporation incorporated under chapter 317A that:

(1) designates in its articles of incorporation or bylaws a specific geographic community to which its activities are limited; and

(2) is formed for the purposes of promoting community safety, crime prevention, and housing quality in a nondiscriminatory manner.

For purposes of this chapter, an action taken by a neighborhood organization with the written permission of a residential tenant means, with respect to a building with multiple dwelling units, an action taken by the neighborhood organization with the written permission of the residential tenants of a majority of the occupied units. [566.18, s.9]

Subd. 8. [PERSON.] "Person" means a natural person, corporation, limited liability company, partnership, or unincorporated association. [566.18, s.5]

Subd. 9. [RENTER.] "Renter" means a residential or commercial tenant or other person that rents or leases real property.

Subd. 10. [RESIDENTIAL BUILDING.] "Residential building" means:

(1) a building used in whole or in part as a dwelling, including single family homes, multiple family units such as apartments, and structures containing both dwelling units and units used for nondwelling purposes, and includes a manufactured home park; or

(2) an unoccupied building which was previously used in whole or in part as a dwelling and which constitutes a nuisance under section 561.01. [566.18, s.7]

Subd. 11. [RESIDENTIAL TENANT.] "Residential tenant" means a person who is occupying a dwelling in a residential building under a lease or contract, whether oral or written, that requires the payment of money or exchange of services, all other regular occupants of that dwelling unit, or a resident of a manufactured home park. [566.18, s.2]

Subd. 12. [TENANCY AT WILL.] "Tenancy at will" means a tenancy established without a written lease.

Subd. 13. [VIOLATION.] "Violation" means:

(1) a violation of a state, county or city health, safety, housing, building, fire prevention, or housing maintenance code applicable to the building;

(2) a violation of section 6, subdivision 1, paragraph (a), clause (1) or (2);

(3) a violation of section 76, subdivision 1; or

(4) a violation of lease for the rental of a dwelling in a building. [566.18, s.6]

DURING THE TENANCY

Sec. 2. [504A.101] [PERSON IN POSSESSION LIABLE FOR RENT; EVIDENCE.]

Every person in possession of land out of which any rent is due, whether it was originally demised in fee, or for any other estate of freehold or for any term of years, shall be liable for the amount or proportion of rent due from the land in possession, although it be only a part of the land originally demised. Such rent may be recovered in a civil action, and the deed, demise, or other instrument showing the provisions of the lease may be used in evidence by either party to prove the amount due from the defendant. Nothing herein contained shall deprive landlords of any other legal remedy for the recovery of rent, whether secured to them by their leases or provided by law. [504.04]

Sec. 3. [504A.111] [WRITTEN LEASE REQUIRED; PENALTY.]

A landlord of a residential building with 12 or more residential units must have a written lease for each unit rented to a residential tenant. Notwithstanding any other state law or city ordinance to the contrary, a landlord may ask for the tenant's full name and date of birth on the lease and application. A landlord who fails to provide a lease, as required under this section, is guilty of a petty misdemeanor. [504.012]

Sec. 4. [504A.115] [TENANT TO BE GIVEN COPY OF LEASE.]

Subdivision 1. [COPY OF WRITTEN LEASE TO TENANT.] Where there is a written lease, a landlord must give a copy to each tenant occupying a dwelling unit whose signature appears on the lease agreement. The landlord may obtain a signed and dated receipt, either as a separate document or an acknowledgment included in the lease agreement itself, from the tenant acknowledging that the tenant has received a copy of the lease. This signed receipt or acknowledgment is prima facie evidence that the tenant has received a copy of the lease. [504.015]

Subd. 2. [LEGAL ACTION TO ENFORCE LEASE.] In any legal action to enforce a written lease, except for nonpayment of rent, disturbing the peace, malicious destruction of property, or a violation of section 76, it is a defense for the tenant to establish that the landlord failed to comply with subdivision 1. This defense may be overcome if the landlord establishes that the tenant had actual knowledge of the term or terms of the lease upon which any legal action is based. [504.015]

Sec. 5. [504A.121] [URBAN REAL ESTATE; HOLDING OVER.]

When a renter of urban real estate holds over and retains possession after expiration of the lease without the landlord's express agreement, no tenancy for any period other than the shortest interval between the times of payment of rent under the terms of the expired lease shall be implied. [504.07]

Sec. 6. [504A.125] [HABITABILITY COVENANTS OF LANDLORD.]

Subdivision 1. [REQUIREMENTS.] (a) A landlord covenants that:

(1) the property and all common areas are fit for the use intended by the landlord and residential tenant;

(2) the property is kept in reasonable repair during the term of the lease, except when disrepair has been caused by the willful, malicious, or irresponsible conduct of the residential tenant or a person under the direction or control of the residential tenant; and

(3) the property is maintained in compliance with the applicable health and safety laws of:

(i) the state, including the weatherstripping, caulking, storm window, and storm door energy efficiency standards for renter-occupied residences prescribed by section 216C.27, subdivisions 1 and 3; and

(ii) the local units of government where the property is located:

except that items (i) and (ii) do not apply when violation of the health and safety laws has been caused by the willful, malicious, or irresponsible conduct of the residential tenant or a person under the direction or control of the residential tenant.

(b) The landlord may agree with the residential tenant that the residential tenant is to perform specified repairs or maintenance, but only if the agreement is supported by adequate consideration and is in conspicuous writing.

(c) The requirements in paragraph (a) are in addition to any other requirements imposed by law, ordinance, or by the terms of the lease.

(d) Nothing in this subdivision may be construed to alter the liability of the landlord for injury to third parties. [504.18, subs. 1, 2, 4, 5]

Subd. 2. [WAIVER NOT ALLOWED.] The landlord and residential tenant may not waive or modify the requirements of subdivision 1, paragraph (a), under any circumstances including, but not limited to:

(1) by agreement; or

(2) by permitting the residential tenant to inspect the property before entering into a lease. [504.18, subs. 2 and 3]

Subd. 3. [APPLICABILITY.] (a) This section applies only to leases concluded or renewed on or after June 15, 1971.

(b) For the purposes of this section, tenancies at will are considered renewed at the beginning of each rental period. [504.18, subd. 6]

Subd. 4. [LIBERAL CONSTRUCTION.] This section shall be liberally construed. [504.18, subd. 3]

Sec. 7. [504A.131] [SINGLE-METER UTILITY SERVICE PAYMENTS.]

(a) For the purposes of this section, "single-metered residential building" means a multiunit residential building with one or more separate residential living units where the utility service measured through a single meter provides service to an individual unit and to all or parts of common areas or other units.

(b) In a residential lease entered into or renewed on or after August 1, 1995, the owner of a single-metered residential building shall be the bill payer responsible, and shall be the customer of record contracting with the utility for utility services. The owner must advise the utility provider that the utility services apply to a single-metered residential building. A failure by the owner to comply with this section is a violation of sections 6, subdivision 1, paragraph (a), clause (1), and 30. This section may not be waived by contract or otherwise. This section does not require an owner to contract and pay for utility service provided to each residential unit through a separate meter which accurately measures that unit's use only. [504.185, subs. 1 and 1a]

Sec. 8. [504A.135] [EMERGENCY CONDITIONS; LOSS OF ESSENTIAL SERVICES.]

Subdivision 1. [PROCEDURE.] (a) A residential tenant or group of residential tenants may pay to have home heating oil, propane, natural gas, electricity, or water service continued or reconnected as provided in this section if the municipality, utility company, or other company supplying the service to the residential building has issued a final notice, has posted the building proposing to disconnect, or has discontinued the service because a landlord:

(1) who has contracted for the service has failed to pay for it; or

(2) is required by law or contract to pay for the service and fails to do so.

(b) Before paying for the service, the residential tenant or group of tenants must give oral or written notice to the landlord of their intention to pay after 48 hours, or a shorter period that is reasonable under the circumstances, if the landlord has not already paid for the service. In the case of oral notice, written notice must be mailed or delivered to the landlord within 24 hours after oral notice is given.

(c) When the affected service is natural gas, electricity, or water, if the landlord has not yet paid



the bill by the time of the residential tenant's intended payment, or if the service remains discontinued, the residential tenant or group of tenants may pay the outstanding bill for the most recent billing period, if the utility company or municipality will restore the service for at least one billing period.

(d) When the affected service is home heating oil or propane, if the landlord has not yet paid the bill by the time of the residential tenant's intended payment, or if the service remains discontinued, the residential tenant or group of tenants may order and pay for one month's supply of the proper grade and quality of oil or propane.

(e) After submitting receipts for the payment to the landlord, a residential tenant may deduct the amount of the tenant's payment from the next rental payment. Amounts paid to the municipality, utility company, or other company by a residential tenant under this subdivision are considered payment of rent to the landlord for purposes of section 19. [504.185, subd. 2]

Subd. 2. [LIMITATIONS; WAIVER NOT ALLOWED; RIGHTS ARE ADDITIONAL.] The residential tenant rights under this section:

(1) do not extend to conditions caused by the willful, malicious, or negligent conduct of the residential tenant or of a person under the tenant's direction or control;

(2) may not be waived or modified; and

(3) are in addition to and do not limit other rights that may be available to the residential tenant in law or equity, including the right to damages and the right to restoration of possession of the property under section 19. [504.185, subd. 3]

Sec. 9. [504A.141] [TENANT'S RIGHT TO PRIVACY.]

Subdivision 1. [ENTRY BY LANDLORD.] Except as provided in subdivision 3, a landlord may enter the premises rented by a residential tenant only for a reasonable business purpose and after making a good faith effort to give the tenant reasonable notice under the circumstances of the intent to enter. A tenant may not waive and the landlord may not require the tenant to waive the tenant's right to prior notice of entry under this section as a condition of entering into or maintaining the lease. [504.183, subs. 1,2]

Subd. 2. [REASONABLE PURPOSE.] For purposes of subdivision 1, a reasonable business purpose includes, but is not limited to:

(1) showing the unit to prospective tenants during the notice period before the lease terminates or after the current tenant has given notice to move to the owner or owner's agent;

(2) showing the unit to a prospective buyer or to an insurance representative;

(3) performing maintenance work;

(4) allowing inspections by state, county, or city officials charged in the enforcement of health, housing, building, fire prevention, or housing maintenance codes;

(5) the tenant is causing a disturbance within the unit;

(6) the landlord has a reasonable belief that the tenant is violating the lease within the tenant's unit;

(7) prearranged housekeeping work in senior housing where 80 percent or more of the tenants are age 55 or older;

(8) the landlord has a reasonable belief that the unit is being occupied by an individual without a legal right to occupy it; or

(9) the tenant has vacated the unit. [504.183, subd. 3]

Subd. 3. [EXCEPTION TO NOTICE REQUIREMENT.] Notwithstanding subdivision 1, a

landlord may enter the premises rented by a tenant to inspect or take appropriate action without prior notice to the tenant if the landlord reasonably suspects that:

(1) immediate entry is necessary to prevent injury to persons or property because of conditions relating to maintenance, building security, or law enforcement;

(2) immediate entry is necessary to determine a tenant's safety; or

(3) immediate entry is necessary in order to comply with local ordinances regarding unlawful activity occurring within the tenant's premises. [504.183, subd. 4]

Subd. 4. [ENTRY WITHOUT TENANT'S PRESENCE.] If the landlord enters when the tenant is not present and prior notice has not been given, the landlord shall disclose the entry by placing a written disclosure of the entry in a conspicuous place in the premises. [504.183, subd. 5]

Subd. 5. [PENALTY.] If a landlord substantially violates subdivision 1, the tenant is entitled to a penalty which may include a rent reduction up to full rescission of the lease, recovery of any damage deposit less any amount retained under section 27, and up to a \$100 civil penalty for each violation. If a landlord violates subdivision 4, the tenant is entitled to up to a \$100 civil penalty for each violation. A tenant shall follow the procedures in sections 53 to 69 to enforce the provisions of this section. [504.183, subd. 6]

Subd. 6. [EXEMPTION.] This section does not apply to tenants and landlords of manufactured home parks as defined in section 327C.01. [504.183, subd. 7]

Sec. 10. [504A.145] [RESTRICTION ON LEASE TERMS FOR BUILDINGS IN FINANCIAL DISTRESS.]

Once a landlord has received notice of a contract for deed cancellation under section 559.21 or notice of a mortgage foreclosure sale under chapter 580 or 582, the landlord may enter into a periodic lease agreement with a term of two months or less or a fixed term tenancy not extending beyond the cancellation period or the landlord's period of redemption until:

(1) the contract for deed has been reinstated or paid in full;

(2) the mortgage default has been cured and the mortgage reinstated;

(3) the mortgage has been satisfied;

(4) the property has been redeemed from a foreclosure sale; or

(5) a receiver has been appointed.

This section does not apply to a manufactured home park as defined in section 327C.01, subdivision 5. [504.201]

Sec. 11. [504A.151] [RESTRICTION ON AUTOMATIC RENEWAL OF LEASE.]

(a) In a residential lease, a landlord may not enforce an automatic renewal clause of a lease of an original term of two months or more that renews the lease for a specified additional period of two months or more unless the residential tenant gives notice to the landlord of an intention to quit the property at the expiration of the term due to expire.

(b) Paragraph (a) does not apply if the landlord gives the residential tenant written notice directing the residential tenant's attention to the automatic renewal provision of the lease. The notice must be given between 15 and 30 days prior to the time that the residential tenant is required to furnish notice of an intention to quit and must be served personally or by certified mail. [504.21]

Sec. 12. [504A.155] [DISCLOSURE BY LANDLORD TO RESIDENTIAL TENANT; ATTORNEY GENERAL'S STATEMENT.]

Subdivision 1. [DISCLOSURE.] Before a tenancy begins, a landlord must inform a residential tenant either in the lease or otherwise in writing the name and address of:

(1) the person authorized to manage the property; and

(2) the landlord or an agent authorized by the landlord to accept service of process and receive and give receipt for notices and demands. [504.22, subd. 2]

Subd. 2. [POSTING NOTICE.] (a) A printed or typewritten notice containing the information that must be disclosed under subdivision 1 must be placed in a conspicuous place on the property.

(b) Unless the landlord is required to post a notice by section 471.9995, the landlord shall also place a notice in a conspicuous place on the property that states that a copy of the statement required by subdivision 4 is available from the attorney general to any residential tenant upon request. This subdivision is complied with if notices posted in compliance with other statutes or ordinances contain the information required by this section. [504.22, subd. 3]

Subd. 3. [AGENT WHERE LANDLORD'S ADDRESS IS NOT KNOWN.] If subdivisions 1 and 2, paragraph (a), have not been complied with and a person wants to serve process on or give a notice or demand to the landlord, but does not know the name and address of the landlord or the landlord's agent, then a caretaker or manager of the property or an individual to whom residential tenants make rental payments is the authorized agent. If this agent receives service of process or receipt of a notice or demand, the agent shall give the process, notice, or demand, or a copy of it, to the landlord personally or send it by certified mail, return receipt requested, to the landlord at the landlord's last known address. [504.22, subd. 4]

Subd. 4. [ATTORNEY GENERAL'S STATEMENT.] (a) The attorney general shall prepare and make available to the public a statement that:

(1) summarizes the significant legal rights and obligations of landlords and residential tenants;

(2) includes descriptions of the significant provisions of this chapter;

(3) notifies residential tenants in public housing to consult their leases for additional rights and obligations they may have under federal law; and

(4) includes the telephone number and address of the attorney general for further information.

(b) The attorney general shall annually revise the statement in paragraph (a) as necessary to ensure that it continues accurately to describe the statutory and case law governing the rights and duties of landlords and residential tenants. After each annual revision of the statement, the attorney general shall hold a public meeting to discuss the statement and receive comments on its contents before it is issued. When preparing the statement and evaluating public comment, the attorney general shall be guided by the legislature's intent that the statement be brief, accurate, and complete in identifying significant legal rights and obligations, and written using words with common, everyday meanings.

(c) For the purposes of this subdivision, "residential tenants" does not include residents of manufactured home parks as defined in section 327C.01, subdivision 9. [504.22, subs. 1 and 4a]

Subd. 5. [ACTION MAY NOT BE BROUGHT WITHOUT DISCLOSURE.] (a) Except as provided in paragraph (b), an action to recover rent or for eviction may not be brought unless the information required by this section:

(1) has been disclosed to the residential tenant as provided in this section; or

(2) is known by or has been disclosed to the residential tenant at least 30 days before the initiation of the action.

(b) Failure by the landlord to post a notice required by subdivision 2 or section 471.9995 shall not prevent an action to recover rent or for eviction. [504.22, subd. 5]

Subd. 6. [FAILURE TO NOTIFY LANDLORD.] A residential tenant who moves from or subleases the property without giving the landlord at least 30 days' written notice voids this section and section 72, as to the tenant. [504.22, subd. 6]

Subd. 7. [APPLICABILITY.] This section extends to and is enforceable against a successor landlord, caretaker, manager, or individual to whom rental payments are made. [504.22, subd. 7]

Sec. 13. [504A.161] [DISCLOSURE REQUIRED FOR OUTSTANDING INSPECTION AND CONDEMNATION ORDERS.]

Subdivision 1. [DISCLOSURE TO TENANT.] (a) Except as provided in subdivision 3, a landlord shall provide a copy of all outstanding inspection orders for which a citation has been issued, pertaining to a rental unit or common area, specifying code violations issued under section 53, that the inspector identifies as requiring notice because the violations threaten the health or safety of the tenant, and all outstanding condemnation orders and declarations that the premises are unfit for human habitation to:

(1) a residential tenant, either by delivery or by United States mail, postage prepaid, within 72 hours after issuance of the citation;

(2) a person before signing a lease or paying rent or a security deposit to begin a new tenancy; and

(3) a person prior to obtaining new ownership of the property subject to the order or declaration.

The inspector shall indicate on the inspection order whether the violation threatens the health or safety of a tenant or prospective tenant.

(b) If an inspection order, for which a citation has been issued, does not involve code violations that threaten the health or safety of the tenants, the landlord shall post a summary of the inspection order in a conspicuous place in each building affected by the inspection order, along with a notice that the inspection order will be made available by the landlord for review, upon a request of a tenant or prospective tenant. The landlord shall provide a copy of the inspection order for review by a tenant or a prospective tenant as required under this subdivision. [504.246, subd. 1]

Subd. 2. [PENALTY.] If the landlord violates this section, the residential tenant is entitled to remedies provided by section 8.31, subdivision 3a, and other equitable relief as determined by the court. [504.246, subd. 2]

Subd. 3. [EXCEPTION.] A landlord is not in violation of this section if:

(1) the landlord has received only an initial order to repair;

(2) the time allowed to complete the repairs, including any extension of the deadline, has not yet expired, or less than 60 days has elapsed since the expiration date of repair orders and any extension or no citation has been issued; or

(3) the landlord completes the repairs within the time given to repair, including any extension of the deadline. [504.246, subd. 3]

Subd. 4. [LANDLORD'S DEFENSE.] It is an affirmative defense in an action brought under this section for the landlord to prove that disclosure was made as required under subdivision 1. [504.246, subd. 4]

Sec. 14. [504A.165] [RENTAL OF CONDEMNED RESIDENTIAL PROPERTY; DAMAGES.]

(a) A landlord, an agent, or other person acting under the landlord's direction or control may not accept rent or a security deposit for residential rental property from a residential tenant after the property has been condemned or declared unfit for human habitation by the applicable state or local authority, if the tenancy began after the property was condemned or declared unfit for human habitation.

(b) If the landlord, an agent, or other person acting under the landlord's direction or control violates paragraph (a), the landlord is liable to the residential tenant for actual damages and an

amount equal to three times the amount of all money collected from the residential tenant after the date of condemnation or declaration, plus costs and attorney fees. [504.245]

Sec. 15. [504A.171] [RENT LIABILITY; UNINHABITABLE BUILDINGS.]

A renter of a building that is destroyed or becomes uninhabitable or unfit for occupancy through no fault of the renter, is not required to pay rent or a penalty to the landlord unless a written agreement expressly provides otherwise, and the renter may vacate the property. [504.05]

Sec. 16. [504A.175] [UNLAWFUL DESTRUCTION; DAMAGES.]

An action may be brought for willful and malicious destruction of a residential building. The prevailing party may recover actual damages, costs, and reasonable attorney fees, as well as other equitable relief as determined by the court. [504.257]

Sec. 17. [504A.181] [PETS IN SUBSIDIZED HANDICAPPED ACCESSIBLE RENTAL HOUSING UNITS.]

In a multiunit residential building, a residential tenant of a handicapped accessible unit, in which the tenant or the unit receives a subsidy that directly reduces or eliminates the tenant's rent responsibility must be allowed to have two birds or one spayed or neutered dog or one spayed or neutered cat. A tenant under this section may not keep or have visits from an animal that constitutes a threat to the health or safety of other individuals, or causes a noise nuisance or noise disturbance to other tenants. The landlord may require the tenant to pay an additional damage deposit in an amount reasonable to cover damage likely to be caused by the animal. The deposit is refundable at any time the tenant leaves the unit or to the extent it exceeds the amount of damage actually caused by the animal. [504.36]

Sec. 18. [504A.185] [RESIDENTIAL TENANT'S RIGHT TO SEEK POLICE AND EMERGENCY ASSISTANCE.]

Subdivision 1. [DEFINITION.] For the purpose of this section, "domestic abuse" has the meaning given in section 518B.01, subdivision 2. [504.215, subd. 1]

Subd. 2. [EMERGENCY CALLS PERMITTED.] (a) A landlord may not:

(1) bar or limit a residential tenant's right to call for police or emergency assistance in response to domestic abuse or any other conduct; or

(2) impose a penalty on a residential tenant for calling for police or emergency assistance in response to domestic abuse or any other conduct.

(b) A residential tenant may not waive and a landlord may not require the tenant to waive the tenant's right to call for police or emergency assistance. [504.215, subd. 2]

Subd. 3. [LOCAL PREEMPTION.] This section preempts any inconsistent local ordinance or rule including, without limitation, any ordinance or rule that:

(1) requires an eviction after a specified number of calls by a residential tenant for police or emergency assistance in response to domestic abuse or any other conduct; or

(2) provides that calls by a residential tenant for police or emergency assistance in response to domestic abuse or any other conduct may be used to penalize or charge a fee to a landlord.

This subdivision shall not otherwise preempt any local ordinance or rule that penalizes a landlord for, or requires a landlord to abate, conduct on the premises that constitutes a nuisance or other disorderly conduct as defined by local ordinance or rule. [504.215, subd. 3]

Subd. 4. [TENANT RESPONSIBILITY.] This section shall not be construed to condone or permit any breach of a lease or of law by a residential tenant including, but not limited to, disturbing the peace and quiet of other residential tenants, damage to property, and disorderly conduct. [504.215, subd. 4]

Subd. 5. [RESIDENTIAL TENANT REMEDIES.] A residential tenant may bring a civil action for a violation of this section and recover from the landlord \$250 or actual damages, whichever is greater, and reasonable attorney's fees. [504.215, subd. 5]

Subd. 6. [ATTORNEY GENERAL AUTHORITY.] The attorney general has authority under section 8.31 to investigate and prosecute violations of this section. [504.216, subd. 5]

#### ENDING THE TENANCY

Sec. 19. [504A.201] [LANDLORD'S CLAIM FOR RECOVERY OF PROPERTY; RENTER'S RIGHT TO POSSESSION.]

Subdivision 1. [ACTION TO RECOVER.] (a) When a renter is in arrears in payment of rent, a landlord may bring an action to recover possession of the property and such an action is equivalent to a demand for the rent and a reentry upon the property. Unless an action is pending under section 20, subdivision 3, for recovery of the property alleging a material violation of the lease, the renter may, at any time before possession has been delivered, redeem the tenancy and be restored to possession by paying to the landlord the amount of the rent, with interest, that is in arrears, costs of the action, and an attorney fee not to exceed \$5, and by performing any other covenants of the lease.

(b) If the renter has paid to the landlord or brought into court the amount of rent in arrears but is unable to pay the interest, costs of the action, and attorney fees required by paragraph (a), the court may permit the renter to pay these amounts into court and be restored to possession within the same period of time, if any, for which the court stays the issuance of the order to vacate under section 42.

(c) Prior to or after commencement of an action to recover possession for nonpayment of rent, the parties may agree only in writing that partial payment of rent in arrears which is accepted by the landlord prior to issuance of the order granting restitution of the premises pursuant to section 42 may be applied to the balance due and does not waive the landlord's action to recover possession of the premises for nonpayment of rent.

(d) Rental payments under this subdivision must first be applied to rent claimed due in the complaint from prior rental periods before applying any payment toward rent claimed due in the complaint for the current rental period, unless the court finds that under the circumstances the claim for rent from prior rental periods has been waived. [504.02, subd. 1]

Subd. 2. [LEASE GREATER THAN 20 YEARS.] (a) If the lease under which an action is brought under subdivision 1 is for a term of more than 20 years, the action may not begin until the landlord serves a written notice on the renter and on all creditors with legal or equitable recorded liens on the property. The notice must state:

(1) the lease will be canceled unless the amounts, agreements, and legal obligations in default are paid or performed within 30 days, or a longer specified period; and

(2) if the amounts, agreements, and legal obligations are not paid or performed within that period, then the landlord may evict the renter at the expiration of the period.

(b) If the lease provides that the landlord must give more than the 30 days' notice provided in paragraph (a), then notice must be the same as that provided in the lease.

(c) The renter may be restored to possession of the property under the terms of the original lease if, before the expiration of six months after the landlord obtains possession due to the renter's abandonment or surrender of the property or the landlord prevails in the action, the renter or a creditor holding a legal or equitable lien on the property:

(1) pays to the landlord or brings into court the amount of rent then in arrears, with interest and the costs of the action; and

(2) performs the other agreements or legal obligations that are in default. [504.02, subd. 2]

Sec. 20. [504A.205] [TERMINATION OF TENANCY OR OCCUPANCY.]

Subdivision 1. [SALE OF PROPERTY.] (a) A landlord or person entitled to possession may evict an occupant if the occupant refuses to leave the property after:

- (1) an execution or judgment sale;
- (2) foreclosure of a mortgage and expiration of the time for redemption; or
- (3) termination of a contract to convey the mortgage.

(b) If the occupant in paragraph (a), clause (2) or (3), is a renter, the landlord or person entitled to possession must give the renter at least one month's written notice to vacate:

(1) no sooner than one month after the expiration of the time described in paragraph (a), clause (2) or (3), provided that the renter pays the rent and abides by all terms of the lease; or

(2) no later than the date of the expiration of the time described in paragraph (a), clause (2) or (3), provided that the notice states that the landlord or person entitled to possession will hold the renter harmless for breaching the lease by vacating the property if the mortgage is redeemed or the contract is reinstated. [566.03, subd. 1]

Subd. 2. [HOLDING OVER.] A landlord or person entitled to possession may evict an occupant:

- (1) if the occupant refuses to leave the property on expiration of a lease or other agreement;
- (2) if the occupant violates a condition of the lease or other agreement; or
- (3) after rent is due under the terms of a lease or agreement. [566.03, subd. 1.]

Subd. 3. [COMBINING ALLEGATIONS.] (a) An action for eviction may combine the allegation of nonpayment of rent and the allegation of material violation of the lease, which must be heard as alternative grounds.

(b) In cases where rent is outstanding, a renter is not required to pay into court the amount of rent in arrears, interest, and costs as required under section 19 to defend against an allegation by the landlord that the renter has committed a material violation of the lease.

(c) If the landlord does not prevail in proving material violation of the lease, and the landlord has also alleged that rent is due, the renter shall be permitted to present defenses to the court that the rent is not owing. The renter shall be given up to seven days of additional time to pay any rent determined by the court to be due. The court may order the renter to pay rent and any costs determined to be due directly to the landlord or to be deposited with the court. [566.03, subd. 5]

Subd. 4. [NO EVICTION IF RENTER HOLDS OVER FOR THREE YEARS.] Other than an action in ejectment, a landlord may not bring an action to evict a renter in quiet possession more than three years after termination of a lease. [566.04]

Subd. 5. [DISTRESS FOR RENT.] The remedy of distress for rent is abolished. [504.01]

Sec. 21. [504A.211] [DEFENSES.]

Subdivision 1. [NOTICE TO QUIT.] (a) It is a defense to an action brought under section 20, subdivision 1 or 2, after the landlord has given notice to quit, for a renter to prove by a preponderance of the evidence that the termination by the landlord was intended in whole or in part as a penalty for:

(1) the renter's good faith attempt to secure or enforce rights under an oral or written lease or contract, under the laws of the state or any of its governmental subdivisions, or under the laws of the United States; or

(2) the renter's good faith report to a governmental authority of the landlord's violation of a health, safety, housing or building code or ordinance.

(b) If the notice to quit was served within 90 days of the date of an act that was performed by the renter under paragraph (a), clause (1) or (2), the burden of proving that the notice to quit was not served in whole or in part for a retaliatory purpose is on the landlord. [566.03, subd. 2]

Subd. 2. [NONPAYMENT OF RENT.] It is a defense to an action brought under section 20, subdivision 2, clause (3), for the renter to establish by a preponderance of the evidence that the landlord increased the renter's rent or decreased the services as a penalty in whole or in part for a lawful act of the renter as described in subdivision 1, paragraph (a), clause (1) or (2), providing that the renter pays to the court or to the landlord the amount of rent due and payable under the renter's original lease. [566.03, subd. 3]

Sec. 22. [504A.215] [NONLIMITATION OF RIGHTS OF LANDLORD TO TERMINATE TENANCY.]

Section 21 does not limit the right of a landlord under section 20:

(1) to terminate a tenancy for a violation by the renter of a lawful, material provision of an oral or written lease or contract; or

(2) to hold a tenant liable for damage to the property caused by the renter or a person acting under the tenant's direction or control. [566.03, subd. 4]

Sec. 23. [504A.221] [RENTER MAY NOT DENY TITLE; EXCEPTION.]

A renter in possession of real property under a lawful lease may not deny the landlord's title in an action brought by the landlord to evict. This prohibition does not apply to a renter who, prior to the lease, possesses the property under a claim of title that is adverse or hostile to that of the landlord. [504.03]

Sec. 24. [504A.225] [TERMINATING TENANCY AT WILL.]

A tenancy at will may be terminated by either the landlord or renter giving notice in writing. The time of the notice must be at least as long as the interval between the time rent is due or three months, whichever is less. If a renter does not pay rent due on a tenancy at will, 14 days' notice in writing to quit, given by the landlord to the renter, is sufficient to terminate the tenancy. [504.06]

Sec. 25. [504A.231] [RENTER MUST GIVE COLD WEATHER NOTICE BEFORE VACATION OF BUILDING; MISDEMEANOR.]

A renter who, between November 15 and April 15, vacates property that contains plumbing, water, steam, or other pipes liable to injury from freezing must give at least three days' notice to the landlord. Failure to do so is a misdemeanor. This penalty does not apply to a lease that expires under its own terms. [504.08]

Sec. 26. [504A.235] [DOCUMENTS TO BE RECORDED.]

Subdivision 1. [NOTICE OF CANCELLATION OR TERMINATION OF LEASE.] The county recorder of the county where a lease is recorded must, upon presentation, record a notice of cancellation or termination of the lease, or a copy of the notice, with proof of service, and the affidavit of the landlord or the landlord's agent or attorney, showing that the renter has not complied with the terms of the notice. This record is prima facie evidence of the facts stated in it. [504.09]

Subd. 2. [EVICITION; RECOVERY OF POSSESSION.] (a) The following documents must be recorded in the office of the county recorder of the county where property is located if it is unregistered, or in the office of the registrar of titles of the county if it is registered:

(1) on eviction of a renter by a landlord, a certified copy of the judgment; or

(2) on recovery of possession by a landlord by abandonment or surrender by the renter, an affidavit by the landlord or the landlord's attorney attesting to that fact.

(b) A recorded certified copy of the judgment or the affidavit is prima facie evidence of the recovery of possession by the landlord. [504.02, subd. 3]



Sec. 27. [504A.241] [SECURITY DEPOSITS; DAMAGES.]

Subdivision 1. [APPLICABILITY.] A deposit that is intended to secure the performance of a residential lease or any part of such a lease is governed by this section. This section does not apply to a deposit that is exclusively an advance payment of rent. [504.20, subd. 1]

Subd. 2. [INTEREST.] (a) A security deposit must be held by a landlord for a residential tenant and must bear simple noncompounded interest at the rate of three percent per year until May 1, 1999, and four percent per year thereafter. Interest must be computed from the first day of the next month following the full payment of the deposit to whichever of the following dates is earlier:

(1) the last day of the month in which the landlord, in good faith, complies with subdivision 3;  
or

(2) the date on which judgment is entered in a civil action involving the landlord's liability for the deposit.

(b) An interest amount less than \$1 is not included in the computation.

(c) A security deposit is not considered a trust fund as defined in section 82.17, subdivision 7.

(d) The reversion of the interest rate to four percent in paragraph (a) is subject to review by the legislature in the 1998 session. [504.20, subd. 2; Laws 1996, ch. 357, sec. 2]

Subd. 3. [RETURN OF SECURITY DEPOSIT.] (a) A landlord shall return the security deposit to the residential tenant, with interest as provided in subdivision 2, or furnish to the residential tenant a written statement showing the specific reason for withholding the deposit or a portion of it within the following periods:

(1) three weeks after termination of the tenancy and receipt of the tenant's mailing address or delivery instructions; or

(2) five days after the date when the residential tenant leaves the building and receipt of the tenant's mailing address or delivery instructions if the tenant leaves due to the legal condemnation of the building in which the tenant lives for reasons not due to willful, malicious, or irresponsible conduct of the residential tenant.

(b) The landlord is considered to have complied with the time requirement of paragraph (a) if the deposit or written statement is placed in the United States mail as first class mail, postage prepaid, in an envelope with a proper return address, correctly addressed according to the mailing address or delivery instructions furnished by the residential tenant, within the time required by paragraph (a). The landlord may withhold from the deposit only amounts reasonably necessary:

(1) to remedy residential tenant defaults in the payment of rent or of other funds due to the landlord pursuant to an agreement; or

(2) to restore the property to its condition at the commencement of the tenancy, ordinary wear and tear excepted.

(c) In an action concerning the deposit, the burden of proving, by a fair preponderance of the evidence, the reason for withholding all or any portion of the deposit is on the landlord. [504.20, subd. 3]

Subd. 4. [TERMINATION OF LANDLORD'S INTEREST.] (a) Upon termination of the landlord's interest in residential property, the landlord or the landlord's agent must take one of the actions described in paragraph (b) either within 60 days of termination of the interest or when the successor in interest is required to return or otherwise account for the deposit to the residential tenant, whichever occurs first. Either action relieves the landlord or successor in interest from further liability with respect to the deposit. Termination of the landlord's interest in the property may occur by sale, assignment, death, appointment of receiver, or otherwise.

(b) The landlord must:

(1) transfer the deposit, or any remainder after lawful deductions made under subdivision 3, plus interest as provided in subdivision 2, to the landlord's successor in interest and notify the residential tenant of the transfer and of the name and address of the successor in interest; or

(2) return the deposit, or any remainder after lawful deductions made under subdivision 3, plus interest as provided in subdivision 2, to the residential tenant.

(c) Upon termination of the landlord's interest in the property, the landlord's successor in interest has all of the rights and obligations of the landlord with respect to the deposit except that if the residential tenant does not object to the stated amount within 20 days after written notice of the amount of deposit being transferred or assumed, the obligation of the landlord's successor to return the deposit is limited to the amount contained in the notice. The notice must contain a stamped envelope addressed to the landlord's successor and may be given by mail or by personal service. [504.20, subs. 5 and 6]

Subd. 5. [DAMAGES; PENALTY.] (a) A landlord who fails to comply with subdivision 3 or 4, paragraph (a) or (b), is liable to the residential tenant for damages that are double the amount of the deposit withheld by the landlord plus interest as provided in subdivision 2.

(b) A landlord who in bad faith retains any portion of a deposit or interest in violation of this section is liable for punitive damages not to exceed \$200 for each deposit in addition to the damages provided in paragraph (a). If the landlord has failed to comply with subdivision 3 or 4, retention of a deposit is presumed to be in bad faith unless the landlord returns the deposit within two weeks after the beginning of an action for recovery of the deposit. [504.20, subs. 4 and 7]

Subd. 6. [WITHHOLDING RENT TO RECOVER DEPOSIT.] (a) A residential tenant may not withhold payment of all or any portion of rent for the last payment period of a residential lease on the grounds that the deposit should serve as payment for the rent. This prohibition does not apply to an oral or written month-to-month lease where neither the renter nor the landlord has served a notice to quit.

(b) Withholding rent as described in paragraph (a) creates a rebuttable presumption that the residential tenant withheld the last payment on the grounds that the deposit should serve as payment for the rent.

(c) A residential tenant who remains in violation of this subdivision after written demand and notice of this subdivision is liable to the landlord for damages in an amount equal to:

(1) the portion of the deposit that the landlord is entitled to withhold under subdivision 3, other than to remedy the residential tenant's default in the payment of rent under subdivision 3, paragraph (b), clause (1), plus interest on the deposit as provided in subdivision 2, as a penalty; and

(2) the amount of rent withheld by the residential tenant in violation of this subdivision. [504.20, subd. 7a]

Subd. 7. [WHERE TO BRING ACTION TO RECOVER DEPOSIT.] An action, including an action in conciliation court, for the recovery of a deposit on rental property may be brought in the county where the rental property is located, or at the option of the residential tenant, in the county of the landlord's residence. [504.20, subd. 7b]

Subd. 8. [WAIVER NOT ALLOWED.] Any attempted waiver of this section by a landlord and residential tenant, by contract or otherwise, is void and unenforceable. [504.20, subd. 8]

Subd. 9. [APPLICABILITY.] (a) This section applies only to tenancies beginning or renewed on or after July 1, 1973.

(b) For the purposes of this section, tenancies at will are considered to be renewed at the beginning of each rental period. [504.20, subd. 9]

Sec. 28. [504A.245] [ABANDONMENT OF PERSONAL PROPERTY BY RESIDENTIAL TENANT.]

Subdivision 1. [DUTY OF LANDLORD.] (a) If a residential tenant abandons real property, the landlord may take possession of the tenant's personal property remaining on the property and shall store and care for the property. The landlord has a claim against the tenant for reasonable costs and expenses incurred in removing, storing, and caring for the property.

(b) The landlord may sell or otherwise dispose of the property 60 days after receiving actual notice of the abandonment of the real property or 60 days after it reasonably appears to the landlord that the residential tenant has abandoned the real property, whichever occurs last. The landlord may apply a reasonable amount of the proceeds of the sale to the removal, care, and storage costs and expenses or to any claims authorized pursuant to section 27, subdivision 3, paragraphs (a) and (b). Any remaining proceeds of the sale must be paid to the tenant upon written demand.

(c) The landlord shall make reasonable efforts to notify the residential tenant of the sale at least 14 days prior to the sale by:

(1) personal service in writing or by sending written notification of the sale by certified mail, return receipt requested, to the residential tenant's last known address or usual place of abode, if known by the landlord; and

(2) posting notice of the sale in a conspicuous place on the property for at least two weeks. [504.24, subd. 1]

Subd. 2. [LANDLORD'S LIABILITY FOR DAMAGES ON FAILURE TO RETURN PROPERTY.] (a) The landlord, an agent, or other person acting under the landlord's direction or control, who is in possession of a residential tenant's personal property, must allow the residential tenant to retake possession of the property after written demand by the residential tenant or authorized representative:

(1) within 24 hours; or

(2) within 48 hours, exclusive of weekends and holidays, if the landlord, an agent, or other person acting under the landlord's direction or control has removed and stored the personal property in accordance with subdivision 1 in a location other than the rental property.

(b) Except as specified in paragraph (c), if the landlord fails to comply with paragraph (a), the residential tenant shall recover punitive damages from the landlord not to exceed \$300 in addition to actual damages and reasonable attorney fees. In determining the amount of punitive damages, the court shall consider:

(1) the nature and value of the property;

(2) the effect the deprivation of the property has had on the residential tenant;

(3) if the landlord, an agent, or other person acting under the landlord's direction or control unlawfully took possession of the residential tenant's property; and

(4) if the landlord, an agent, or other person acting under the landlord's direction or control acted in bad faith in failing to allow the residential tenant to retake possession of the property.

(c) Paragraph (b) does not apply to landlords who are housing authorities created or authorized to be created by sections 469.001 to 469.047, their agents, and employees.

(d) This subdivision does not apply to personal property that has been sold or otherwise disposed of by the landlord in accordance with subdivision 1. [504.24, subd. 2]

Subd. 3. [LANDLORD'S LIABILITY FOR STORAGE EXPENSES.] If the landlord, an agent, or other person acting under the landlord's direction or control has unlawfully taken possession of a residential tenant's personal property, the landlord is responsible for paying the costs and expenses relating to the removal, storage, or care of the property. [504.24, subd. 3]

Sec. 29. [504A.251] [UNLAWFUL REMOVAL OR EXCLUSION.]

(a) A landlord, an agent, or other person acting under the landlord's direction or control is guilty of a misdemeanor if that person:

(1) unlawfully and intentionally removes or excludes a residential tenant; or

(2) intentionally interrupts or causes the interruption of electrical, heat, gas, or water services to a residential tenant with intent to unlawfully remove or exclude the tenant from the tenant's property.

(b) In a trial under this subdivision, it is presumed that the intent requirement of paragraph (a), clause (2), has been met if evidence establishes that the landlord, an agent, or other person acting under the landlord's direction or control, intentionally interrupted or caused the interruption of the service to the residential tenant. The burden is on the landlord to rebut the presumption.

(c) If a landlord, agent, or other person acting under the landlord's direction or control, unlawfully and in bad faith, removes, excludes, or forcibly keeps out a residential tenant from residential premises, the tenant may recover from the landlord treble damages or \$500, whichever is greater, and reasonable attorney's fees. [504.25; 504.255]

Sec. 30. [504A.253] [UNLAWFUL INTERRUPTION OR TERMINATION OF UTILITIES.]

(a) A residential tenant may recover from a landlord treble damages or \$500, whichever is greater, and reasonable attorney fees, if the landlord, an agent, or other person acting under the landlord's direction or control interrupts or causes the interruption of electricity, heat, gas, or water services to the residential tenant.

(b) It is a defense to an action brought under paragraph (a) that the interruption was the result of the deliberate or negligent act or omission of a residential tenant or other person acting under the direction or control of the residential tenant.

(c) A residential tenant may recover only actual damages under paragraph (a) if:

(1) the residential tenant has not given the landlord, an agent, or other person acting under the landlord's direction or control, notice of the interruption;

(2) after receiving notice of the interruption from the tenant, the landlord, an agent, or other person acting under the landlord's direction or control, has reinstated or made a good faith effort to reinstate the service, or has taken other remedial action within a reasonable period of time after the interruption, taking into account:

(i) the nature of the service interrupted; and

(ii) the effect of the interrupted service on the health, welfare, and safety of the tenants; or

(3) the interruption was for the purpose of repairing or correcting faulty or defective equipment or protecting the health and safety of the residential tenants and the landlord, an agent, or other person acting under the landlord's direction or control, has reinstated or made a good faith effort to reinstate the service, or has taken other remedial action, taking into account:

(i) the nature of the defect;

(ii) the nature of the service interrupted; and

(iii) the effect of the interrupted service on the health, welfare, and safety of the tenants. [504.255; 504.26]

Sec. 31. [504A.255] [RESTRICTION ON EVICTION DUE TO FAMILIAL STATUS.]

(a) A residential tenant may not be evicted or denied continuing tenancy or lease renewal on the basis of familial status as defined in section 363.01, subdivision 19, if the status began during the tenancy unless:

(1) one year has elapsed from the beginning of the familial status; and

(2) the landlord has given the tenant six months' prior notice in writing.

(b) Paragraph (a) does not apply in the case of nonpayment of rent, damage to the property, disturbance of other tenants, or other breach of a lease. [504.265, subs. 1 and 2]

Sec. 32. [504A.261] [REMEDIES ARE ADDITIONAL.]

The remedies in sections 28 to 31 are in addition to and do not limit other rights or remedies available to landlords and residential tenants. An oral or written provision of a lease or other agreement, in which a provision of sections 28 to 31 is waived by a residential tenant, is contrary to public policy and void. Sections 28 to 31 also apply to occupants and owners of residential real property that is the subject of a mortgage foreclosure or contract for deed cancellation and for which the period for redemption or reinstatement of the contract has expired. [504.27]

Sec. 33. [504A.265] [TERMINATION OF LEASE UPON DEATH OF RESIDENTIAL TENANT.]

Subdivision 1. [TERMINATION OF LEASE.] (a) A party to a lease of residential property other than a tenancy at will, may terminate the lease prior to its expiration date on the death of the residential tenant or, if there is more than one tenant, upon the death of all tenants.

(b) At least two months' written notice must be given by the landlord or the personal representative of the residential tenant's estate, effective on the last day of a calendar month, and hand delivered or mailed by postage prepaid, first class United States mail, to the address of the other party. The landlord may comply with the notice requirement by delivering or mailing the notice to the property formerly occupied by the residential tenant.

(c) The termination of a lease under this subdivision does not relieve the residential tenant's estate from liability for payment of rent or other money owed before or during the notice period, or for the payment of money necessary to restore the property to its condition at the beginning of the tenancy, ordinary wear and tear excepted. [504.28, subs. 1 and 2]

Subd. 2. [WAIVER NOT ALLOWED.] (a) The following modifications of subdivision 1 are void and unenforceable:

(1) a waiver by a landlord and residential tenant or tenant's personal representative, by contract or otherwise, of the right of termination; and

(2) a lease provision or agreement requiring a longer notice period.

(b) The landlord and residential tenant or tenant's personal representative may agree to modify specific provisions of subdivision 1 other than those prohibited in paragraph (a). [504.28, subd. 3]

Subd. 3. [APPLICABILITY.] This section applies to leases entered into or renewed after May 12, 1981. [504.28, subd. 4]

Sec. 34. [504A.271] [TERMINATION NOTICE FOR FEDERALLY SUBSIDIZED HOUSING.]

A landlord of federally subsidized rental housing must give residential tenants a one-year written notice under the following conditions:

(1) a federal section 8 contract will expire;

(2) the landlord will exercise the option to terminate or not renew a federal section 8 contract and mortgage;

(3) the landlord will prepay a mortgage and the prepayment will result in the termination of any federal use restrictions that apply to the housing; or

(4) the landlord will terminate a housing subsidy program.

The notice must be provided at the beginning of the lease if it begins less than one year before any of the conditions in clauses (1) to (4) apply. [504.32]

Sec. 35. [504A.275] [UNLAWFUL OCCUPATION OR POSSESSION.]

No person may occupy or take possession of real property except where occupancy or possession is allowed by law, and in such cases, the person may not enter by force, but only in a peaceable manner. [566.01]

EVICTION PROCEEDINGS

Sec. 36. [504A.290] [WHEN PERMITTED.]

A person may be evicted, removed, or excluded from real property as described in sections 20, 35, 76, or 77 or when a person unlawfully occupies or takes possession of real property or unlawfully retains possession of real property. [566.02]

Sec. 37. [504A.301] [SCOPE; COMPLAINT AND SUMMONS.]

Subdivision 1. [SCOPE.] Sections 37 to 51 govern eviction proceedings.

Subd. 2. [COMPLAINT AND SUMMONS.] (a) To bring an action for eviction, a landlord or person entitled to possession must file a complaint with the court, stating the full name and date of birth of the person against whom the complaint is made, unless it is not known, describing the property, stating the facts that authorize the action, and asking that the occupant be evicted. The lack of the full name and date of birth of the occupant does not deprive the court of jurisdiction or make the complaint invalid.

(b) The court shall issue a summons, ordering the occupant to appear before the court on a day and at a place stated in the summons.

(c) The appearance must be ordered within seven to 14 days from the day of issuing the summons, except as provided by paragraph (d).

(d) In an eviction action brought under section 76 or on the basis that the occupant is causing a nuisance or other illegal behavior that seriously endangers the safety of other residents, their property, or the landlord's property, the person filing the complaint shall file an affidavit stating specific facts and instances in support of why an expedited hearing is required. The complaint and affidavit shall be reviewed by a referee or judge and scheduled for an expedited hearing only if sufficient supporting facts are stated and they meet the requirements of this paragraph. The appearance in an expedited hearing shall be not less than five days nor more than seven days from the date the summons is issued. The summons, in an expedited hearing, shall be served upon the occupant within 24 hours of issuance unless the court orders otherwise for good cause shown. If the court determines that the person seeking an expedited hearing did so without sufficient basis under the requirements of this paragraph, the court shall impose a civil penalty of up to \$500 for abuse of the expedited hearing process.

(e) A copy of the complaint must be attached to the summons, which must state that the copy is attached and that the original has been filed. [566.05]

Sec. 38. [504A.305] [EXPEDITED PROCEEDINGS.]

A landlord may request expedited temporary relief by bringing an action under section 609.748 or filing a petition for a temporary restraining order, in conjunction with a complaint filed under section 37. [566.051]

Sec. 39. [504A.311] [SUMMONS; HOW SERVED.]

(a) The summons must be served at least seven days before the date of the court appearance specified in section 37, subdivision 2, paragraph (b), in the manner provided for service of a summons in a civil action in district court. It may be served by any person not named a party to the action.

(b) If the defendant cannot be found in the county, the summons may be served at least seven days before the date of the court appearance by:

(1) leaving a copy at the defendant's last usual place of abode with a family member or a person of suitable age and discretion residing there; or

(2) if the defendant had no place of abode, by leaving a copy at the property described in the complaint with a person of suitable age and discretion residing there.

(c) Failure of the sheriff or constable to serve the defendant is prima facie proof that the defendant cannot be found in the county.

(d) Where the defendant cannot be found in the county, service of the summons may be made upon the defendant by posting the summons in a conspicuous place on the property for not less than one week if:

(1)(i) the property described in the complaint is nonresidential and no person actually occupies the property; or

(ii) the property described in the complaint is residential and service has been attempted at least twice on different days, with at least one of the attempts having been made between the hours of 6:00 and 10:00 p.m.; and

(2) the plaintiff or the plaintiff's attorney has filed an affidavit stating that:

(i) the defendant cannot be found or that the person filing the affidavit or that person's attorney believes that the defendant is not in the state; and

(ii) a copy of the summons has been mailed to the defendant at the defendant's last known address if any is known to the plaintiff.

(e) If the defendant or the defendant's attorney does not appear in court on the date of the appearance, the trial shall proceed. [566.06]

Sec. 40. [504A.315] [ANSWER; TRIAL.]

(a) At the court appearance specified in the summons, the renter may answer the complaint, and the court shall hear and determine the action, unless it adjourns the trial as provided in section 41.

(b) Either party may demand a trial by jury.

(c) The proceedings in the action are the same as in other civil actions, except as provided in sections 37 to 51.

(d) The court, in scheduling appearances and hearings under this section, shall give priority to any unlawful detainer brought under section 76, or on the basis that the renter is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property. [566.07]

Sec. 41. [504A.321] [ADJOURNMENT.]

(a) In all actions brought under sections 37 to 51, the court, in its discretion, may adjourn the trial for no more than six days unless all parties consent to a longer adjournment.

(b) In all actions brought under sections 37 to 51, other than actions on a written lease signed by both parties, the court shall adjourn the trial as necessary but for no more than three months if the defendant or the defendant's agent or attorney:

(1) swears that the defendant cannot proceed to trial because a material witness is not present;

(2) names the witness;

(3) swears that the defendant has made due exertion to obtain the witness;

(4) states the belief that if the adjournment is allowed the defendant will be able to procure the attendance of the witness at the trial or to obtain the witness' deposition; and

(5) gives a bond that the landlord will be paid all rent that accrues during the pendency of the action and all costs and damages that accrue due to the adjournment. [566.08]

Sec. 42. [504A.325] [ORDER TO VACATE; FINE; EXECUTION.]

Subdivision 1. [GENERAL.] (a) If the court or jury finds for the plaintiff, the court shall immediately enter judgment and execute an order that the defendant must vacate the property and that costs are assessed against the defendant. The court shall stay the order to vacate for a reasonable period, but not more than seven days, if the defendant shows that immediate vacation of the property would be a substantial hardship on the defendant or the defendant's family, except that this provision does not apply to actions brought:

(1) under section 77 as required by section 609.5317, subdivision 1;

(2) under section 76; or

(3) on the basis that the tenant is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property.

(b) If the court or jury finds for the defendant, the court shall enter judgment for the defendant assessing costs against the plaintiff and issue a writ of execution for the costs.

(c) The court shall give priority in issuing an order to vacate the property in an eviction action brought under section 76 or on the basis that the tenant is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property. [566.09, subd. 1]

Subd. 2. [EXPEDITED WRIT.] If the court enters judgment for the landlord in an action brought under section 77 as required by section 609.5317, subdivision 1, the court may not stay issuance of the order to vacate unless the court makes written findings specifying extraordinary and exigent circumstances. On issuing those findings, the court may stay the order for a reasonable period but not more than seven days. [566.09, subd. 2]

Sec. 43. [504A.331] [FAILURE OF JURY TO REACH A VERDICT.]

If the jury cannot reach upon a verdict, the court may discharge the members and issue an order impaneling a new jury. [566.10]

Sec. 44. [504A.335] [ORDER TO VACATE; EFFECT OF APPEAL.]

(a) If the defendant or the defendant's attorney against whom an order to vacate is entered informs the court the defendant intends to appeal, the court shall not issue an order to vacate for at least 24 hours after judgment.

(b) Notwithstanding paragraph (a), in an action on a lease against a renter who retains possession after the expiration of the term of the lease, or a termination by a notice to quit, an order to vacate may be issued immediately if the landlord gives a bond that the landlord will pay all costs and damages if, on appeal, the order to vacate is reversed and a new trial is ordered. [566.11]

Sec. 45. [504A.341] [APPEAL; STAY.]

(a) Either party may appeal the judgment within ten days as provided for civil actions in district court except that if the party appealing remains in possession of the property, that party must give bond that:

(1) all costs of the appeal will be paid;

(2) the order on appeal will be observed; and

(3) all rent and other damages will be paid to the party excluded from possession during the pendency of the appeal.

(b) After the appeal is taken, all further proceedings in the case are stayed, except as provided



in section 44, paragraph (b). In that case, the appellate court shall issue orders necessary to carry out its judgment. [566.12]

Sec. 46. [504A.345] [APPEAL AFTER ORDER TO VACATE; STAY.]

(a) If an order to vacate has been issued before an appeal is made, the court shall give the appellant a certificate to that effect. When the officer who has the order to vacate is served with the certificate, the officer shall cease all further proceedings under it. If the order has not been completely executed, the renter shall remain in possession of the property until the appeal is decided.

(b) This section does not apply to a renter who retains possession as described in section 44, paragraph (b). [566.13]

Sec. 47. [504A.351] [DISMISSAL OF APPEALS; AMENDMENTS; RETURN.]

In all cases of appeal, the appellate court shall not dismiss proceedings solely because the requirements of sections 37 to 51 have not been met, as long as the proceedings have been conducted substantially in accordance with sections 37 to 51. Amendments may be allowed at any time the court finds justified, as in other civil cases in district court. The appellate court may compel the trial court, by attachment, to make or amend any return which is withheld or improperly or insufficiently made. [566.14]

FORMS; EVICTION PROCEEDINGS

Sec. 48. [504A.401] [FORM OF VERDICT.]

The verdict of the jury or the finding of the court in favor of the plaintiff in an action under sections 37 to 51 must be substantially in the following form:

At a court held at ....., on the ..... day of ....., 19....., before ....., a judge in and for the county of ..... in an action between ....., plaintiff, and ....., defendant, the jury (or, if the action is tried without a jury, the court) finds that the facts alleged in the complaint are true, and the defendant shall vacate the property immediately.

.....

Judge of .....court.

If the verdict or finding is for the defendant, it is sufficient to find that the facts alleged in the complaint are not true. [566.15]

Sec. 49. [504A.405] [FORMS OF SUMMONS AND ORDER.]

The summons and order to vacate may be substantially in the following forms:

FORM OF SUMMONS

State of Minnesota)

) ss.

County of.....)

Whereas, ....., of ....., has filed with the undersigned, a judge of county stated, a complaint against ....., of ....., copy attached: You are hereby summoned to appear before the undersigned on the ..... day of ....., 19....., at ..... o'clock .....m., at ....., to answer and defend against the complaint and to further be dealt with according to law.

Dated at ....., this ..... day of ....., 19.....

.....

Judge of ..... court.

FORM OF ORDER TO VACATE

State of Minnesota)

) ss.

County of.....)

The State of Minnesota, to the Sheriff or Any Constable of the County:

Whereas, ....., the plaintiff, of ....., in an action for an order to vacate, at a court held at ....., in the county of ....., on the .... day of ....., 19....., before ....., a judge of the county, recovered a judgment against ....., the defendant, of ....., to have the following property vacated (describe here the property as in the complaint):

Therefore, you are commanded that, taking with you the force of the county, if necessary, you cause the defendant to be immediately removed from the property, and the plaintiff to recover the property. You are also commanded that from the personal property of the defendant within the county that you seize and sell, the plaintiff be paid ... dollars, as the costs assessed against the defendant, together with 25 cents for this order. You are ordered to return with this order within 30 days.

Dated at ....., this .... day of ....., 19.....

.....

Judge of ..... court. [566.16, subd. 1]

Sec. 50. [504A.411] [NOTICE OF PRIORITY ORDER.]

The court shall identify an order to vacate property that is issued pursuant to an eviction action under section 76, or on the basis that the tenant is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property and clearly note on the order to vacate that it is a priority order. Notice that it is a priority order must be made in a manner that is obvious to an officer who must execute the order under section 51. [566.16, subd. 2]

Sec. 51. [504A.415] [EXECUTION OF THE ORDER TO VACATE.]

Subdivision 1. [GENERAL.] (a) The officer who holds the order to vacate shall execute it by demanding that the renter, if found in the county, any adult member of the renter's family who is occupying the property, or any other person in charge, to leave, taking family and all personal property from the property within 24 hours.

(b) If the renter fails to comply with the demand, then the officer shall bring, if necessary, the force of the county and any necessary assistance, at the cost of the landlord. The officer shall remove the renter, family, and all personal property from the property and place the landlord in possession.

(c) If the renter cannot be found in the county, and there is no person in charge of the property, then the officer shall enter the property, breaking in if necessary, and remove and store the personal property of the renter at a place designated by the landlord as provided in subdivision 3.

(d) The order may also be executed by a licensed police officer or community crime prevention licensed police officer. [566.17, subd. 1]

Subd. 2. [PRIORITY; EXECUTION OF PRIORITY ORDER.] An officer shall give priority to the execution, under this section, of any order to vacate that is based on an eviction action under section 76, or on the basis that the renter is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property. [566.17, subd. 1a]

Subd. 3. [REMOVAL AND STORAGE OF PROPERTY.] (a) If the renter's personal property is to be stored in a place other than the property, the officer shall remove all personal property of the renter at the expense of the landlord.

(b) The renter must make immediate payment for all expenses of removing personal property from the property. If the renter fails or refuses to do so, the landlord has a lien on all the personal property for the reasonable costs and expenses incurred in removing, caring for, storing, and transporting it to a suitable storage place.

(c) The landlord may enforce the lien by detaining the personal property until paid. If no payment has been made for 60 days after the execution of the order to vacate, the landlord may hold a public sale as provided in sections 514.18 to 514.22.

(d) If the renter's personal property is to be stored on the property, the officer shall enter the property, breaking in if necessary, and the landlord may remove the renter's personal property. Section 28 applies to personal property removed under this paragraph. The landlord must prepare an inventory and mail a copy of the inventory to the renter's last known address or, if the renter has provided a different address, to the address provided. The inventory must be prepared, signed, and dated in the presence of the officer and must include the following:

(1) a list of the items of personal property and a description of its condition;

(2) the date, the signature of the renter or the renter's agent, and the name and telephone number of a person authorized to release the personal property; and

(3) the name and badge number of the officer.

(e) The officer must retain a copy of the inventory.

(f) The landlord is responsible for the proper removal, storage, and care of the renter's personal property and is liable for damages for loss of or injury to it caused by the landlord's failure to exercise the same care that a reasonably careful person would exercise under similar circumstances.

(g) The landlord shall notify the renter of the date and approximate time the officer is scheduled to remove the renter, family, and personal property from the property. The notice must be sent by first-class mail. In addition, the landlord must make a good faith effort to notify the renter by telephone. The notice must be mailed as soon as the information regarding the date and approximate time the officer is scheduled to enforce the order is known to the landlord, except that the scheduling of the officer to enforce the order need not be delayed because of the notice requirement. The notice must inform the renter that the renter and the renter's personal property will be removed from the property if the renter has not vacated the property by the time specified in the notice. [566.17, subd. 2]

Subd. 4. [SECOND AND FOURTH JUDICIAL DISTRICTS.] In the second and fourth judicial districts, the housing calendar consolidation project shall retain jurisdiction in matters relating to removal of personal property under this section. If the landlord refuses to return the property after proper demand is made as provided in section 28, the court shall enter an order requiring the landlord to return the property to the renter and awarding reasonable expenses including attorney fees to the renter. [566.17, subd. 2a]

Subd. 5. [PENALTY; WAIVER NOT ALLOWED.] Unless the property has been abandoned, a landlord, an agent, or other person acting under the landlord's direction or control who enters the property and removes the renter's personal property in violation of this section is guilty of an unlawful eviction under section 29, paragraph (c), and is subject to penalty under section 29, paragraph (a). This section may not be waived or modified by lease or other agreement. [566.17, subd. 3]

Sec. 52. [504A.421] [UNLAWFUL EXCLUSION OR REMOVAL; RECOVERY OF POSSESSION.]

Subdivision 1. [UNLAWFUL EXCLUSION OR REMOVAL.] (a) This section applies to actual or constructive removal or exclusion of a residential tenant which may include the termination of utilities or the removal of doors, windows, or locks. A residential tenant to whom this section applies may recover possession of the property as described in paragraphs (b) to (e).

(b) The residential tenant shall present a verified petition to the county or municipal court of the county in which the property is located that:

(1) describes the property and the landlord;

(2) specifically states the facts and grounds that demonstrate that the eviction was unlawful, including a statement that no judgment and order to vacate has been issued under section 42 in favor of the landlord and against the residential tenant and executed in accordance with section 51; and

(3) asks for possession.

(c) If it clearly appears from the specific grounds and facts stated in the verified petition or by separate affidavit of the residential tenant or the residential tenant's attorney or agent that the eviction was unlawful, the court shall immediately order that the residential tenant have possession of the property.

(d) The residential tenant shall furnish security, if any, that the court finds is appropriate under the circumstances for payment of all costs and damages the landlord may sustain if the order is subsequently found to have been obtained wrongfully. In determining the appropriateness of security, the court shall consider the residential tenant's ability to afford monetary security.

(e) The court shall direct the order to the sheriff or any constable of the county in which the property is located and the sheriff or constable shall execute the order immediately by making a demand for possession on the landlord, if found, or the landlord's agent or other person in charge of the property. If the landlord fails to comply with the demand, the officer shall take whatever assistance may be necessary and immediately place the residential tenant in possession of the property. If the landlord, the landlord's agent, or other person in control of the property cannot be found and if there is no person in charge, the officer shall immediately enter into and place the residential tenant in possession of the property. The officer shall also serve the order and verified petition or affidavit immediately upon the landlord or agent, in the same manner as a summons is required to be served in a civil action in district court. [566.175, subd. 1]

Subd. 2. [MOTION FOR DISSOLUTION OR MODIFICATION OF ORDER.] The landlord may, by written motion and notice served by mail or personally on the residential tenant or the residential tenant's attorney at least two days before the hearing date on the motion, obtain dissolution or modification of the order for possession issued under subdivision 1, paragraph (c), unless the residential tenant proves the facts and grounds on which the order is issued. A landlord bringing a motion under this subdivision may recover possession of the property only in accordance with sections 20 to 22 and 37 to 51 or otherwise provided by law. Upon the dissolution of the order, the court shall assess costs against the residential tenant, subject to the provisions of section 563.01, and may allow damages and reasonable attorney fees for the wrongful granting of the order for possession. If the order is affirmed, the court shall tax costs against the landlord and may allow the residential tenant reasonable attorney fees. [566.175, subd. 2]

Subd. 3. [FINALITY OF ORDER.] An order issued under subdivision 1, paragraph (c), or affirmed, modified, or dissolved under subdivision 2, is a final order for purposes of appeal. Either party may appeal the order within ten days after entry. If the party appealing remains in possession of the property, bond must be given to:

(1) pay all costs of the appeal;

(2) obey the court's order; and

(3) pay all rent and other damages that justly accrue to the party excluded from possession during the pendency of the appeal. [566.175, subd. 3]

Subd. 4. [WAIVER NOT ALLOWED.] A provision of an oral or written lease or other agreement in which a residential tenant waives this section is contrary to public policy and void. [566.175, subd. 4]

Subd. 5. [PURPOSE.] The purpose of this section is to provide an additional and summary

remedy for residential tenants unlawfully evicted from rental property and except where expressly provided in this section, sections 20 to 22 and 39 to 51 do not apply to proceedings under this section. [566.175, subd. 5]

Subd. 6. [APPLICATION.] In addition to residential tenants and landlords, this section applies to:

(1) occupants and owners of residential real property that is the subject of a mortgage foreclosure or contract for deed cancellation for which the period for redemption or reinstatement of the contract has expired; and

(2) mortgagees and contract for deed vendors. [566.175, subd. 6]

#### RESIDENTIAL TENANT REMEDIES; CODE VIOLATIONS

Sec. 53. [504A.501] [INSPECTION; NOTICE.]

Subdivision 1. [WHO MAY REQUEST.] On demand by a residential tenant, neighborhood organization with the written permission of a residential tenant or, if a residential building is unoccupied, by a neighborhood organization, an inspection shall be made by the local authority charged with enforcing a code claimed to be violated. [566.19, subd. 1]

Subd. 2. [NOTICE.] (a) After the local authority has inspected the residential building under subdivision 1, the inspector shall inform the landlord or the landlord's agent and the complaining residential tenant or neighborhood organization in writing of any code violations discovered.

(b) A reasonable period of time must be allowed in which to correct the violations. [566.19, subd. 2]

Subd. 3. [WHEN ACTION MAY BE BROUGHT.] (a) After an inspection has been made, an action may not be brought under sections 53 to 69 until the time granted under subdivision 2, paragraph (b), has expired and satisfactory repairs have not been made.

(b) Notwithstanding paragraph (a), an action may be brought if the residential tenant, or neighborhood organization with the written permission of a tenant, alleges the time in subdivision 1, paragraph (b), is excessive. [566.19, subd. 3]

Subd. 4. [LANDLORD MUST BE INFORMED.] A landlord must be informed in writing of an alleged violation at least 14 days before an action is brought by:

(1) a residential tenant of a residential building in which a violation as defined in section 1, subdivision 13, clause (2) or (3), is alleged to exist; or

(2) a neighborhood organization, with the written permission of a residential tenant of a residential building in which a violation, as defined in section 1, subdivision 13, clause (2), is alleged to exist.

The notice requirement may be waived if the court finds that the landlord cannot be located despite diligent efforts. [566.19, subd. 4]

Sec. 54. [504A.505] [SPECIAL PROCEEDING.]

Subdivision 1. [WHO MAY BRING ACTION.] An action may be brought in district court by:

(1) a residential tenant of a residential building in which a violation, as defined in section 1, subdivision 13, is alleged to exist;

(2) a neighborhood organization with the written permission of a residential tenant of a residential building in which a violation, as defined in section 1, subdivision 13, clause (1) or (2), is alleged to exist;

(3) by a neighborhood organization that has within its geographical area an unoccupied residential building in which a violation, as defined in section 1, subdivision 13, clause (1) or (2), is alleged to exist; or

(4) a state, county, or local department or authority, charged with the enforcement of codes relating to health, housing, or building maintenance. [566.20, subd. 1]

Subd. 2. [VENUE.] The venue of the action authorized by this section is the county where the residential building alleged to contain violations is located. [566.20, subd. 2]

Subd. 3. [SUMMONS AND COMPLAINT REQUIRED.] The action must be begun by service of a complaint and summons. The summons may be issued only by a judge or court administrator. [566.20, subd. 3]

Subd. 4. [CONTENTS OF COMPLAINT.] (a) The complaint must be verified and must:

(1) allege material facts showing that a violation or violations exist in the residential building;

(2) state the relief sought; and

(3) list the rent due each month from each dwelling unit within the residential building, if known.

(b) If the violation is a violation as defined in section 1, subdivision 13, clause (1), the complaint must be accompanied by:

(1) a copy of the official report of inspection by a department of health, housing, or buildings, certified by the custodian of records of that department stating:

(i) when and by whom the residential building concerned was inspected;

(ii) what code violations were recorded; and

(iii) that notice of the code violations has been given to the landlord; or

(2) a statement that a request for inspection was made to the appropriate state, county, or municipal department, that demand was made on the landlord to correct the alleged code violation, and that a reasonable period of time has elapsed since the demand or request was made. [566.20, subd. 4]

Sec. 55. [504A.511] [EMERGENCY RELIEF PROCEEDING.]

Subdivision 1. [PETITION.] A person authorized to bring an action under section 54, subdivision 1, may petition the court for relief in cases of emergency involving the loss of running water, hot water, heat, electricity, sanitary facilities, or other essential services or facilities that the landlord is responsible for providing. [566.205, subd. 1]

Subd. 2. [VENUE.] The venue of the action authorized by this section is the county where the residential building alleged to contain the emergency condition is located. [566.205, subd. 2]

Subd. 3. [PETITION INFORMATION.] The petitioner must present a verified petition to the district court that contains:

(1) a description of the property and the identity of the landlord;

(2) a statement of the facts and grounds that demonstrate the existence of an emergency caused by the loss of essential services or facilities; and

(3) a request for relief. [566.205, subd. 3]

Subd. 4. [NOTICE.] The petitioner must attempt to notify the landlord, at least 24 hours before application to the court, of the petitioner's intent to seek emergency relief. An order may be granted without notice to the landlord if the court finds that reasonable efforts, as contained in the petition or by separate affidavit, were made to notify the landlord but that the efforts were unsuccessful. [566.205, subd. 4]

Subd. 5. [RELIEF; SERVICE OF ORDER.] The court may order relief as provided in section

60. The petitioner shall serve the order on the landlord personally or by mail as soon as practicable. [566.205, subd. 5]

Subd. 6. [LIMITATION.] The residential tenant remedy under this section does not extend to emergencies that are the result of the deliberate or negligent act or omission of a residential tenant or anyone acting under the direction or control of the residential tenant. [566.205, subd. 6]

Subd. 7. [EFFECT OF OTHER LAWS.] Section 53 does not apply to a petition for emergency relief under this section. [566.205, subd. 7]

Sec. 56. [504A.515] [SUMMONS.]

Subdivision 1. [CONTENTS.] (a) On receipt of the complaint in section 54, the court administrator shall prepare a summons. The summons shall:

(1) specify the time and place of the hearing to be held on the complaint; and

(2) state that if at the time of the hearing a defense is not interposed and established by the landlord, judgment may be entered for the relief requested and authorized by sections 53 to 69.

(b) The hearing must be scheduled within five to ten days after receipt of the complaint by the court administrator. [566.21, subd. 1]

Subd. 2. [SERVICE.] The summons and complaint must be served upon the landlord or the landlord's agent within five to ten days before the hearing. Service shall be by personal service upon the defendant pursuant to the Minnesota Rules of Civil Procedure. If service cannot be made with due diligence, service may be made by affixing a copy of the summons and complaint prominently to the residential building involved, and mailing at the same time a copy of the summons and complaint by certified mail to the last known address of the landlord. [566.21, subd. 2]

Sec. 57. [504A.521] [ANSWER.]

At or before the time of the hearing, the landlord may answer in writing. Defenses that are not contained in a written answer must be orally pleaded at the hearing before any testimony is taken. No delays in the date of hearing may be granted to allow time to prepare a written answer or reply except with the consent of all parties. [566.22]

Sec. 58. [504A.525] [DEFENSES.]

It is a sufficient defense to a complaint under section 54 or 70 that:

(1) the violation or violations alleged in the complaint do not exist or that the violation or violations have been removed or remedied;

(2) the violations have been caused by the willful, malicious, negligent, or irresponsible conduct of a complaining residential tenant or anyone under the tenant's direction or control; or

(3) a residential tenant of the residential building has unreasonably refused entry to the landlord or the landlord's agent to a portion of the property for the purpose of correcting the violation, and that the effort to correct was made in good faith. [566.23]

Sec. 59. [504A.531] [HEARING.]

If issues of fact are raised, they must be tried by the court without a jury. The court may grant a postponement of the trial on its own motion or at the request of a party if it determines that postponements are necessary to enable a party to procure necessary witnesses or evidence. A postponement must be for no more than ten days except by consent of all appearing parties. [566.24]

Sec. 60. [504A.535] [JUDGMENT.]

(a) If the court finds that the complaint in section 54 has been proved, it may, in its discretion, take any of the actions described in paragraphs (b) to (g), either alone or in combination.

(b) It may order the landlord to remedy the violation or violations found by the court to exist if the court is satisfied that corrective action will be undertaken promptly.

(c) It may order the residential tenant to remedy the violation or violations found by the court to exist and deduct the cost from the rent subject to the terms as the court determines to be just.

(d) It may appoint an administrator with powers described in section 64, and direct that:

(1) the following rents due shall be deposited with the administrator appointed by the court:

(i) rents on and from the day of entry of judgment, in the case of petitioning residential tenants or neighborhood organizations; and

(ii) rents on and from the day of service of the judgment on all other residential and commercial tenants of the residential building, if any; and

(2) the administrator use the rents collected to remedy the violations found to exist by the court by paying the debt service, taxes, and insurance, and providing the services necessary to the ordinary operation and maintenance of the residential building which the landlord is obligated to provide but fails or refuses to provide.

(e) It may find the extent to which any uncorrected violations impair the residential tenants' use and enjoyment of the property contracted for and order the rent abated accordingly. If the court enters judgment under this paragraph, the parties shall be informed and the court shall determine the amount by which the rent is to be abated.

(f) It may, after termination of administration, continue the jurisdiction of the court over the residential building for a period of one year and order the landlord to maintain the residential building in compliance with all applicable state, county, and city health, safety, housing, building, fire prevention, and housing maintenance codes.

(g) It may grant any other relief it finds just and proper, including a judgment against the landlord for reasonable attorney fees, not to exceed \$500, in the case of a prevailing residential tenant or neighborhood organization. The \$500 limitation does not apply to awards made under section 549.211 or other specific statutory authority. [566.25]

Sec. 61. [504A.541] [SERVICE OF JUDGMENT.]

A copy of the judgment must be personally served on every residential and commercial tenant of the residential building whose obligations will be affected by the judgment. If, with due diligence, personal service cannot be made, service may be made by posting a notice of the judgment on the entrance door of the residential tenant's dwelling or commercial tenant's unit and by mailing a copy of the judgment to the residential tenant or commercial tenant by certified mail. [566.26]

Sec. 62. [504A.545] [LANDLORD'S RIGHT TO COLLECT RENT SUSPENDED.]

If an administrator has been appointed pursuant to section 59, paragraph (d), the landlord is not entitled to collect rent from the time of judgment or service of judgment until the administration is terminated. [566.27]

Sec. 63. [504A.551] [RESIDENTIAL TENANT MAY NOT BE PENALIZED FOR COMPLAINT.]

A residential tenant may not be evicted, nor may the residential tenant's obligations under a lease be increased or the services decreased, if the eviction or increase of obligations or decrease of services is intended as a penalty for the residential tenant's or neighborhood organization's complaint of a violation. The burden of proving otherwise is on the landlord if the eviction or increase of obligations or decrease of services occurs within 90 days after filing the complaint, unless the court finds that the complaint was not made in good faith. After 90 days the burden of proof is on the residential tenant. [566.28]



Sec. 64. [504A.555] [ADMINISTRATOR.]

Subdivision 1. [APPOINTMENT.] The administrator may be a person, local government unit or agency, other than a landlord of the building, the inspector, the complaining residential tenant, or a person living in the complaining residential tenant's dwelling unit. If a state or court agency is authorized by statute, ordinance, or regulation to provide persons or neighborhood organizations to act as administrators under this section, the court may appoint them to the extent they are available. [566.29, subd. 1]

Subd. 2. [POSTING BOND.] A person or neighborhood organization appointed as administrator shall post bond to the extent of the rents expected by the court to be necessary to be collected to correct the violation or violations. Administrators appointed from governmental agencies need not give bond. [566.29, subd. 2]

Subd. 3. [EXPENSES.] The court may allow a reasonable amount for the services of administrators and the expense of the administration from rent money. When the administration terminates, the court may enter judgment against the landlord in a reasonable amount for the services and expenses incurred by the administrator. [566.29, subd. 3]

Subd. 4. [POWERS.] The administrator may:

(1) collect rents from residential and commercial tenants, evict residential and commercial tenants for nonpayment of rent or other cause, enter into leases for vacant dwelling units, rent vacant commercial units with the consent of the landlord, and exercise other powers necessary and appropriate to carry out the purposes of sections 53 to 69;

(2) contract for the reasonable cost of materials, labor, and services necessary to remedy the violation or violations found by the court to exist and for the rehabilitation of the property to maintain safe and habitable conditions over the useful life of the property, and may disburse money for these purposes from funds available for the purpose;

(3) provide services to the residential tenants that the landlord is obligated to provide but refuses or fails to provide, and may pay for them from funds available for the purpose;

(4) petition the court, after notice to the parties, for an order allowing the administrator to encumber the property to secure funds to the extent necessary to cover the costs described in clause (2), including reasonable fees for the administrator's services, and to pay for the costs from funds derived from the encumbrance; and

(5) petition the court, after notice to the parties, for an order allowing the administrator to receive funds made available for this purpose by the federal or state governing body or the municipality to the extent necessary to cover the costs described in clause (2) and pay for them from funds derived from this source.

The municipality shall recover disbursements under clause (5) by special assessment on the real estate affected, bearing interest at the rate determined by the municipality, but not to exceed the rate established for finance charges for open-end credit sales under section 334.16, subdivision 1, clause (b). The assessment, interest, and any penalties shall be collected as are special assessments made for other purposes under state statute or municipal charter. [566.29, subd. 4]

Subd. 5. [TERMINATION OF ADMINISTRATION.] At any time during the administration, the administrator or any party may petition the court after notice to all parties for an order terminating the administration on the ground that the funds available to the administrator are insufficient to effect the prompt remedy of the violations. When the court finds that the petition is proved, the court shall terminate the administration and proceed to judgment under section 60, paragraph (e). [566.29, subd. 5]

Subd. 6. [RESIDENTIAL BUILDING REPAIRS AND SERVICES.] The administrator must first contract and pay for residential building repairs and services necessary to keep the residential building habitable before other expenses may be paid. If sufficient funds are not available for paying other expenses, such as tax and mortgage payments, after paying for necessary repairs and services, the landlord is responsible for the other expenses. [566.29, subd. 6]

Subd. 7. [ADMINISTRATOR'S LIABILITY.] The administrator may not be held personally liable in the performance of duties under this section except for misfeasance, malfeasance, or nonfeasance of office. [566.29, subd. 7]

Subd. 8. [DWELLING'S ECONOMIC VIABILITY.] In considering whether to grant the administrator funds under subdivision 4, the court must consider:

- (1) the long-term economic viability of the dwelling;
- (2) the causes leading to the appointment of an administrator;
- (3) the repairs necessary to bring the property into code compliance;
- (4) the market value of the property; and

(5) whether present and future rents will be sufficient to cover the cost of repairs or rehabilitation. [566.29, subd. 8]

Sec. 65. [504A.561] [RECEIVERSHIP REVOLVING LOAN FUND.]

The Minnesota housing finance agency may establish a revolving loan fund to pay the administrative expenses of receivership administrators under section 64 for properties for occupancy by low- and moderate-income persons or families. Landlords must repay administrative expense payments made from the fund. [566.291]

Sec. 66. [504A.565] [REMOVAL OF ADMINISTRATOR.]

Subdivision 1. [PETITION BY ADMINISTRATOR.] The administrator may, after notice to all parties, petition the court to be relieved of duties, including in the petition the reasons for it. The court may, in its discretion, grant the petition and discharge the administrator after approval of the accounts. [566.30, subd. 1]

Subd. 2. [PETITION BY A PARTY.] A party may, after notice to the administrator and all other parties, petition the court to remove the administrator. If the party shows good cause, the court shall order the administrator removed and direct the administrator to immediately deliver to the court an accounting of administration. The court may make any other order necessary and appropriate under the circumstances. [566.30, subd. 2]

Subd. 3. [APPOINTMENT OF NEW ADMINISTRATOR.] If the administrator is removed, the court shall appoint a new administrator in accordance with section 64, giving all parties an opportunity to be heard. [566.30, subd. 3]

Sec. 67. [504A.571] [TERMINATION OF ADMINISTRATION.]

Subdivision 1. [EVENTS OF TERMINATION.] The administration shall be terminated after one of the following:

(1) certification is secured from the appropriate governmental agency that the violations found by the court to exist at the time of judgment have been remedied; or

(2) an order pursuant to section 64, subdivision 5. [566.31, subd. 1]

Subd. 2. [ACCOUNTING BY ADMINISTRATOR.] After the occurrence of one of the conditions in subdivision 1, the administrator shall:

(1) submit to the court an accounting of receipts and disbursements of the administration together with copies of all bills, receipts and other memoranda pertaining to the administrator, and, where appropriate, a certification by an appropriate governmental agency that the violations found by the court to exist at the time of judgment have been remedied; and

(2) comply with any other order the court makes as a condition of discharge. [566.31, subd. 2]

Subd. 3. [DISCHARGE OF ADMINISTRATOR.] After approval by the court of the

administrator's accounts and compliance by the administrator with any other order the court may make as a condition of discharge, the court shall discharge the administrator from any further responsibilities pursuant to sections 53 to 69. [566.31, subd. 3]

Sec. 68. [504A.575] [WAIVER NOT ALLOWED.]

A provision of a lease or other agreement in which a provision of sections 53 to 69 is waived by a residential tenant is contrary to public policy and void. [566.32]

Sec. 69. [504A.581] [PURPOSE TO PROVIDE ADDITIONAL REMEDIES.]

The purpose of sections 53 to 69 is to provide additional remedies and nothing contained in those sections alters the ultimate financial liability of the landlord or residential tenant for repairs or maintenance of the building. [566.33]

Sec. 70. [504A.585] [ESCROW OF RENT TO REMEDY VIOLATIONS.]

Subdivision 1. [ESCROW OF RENT.] (a) If a violation exists in a residential building, a residential tenant may deposit the amount of rent due to the landlord with the court administrator using the procedures described in paragraphs (b) to (d).

(b) For a violation as defined in section 1, subdivision 13, clause (1), the residential tenant may deposit with the court administrator the rent due to the landlord along with a copy of the written notice of the code violation as provided in section 53, subdivision 2. The residential tenant may not deposit the rent or file the written notice of the code violation until the time granted to make repairs has expired without satisfactory repairs being made, unless the residential tenant alleges that the time granted is excessive.

(c) For a violation as defined in section 1, subdivision 13, clause (2) or (3), the residential tenant must give written notice to the landlord specifying the violation. The notice must be delivered personally or sent to the person or place where rent is normally paid. If the violation is not corrected within 14 days, the residential tenant may deposit the amount of rent due to the landlord with the court administrator along with an affidavit specifying the violation. The court must provide a simplified form affidavit for use under this paragraph.

(d) The residential tenant need not deposit rent if none is due to the landlord at the time the residential tenant files the notice required by paragraph (b) or (c). All rent which becomes due to the landlord after that time but before the hearing under subdivision 6 must be deposited with the court administrator. As long as proceedings are pending under this section, the residential tenant must pay rent to the landlord or as directed by the court and may not withhold rent to remedy a violation. [566.34, subs. 1,2]

Subd. 2. [COUNTERCLAIM FOR POSSESSION.] (a) The landlord may file a counterclaim for possession of the property in cases where the landlord alleges that the residential tenant did not deposit the full amount of rent with the court administrator.

(b) The court must set the date for a hearing on the counterclaim within seven to 14 days from the day of filing the counterclaim. If the rent escrow hearing and the hearing on the counterclaim for possession cannot be heard on the same day, the matters must be consolidated and heard on the date scheduled for the hearing on the counterclaim.

(c) The contents of the counterclaim for possession must meet the requirements for a complaint under section 37.

(d) The landlord must serve the counterclaim as provided in section 39, except that the affidavits of service or mailing may be brought to the hearing rather than filed with the court before the hearing.

(e) The court must provide a simplified form for use under this section. [566.34, subd. 3]

Subd. 3. [DEFENSES.] The defenses provided in section 58 are defenses to an action brought under this section. [566.34, subd. 4]

Subd. 4. [FILING FEE.] The court administrator may charge a filing fee in the amount set for complaints and counterclaims in conciliation court, subject to the filing of an inability to pay affidavit. [566.34, subd. 5]

Subd. 5. [NOTICE OF HEARING.] (a) A hearing must be held within ten to 14 days from the day a residential tenant deposits rent with the court administrator.

(b) If the cost of remedying the violation, as estimated by the residential tenant, is within the jurisdictional limit for conciliation court, the court administrator shall notify the landlord and the residential tenant of the time and place of the hearing by first class mail.

(c) The residential tenant must provide the court administrator with the landlord's name and address. If the landlord has disclosed a post office box as the landlord's address under section 12, notice of the hearing may be mailed to the post office box.

(d) If the cost of remedying the violation, as estimated by the tenant, is above the jurisdictional limit for conciliation court, the tenant must serve the notice of hearing according to the Minnesota Rules of Civil Procedure.

(e) The notice of hearing must specify the amount the residential tenant has deposited with the court administrator, and must inform the landlord that possession of the property will not be in issue at the hearing unless the landlord files a counterclaim for possession or an action under sections 20 to 22 and 37 to 51. [566.34, subd. 6]

Subd. 6. [HEARING.] The hearing shall be conducted by a court without a jury. A certified copy of an inspection report meets the requirements of rule 803(8) of the Minnesota Rules of Evidence as an exception to the rule against hearsay, and meets the requirements of rules 901 and 902 of the Minnesota Rules of Evidence as to authentication. [566.34, subd. 7]

Subd. 7. [RELEASE OF RENT PRIOR TO HEARING.] If the residential tenant gives written notice to the court administrator that the violation has been remedied, the court administrator must release the rent to the landlord and, unless the hearing has been consolidated with another action, must cancel the hearing. If the residential tenant and the landlord enter into a written agreement signed by both parties apportioning the rent between them, the court administrator must release the rent in accordance with the written agreement and cancel the hearing. [566.34, subd. 8]

Subd. 8. [CONSOLIDATION WITH EVICTION.] Actions under this section and actions for eviction brought under sections 20 to 22, 37 to 51, or section 77 which involve the same parties must be consolidated and heard on the date scheduled for the eviction. [566.34, subd. 9]

Subd. 9. [JUDGMENT.] (a) Upon finding that a violation exists, the court may, in its discretion, do any or all of the following:

- (1) order relief as provided in section 60, including retroactive rent abatement;
- (2) order that all or a portion of the rent in escrow be released for the purpose of remedying the violation;
- (3) order that rent be deposited with the court as it becomes due to the landlord or abate future rent until the landlord remedies the violation; or
- (4) impose fines as required in section 71.

(b) When a proceeding under this section has been consolidated with a counterclaim for possession or an action for eviction under sections 20 to 22, 37 to 51, or section 77, and the landlord prevails, the residential tenant may redeem the tenancy as provided in section 19.

(c) When a proceeding under this section has been consolidated with a counterclaim for possession or an action for eviction under sections 20 to 22, 37 to 51, or section 77 on the grounds of nonpayment, the court may not require the residential tenant to pay the landlord's filing fee as a condition of retaining possession of the property when the residential tenant has deposited with the court the full amount of money found by the court to be owed to the landlord. [566.34, subd. 10]

Subd. 10. [RELEASE OF RENT AFTER HEARING.] If the court finds, after a hearing on the matter has been held, that no violation exists in the building or that the residential tenant did not deposit the full amount of rent due with the court administrator, it shall order the immediate release of the rent to the landlord. If the court finds that a violation existed, but was remedied between the commencement of the action and the hearing, it may order rent abatement and must release the rent to the parties accordingly. Any rent found to be owed to the residential tenant must be released to the tenant. [566.34, subd. 11]

Subd. 11. [RETALIATION; WAIVER NOT ALLOWED.] Section 63 applies to proceedings under this section. The residential tenant rights under this section may not be waived or modified and are in addition to and do not limit other rights or remedies which may be available to the residential tenant and landlord, except as provided in subdivision 1. [566.34, subd. 12]

Sec. 71. [504A.591] [VIOLATIONS OF BUILDING REPAIR ORDERS.]

Subdivision 1. [NONCOMPLIANCE; FINES.] After finding a landlord has willfully failed to comply with a court order to remedy a violation, the court shall fine the landlord according to the following schedule:

- (1) \$250 for the first failure to comply;
- (2) \$500 for the second failure to comply with an order regarding the same violation; and
- (3) \$750 for the third and each subsequent failure to comply with an order regarding the same violation. [566.35, subd. 1]

Subd. 2. [CRIMINAL PENALTY.] A landlord who willfully fails to comply with a court order to remedy a violation is guilty of a gross misdemeanor if it is the third or subsequent time that the landlord has willfully failed to comply with an order to remedy a violation within a three-year period. [566.35, subd. 2]

Sec. 72. [504A.595] [CODE VIOLATIONS, DISCLOSURE.]

(a) A state, county, or city agency charged by the governing body of the appropriate political subdivision with responsibility for enforcing a state, county, or city health, housing, building, fire prevention, or housing maintenance code shall make available to the persons described in paragraph (b) code violation records that pertain to a particular parcel of real property and the buildings, improvements, and dwelling units located on it. The records must be made available at reasonable times, and upon reasonable notice to the custodian of the records, for inspection, examination, abstracting, or copying at the expense of the person obtaining the information.

(b) The persons to whom the records shall be available under this section include, but are not limited to, the following persons and their representatives:

- (1) a person having any legal or beneficial interest in the property, including a renter;
- (2) a person considering in good faith the lease or purchase of the property;
- (3) a person authorized to request an inspection under section 53; and
- (4) a party to any action related to the property, including actions brought under sections 6 and 53 to 69. [504.23]

**TENANT REPORTS**

Sec. 73. [504A.601] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 73 to 75. [504.29, subd. 1]

Subd. 2. [PROPER IDENTIFICATION.] "Proper identification" means information generally considered sufficient to identify a person, including a Minnesota driver's license, a Minnesota identification card, other forms of identification provided by a unit of government, a notarized

statement of identity with a specimen signature of the person, or other reasonable form of identification. [504.29, subd. 2a]

Subd. 3. [RESIDENTIAL TENANT REPORT.] "Residential tenant report" means a written, oral, or other communication by a residential tenant screening service that includes information concerning an individual's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living, that is collected, used, or expected to be used for the purpose of making decisions relating to residential tenancies or residential tenancy applications. [504.29, subd. 4]

Subd. 4. [RESIDENTIAL TENANT SCREENING SERVICE.] "Residential tenant screening service" means a person or business regularly engaged in the practice of gathering, storing, or disseminating information about residential tenants or assembling residential tenant reports for monetary fees, dues, or on a cooperative nonprofit basis. [504.29, subd. 5]

Sec. 74. [504A.605] [RESIDENTIAL TENANT REPORTS; DISCLOSURE AND CORRECTIONS.]

Subdivision 1. [DISCLOSURES REQUIRED.] (a) On request and proper identification, a residential tenant screening service must disclose the following information to an individual:

(1) the nature and substance of all information in its files on the individual at the time of the request; and

(2) the sources of the information.

(b) A residential tenant screening service must make the disclosures to an individual without charge if information in a residential tenant report has been used within the 30 days before the request to deny the rental to the individual or increase the security deposit or rent of a residential housing unit to the individual.

(c) If the residential tenant report has not been used to deny the rental or increase the rent or security deposit of a residential housing unit within the past 30 days, the residential tenant screening service may impose a reasonable charge for making the disclosure. The residential tenant screening service must notify the residential tenant of the amount of the charge before furnishing the information. The charge may not exceed the amount that the residential tenant screening service would impose on each designated recipient of a residential tenant report, except that no charge may be made for notifying persons of the deletion of information which is found to be inaccurate or which can no longer be verified.

(d) Files maintained on a residential tenant must be disclosed promptly as established in clauses (1) to (4).

(1) A tenant file must be disclosed in person, during normal business hours, at the location where the tenant screening service maintains its files, if the tenant appears in person and furnishes proper identification at that time.

(2) A tenant file must be disclosed by mail, if the tenant makes a written request with proper identification for a copy of the information contained in the tenant report and requests that the information be sent to a specified address. A disclosure made under this clause shall be deposited in the United States mail, postage prepaid, within five business days after the written request for disclosure is received by the tenant screening service. A tenant screening service complying with a request for disclosure under this clause shall not be liable for disclosures to third parties caused by mishandling mail, provided that the tenant file information is mailed to the address specified by the tenant in the request.

(3) A summary of the information in a tenant file must be disclosed by telephone, if the tenant has made a written request with proper identification for telephone disclosure.

(4) Information in a tenant's file required to be disclosed in writing under this subdivision may be disclosed in any other form including electronic means if authorized by the tenant and available from the tenant screening service. [504.30, subd. 1]

Subd. 2. [CORRECTIONS.] If the completeness or accuracy of an item of information contained in an individual's file is disputed by the individual, the residential tenant screening service must reinvestigate and record the current status of the information. If the information is found to be inaccurate or can no longer be verified, the residential tenant screening service must delete the information from the individual's file and residential tenant report. At the request of the individual, the residential tenant screening service must give notification of the deletions to persons who have received the residential tenant report within the six months before the request. [504.30, subd. 2]

Subd. 3. [EXPLANATIONS.] The residential tenant screening service must permit an individual to explain an eviction report or a disputed item not resolved by reinvestigation in a residential tenant report. The explanation must be included in the residential tenant report. The residential tenant screening service may limit the explanation to no more than 100 words. [504.30, subd. 3]

Subd. 4. [COURT FILE INFORMATION.] (a) If a residential tenant screening service includes information from a court file on an individual in a residential tenant report, the report must provide the full name and date of birth of the individual in any case where the court file includes the individual's full name and date of birth, and the outcome of the court proceeding must be accurately recorded in the report, including the specific basis of the court's decision, when available. Whenever the court supplies information from a court file on an individual, in whatever form, the court shall include the full name and date of birth of the individual, if that is indicated on the court file or summary and information on the outcome of the court proceeding, including the specific basis of the court's decision, coded as provided in subdivision 5 for the type of action, when it becomes available. The residential tenant screening service is not liable under section 75 if the residential tenant screening service reports complete and accurate information as provided by the court.

(b) A tenant screening service shall not provide tenant reports containing information on eviction actions in the second and fourth judicial districts, unless the tenant report accurately records the outcome of the proceeding or other disposition of the eviction action such as settlement, entry of a judgment, default, or dismissal of the action. [504.30, subd. 4]

Subd. 5. [EVICITION ACTION CODING.] The court shall indicate on the court file or any summary of a court file the specific basis of the court's decision in an eviction action according to codes developed by the court that, at a minimum, indicates if the basis of the court's decision is nonpayment of rent, a violation of the requirements under section 75 or 76, other breach of a lease agreement, or a counterclaim for possession of the property under section 69. [504.30, subd. 4a]

Subd. 6. [INFORMATION TO RESIDENTIAL TENANT.] If the landlord uses information in a residential tenant report to deny the rental or increase the rent or security deposit of a residential unit, the landlord must inform the prospective tenant of the name and address of the residential tenant screening service that provided the residential tenant report. [504.30, subd. 5]

Sec. 75. [504A.611] [RESIDENTIAL TENANT REPORT; REMEDIES.]

The remedies in section 8.31 apply to a violation of section 74. A residential tenant screening service or landlord that complies with the Fair Credit Reporting Act, United States Code, title 15, section 1681, et seq., is considered to comply with section 74. [504.31]

#### **POSSESSION OF CONTROLLED SUBSTANCES**

##### **ON RESIDENTIAL RENTAL PROPERTY**

Sec. 76. [504A.701] [LANDLORD AND RESIDENTIAL TENANT MAY NOT ALLOW UNLAWFUL ACTIVITIES.]

Subdivision 1. [SPECIFIC AGREEMENT.] (a) A landlord and residential tenant agree that neither will:

(1) unlawfully allow controlled substances to be used on the property, its lands, or common area;

(2) allow prostitution or prostitution-related activity as defined in section 617.80, subdivision 4, to occur on the property, its lands, or common area;

(3) allow the unlawful use or possession of a firearm in violation of section 609.66, subdivision 1a, 609.67, or 624.713 on the property, its lands, or common area; and

(4) use, or allow others acting under the control of either, to use the property's common area or lands to manufacture, sell, give away, barter, deliver, exchange, distribute, purchase, or possess a controlled substance in violation of a criminal provision of chapter 152.

(b) This agreement is not violated when a person other than the landlord or residential tenant possesses or allows controlled substances on the property, its lands, or common area unless the landlord or residential tenant knew or had reason to know of that activity. [504.181, subd. 1]

Subd. 2. [BREACH VOIDS RIGHT TO POSSESSION.] (a) A breach of the agreement in subdivision 1 voids the residential tenant's right to possession of the property. All other provisions of the lease, including but not limited to the obligation to pay rent, remain in effect until the lease is terminated by the terms of the lease or operation of law.

(b) If the residential tenant breaches the agreement in subdivision 1, the landlord may bring, or assign to the county attorney of the county in which the property is located, the right to bring an eviction action against the residential tenant. The assignment must be in writing on a form provided by the county attorney, and the county attorney may determine whether to accept the assignment. If the county attorney accepts the assignment of the landlord's right to bring an eviction action:

(1) any court filing fee that would otherwise be required in an eviction action is waived; and

(2) the landlord retains all the rights and duties, including removal of the residential tenant's personal property, following issuance of an order to vacate and delivery of the writ to the sheriff for execution. [504.181, subd. 2]

Subd. 3. [WAIVER NOT ALLOWED.] The landlord or residential tenant may not waive or modify the prohibition imposed by this section. [504.181, subd. 3]

Sec. 77. [504A.705] [EVICTION FOR VIOLATION.]

(a) A landlord may evict a residential tenant who is subject to seizure under section 609.5317, subdivision 1, for which there is not a defense under section 609.5317, subdivision 3.

(b) Landlords must give written notice to residential tenants of the provision relating to seizures in paragraph (a). Failure to give notice does not subject the landlord to criminal or civil liability and is not a defense under section 609.5317, subdivision 3. [566.02; 566.021]

#### IMPLEMENTATION OF ACT

Sec. 78. [EFFECT OF CHANGES IN THIS ACT.]

The legislature intends this act to be a clarification and reorganization of the landlord-tenant laws in Minnesota Statutes, chapters 504 and 566. The changes that have been made are not intended to alter those laws and shall not be construed by a court or other authority to alter them.

Sec. 79. [INSTRUCTION TO REVISOR.]

(a) The revisor shall publish the statutory derivations of the laws repealed and recodified in this act in Laws of Minnesota and in the statutory history of chapters 504 and 566 in Minnesota Statutes.

(b) The revisor shall correct cross-references to sections that are repealed and recodified by this act, and if Minnesota Statutes, chapter 504 or chapter 566, is further amended in the 1998 or 1999 legislative session, shall codify the amendments in a manner consistent with this act.

Sec. 80. [REPEALER.]



Minnesota Statutes 1996, sections 504.01; 504.012; 504.015; 504.02; 504.03; 504.04; 504.05; 504.06; 504.07; 504.08; 504.09; 504.18; 504.181, subdivisions 2 and 3; 504.183; 504.185; 504.20; 504.201; 504.21; 504.22; 504.23; 504.24; 504.245; 504.246; 504.25; 504.255; 504.257; 504.26; 504.265; 504.27; 504.28; 504.29; 504.30; 504.31; 504.32; 504.36; 566.01; 566.02; 566.021; 566.03; 566.04; 566.051; 566.06; 566.07; 566.08; 566.09; 566.10; 566.11; 566.12; 566.13; 566.14; 566.15; 566.16; 566.17; 566.175; 566.18, subdivisions 1, 2, 3, 4, and 5; 566.19; 566.20; 566.205; 566.21; 566.22; 566.23; 566.24; 566.26; 566.27; 566.28; 566.29; 566.291; 566.30; 566.31; 566.32; 566.33; 566.34; and 566.35; and Minnesota Statutes 1997 Supplement, sections 504.181, subdivision 1; 504.215; 566.05; 566.18, subdivision 6; and 566.25, are repealed.

Sec. 81. [EFFECTIVE DATE.]

This act is effective July 1, 1999."

Delete the title and insert:

"A bill for an act relating to landlords and tenants; recodifying, clarifying, and relocating landlord tenant law; proposing coding for new law as Minnesota Statutes, chapter 504A; repealing Minnesota Statutes 1996, sections 504.01; 504.012; 504.015; 504.02; 504.03; 504.04; 504.05; 504.06; 504.07; 504.08; 504.09; 504.18; 504.181, subdivisions 2 and 3; 504.183; 504.185; 504.20; 504.201; 504.21; 504.22; 504.23; 504.24; 504.245; 504.246; 504.25; 504.255; 504.257; 504.26; 504.265; 504.27; 504.28; 504.29; 504.30; 504.31; 504.32; 504.36; 566.01; 566.02; 566.021; 566.03; 566.04; 566.051; 566.06; 566.07; 566.08; 566.09; 566.10; 566.11; 566.12; 566.13; 566.14; 566.15; 566.16; 566.17; 566.175; 566.18, subdivisions 1, 2, 3, 4, and 5; 566.19; 566.20; 566.205; 566.21; 566.22; 566.23; 566.24; 566.26; 566.27; 566.28; 566.29; 566.291; 566.30; 566.31; 566.32; 566.33; 566.34; and 566.35; Minnesota Statutes 1997 Supplement, sections 504.181, subdivision 1; 504.215; 566.05; 566.18, subdivision 6; and 566.25."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Mr. Metzen from the Committee on Governmental Operations and Veterans, to which was referred**

**S.F. No. 1946:** A bill for an act relating to public employment; increasing compensation for state employees on leave to serve as certified disaster service volunteers of the American Red Cross; amending Minnesota Statutes 1996, section 43A.185, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 2

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Mr. Metzen from the Committee on Governmental Operations and Veterans, to which was referred**

**S.F. No. 161:** A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article V, sections 1, 3, and 4; article VIII, section 2; article XI, sections 7 and 8; abolishing the office of state treasurer; transferring or repealing the powers, responsibilities, and duties of the state treasurer; amending Minnesota Statutes 1996, sections 9.011, subdivision 1; and 11A.03.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, lines 13 and 18, delete everything after "abolished"

Page 4, lines 14 and 19, delete everything before the period and insert "on the first Monday in January 2001"

Page 5, line 10, delete "2003" and insert "2001"

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

**Mr. Hottinger from the Committee on Health and Family Security, to which was referred**

**S.F. No. 2261:** A bill for an act relating to health; providing for rural critical access hospitals; amending Minnesota Statutes 1996, section 144.1483.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Mr. Hottinger from the Committee on Health and Family Security, to which was referred**

**S.F. No. 2146:** A bill for an act relating to health; creating an office of health care consumer assistance, advocacy, and information; amending the enrollee complaint system for health maintenance organizations; extending the date of establishing an informal complaint resolution process; appropriating money; amending Minnesota Statutes 1997 Supplement, sections 62D.11, subdivision 1; 62J.75; 62Q.105, subdivision 1; and 62Q.30; proposing coding for new law in Minnesota Statutes, chapter 62J.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1997 Supplement, section 62D.11, subdivision 1, is amended to read:

Subdivision 1. [ENROLLEE COMPLAINT SYSTEM.] Every health maintenance organization shall establish and maintain a complaint system, as required under section 62Q.105 to provide reasonable procedures for the resolution of written complaints initiated by or on behalf of enrollees concerning the provision of health care services. "Provision of health services" includes, but is not limited to, questions of the scope of coverage, quality of care, and administrative operations. The health maintenance organization must inform enrollees that they may choose to use alternative dispute resolution arbitration to appeal a health maintenance organization's internal appeal decision. The health maintenance organization must also inform enrollees that they have the right to use arbitration to appeal a health maintenance organization's internal appeal decision not to certify an admission, procedure, service, or extension of stay under section 62M.06. If an enrollee chooses to use an alternative dispute resolution process arbitration, the health maintenance organization must participate.

OFFICE OF HEALTH CARE CONSUMER ASSISTANCE,  
ADVOCACY, AND INFORMATION

Sec. 2. [62J.77] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For purposes of sections 62J.77 to 62J.80, the terms defined in this section have the meanings given them.

Subd. 2. [ENROLLEE.] "Enrollee" means a natural person covered by a health plan company, health insurance, or health coverage plan and includes an insured, policyholder, subscriber, contract holder, member, covered person, or certificate holder.

Subd. 3. [PATIENT.] "Patient" means a former, current, or prospective patient of a health care provider.

Sec. 3. [62J.78] [ESTABLISHMENT; ORGANIZATION.]

Subdivision 1. [GENERAL.] The office of health care consumer assistance, advocacy, and information is established to provide assistance, advocacy, and information to all health care consumers within the state. The office shall have no regulatory power or authority and shall not provide legal representation in a court of law.

Subd. 2. [EXECUTIVE DIRECTOR.] An executive director shall be appointed by the governor, in consultation with the consumer advisory board, for a three-year term and may be removed only for just cause. The executive director must be selected without regard to political affiliation and must be a person who has knowledge and experience concerning the needs and rights of health care consumers and must be qualified to analyze questions of law, administrative functions, and public policy. No person may serve as executive director while holding another public office. The director shall serve in the unclassified service.

Subd. 3. [STAFF.] The executive director shall appoint at least nine consumer advocates to discharge the responsibilities and duties of the office. The executive director and full-time staff shall be included in the Minnesota state retirement association.

Subd. 4. [DELEGATION.] The executive director may delegate to staff any of the authority or duties of the director, except the duty of formally making recommendations to the legislature.

Subd. 5. [TRAINING.] The executive director shall ensure that the consumer advocates are adequately trained.

Subd. 6. [STATEWIDE ADVOCACY.] The executive director shall assign a consumer advocate to represent each regional coordinating board geographic area.

Subd. 7. [FINANCIAL INTEREST.] The executive director and staff must not have any direct personal financial interest in the health care system except as an individual consumer of health care services.

Subd. 8. [ADMINISTRATION.] The office of the ombudsman for mental health and mental retardation shall coordinate and share administrative services with the office of health care consumer assistance, advocacy, and information. To the extent practical, all ombudsman offices with health care responsibilities shall have their telephone systems linked in order to facilitate immediate referrals.

Sec. 4. [62J.79] [DUTIES AND POWERS OF THE OFFICE OF HEALTH CARE CONSUMER ASSISTANCE, ADVOCACY, AND INFORMATION.]

Subdivision 1. [DUTIES.] The executive director shall provide information and assistance to all health care consumers by:

(1) assisting patients and enrollees in understanding and asserting their contractual and legal rights, including the rights under an alternative dispute resolution process. This assistance may include advocacy for enrollees in administrative proceedings or other formal or informal dispute resolution processes;

(2) assisting enrollees in obtaining health care referrals under their health plan company, health insurance, or health coverage plan;

(3) assisting patients and enrollees in accessing the services of governmental agencies, regulatory boards, and other state consumer assistance programs, ombudsman, or advocacy services whenever appropriate so that the patient or enrollee can take full advantage of existing mechanisms for resolving complaints;

(4) referring patients and enrollees to governmental agencies and regulatory boards for the investigation of health care complaints and for enforcement action;

(5) educating and training enrollees about their health plan company, health insurance, or health coverage plan in order to enable them to assert their rights and to understand their responsibilities;

(6) assisting enrollees in receiving a timely resolution of their complaints;

(7) monitoring health care complaints addressed by the office to identify specific complaint patterns or areas of potential improvement; and

(8) recommending to health plan companies ways to identify and remove any barriers that might delay or impede the health plan company's effort to resolve consumer complaints.

The executive director shall prioritize the duties listed in this subdivision within the appropriations allocated.

Subd. 2. [COMMUNICATION.] The executive director shall meet at least six times per year with the consumer advisory board. The executive director shall share all public information obtained by the office of health care consumer assistance, advocacy, and information with the consumer advisory board in order to assist the consumer advisory board in its role of advising the commissioners of health and commerce and the legislature in accordance with section 62J.75.

Subd. 3. [REPORTS.] Beginning January 15, 1999, the executive director, on at least a quarterly basis, shall provide data from the health care complaints addressed by the office to the commissioners of health and commerce, the consumer advisory board, the Minnesota council of health plans, the Insurance Federation of Minnesota, and the information clearinghouse. Beginning January 15, 1999, the executive director must make an annual written report to the legislature regarding activities of the office, including recommendations on improving health care consumer assistance and complaint resolution processes.

Sec. 5. [62J.80] [RETALIATION.]

A health plan company or health care provider shall not retaliate or take adverse action against an enrollee or patient who, in good faith, makes a complaint against a health plan company or health care provider. If retaliation is suspected, the executive director may report it to the appropriate regulatory authority.

Sec. 6. Minnesota Statutes 1997 Supplement, section 62Q.105, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] Each health plan company shall establish and make available to enrollees, by July 1, 1998 1999, an informal complaint resolution process that meets the requirements of this section. A health plan company must make reasonable efforts to resolve enrollee complaints, and must inform complainants in writing of the company's decision within 30 days of receiving the complaint. The complaint resolution process must treat the complaint and information related to it as required under sections 72A.49 to 72A.505.

Sec. 7. Minnesota Statutes 1997 Supplement, section 62Q.30, is amended to read:

62Q.30 [EXPEDITED FACT FINDING AND DISPUTE RESOLUTION PROCESS.]

The commissioner shall establish an expedited fact finding and dispute resolution process to assist enrollees of health plan companies with contested treatment, coverage, and service issues to be in effect July 1, 1998 1999. If the disputed issue relates to whether a service is appropriate and necessary, the commissioner shall issue an order only after consulting with appropriate experts knowledgeable, trained, and practicing in the area in dispute, reviewing pertinent literature, and considering the availability of satisfactory alternatives. The commissioner shall take steps including but not limited to fining, suspending, or revoking the license of a health plan company that is the subject of repeated orders by the commissioner that suggests a pattern of inappropriate underutilization.

Sec. 8. Minnesota Statutes 1997 Supplement, section 256B.692, subdivision 2, is amended to read:

Subd. 2. [DUTIES OF THE COMMISSIONER OF HEALTH.] Notwithstanding chapters 62D and 62N, a county that elects to purchase medical assistance and general assistance medical care in return for a fixed sum without regard to the frequency or extent of services furnished to any particular enrollee is not required to obtain a certificate of authority under chapter 62D or 62N. A county that elects to purchase medical assistance and general assistance medical care services under this section must satisfy the commissioner of health that the requirements of chapter 62D, applicable to health maintenance organizations, or chapter 62N, applicable to community integrated service networks, will be met. A county must also assure the commissioner of health that the requirements of ~~section~~ sections 62J.71 to 62J.73; all applicable provisions of chapter 62Q, including sections 62Q.07; 62Q.075; 62Q.105; 62Q.1055; 62Q.106; 62Q.11; 62Q.12;

62Q.135; 62Q.14; 62Q.145; 62Q.19; 62Q.23, paragraph (c); 62Q.30; 62Q.43; 62Q.47; 62Q.50; 62Q.52 to 62Q.56; 62Q.58; 62Q.64; and 72A.201 will be met. All enforcement and rulemaking powers available under chapters 62D, 62J, and 62N are hereby granted to the commissioner of health with respect to counties that purchase medical assistance and general assistance medical care services under this section.

Sec. 9. [COMPLAINT PROCESS STUDY.]

The complaint process work group established by the commissioners of health and commerce as required under Laws 1997, chapter 237, section 20, shall continue to meet to develop a complaint resolution process for health plan companies to make available to enrollees as required under Minnesota Statutes, sections 62Q.105, 62Q.11, and 62Q.30. The commissioners of health and commerce shall submit a progress report to the legislative commission on health care access by September 15, 1998, and shall submit final recommendations to the legislature, including draft legislation on developing such a process by November 15, 1998. The recommendations must also include, in consultation with the work group, a permanent method of financing the office of health care consumer assistance, advocacy, and information and methods to consolidate its functions with the existing advocacy, consumer resources, and health care ombudsman services provided by state government.

Sec. 10. [APPROPRIATION.]

\$...... is appropriated for fiscal year 1999 from the general fund to the executive director of the office of health care consumer assistance, advocacy, and information."

Delete the title and insert:

"A bill for an act relating to health care; creating an office of health care consumer assistance, advocacy, and information; clarifying the enrollee complaint system for health maintenance organizations; expanding the provisions counties must meet under county based purchasing; extending the date of establishing a complaint resolution process; appropriating money; amending Minnesota Statutes 1997 Supplement, sections 62D.11, subdivision 1; 62Q.105, subdivision 1; 62Q.30; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62J."

And when so amended the bill do pass and be re-referred to the Committee on Commerce. Amendments adopted. Report adopted.

**Mr. Hottinger from the Committee on Health and Family Security, to which was referred**

**S.F. No. 2345:** A bill for an act relating to health; modifying the authority of the commissioner to approve public water supplies; providing for administrative fines against large public water suppliers; amending Minnesota Statutes 1996, sections 144.383; and 144.99, subdivision 4.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Mr. Solon from the Committee on Commerce, to which was referred**

**S.F. No. 2047:** A bill for an act relating to commerce; regulating sales of manufactured homes; authorizing limited dealer's licenses in certain circumstances; amending Minnesota Statutes 1996, section 327B.04, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "transactions" and insert "the sale, offering for sale, soliciting, or advertising the sale"

Page 1, line 14, delete "hold title to" and insert "be the title holder of" and delete "sold"

Page 1, line 20, delete "the applicant"

Page 1, line 21, delete "need not maintain a trust account for these sales,"

Page 1, line 23, after "limited" insert "dealer's"

Page 1, line 25, after "(e)," insert "for the licensee or salespersons"

Page 2, line 1, delete everything after the period

Page 2, delete lines 2 to 6

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Mr. Metzen from the Committee on Governmental Operations and Veterans, to which was referred**

**S.F. No. 2026:** A bill for an act relating to capital improvements; providing standards for state assistance to capital improvement projects of political subdivisions; proposing coding for new law in Minnesota Statutes, chapter 16A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, after the period, insert "The supporting documentation must include a predesign package that defines the purpose, scope, cost, and schedule of the project."

Page 2, line 4, after "state" insert "as a whole"

Page 2, line 19, after the period, insert "The cost of predesign must be paid from nonstate sources."

Subd. 5. [DESIGN.] Predesign and design of a political subdivision capital improvement project for which state funding is provided must comply with section 16B.335."

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance. Amendments adopted. Report adopted.

**Mr. Metzen from the Committee on Governmental Operations and Veterans, to which was referred**

**S.F. No. 2379:** A bill for an act relating to the board of government innovation and cooperation; clarifying the distribution of cooperation and combination aid in certain circumstances when an entire township is annexed by two or more contiguous cities; amending Minnesota Statutes 1997 Supplement, section 465.87, subdivision 1a.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

**Mr. Metzen from the Committee on Governmental Operations and Veterans, to which was referred**

**S.F. No. 2216:** A bill for an act relating to state contracts; modifying retainage payment options; amending Minnesota Statutes 1996, section 15.73, subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Mr. Solon from the Committee on Commerce, to which was referred**

**S.F. No. 2068:** A bill for an act relating to commerce; providing for the reliability of electronic messages; providing for certification authorities; providing licensing and enforcement powers; defining terms; providing rulemaking; amending Minnesota Statutes 1997 Supplement, sections 325K.01, subdivisions 11, 18, 21, 27, 35, 39, and by adding a subdivision; 325K.03; 325K.05, subdivisions 1, 4, 5, 6, and 7; 325K.07, subdivisions 2 and 3; 325K.10, subdivision 1; 325K.12,

subdivision 4; 325K.13, by adding a subdivision; 325K.14, subdivisions 1, 2, 3, 5, and by adding a subdivision; 325K.15, subdivisions 3 and 7; 325K.18, subdivisions 1 and 2; and 325K.25, subdivision 1; repealing Minnesota Statutes 1997 Supplement, 325K.06, subdivisions 3, 4, and 5; 325K.13, subdivisions 2 and 3; and 325K.14, subdivision 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 18, insert:

"Section 1. Minnesota Statutes 1997 Supplement, section 325K.01, subdivision 6, is amended to read:

Subd. 6. [CERTIFICATION AUTHORITY DISCLOSURE RECORD.] "Certification authority disclosure record" means an on-line, publicly accessible electronic record that concerns a licensed certification authority and is kept by the secretary. A certification authority disclosure record has the contents specified by rule by the secretary under section 325K.03."

Pages 2 and 3, delete section 5 and insert:

"Sec. 6. Minnesota Statutes 1997 Supplement, section 325K.01, subdivision 35, is amended to read:

Subd. 35. [SUITABLE GUARANTY.] "Suitable guaranty" means either:

~~(1) a surety bond executed by a surety authorized by the commissioner of commerce to do business in this state, or an irrevocable letter of credit issued by a financial institution authorized to do business in this state, that:~~

~~(1) is issued payable to the secretary for the benefit of persons holding qualified rights of payment against the licensed certification authority named as the principal of the bond or customer of the letter of credit;~~

~~(2) is in an amount specified by rule by the secretary under section 325K.03;~~

~~(3) states that it is issued for filing under this chapter;~~

~~(4) specifies a term of effectiveness extending at least as long as the term of the license to be issued to the certification authority; and~~

~~(5) is in a form prescribed or approved by rule by the secretary.~~

~~A suitable guaranty may also provide that the total annual liability on the guaranty to all persons making claims based on it may not exceed the face amount of the guaranty. for the benefit of persons holding qualified rights of payment against the licensed certification authority named as the principal of the bond or the customer of the letter of credit; or~~

~~(2) a policy of insurance that provides that claims may be made and resolved without obtaining a qualified right to payment.~~

The suitable guaranty must:

(1) be in an amount specified by rule by the secretary under section 325K.03;

(2) state that it is issued under this chapter;

(3) specify a term of effectiveness of at least five years; and

(4) be in a form described in rule by the secretary.

If the suitable guaranty is a surety bond, it must be issued by a surety authorized by the commissioner of commerce to do business in this state. If the suitable guaranty is an irrevocable letter of credit, it must be issued by a financial institution authorized to do business in this state. If the suitable guaranty is a policy of insurance, it must be issued by an insurance company authorized by the commissioner of commerce to do business in this state.

Once a qualified right to payment or claim has been satisfied from the suitable guaranty, the licensed certification authority must provide evidence to the secretary that the amount required by rule is again available."

Page 3, line 28, after "hearing" insert ". The summary suspension is effective for up to five business days."

Page 3, line 30, delete "and" and insert ", the summary suspension is extended until the action for suspension or revocation" and delete everything after the period

Page 3, delete lines 31 to 33

Page 4, line 25, delete "electronic" and insert "on-line" and after "accessible" insert "electronic"

Page 7, line 22, before the period, insert "as between those parties"

Page 12, line 20, strike everything after "bond" and insert a period

Page 12, strike lines 21 to 23

Page 12, line 25, after "institution" insert "the full amount of a qualified right to payment"

Page 14, after line 5, insert:

"Sec. 30. [COURT RULES.]

Nothing in this chapter shall be construed to limit the authority of the supreme court to adopt rules of pleading, practice or procedure, or of the court of appeals or district courts to adopt supplementary local rules, governing the use of electronic messages and documents, including, but not limited to, rules governing the use of digital signatures in judicial proceedings.

Sec. 31. [APPROPRIATION.]

\$...... is appropriated from the general fund to the secretary of state for fiscal year 1999 for the purposes provided in Minnesota Statutes, chapter 325K."

Page 14, line 7, after "sections" insert "325K.05, subdivision 3;"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 5, before "amending" insert "appropriating money;"

Page 1, line 7, after "subdivisions" insert "6,"

Page 1, line 15, after "sections" insert "325K.05, subdivision 3;"

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations and Veterans. Amendments adopted. Report adopted.

**Mr. Metzen from the Committee on Governmental Operations and Veterans, to which was referred**

**S.F. No. 2167:** A bill for an act relating to veterans; amending the Gulf War veterans bonus program to facilitate eligibility verification; amending Minnesota Statutes 1997 Supplement, section 197.79, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 28, insert:

"Sec. 2. [EFFECTIVE DATE.]



Section 1 is effective the day following final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Mr. Metzen from the Committee on Governmental Operations and Veterans, to which was referred**

**S.F. No. 2380:** A bill for an act relating to the organization of state government; establishing an occupational regulatory oversight council to oversee and coordinate the work of agencies and boards charged with the regulation of health-related and non-health-related occupations; directing the commissioners of health and commerce to develop detailed proposals for the organization and operation of the council; establishing two task forces; requiring a report to the legislature; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 214.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [214.38] [OCCUPATIONAL REGULATORY COORDINATING COUNCIL.]

The occupational regulatory coordinating council consists of members appointed by the commissioners of health and commerce after consultation with the commissioner of human services and the attorney general. The council shall facilitate and coordinate the work of executive branch agencies and boards charged with the regulation of health-related and non-health-related occupations. It shall perform the duties and have the powers prescribed by law. The council may consist of two or more subunits.

Sec. 2. [INTERAGENCY TASK FORCE.]

Subdivision 1. [APPOINTMENTS.] The commissioners of health and commerce, after consultation with the commissioner of human services, the attorney general, and the entities listed in subdivision 2, shall appoint an interagency task force to develop detailed proposals for the organization, membership, duties, powers, financing, and operation of the council established by Minnesota Statutes, section 214.38. The commissioners of health and commerce shall determine the membership of the task force, and the commissioners, or their designees, shall serve as its cochairs. The task force must consist of two committees, one chaired by the commissioner of commerce, or the commissioner's designee, and dealing with non-health-related occupations, and the other chaired by the commissioner of health, or the commissioner's designee, and dealing with health-related occupations. Each committee may appoint advisory subcommittees. The task force expires June 30, 1999.

Subd. 2. [ADDITIONAL CONSULTATION.] In appointing the task force, the commissioners of health and commerce shall also consult with existing state executive branch occupational regulatory agencies and boards, occupations currently regulated, occupations seeking state regulation, health care providers, and organizations representing consumers. Representatives of entities listed in this subdivision may be appointed to the task force or to advisory subcommittees.

Subd. 3. [DUTIES.] Each task force committee, addressing occupations within its jurisdiction, shall consider how the permanent council established by Minnesota Statutes, section 214.38, can best provide coordination and oversight of state occupational regulation and make recommendations to the legislature regarding improvements in the existing regulatory system. In identifying the duties of the permanent council, each task force committee shall consider, at a minimum, those listed in section 3. If a committee and, subsequently, the task force concludes that a duty listed in section 3 should be omitted or modified, the report required by this subdivision must include the reasons for the proposed omission or modification. Each committee shall complete its work by December 1, 1998. The commissioners of health and commerce shall then coordinate the findings and recommendations of each committee. The commissioners may modify committee findings and recommendations to avoid conflicts and assure consistency in the regulation and oversight of health-related and non-health-related occupations. The committees shall review any modifications and adopt the findings and recommendations of the task force as a

whole. The commissioners shall submit those findings and recommendations to the legislature by January 5, 1999.

Sec. 3. [PERMANENT COUNCIL; MINIMUM DUTIES.]

The interagency task force and committees established by section 2 shall consider, at a minimum:

(1) establishing and maintaining a systematic method of reviewing and evaluating requests for new occupational regulation and substantive changes that broaden the scope of existing regulation;

(2) advising the legislature regarding requests for new or revised regulation, identifying the need for regulation, the appropriate level of any needed regulation, and the appropriate regulatory body;

(3) giving ongoing consideration to the organization and structure of occupational regulation in Minnesota and recommending to the legislature any changes that the council may from time to time identify as desirable; and

(4) reviewing the application of Minnesota Statutes, chapter 13, to the occupational regulatory and enforcement system and, in consultation with the commissioner of administration, recommending to the legislature any changes that the council may identify as being desirable.

Sec. 4. [LEGISLATIVE INTENT.]

It is the intention of the legislature not to consider or enact occupational regulation legislation during the 1998 session unless the legislature finds that specific legislation would be in the best interests of the state and its citizens. For purposes of this section, "occupational regulation" means the extension of state regulation to a new occupation, the modification of any existing regulation of an occupation except to clarify existing language or to improve regulatory efficiency or effectiveness, a change in the mode of regulation or in the scope of practice of a regulated occupation, or the establishment of a new regulatory body or advisory body.

Sec. 5. [APPROPRIATION.]

\$50,000 is appropriated to the commissioner of commerce and \$50,000 is appropriated to the commissioner of health to implement section 2.

Sec. 6. [EFFECTIVE DATES.]

Section 1 is effective July 1, 1999. Sections 2 to 5 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the organization of state government; establishing an occupational regulatory coordinating council to facilitate and coordinate the work of executive branch agencies and boards charged with the regulation of health-related and non-health-related occupations; directing the commissioners of health and commerce to develop detailed proposals for the organization and operation of the council; establishing two task forces; requiring a report to the legislature; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 214."

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2111, 1180, 2017, 2089, 2031, 2230, 2156, 663, 1946, 2261, 2345, 2047, 2379, 2216 and 2167 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Stumpf moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 1169. The motion prevailed.

Mr. Janezich moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 2035. The motion prevailed.

Ms. Junge moved that the name of Mr. Marty be added as a co-author to S.F. No. 2043. The motion prevailed.

Ms. Junge moved that the name of Ms. Wiener be added as a co-author to S.F. No. 2050. The motion prevailed.

Ms. Wiener moved that the name of Mr. Knutson be added as a co-author to S.F. No. 2070. The motion prevailed.

Ms. Berglin moved that the name of Ms. Krentz be added as a co-author to S.F. No. 2090. The motion prevailed.

Mrs. Scheid moved that the name of Mr. Marty be added as a co-author to S.F. No. 2148. The motion prevailed.

Ms. Krentz moved that the name of Ms. Junge be added as a co-author to S.F. No. 2161. The motion prevailed.

Mr. Johnson, D.H. moved that the name of Ms. Junge be added as a co-author to S.F. No. 2197. The motion prevailed.

Mr. Foley moved that the names of Ms. Piper, Higgins and Mr. Marty be added as co-authors to S.F. No. 2240. The motion prevailed.

Ms. Johnson, J.B. moved that the name of Ms. Junge be added as a co-author to S.F. No. 2247. The motion prevailed.

Mr. Johnson, D.H. moved that the name of Mr. Wiger be added as a co-author to S.F. No. 2259. The motion prevailed.

Mr. Moe, R.D. moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 2386. The motion prevailed.

Mr. Stumpf moved that his name be stricken as chief author and the name of Mr. Ten Eyck be added as chief author to S.F. No. 709. The motion prevailed.

Mr. Kelley, S.P. moved that the names of Mr. Langseth and Ms. Lesewski be added as co-authors to S.F. No. 2098. The motion prevailed.

Mr. Kelly, R.C. moved that S.F. No. 834 be withdrawn from the Committee on Taxes and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Ms. Berglin moved that S.F. No. 2092 be withdrawn from the Committee on Jobs, Energy and Community Development and re-referred to the Committee on Transportation. The motion prevailed.

Ms. Piper moved that S.F. No. 2123 be withdrawn from the Committee on Jobs, Energy and Community Development and re-referred to the Committee on Health and Family Security. The motion prevailed.

Ms. Lesewski moved that S.F. No. 2311 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Local and Metropolitan Government. The motion prevailed.

Mr. Ten Eyck moved that S.F. No. 2270 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Mr. Morse moved that S.F. No. 2296 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Kelley, S.P. moved that S.F. No. 2342 be withdrawn from the Committee on Transportation and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Mr. Johnson, D.J. moved that his name be stricken as a co-author to S.F. No. 2272. The motion prevailed.

**Mr. Wiger introduced--**

**Senate Resolution No. 77:** A Senate resolution congratulating Brian Keith Krause of Maplewood, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Mr. Wiger introduced--**

**Senate Resolution No. 78:** A Senate resolution congratulating Michael Lawrence Krause of Maplewood, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Mr. Wiger introduced--**

**Senate Resolution No. 79:** A Senate resolution congratulating Nathan William Krause of Maplewood, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

### CONSENT CALENDAR

**S.F. No. 2041:** A bill for an act relating to taxation; allowing the 1997 property tax rebate for prepayments of tax; amending Laws 1997, chapter 231, article 1, section 16, as amended.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Novak	Samuelson
Beckman	Higgins	Langseth	Ourada	Scheevel
Berg	Hottinger	Larson	Pappas	Scheid
Berglin	Janezich	Lesewski	Pariseau	Spear
Betzold	Johnson, D.H.	Lessard	Piper	Stevens
Cohen	Johnson, D.J.	Limmer	Pogemiller	Stumpf
Day	Johnson, J.B.	Lourey	Price	Ten Eyck
Dille	Kelley, S.P.	Marty	Ranum	Vickerman
Fischbach	Kelly, R.C.	Metzen	Robertson	Wiener
Flynn	Kiscaden	Moe, R.D.	Robling	Wiger
Foley	Kleis	Morse	Runbeck	
Frederickson	Krentz	Murphy	Sams	

So the bill passed and its title was agreed to.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time and referred to the committees indicated.

**Messrs. Hottinger, Ten Eyck, Morse, Mrs. Lourey and Ms. Higgins introduced--**

**S.F. No. 2425:** A bill for an act relating to nursing homes; changing staffing ratios; modifying exceptions for beds; changing nursing facility salary adjustment per diem; prohibiting costs for unionization for use in setting payment rates; changing nursing facility reimbursement; amending Minnesota Statutes 1996, sections 144A.04, subdivision 7; 256B.431, subdivision 2i, and by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 144A.071, subdivision 4a; and 256B.431, subdivisions 25 and 26.

Referred to the Committee on Health and Family Security.

**Ms. Berglin introduced--**

**S.F. No. 2426:** A bill for an act relating to health; increasing the maximum financial reserves permitted for health maintenance organizations; removing misleading related language; amending Minnesota Statutes 1996, section 62D.042, subdivision 2; repealing Minnesota Statutes 1997 Supplement, section 62D.042, subdivision 3.

Referred to the Committee on Health and Family Security.

**Messrs. Beckman and Dille introduced--**

**S.F. No. 2427:** A bill for an act relating to housing; appropriating money for the housing finance agency's bridges program.

Referred to the Committee on Jobs, Energy and Community Development.

**Mrs. Scheid, Ms. Robertson and Mr. Pogemiller introduced--**

**S.F. No. 2428:** A bill for an act relating to transportation; authorizing grants for installation of passive restraint systems on school buses; requiring a study; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Ms. Wiener, Messrs. Langseth and Knutson introduced--**

**S.F. No. 2429:** A bill for an act relating to the legislative auditor; adding a member to the local government services advisory council; clarifying the appointment of council members; amending Minnesota Statutes 1997 Supplement, section 3.971, subdivision 4.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Pogemiller and Knutson introduced--**

**S.F. No. 2430:** A bill for an act relating to elections; appropriating money to facilitate reassignment of voter registrations following redistricting.

Referred to the Committee on Election Laws.

**Ms. Higgins introduced--**

**S.F. No. 2431:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the North Star Neighborhood Early Learning Center.

Referred to the Committee on Children, Families and Learning.

**Mr. Langseth introduced--**

**S.F. No. 2432:** A bill for an act relating to transportation; making seat belt violation a primary offense; amending Minnesota Statutes 1996, section 169.686, subdivision 1.

Referred to the Committee on Transportation.

**Mr. Moe, R.D. introduced--**

**S.F. No. 2433:** A bill for an act relating to education; permitting independent school district No. 2609, Win-E-Mac, to transfer funds.

Referred to the Committee on Children, Families and Learning.

**Mr. Moe, R.D. introduced--**

**S.F. No. 2434:** A bill for an act relating to education; amending the average daily membership for flood-affected school districts; amending Laws 1997, First Special Session chapter 4, article 4, section 33.

Referred to the Committee on Children, Families and Learning.

**Mr. Johnson, D.E. introduced--**

**S.F. No. 2435:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for renovation of buildings 3 and 14 at the Willmar Regional Treatment Center.

Referred to the Committee on Health and Family Security.

**Messrs. Metzen, Solon, Larson and Moe, R.D. introduced--**

**S.F. No. 2436:** A bill for an act relating to state government; establishing a settlement division in the office of administrative hearings; transferring certain judges from the department of labor and industry to the office of administrative hearings; transferring the small claims court from the department of labor and industry to the office of administrative hearings; transferring certain duties and funds.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Lessard introduced--**

**S.F. No. 2437:** A bill for an act relating to taxation; changing vehicle registration tax; amending Minnesota Statutes 1996, section 168.013, subdivision 1a.

Referred to the Committee on Transportation.

**Ms. Junge, Messrs. Betzold, Foley, Ms. Ranum and Mr. Belanger introduced--**

**S.F. No. 2438:** A bill for an act relating to crime; including additional conduct within the definition of domestic abuse; clarifying that penalties for violation of an order for protection apply to orders issued by a judge or referee; amending Minnesota Statutes 1996, section 518B.01, subdivision 2; Minnesota Statutes 1997 Supplement, section 518B.01, subdivision 14.

Referred to the Committee on Crime Prevention.

**Messrs. Metzen and Morse introduced--**

**S.F. No. 2439:** A bill for an act relating to retirement; modifying administrative expense provisions for various public pension plans; amending Minnesota Statutes 1996, sections 352.96, subdivision 4; 352D.09, subdivision 7; 353D.05, subdivision 3; and 383B.52; Minnesota Statutes 1997 Supplement, sections 354B.25, subdivision 5; and 354C.12, subdivision 4; repealing Minnesota Statutes 1996, sections 11A.17, subdivisions 10a and 14; and 352D.09, subdivision 8.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Lessard introduced--**

**S.F. No. 2440:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for expansion of facilities at the Mt. Itasca ski area.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Lessard introduced--**

**S.F. No. 2441:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for a regional learning resource center in Grand Rapids.

Referred to the Committee on Children, Families and Learning.

**Messrs. Cohen and Metzen introduced--**

**S.F. No. 2442:** A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; providing for a grant to the city of St. Paul for a tennis center; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Olson introduced--**

**S.F. No. 2443:** A bill for an act relating to taxation; clarifying the taxes included in the moratorium on collection of taxes for solid waste management services; amending Laws 1997, chapter 231, article 13, section 19.

Referred to the Committee on Taxes.

**Messrs. Stevens and Lessard introduced--**

**S.F. No. 2444:** A bill for an act relating to game and fish; extending certain angling seasons in 1998.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Novak and Ourada introduced--**

**S.F. No. 2445:** A bill for an act relating to public safety; regulating excavation notice system; authorizing commissioner of public safety to appoint pipeline safety committee; increasing civil penalty; amending Minnesota Statutes 1996, sections 216D.04, subdivisions 1, 3, and by adding a subdivision; 216D.05; and 216D.08, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 299J; repealing Minnesota Statutes 1996, section 299J.06.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Vickerman, Beckman and Langseth introduced--**

**S.F. No. 2446:** A bill for an act relating to insurance; regulating trade practices; providing for reimbursement for licensed ambulance services; amending Minnesota Statutes 1996, section 72A.201, subdivision 5; Minnesota Statutes 1997 Supplement, section 62J.48.

Referred to the Committee on Commerce.

**Messrs. Sams, Wiger, Dille, Stevens and Samuelson introduced--**

**S.F. No. 2447:** A bill for an act relating to health professions; modifying provisions relating to speech-language pathologists, unlicensed mental health practitioners, alcohol and drug counselors, and hearing instrument dispensers; amending Minnesota Statutes 1996, sections 144.335, subdivision 1; 148.515, subdivision 3; 148.518, subdivision 2; 148.5191, subdivisions 1, 3, and 4; 148.5194; 148.5195, subdivision 3; 148B.66, subdivision 2; 148B.69, subdivision 2, and by adding a subdivision; 148C.04, subdivisions 3 and 4; 148C.05, subdivision 2; 148C.06; 153A.13, subdivision 5; 153A.14, subdivisions 2a, 2b, 2d, 2f, 2h, 9, and 10; 153A.15, subdivision 1, and by adding a subdivision; and 153A.20, subdivision 3; Minnesota Statutes 1997 Supplement, sections 148C.03, subdivision 1; and 148C.11, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1996, section 153A.14, subdivision 7.

Referred to the Committee on Health and Family Security.

**Mr. Sams, Mrs. Lourey, Messrs. Dille, Samuelson and Murphy introduced--**

**S.F. No. 2448:** A bill for an act relating to agriculture; providing for collection of a milk handling tax and distribution of the proceeds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 32.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Hottinger introduced--**

**S.F. No. 2449:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the Mankato Technology Center.

Referred to the Committee on Jobs, Energy and Community Development.

**Ms. Olson, Mr. Oliver and Ms. Robertson introduced--**

**S.F. No. 2450:** A bill for an act relating to natural resources; modifying provisions of the watershed district administrative fund; amending Minnesota Statutes 1996, section 103D.905, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

**Mr. Kelley, S.P. introduced--**

**S.F. No. 2451:** A bill for an act relating to taxation; sales; exempting sales of gold and silver coins and bullion; amending Minnesota Statutes 1996, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Ms. Kiscaden introduced--**

**S.F. No. 2452:** A bill for an act relating to human services; appropriating money for a crisis intervention project in southeastern Minnesota for developmentally disabled persons in home and community-based services.

Referred to the Committee on Health and Family Security.



**Mr. Stevens introduced--**

**S.F. No. 2453:** A bill for an act relating to tax increment financing; authorizing the expenditure of revenues derived from a tax increment financing district located in the city of Foley outside of the district.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Wiener introduced--**

**S.F. No. 2454:** A bill for an act relating to liquor; increasing authorized liquor licenses for the city of Eagan; amending Laws 1994, chapter 611, section 32, as amended.

Referred to the Committee on Commerce.

**Mrs. Lourey, Messrs. Hottinger, Samuelson, Terwilliger and Ms. Piper introduced--**

**S.F. No. 2455:** A bill for an act relating to human services; eliminating case mix scores used to assess persons with mental retardation; providing a rate increase for employees; appropriating money; repealing Minnesota Statutes 1996, section 256B.501, subdivision 3g.

Referred to the Committee on Health and Family Security.

**Ms. Krentz introduced--**

**S.F. No. 2456:** A bill for an act relating to education; removing the local match requirement for gifted and talented grants; amending Laws 1997, First Special Session chapter 4, article 5, section 24, subdivision 4.

Referred to the Committee on Children, Families and Learning.

**Ms. Flynn and Mr. Betzold introduced--**

**S.F. No. 2457:** A bill for an act relating to the Minnesota housing finance agency; making permanent a temporary provision about the agency's meetings; amending Laws 1997, chapter 154, section 5.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Stevens and Ms. Johnson, J.B. introduced--**

**S.F. No. 2458:** A bill for an act relating to capital improvements; appropriating money to restore the 1894 Kanabec county courthouse; authorizing state bonds.

Referred to the Committee on Jobs, Energy and Community Development.

**Mr. Knutson introduced--**

**S.F. No. 2459:** A bill for an act relating to commerce; requiring that advertised airfares be available in reasonable numbers; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

**Messrs. Beckman, Janezich, Wiger and Langseth introduced--**

**S.F. No. 2460:** A bill for an act relating to education; reinstating funding for summer school; appropriating money; amending Minnesota Statutes 1996, section 124.17, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

**Mr. Beckman, Mses. Higgins, Berglin, Mr. Kelly, R.C. and Mrs. Robling introduced--**

**S.F. No. 2461:** A bill for an act relating to economic security; appropriating money for the Youthbuild program.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Beckman, Janezich, Wiger, Langseth and Scheevel introduced--**

**S.F. No. 2462:** A bill for an act relating to education; funding the state aid deficiency in the interactive television program; appropriating money; amending Laws 1997, First Special Session chapter 4, article 9, section 12, subdivision 8.

Referred to the Committee on Children, Families and Learning.

**Mr. Neville, Ms. Krentz, Mr. Janezich, Ms. Robertson and Mrs. Scheid introduced--**

**S.F. No. 2463:** A bill for an act relating to libraries; appropriating money for the library for the blind and physically handicapped catalog.

Referred to the Committee on Children, Families and Learning.

**Ms. Robertson, Mr. Stumpf, Ms. Krentz, Mr. Janezich and Mrs. Scheid introduced--**

**S.F. No. 2464:** A bill for an act relating to education; establishing a data access program for public libraries and school media centers; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Mr. Novak and Ms. Runbeck introduced--**

**S.F. No. 2465:** A bill for an act relating to the metropolitan airports commission; clarifying and expanding a limit on certain revenue use for air facilities; amending Minnesota Statutes 1996, section 473.641, subdivision 4.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Kelly, R.C.; Ms. Pappas, Mr. Wiger, Ms. Anderson and Mr. Cohen introduced--**

**S.F. No. 2466:** A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; appropriating money to the board of trustees of the Minnesota state colleges and universities for a library for the Metropolitan State University, St. Paul region campus; authorizing issuance of bonds.

Referred to the Committee on Children, Families and Learning.

**Mr. Johnson, D.E. and Ms. Lesewski introduced--**

**S.F. No. 2467:** A bill for an act relating to human services; appropriating money for Project Turnabout.

Referred to the Committee on Health and Family Security.

**Mses. Olson, Robertson, Messrs. Scheevel, Knutson and Neville introduced--**

**S.F. No. 2468:** A bill for an act relating to education; providing financing for kindergarten through grade 12; appropriating money; amending Minnesota Statutes 1996, sections 124.2713, subdivision 6a; 124.2727, subdivisions 6a and 6c; 124.273, by adding a subdivision; 124A.292, subdivision 3; and 124A.30; Minnesota Statutes 1997 Supplement, sections 121.904, subdivision 4a; 124.17, subdivisions 1d and 7; 124.2601, subdivisions 3 and 6; 124.2711, subdivision 2a; 124.2713, subdivision 6; 124.91, subdivision 5; 124A.22, subdivisions 2 and 13b; and 124A.23, subdivision 1; Laws 1997, First Special Session chapter 4, articles 3, section 23, by adding a subdivision; 5, section 28, subdivisions 10 and 11; and 10, sections 4 and 5; proposing coding for new law in Minnesota Statutes, chapter 124A; repealing Minnesota Statutes 1996, sections 124.2601, subdivision 4; 124.2713, subdivision 6b; 124.2727, subdivision 6b; and 124A.292, subdivisions 2 and 4; Minnesota Statutes 1997 Supplement, section 124.2601, subdivision 5; Laws 1997, chapter 231, article 1, section 17.

Referred to the Committee on Children, Families and Learning.

**Ms. Johnson, J.B. and Mrs. Pariseau introduced--**

**S.F. No. 2469:** A bill for an act relating to appropriations; appropriating money for the "Becoming an Outdoors Woman" program.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Ten Eyck and Samuelson introduced--**

**S.F. No. 2470:** A bill for an act relating to professions; modifying licensing board provisions relating to national and regional testing; making a technical change relating to podiatry licensing; amending Minnesota Statutes 1996, sections 153.17, subdivision 2; and 214.03.

Referred to the Committee on Health and Family Security.

**Ms. Lesewski introduced--**

**S.F. No. 2471:** A bill for an act relating to health; directing the commissioner of health to exempt certain public pools from the standards for pools with diving.

Referred to the Committee on Health and Family Security.

**Ms. Robertson, Messrs. Pogemiller, Janezich, Mses. Pappas and Krentz introduced--**

**S.F. No. 2472:** A bill for an act relating to education; coordinating local service delivery; referring to federal special education requirements; changing procedures; amending the pupil fair dismissal act; facilitating third-party payments; encouraging alternative education programs; providing state aid for certain school district litigation costs; directing the state board of education to amend special education rules; allowing school districts to provide certain services at nonpublic schools; appropriating money; amending Minnesota Statutes 1996, sections 120.06, subdivision 2a; 120.064, subdivision 5; 120.101, subdivision 3; 120.17, subdivisions 1, 2, 3, 3a, 3b, 9, and 15; 120.1701, subdivisions 5 and 17; 120.173, subdivision 1; 123.935, subdivisions 1 and 2; 124.248, subdivision 1a; 124.32, by adding a subdivision; 124.3201, subdivision 5; 124.323, by adding subdivisions; 124A.034, subdivision 2; 124A.036, subdivisions 1a, 4, and by adding a subdivision; 124C.45, subdivision 2; 124C.47; 124C.48, by adding a subdivision; 126.237; 127.27, subdivisions 2 and 4; and 256B.0625, subdivision 26; Minnesota Statutes 1997 Supplement, sections 124.3111, subdivisions 2 and 3; 124.3201, subdivisions 1 and 4; 124C.46, subdivisions 1 and 2; 127.27, subdivisions 10 and 11; 127.281; 127.31, subdivision 15; 127.32; 127.36, subdivision 1; and 127.38; proposing coding for new law in Minnesota Statutes, chapters 62Q; and 120.

Referred to the Committee on Children, Families and Learning.

**Messrs. Johnson, D.E.; Frederickson; Dille and Hottinger introduced--**

**S.F. No. 2473:** A bill for an act relating to eminent domain; providing certain requirements for compensation for pipeline easements; amending Minnesota Statutes 1996, section 117.48.

Referred to the Committee on Agriculture and Rural Development.

**Ms. Robertson, Mrs. Scheid, Messrs. Scheevel, Janezich and Ms. Pappas introduced--**

**S.F. No. 2474:** A bill for an act relating to traffic regulations; modifying provisions relating to school bus safety; amending Minnesota Statutes 1996, sections 123.805, subdivision 1; 124.225, subdivisions 7f and 8m; and 169.451, subdivision 5; Minnesota Statutes 1997 Supplement, section 169.01, subdivision 6; repealing Minnesota Statutes 1997 Supplement, section 169.452.

Referred to the Committee on Children, Families and Learning.

**Messrs. Dille, Larson, Metzen, Limmer and Ms. Wiener introduced--**

**S.F. No. 2475:** A bill for an act relating to education; requiring knowledge in personal and family financial management and investment for graduation; amending Minnesota Statutes 1997 Supplement, section 121.11, subdivision 7c.

Referred to the Committee on Children, Families and Learning.

**Mr. Larson, Mrs. Fischbach and Mr. Sams introduced--**

**S.F. No. 2476:** A bill for an act relating to appropriations; appropriating money for the Sauk River Dam.

Referred to the Committee on Environment and Natural Resources.

**Mr. Stumpf, Ms. Piper, Messrs. Metzen, Stevens and Terwilliger introduced--**

**S.F. No. 2477:** A bill for an act relating to state government; codifying reorganization order number 179 with respect to the departments of children, families, and learning and economic security; amending Minnesota Statutes 1996, sections 13.99, subdivision 81; 216B.241, subdivision 2a; 239.785, subdivision 6; and 462A.05, subdivision 15c; Minnesota Statutes 1997 Supplement, sections 119A.15, subdivision 5a; and 268.19; proposing coding for new law in Minnesota Statutes, chapters 119A; repealing Minnesota Statutes 1996, sections 4.071, subdivision 3; 268.37; 268.371; 268.38, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, and 12; 268.55; and 268.92; Minnesota Statutes 1997 Supplement, sections 268.38, subdivision 7; and 268.917.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Samuelson and Ms. Wiener introduced--**

**S.F. No. 2478:** A bill for an act relating to financial institutions; maintaining the Savings Association Act.

Referred to the Committee on Commerce.

**Messrs. Novak, Janezich, Ms. Johnson, J.B.; Messrs. Laidig and Morse introduced--**

**S.F. No. 2479:** A bill for an act relating to appropriations; authorizing state bonds and appropriating money to renovate the Laurentian Environmental Learning Center.

Referred to the Committee on Environment and Natural Resources.

**Ms. Hanson, Mr. Vickerman, Ms. Higgins, Messrs. Johnson, D.H. and Johnson, D.E. introduced--**

**S.F. No. 2480:** A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; providing for a grant to the city of Montevideo for improvements to an historic railroad depot and related parking and facilities; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Kleis, Stevens and Mrs. Fischbach introduced--**

**S.F. No. 2481:** A bill for an act relating to education; authorizing independent school district No. 742, St. Cloud, to use remaining bond proceeds for the purchase of a community education site.

Referred to the Committee on Children, Families and Learning.

**Mr. Novak, Ms. Flynn, Messrs. Kelly, R.C. and Pogemiller introduced--**

**S.F. No. 2482:** A bill for an act relating to taxation; modifying restrictions on certain redevelopment tax increment financing districts; appropriating money for grants to certain districts; amending Minnesota Statutes 1996, sections 273.1399, subdivision 6; and 469.1763, subdivisions 2 and 3.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Johnson, D.E. introduced--**

**S.F. No. 2483:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for development of the Prairie Woods Residential Environmental Learning Center.

Referred to the Committee on Environment and Natural Resources.

**Ms. Hanson introduced--**

**S.F. No. 2484:** A bill for an act relating to motor vehicles; allowing issuance of second set of license plates for physically disabled persons; amending Minnesota Statutes 1996, section 168.021, subdivision 1.

Referred to the Committee on Transportation.

**Ms. Hanson, Messrs. Larson, Novak, Beckman and Janezich introduced--**

**S.F. No. 2485:** A bill for an act relating to economic development; providing for a grant to the city of Montevideo for a downtown redevelopment project; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Neville; Kelly, R.C.; Johnson, D.H.; Belanger and Kleis introduced--**

**S.F. No. 2486:** A bill for an act relating to criminal justice; appropriating money for the judicial branch, public safety, corrections, and related purposes; requiring the commissioner of corrections to supervise administration of per diem payments to shelter facilities for abused women and children; amending Minnesota Statutes 1996, section 241.01, subdivision 7, and by adding a subdivision; Minnesota Statutes 1997 Supplement, section 241.277, subdivision 9; Laws 1997, chapters 85, article 3, section 53; and 239, article 1, section 12, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 241; and 611A; repealing Minnesota Statutes 1996, section 256D.03, subdivisions 3 and 3a.

Referred to the Committee on Crime Prevention.

**Ms. Johnson, J.B. and Mr. Stevens introduced--**

**S.F. No. 2487:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for extending sewer and water to the community college campus at Cambridge.

Referred to the Committee on Environment and Natural Resources.

**Mr. Janezich, Mrs. Scheid, Messrs. Hottinger, Cohen and Larson introduced--**

**S.F. No. 2488:** A bill for an act relating to liquor; modifying criminal penalty provision; eliminating the local option election provision; appropriating money; amending Minnesota Statutes 1996, sections 340A.412, subdivision 4; and 340A.701, subdivision 1; repealing Minnesota Statutes 1996, section 340A.416.

Referred to the Committee on Commerce.

**Mr. Solon, Mrs. Scheid, Messrs. Day, Belanger and Ms. Wiener introduced--**

**S.F. No. 2489:** A bill for an act relating to commerce; regulating residential mortgage loans; establishing table funding requirements; proposing coding for new law in Minnesota Statutes, chapter 82.

Referred to the Committee on Commerce.

**Mr. Ourada introduced--**

**S.F. No. 2490:** A bill for an act relating to agriculture; changing food handlers license provisions for first-time and seasonal licenses; amending Minnesota Statutes 1996, section 28A.04, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Janezich introduced--**

**S.F. No. 2491:** A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited peat land in St. Louis county.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Janezich; Johnson, D.J. and Solon introduced--**

**S.F. No. 2492:** A bill for an act relating to water; providing that a portion of the environment and natural resources trust fund may be used for grants to local units of government for upgrading individual sewage treatment systems and wells; amending Minnesota Statutes 1996, section 116P.08, subdivisions 1 and 2.

Referred to the Committee on Environment and Natural Resources.

**Ms. Junge introduced--**

**S.F. No. 2493:** A bill for an act relating to civil actions; limiting liability of financial institutions providing data for the criminal alert network; amending Minnesota Statutes 1996, section 299A.61, by adding a subdivision.

Referred to the Committee on Judiciary.

**Mr. Ten Eyck introduced--**

**S.F. No. 2494:** A bill for an act relating to game and fish; modifying the definition of resident; amending Minnesota Statutes 1996, section 97A.015, subdivision 42.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Kleis; Kelly, R.C.; Neuville; Foley and Limmer introduced--**

**S.F. No. 2495:** A bill for an act relating to corrections; providing for autopsies at correctional institutions; exempting the campus at the state juvenile correctional facility at Red Wing from the 100-bed limitation for long-term residential secure programming; including at-risk youth and girls in the Camp Ripley weekend camp; amending Minnesota Statutes 1996, sections 241.05; and 390.11, subdivisions 2 and 8; Minnesota Statutes 1997 Supplement, section 242.32, subdivision 4; Laws 1997, chapter 239, article 1, section 12, subdivision 3.

Referred to the Committee on Crime Prevention.

**Mr. Larson introduced--**

**S.F. No. 2496:** A bill for an act relating to state lands; authorizing the public sale of certain tax-forfeited land that borders public water in Douglas county.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Larson, Stumpf, Mses. Kiscaden, Wiener and Mr. Murphy introduced--**

**S.F. No. 2497:** A bill for an act relating to appropriations; appropriating money for higher education and related purposes, with certain conditions.

Referred to the Committee on Children, Families and Learning.

**Messrs. Kelly, R.C.; Ten Eyck; Belanger; Mses. Krentz and Junge introduced--**

**S.F. No. 2498:** A bill for an act relating to corrections; registration of sexual offenders; requiring certain offenders moving into Minnesota to register within five days; authorizing adult and juvenile offender registration information to be maintained together; expanding prosecutorial jurisdiction; amending Minnesota Statutes 1996, section 243.166, subdivisions 1 and 5; Minnesota Statutes 1997 Supplement, section 244.166, subdivision 4.

Referred to the Committee on Crime Prevention.

**Mr. Betzold introduced--**

**S.F. No. 2499:** A bill for an act relating to game and fish; requiring a selection of five percent of moose licenses each year to be made from previously unsuccessful applicants; amending Minnesota Statutes 1996, section 97A.431, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Foley and Betzold introduced--**

**S.F. No. 2500:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for upgrading of the highway Nos. 242 and 10 interchange and the approaches to it on highway No. 242 and Anoka county highway No. 14.

Referred to the Committee on Transportation.

**Messrs. Stevens, Kleis, Stumpf, Mrs. Fischbach and Mr. Betzold introduced--**

**S.F. No. 2501:** A bill for an act relating to retirement; St. Cloud police consolidation account;

providing for the inclusion of account pension and benefit recipients in the 1997 PERA-P&F benefit increases enacted during the course of the consolidation process.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Neuville, Ms. Lesewski, Messrs. Lessard, Sams and Mrs. Fischbach introduced--**

**S.F. No. 2502:** A bill for an act relating to private property; providing for the Private Property Protection Act; proposing coding for new law as Minnesota Statutes, chapter 516.

Referred to the Committee on Judiciary.

**Mr. Betzold and Ms. Junge introduced--**

**S.F. No. 2503:** A bill for an act relating to probate; providing for background investigations before appointment of guardians or conservators; authorizing access to data on substantiated maltreatment of vulnerable adults; requiring professionals to file informational statements with the court; authorizing courts to establish competency and training requirements for professionals; establishing a pilot project for use of volunteers to review cases; appropriating money; amending Minnesota Statutes 1996, sections 525.539, by adding a subdivision; and 525.56, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 525.

Referred to the Committee on Judiciary.

**Mr. Langseth introduced--**

**S.F. No. 2504:** A bill for an act relating to health occupations; permitting the board of dietetics and nutrition practice to waive licensure requirements for dietitians.

Referred to the Committee on Health and Family Security.

**Ms. Pappas, Messrs. Marty and Wiger introduced--**

**S.F. No. 2505:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money to Ramsey county to renovate county property for a family service center.

Referred to the Committee on Health and Family Security.

**Mr. Price introduced--**

**S.F. No. 2506:** A bill for an act relating to metropolitan wastewater treatment works; providing compensation to political subdivisions for certain lost revenue; amending Minnesota Statutes 1996, section 473.545.

Referred to the Committee on Environment and Natural Resources.

**Mr. Price introduced--**

**S.F. No. 2507:** A bill for an act relating to taxation; authorizing the inclusion of certain property in tax increment districts; extending payment of deferred taxes if certain property is removed for green acres treatment; amending Minnesota Statutes 1996, sections 273.111, subdivision 9; and 469.176, subdivision 7.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Wiger, Limmer and Solon introduced--**

**S.F. No. 2508:** A bill for an act relating to property; providing an exemption for certain property from attachment, garnishment, or sale; amending Minnesota Statutes 1996, section 550.37, subdivision 10.



Referred to the Committee on Judiciary.

**Mr. Hottinger and Mrs. Lourey introduced--**

**S.F. No. 2509:** A bill for an act relating to human services; crisis nurseries; establishing a program to provide technical assistance to counties in developing crisis nursery programs; appropriating money.

Referred to the Committee on Health and Family Security.

**Mr. Vickerman, Mrs. Fischbach, Mr. Knutson, Ms. Hanson and Mr. Neville introduced--**

**S.F. No. 2510:** A bill for an act relating to health; modifying provisions for reporting abortion data; providing criminal penalties; amending Minnesota Statutes 1996, section 145.411, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

**Messrs. Metzen, Belanger and Solon introduced--**

**S.F. No. 2511:** A bill for an act relating to builders; contractor's recovery fund; adding subcontractors to those who can access the recovery fund; modifying the contribution schedule; amending Minnesota Statutes 1996, section 326.975.

Referred to the Committee on Commerce.

**Mr. Janezich introduced--**

**S.F. No. 2512:** A bill for an act relating to state lands; authorizing the private sale of certain surplus state land to the city of Mountain Iron in St. Louis county.

Referred to the Committee on Environment and Natural Resources.

**Mr. Novak introduced--**

**S.F. No. 2513:** A bill for an act relating to income tax; modifying the application period for the urban homesteading program; amending Laws 1995, chapter 255, article 3, section 2, subdivision 4, as amended.

Referred to the Committee on Taxes.

**Mr. Hottinger introduced--**

**S.F. No. 2514:** A bill for an act relating to state government; allowing elected local governing bodies to petition for amendment or repeal of agency rules; providing procedures for consideration of petitions; proposing coding for new law in Minnesota Statutes, chapter 14.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Hottinger introduced--**

**S.F. No. 2515:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for Mankato state university's student athletic facilities.

Referred to the Committee on Children, Families and Learning.

**Messrs. Stevens, Morse, Metzen, Cohen and Terwilliger introduced--**

**S.F. No. 2516:** A bill for an act relating to employee relations; modifying provisions on experimental or research projects in the department of employee relations; amending Minnesota Statutes 1997 Supplement, section 43A.04, subdivision 9.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Dille; Johnson, D.E.; Novak; Moe, R.D. and Cohen introduced--**

**S.F. No. 2517:** A bill for an act relating to capital improvements; appropriating money to construct the Hubert H. Humphrey Museum and Learning Center in Waverly; authorizing the sale of state bonds.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Berg; Larson; Moe, R.D. and Samuelson introduced--**

**S.F. No. 2518:** A bill for an act relating to environmental education; capital improvements; appropriating money for an environmental learning center; authorizing the issuance of state bonds.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Morse, Sams, Stumpf, Samuelson and Frederickson introduced--**

**S.F. No. 2519:** A bill for an act relating to capital improvements; modifying wastewater infrastructure funding provisions; appropriating money; amending Minnesota Statutes 1996, sections 116.182, by adding a subdivision; and 446A.072, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

**Ms. Flynn, Mrs. Scheid, Messrs. Cohen and Terwilliger introduced--**

**S.F. No. 2520:** A bill for an act relating to state employment; ratifying certain labor agreements; ratifying certain plans and proposals.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Samuelson, Ms. Berglin, Messrs. Ten Eyck, Sams and Dille introduced--**

**S.F. No. 2521:** A bill for an act relating to human services; extending food benefits for certain noncitizens; delaying MFIP-S grant reductions for residents of public housing; continuing certain benefits for certain alcohol and drug dependent persons; transferring money to the federal title XX allocation; appropriating money; amending Minnesota Statutes 1997 Supplement, sections 256J.11, subdivision 2, as amended; and 256J.37, subdivision 9; Laws 1997, chapter 203, article 9, section 21.

Referred to the Committee on Health and Family Security.

**Messrs. Ten Eyck, Stumpf, Kleis, Ms. Wiener and Mr. Larson introduced--**

**S.F. No. 2522:** A bill for an act relating to education; establishing a regional distribution of regents; changing the membership and recommendation procedures of the regent candidate advisory council; amending Minnesota Statutes 1996, section 137.0245, subdivisions 2 and 4; proposing coding for new law in Minnesota Statutes, chapter 137; repealing Minnesota Statutes 1996, section 137.024.

Referred to the Committee on Children, Families and Learning.

**Mr. Frederickson introduced--**

**S.F. No. 2523:** A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative expenses of state government; modifying provisions relating to state government operations; modifying budget preparation provisions; providing for reimbursement of the health care access fund; requiring licensure of employees eligible to make sales on behalf of gambling distributors; amending Minnesota Statutes 1996, sections 3.3005, by adding a subdivision; 16A.055, subdivision 6; 16A.10, as amended; 16A.102, subdivisions 1 and 2; 16A.105; 16A.11, subdivisions 3 and 3a; 16A.501; 16A.72; 16B.04, subdivision 4; 16B.30; 17.03, subdivision 11; 43A.04, subdivision 1a; 43A.317, subdivision 8; 45.012; 84.027, subdivision 14; 116.03, subdivision 2a; 116J.011; 144.05, subdivision 2; 174.02, subdivision 1a; 175.001, subdivision 6; 190.09, subdivision 2; 196.05, subdivision 2; 216A.07, subdivision 6; 268.0122, subdivision 6; 270.02, subdivision 3a; 299A.01, subdivision 1a; 349.12, by adding a subdivision; 349.151, subdivision 4; 349.155, subdivision 3; 349.161; 349.169, subdivision 3; 363.05, subdivision 3; and 469.177, subdivision 11; Minnesota Statutes 1997 Supplement, sections 3.986, subdivisions 2 and 4; 3.987, subdivisions 1 and 2; 3.988, subdivision 3; 3.989, subdivision 2; 16A.103, subdivision 1; 16A.11, subdivision 1; 16A.641, subdivision 4; 120.0111; 241.01, subdivision 3b; 245.03, subdivision 2; and 273.1398, subdivision 8; Laws 1997, chapter 202, article 1, section 35, as amended; Laws 1997, Second Special Session chapter 2, section 8; repealing Minnesota Statutes 1996, sections 3.971, subdivision 3; 15.90; 15.91; and 15.92; Minnesota Statutes 1997 Supplement, sections 3.987, subdivision 3; 3.989, subdivisions 1, 3, and 4; 14.431; 16A.11, subdivisions 3b and 3c; and 241.015.

Referred to the Committee on Governmental Operations and Veterans.

**Mrs. Lourey, Mr. Sams and Ms. Hanson introduced--**

**S.F. No. 2524:** A bill for an act relating to agriculture; establishing and activating a mechanism for over-order milk prices; proposing coding for new law in Minnesota Statutes, chapter 32.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Wiger introduced--**

**S.F. No. 2525:** A bill for an act relating to Ramsey county; authorizing the county to make certain purchases from or through a health care cooperative; proposing coding for new law in Minnesota Statutes, chapter 383A.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Runbeck, Messrs. Limmer, Day, Mses. Olson and Hanson introduced--**

**S.F. No. 2526:** A bill for an act relating to taxation; changing income tax rates and brackets; repealing the property tax reform account; appropriating money; amending Minnesota Statutes 1996, section 290.06, subdivisions 2c and 2d; Minnesota Statutes 1997 Supplement, section 16A.152, subdivision 2.

Referred to the Committee on Taxes.

**Mses. Pappas; Johnson, J.B.; Mrs. Scheid and Ms. Flynn introduced--**

**S.F. No. 2527:** A bill for an act relating to taxation; requiring use of money from the property tax reform account to reduce or eliminate the levy for metropolitan transit expenditures; amending Minnesota Statutes 1997 Supplement, section 16A.1521.

Referred to the Committee on Local and Metropolitan Government.

**Mrs. Scheid and Ms. Robertson introduced--**

**S.F. No. 2528:** A bill for an act relating to education; appropriating money for a grant to the Minnesota Council on Economic Education.

Referred to the Committee on Children, Families and Learning.

**Mr. Novak introduced--**

**S.F. No. 2529:** A bill for an act relating to retirement; extending specified extended leave deadlines for certain teachers.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Larson, Murphy, Langseth and Ms. Lesewski introduced--**

**S.F. No. 2530:** A bill for an act relating to education; funding the state aid deficiency in the secondary vocational education program; appropriating money; amending Laws 1997, First Special Session chapter 4, article 3, section 25, subdivision 2.

Referred to the Committee on Children, Families and Learning.

**Mr. Larson, Ms. Wiener, Messrs. Murphy; Kelley, S.P. and Ms. Lesewski introduced--**

**S.F. No. 2531:** A bill for an act relating to education; requesting a proposal from the Minnesota state colleges and universities to develop a partnership with private industry to train hard-to-place employees.

Referred to the Committee on Children, Families and Learning.

**Ms. Piper, Mr. Wiger, Ms. Lesewski, Mrs. Robling and Mr. Janezich introduced--**

**S.F. No. 2532:** A bill for an act relating to children; clarifying certain terms and applicability of certain programs; providing for review of certain orders by the commissioner of children, families, and learning; providing for costs of certain programs; appropriating money; amending Minnesota Statutes 1996, section 256.045, subdivision 6, and by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 119B.01, subdivision 16; 119B.10, subdivision 1; and 256.045, subdivision 7.

Referred to the Committee on Children, Families and Learning.

**Ms. Junge introduced--**

**S.F. No. 2533:** A bill for an act relating to human rights; limiting the admissibility of evidence regarding a complainant's sexual behavior; proposing coding for new law in Minnesota Statutes, chapter 363.

Referred to the Committee on Judiciary.

**Mr. Cohen introduced--**

**S.F. No. 2534:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money to Ramsey county to renovate the Ford Bridge.

Referred to the Committee on Transportation.

**Messrs. Solon; Day; Metzen; Johnson, D.J. and Langseth introduced--**

**S.F. No. 2535:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for construction of a new warehouse for the Seaway Port Authority of Duluth.

Referred to the Committee on Transportation.

**Ms. Higgins introduced--**

**S.F. No. 2536:** A bill for an act relating to the city of Minneapolis; allowing bonds for capital improvement projects in excess of \$15,000,000 without referendum.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Johnson, D.E. introduced--**

**S.F. No. 2537:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for a Sibley state park sanitation building.

Referred to the Committee on Environment and Natural Resources.

**Mr. Johnson, D.E. introduced--**

**S.F. No. 2538:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for wastewater infrastructure funding for the city of Pennock.

Referred to the Committee on Environment and Natural Resources.

**Mr. Johnson, D.E. introduced--**

**S.F. No. 2539:** A bill for an act relating to highways; designating William Angermeyer Memorial Bridge; amending Minnesota Statutes 1996, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

**Mr. Oliver introduced--**

**S.F. No. 2540:** A bill for an act relating to financial institutions; limiting customer liability for loss or theft of a debit card; amending Minnesota Statutes 1996, section 47.69, subdivision 3; Minnesota Statutes 1997 Supplement, section 47.61, subdivision 3.

Referred to the Committee on Commerce.

**Ms. Lesewski, Messrs. Murphy, Novak, Larson and Oliver introduced--**

**S.F. No. 2541:** A bill for an act relating to economic development; appropriating money for economic development and related purposes; creating the Minnesota film and television revolving loan fund; providing residential mortgage originator and servicer licensing requirements; making conforming changes; providing license penalties for certain violations; requiring reports; amending Minnesota Statutes 1996, sections 47.206, subdivision 1; 82.17, subdivision 4; 82.18; and 82.27, subdivision 1; Minnesota Statutes 1997 Supplement, section 462A.05, subdivision 39; Laws 1997, chapter 200, article 1, sections 6; and 12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116J; proposing coding for new law as Minnesota Statutes, chapter 58; repealing Minnesota Statutes 1996, section 82.175.

Referred to the Committee on Jobs, Energy and Community Development.

**Mr. Kelley, S.P. introduced--**

**S.F. No. 2542:** A bill for an act relating to health; providing an exception to the moratorium on the licensure and certification of new nursing home beds; amending Minnesota Statutes 1997 Supplement, section 144A.071, subdivision 4a.

Referred to the Committee on Health and Family Security.

**Mses. Pappas, Flynn, Mr. Solon, Ms. Anderson and Mr. Vickerman introduced--**

**S.F. No. 2543:** A bill for an act relating to taxation; reducing the class rates on two or three unit nonhomestead property; eliminating the target class rate for class 4bb property; extending certain noncompliance provisions to all cities; amending Minnesota Statutes 1997 Supplement, sections 273.13, subdivisions 25, as amended, and 32; and 273.1319.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Hanson, Mrs. Scheid, Ms. Krentz, Messrs. Limmer and Foley introduced--**

**S.F. No. 2544:** A bill for an act relating to education; expanding the alternative facilities program; modifying the compensatory revenue formula; increasing referendum equalization aid; establishing an elementary achievement program; appropriating money; amending Minnesota Statutes 1996, sections 124.95, subdivision 1; and 124A.03, subdivision 1f; Minnesota Statutes 1997 Supplement, sections 124.239, subdivisions 5a and 5b; 124.961; and 124A.22, subdivision 3.

Referred to the Committee on Children, Families and Learning.

**Ms. Junge and Mr. Spear introduced--**

**S.F. No. 2545:** A bill for an act relating to crime; requiring individuals convicted of felony indecent exposure to register as predatory offenders; amending Minnesota Statutes 1996, section 243.166, subdivision 1.

Referred to the Committee on Crime Prevention.

**Messrs. Hottinger, Morse, Kleis, Ten Eyck and Murphy introduced--**

**S.F. No. 2546:** A bill for an act relating to taxation; providing conformity to federal provisions providing for deduction of student loan interest; exclusion of employer provided tuition assistance; education savings accounts; and individual retirement account withdrawals for education purposes; amending Minnesota Statutes 1997 Supplement, section 290.01, subdivision 19.

Referred to the Committee on Taxes.

**Messrs. Dille, Sams, Ms. Piper, Kiscaden and Mrs. Lourey introduced--**

**S.F. No. 2547:** A bill for an act relating to human services; appropriating money for grants to counties for children's mental health services.

Referred to the Committee on Health and Family Security.

**Messrs. Betzold; Johnson, D.E.; Cohen; Langseth and Metzen introduced--**

**S.F. No. 2548:** A bill for an act relating to emergency management; requiring the division of emergency management to provide ongoing coordination of volunteer resources for use during disasters; appropriating money; amending Minnesota Statutes 1996, section 12.09, by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Mr. Metzen introduced--**

**S.F. No. 2549:** A bill for an act relating to appropriations; appropriating money for ice arena activities.

Referred to the Committee on Governmental Operations and Veterans.

**Mrs. Fischbach, Messrs. Johnson, D.E.; Day and Knutson introduced--**

**S.F. No. 2550:** A bill for an act relating to financial institutions; prohibiting solicitation of loans by mailing a check payable to the addressee; proposing coding for new law in Minnesota Statutes, chapter 47.

Referred to the Committee on Commerce.

**Mr. Ten Eyck introduced--**

**S.F. No. 2551:** A bill for an act relating to retirement; changing provisions relating to part-time teaching service; amending Minnesota Statutes 1996, section 354.66, subdivisions 1c and 3.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Betzold, Mses. Hanson and Krentz introduced--**

**S.F. No. 2552:** A bill for an act relating to levy limits; changing the growth factors for the levy limit; amending Minnesota Statutes 1997 Supplement, section 275.71, subdivisions 2 and 3.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Pappas, Mr. Kelly, R.C. and Ms. Anderson introduced--**

**S.F. No. 2553:** A bill for an act relating to education; appropriating money for the worker information resource center at the St. Paul technical college.

Referred to the Committee on Children, Families and Learning.

**Mr. Betzold introduced--**

**S.F. No. 2554:** A bill for an act relating to data privacy; providing for data privacy for certain audit information; amending Minnesota Statutes 1996, section 13.794, subdivision 1.

Referred to the Committee on Judiciary.

**Messrs. Morse, Betzold, Pogemiller, Foley and Johnson, D.E. introduced--**

**S.F. No. 2555:** A bill for an act relating to state employment; increasing salaries for judges; modifying employee and employer contribution rates for certain judges retirement plans; amending Minnesota Statutes 1996, section 490.123, subdivisions 1a and 1b; Laws 1997, Second Special Session chapter 3, section 16.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Morse and Johnson, D.E. introduced--**

**S.F. No. 2556:** A bill for an act relating to retirement; authorizing certain persons to purchase service credit in the Minnesota state retirement system.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Janezich, Mses. Lesewski, Robertson, Higgins and Mr. Murphy introduced--**

**S.F. No. 2557:** A bill for an act relating to vocational rehabilitation; appropriating money for the centers for independent living.

Referred to the Committee on Jobs, Energy and Community Development.

**Ms. Kiscaden, Messrs. Price, Cohen and Moe, R.D. introduced--**

**S.F. No. 2558:** A bill for an act relating to state buildings; requiring the operating budget to include money for maintenance of state buildings; amending Minnesota Statutes 1996, section 16A.11, by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Laidig, Johnson, D.J.; Janezich; Frederickson and Vickerman introduced--**

**S.F. No. 2559:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the International Wolf Center.

Referred to the Committee on Environment and Natural Resources.

**Ms. Ranum introduced--**

**S.F. No. 2560:** A bill for an act relating to corrections; placing conditions on the licensure of new juvenile facilities; amending Minnesota Statutes 1996, section 241.021, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 241.

Referred to the Committee on Crime Prevention.

**Messrs. Beckman, Janezich, Ms. Higgins, Mrs. Lourey and Mr. Terwilliger introduced--**

**S.F. No. 2561:** A bill for an act relating to education; appropriating money to fund the child guide prevention program.

Referred to the Committee on Children, Families and Learning.

**Mr. Kelly, R.C. introduced--**

**S.F. No. 2562:** A bill for an act relating to crime prevention; requiring a study of crimes committed by persons who are released on bail; appropriating money.

Referred to the Committee on Crime Prevention.

**Mr. Novak introduced--**

**S.F. No. 2563:** A bill for an act relating to transportation; appropriating money for a transit hub.

Referred to the Committee on Transportation.

**Mses. Anderson, Krentz, Messrs. Cohen, Frederickson and Vickerman introduced--**

**S.F. No. 2564:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the Como Park Education Resource Center.

Referred to the Committee on Environment and Natural Resources.

**Mr. Samuelson introduced--**

**S.F. No. 2565:** A bill for an act relating to education; increasing the general education formula allowance; offsetting operating referenda; increasing operating referenda equalization aid; appropriating money; amending Minnesota Statutes 1996, section 124A.03, subdivisions 1b, 1f, and 3c; Minnesota Statutes 1997 Supplement, sections 124A.03, subdivision 1c; and 124A.22, subdivision 2.

Referred to the Committee on Children, Families and Learning.



**Mrs. Scheid, Messrs. Murphy and Belanger introduced--**

**S.F. No. 2566:** A bill for an act relating to taxation; making policy changes to income, franchise, and property taxes; giving certain powers to the commissioner of revenue; amending Minnesota Statutes 1996, sections 290.06, subdivision 2c; 290.067, subdivision 2a; 290.091, subdivision 2; 290.0921, subdivision 3a; 290.10; 290.191, subdivisions 1, 6, and 11; and 290A.03, subdivision 3; Minnesota Statutes 1997 Supplement, sections 270.67, subdivision 2; 272.115, subdivisions 4 and 5; 275.70, by adding a subdivision; 289A.02, subdivision 7; 289A.19, subdivision 2; 290.01, subdivisions 19, 19a, 19b, 19c, 19f, and 31; 290.0671, subdivision 1; 290.091, subdivision 6; 290.371, subdivision 2; 290A.03, subdivision 15; and 291.005, subdivision 1; repealing Minnesota Statutes 1996, sections 289A.50, subdivision 6; and 290.191, subdivision 8.

Referred to the Committee on Taxes.

**Ms. Berglin, Mrs. Lourey, Messrs. Morse and Hottinger introduced--**

**S.F. No. 2567:** A bill for an act relating to human services; making changes to welfare programs providing an education choice; amending Minnesota Statutes 1997 Supplement, sections 256J.49, subdivision 12; 256J.515; 256J.52, subdivisions 2, 3, 5, and 7; and 56J.57, subdivision 1; repealing Minnesota Statutes 1997 Supplement, sections 256J.53; 256J.55, subdivision 1; and 256J.57, subdivision 2.

Referred to the Committee on Health and Family Security.

**Messrs. Johnson, D.J. and Solon introduced--**

**S.F. No. 2568:** A bill for an act relating to taxation; providing an exemption from sales taxes for purchase of equipment designed to process biosolids for wastewater treatment facilities; amending Minnesota Statutes 1996, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Messrs. Johnson, D.J.; Solon; Novak and Beckman introduced--**

**S.F. No. 2569:** A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; providing for a grant to the University of Minnesota at Duluth for capital improvements to the Glensheen Mansion; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Messrs. Belanger; Johnson, D.J.; Mses. Olson, Lesewski and Mr. Hottinger introduced--**

**S.F. No. 2570:** A bill for an act relating to taxation; making technical changes to income, franchise, sales, excise, property, healthcare provider, and gambling taxes; making technical changes to tax administrative provisions; amending Minnesota Statutes 1996, sections 270.06; 270.069, subdivision 1; 270.70, subdivision 15; 278.10; 289A.42, subdivision 2; 289A.65, subdivisions 7 and 8; 297E.15, subdivisions 8 and 9; Minnesota Statutes 1997 Supplement, sections 270.701, subdivision 2; 289A.09, subdivision 2; 289A.20, subdivision 2; 289A.38, subdivision 7; 290.0673, subdivisions 4, 5, and 7; 290.92, subdivision 30; 290B.04, subdivision 1; 290B.05, subdivisions 1, 2, and 3; 290B.06; 290B.08, subdivision 1; 295.53, subdivision 4a; 297A.01, subdivisions 3 and 11; 297F.22, subdivisions 6 and 7; and 297G.21, subdivisions 6 and 7; repealing Minnesota Statutes 1997 Supplement, section 290B.04, subdivision 3.

Referred to the Committee on Taxes.

**Messrs. Sams, Samuelson and Ten Eyck introduced--**

**S.F. No. 2571:** A bill for an act relating to health; providing for patient protection; amending Minnesota Statutes 1997 Supplement, sections 62J.72, subdivision 1; and 62Q.30; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

**Mr. Betzold introduced--**

**S.F. No. 2572:** A bill for an act relating to juveniles; clarifying the definition of child in need of protection or services; amending Minnesota Statutes 1997 Supplement, section 260.015, subdivision 2a.

Referred to the Committee on Judiciary.

**Mrs. Scheid introduced--**

**S.F. No. 2573:** A bill for an act relating to education; creating an ongoing funding program for technology; making permanent the first grade preparedness program; authorizing additional compensatory revenue for summer school activities; amending Minnesota Statutes 1996, sections 124.17, by adding a subdivision; and 124A.22, by adding a subdivision; Minnesota Statutes 1997 Supplement, section 124A.22, subdivisions 1 and 3a; repealing Minnesota Statutes 1996, section 124.2613, subdivision 8.

Referred to the Committee on Children, Families and Learning.

**Messrs. Ten Eyck; Moe, R.D.; Vickerman; Frederickson and Hottinger introduced--**

**S.F. No. 2574:** A bill for an act relating to regional development commissions; authorizing the headwaters regional development commission to establish a nonprofit housing corporation; proposing coding for new law in Minnesota Statutes, chapter 462.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Laidig, Cohen, Frederickson, Spear and Kelly, R.C. introduced--**

**S.F. No. 2575:** A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of bonds; appropriating money; amending Minnesota Statutes 1996, sections 16A.105; 16A.11, subdivision 3a; 16A.501; and 16B.30; Minnesota Statutes 1997 Supplement, sections 16A.641, subdivision 4; 84.027, subdivision 15; 85.0505, by adding a subdivision; and 268.917; Laws 1997, chapter 202, article 1, section 35, as amended.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Sams and Ten Eyck introduced--**

**S.F. No. 2576:** A bill for an act relating to utilities; providing for alternative resolution of disputes concerning utilities in a railroad right-of-way; amending Minnesota Statutes 1997 Supplement, section 237.04.

Referred to the Committee on Jobs, Energy and Community Development.

**Mr. Berg introduced--**

**S.F. No. 2577:** A bill for an act relating to agriculture; providing for family farm limited liability companies, authorized farm limited liability companies, family farm limited liability partnerships, and authorized farm limited liability partnerships; amending Minnesota Statutes 1997 Supplement, sections 500.24, subdivisions 2, 3, 3a, 3b, and 4; and 500.245, subdivisions 1 and 2.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Berg introduced--**

**S.F. No. 2578:** A bill for an act relating to agriculture; prohibiting municipalities from exercising certain regulatory authority over feedlots; amending Minnesota Statutes 1996, sections 462.355, subdivision 4; and 462.357, by adding a subdivision.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Vickerman; Metzen; Johnson, D.J.; Day and Mrs. Pariseau introduced--**

**S.F. No. 2579:** A bill for an act relating to taxation; reducing the rates of taxes on lawful gambling; amending Minnesota Statutes 1996, section 297E.02, subdivisions 1, 4, and 6.

Referred to the Committee on Taxes.

**Mses. Hanson, Krentz, Mr. Langseth and Mrs. Scheid introduced--**

**S.F. No. 2580:** A bill for an act relating to education; expanding the alternative facilities program; modifying the compensatory revenue pupil units; increasing referendum equalization aid; expanding the debt service equalization program; amending Minnesota Statutes 1996, sections 124.95, subdivision 1; and 124A.03, subdivision 1f; Minnesota Statutes 1997 Supplement, sections 124.17, subdivision 1d; 124.239, subdivisions 5, 5a, and 5b; 124.95, subdivision 2; and 124.961; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Children, Families and Learning.

**Ms. Kiscaden introduced--**

**S.F. No. 2581:** A bill for an act relating to local government; permitting the appointment of the Olmsted county auditor/treasurer.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Beckman, Novak, Scheevel, Ourada and Janezich introduced--**

**S.F. No. 2582:** A bill for an act relating to telecommunications; requiring competitors of small telephone companies to offer telecommunications service to contiguous exchange areas in certain situations; amending Minnesota Statutes 1996, section 237.773, by adding a subdivision.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Betzold and Knutson introduced--**

**S.F. No. 2583:** A bill for an act relating to economic security; modifying provisions on collection of data; amending Minnesota Statutes 1997 Supplement, section 268.19.

Referred to the Committee on Jobs, Energy and Community Development.

**Mr. Kelly, R.C. introduced--**

**S.F. No. 2584:** A bill for an act relating to the environment; authorizing petroleum fund reimbursement to eligible small business owners with tanks located on their properties; amending Minnesota Statutes 1996, section 115C.09, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Mr. Kelly, R.C. introduced--**

**S.F. No. 2585:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for partial renovation of a building for the Minnesota Labor Interpretive Center; amending Laws 1990, chapter 610, article 1, section 16, subdivision 4.

Referred to the Committee on Jobs, Energy and Community Development.

**Mr. Kelly, R.C. introduced--**

**S.F. No. 2586:** A bill for an act relating to corrections; requiring sex offender treatment facilities to provide certain information regarding sex offenders; clarifying which law enforcement agency may request the end-of-confinement review committee to reassess the risk level to which an offender has been assigned; adjusting the time within which the department of corrections must notify communities prior to release of certain sex offenders; eliminating duplicative efforts on notifying victims of certain information; amending Minnesota Statutes 1996, sections 241.67, subdivision 8, and by adding a subdivision; 244.052, subdivision 1; and 611A.037, subdivision 2; Minnesota Statutes 1997 Supplement, section 244.052, subdivisions 3, 4, and 5.

Referred to the Committee on Crime Prevention.

**Mr. Kelly, R.C. introduced--**

**S.F. No. 2587:** A bill for an act relating to crime; expanding the enhancement penalties for crimes committed for the benefit of a gang to include crimes that are motivated by involvement with a gang; amending Minnesota Statutes 1996, section 609.229, subdivision 2.

Referred to the Committee on Crime Prevention.

**Mr. Kelly, R.C. introduced--**

**S.F. No. 2588:** A bill for an act relating to lotteries; authorizing the city of St. Paul to conduct lottery games for certain educational and recreational purposes; amending Minnesota Statutes 1996, section 349A.10, subdivisions 3 and 5; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Hottinger, Sams, Betzold, Foley and Ten Eyck introduced--**

**S.F. No. 2589:** A bill for an act relating to health; setting standards for terminating personal care services; requiring transition plans; providing recipients with appeal rights; allowing the commissioner to issue temporary stays of termination; amending Minnesota Statutes 1996, sections 256.045, subdivisions 1, 6, and by adding a subdivision; and 256B.0627, by adding a subdivision; Minnesota Statutes 1997 Supplement, section 256.045, subdivisions 3, 4, 5, and 7.

Referred to the Committee on Health and Family Security.

**Messrs. Hottinger, Sams, Betzold, Foley and Ten Eyck introduced--**

**S.F. No. 2590:** A bill for an act relating to health; providing for patient protection; prohibiting retaliation and certain provider contracts; requiring certain disclosures; modifying provisions of the consumer advisory board; requiring a study; amending Minnesota Statutes 1996, section 62M.09, subdivision 6; Minnesota Statutes 1997 Supplement, sections 62J.75; and 62M.09, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1997 Supplement, sections 62J.71; and 62J.72.

Referred to the Committee on Health and Family Security.

**Mses. Wiener, Flynn and Mr. Murphy introduced--**

**S.F. No. 2591:** A bill for an act relating to motor vehicles; abolishing requirement for certain applications to be written; providing civil penalties for violations by commercial drivers of out-of-service orders; amending Minnesota Statutes 1996, sections 168.013, subdivision 3; 168.82, subdivision 1; and 171.165, by adding a subdivision.

Referred to the Committee on Transportation.

**Ms. Johnson, J.B.; Messrs. Belanger; Johnson, D.E. and Langseth introduced--**

**S.F. No. 2592:** A bill for an act relating to transportation; providing for certain types of claims; permitting transfer or extinguishment of access rights; regulating snow fence easements, highway closures, and signs; changing distributions from the highway user tax distribution fund; providing for the costs of town highways and bridges; permitting conveyances to public bodies; providing for the revision of the state transportation plan; regulating private carriers; regulating charges for air transportation services; removing a route from the trunk highway system; amending Minnesota Statutes 1996, sections 84.63; 117.21; 160.27, by adding a subdivision; 160.296, subdivision 1; 160.80, subdivision 1, and by adding a subdivision; 161.081, subdivision 1, and by adding a subdivision; 161.082, subdivisions 1 and 2a; 161.44, subdivision 1; 174.03, subdivisions 1a and 2; 221.011, by adding a subdivision; 221.0251, subdivisions 1, 2, 3, 5, and by adding subdivisions; 221.031, subdivision 6; 221.034, subdivisions 1 and 5; 222.63, subdivision 4; 270.077; and 360.024; Minnesota Statutes 1997 Supplement, section 3.736, subdivision 3; repealing Minnesota Statutes 1996, section 161.115, subdivision 219.

Referred to the Committee on Transportation.

**Messrs. Hottinger, Vickerman and Oliver introduced--**

**S.F. No. 2593:** A bill for an act relating to municipalities; clarifying an exception to tort liability; amending Minnesota Statutes 1996, section 466.03, subdivision 4.

Referred to the Committee on Judiciary.

**Mr. Foley introduced--**

**S.F. No. 2594:** A bill for an act relating to juveniles; clarifying laws relating to contributing to a child's delinquency, status as a juvenile petty offender, or need for protection or services; imposing civil and criminal penalties; amending Minnesota Statutes 1996, sections 260.155, subdivision 1; 260.255; and 260.315; Minnesota Statutes 1997 Supplement, section 260.161, subdivision 2; repealing Minnesota Statutes 1996, section 260.261.

Referred to the Committee on Crime Prevention.

**Mr. Foley introduced--**

**S.F. No. 2595:** A bill for an act relating to crime prevention; creating a felony penalty for criminal contempts involving failure to obey certain subpoenas; increasing the penalty for certain offenders who fail to appear for criminal proceedings; amending Minnesota Statutes 1996, sections 588.20; and 609.49, subdivision 1.

Referred to the Committee on Crime Prevention.

**Ms. Ranum, Messrs. Samuelson, Hottinger and Ms. Kiscaden introduced--**

**S.F. No. 2596:** A bill for an act relating to juveniles; providing a temporary moratorium on licensing of dispositional residential beds; requesting the legislative audit commission to study juvenile out-of-home placements.

Referred to the Committee on Crime Prevention.

**Ms. Anderson, Messrs. Beckman; Kelly, R.C. and Ms. Higgins introduced--**

**S.F. No. 2597:** A bill for an act relating to community development; providing a grant for the Neighborhood Development Center, Inc.; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Sams; Johnson, D.J.; Ms. Higgins, Messrs. Larson and Ourada introduced--**

**S.F. No. 2598:** A bill for an act relating to housing; providing for an income tax credit for contributions by an employer for employee housing; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Jobs, Energy and Community Development.

**Mr. Langseth and Ms. Flynn introduced--**

**S.F. No. 2599:** A bill for an act relating to motor vehicles; providing for separate form for assignment of vehicle title; amending Minnesota Statutes 1996, sections 168A.01, by adding a subdivision; and 168A.11, subdivision 1.

Referred to the Committee on Transportation.

**Mses. Flynn and Johnson, J.B. introduced--**

**S.F. No. 2600:** A bill for an act relating to motor vehicles; establishing dealer licensing and motor vehicle registration enforcement task force.

Referred to the Committee on Transportation.

**Messrs. Foley, Betzold, Ms. Hanson and Mr. Novak introduced--**

**S.F. No. 2601:** A bill for an act relating to state lands; authorizing the conveyance of certain surplus state land in Anoka county.

Referred to the Committee on Health and Family Security.

**Mses. Pappas, Higgins and Mr. Janezich introduced--**

**S.F. No. 2602:** A bill for an act relating to family and early childhood education; raising the upper limit on the range for child care assistance under the basic sliding fee program; appropriating money; amending Minnesota Statutes 1997 Supplement, sections 119B.09, subdivision 2; and 124.2711, subdivision 1.

Referred to the Committee on Children, Families and Learning.

**Ms. Pappas introduced--**

**S.F. No. 2603:** A bill for an act relating to the city of St. Paul; appropriating money to fund the Harriet Island Redevelopment; authorizing state bonds.

Referred to the Committee on Environment and Natural Resources.

**Ms. Ranum, Mrs. Scheid, Ms. Pappas, Messrs. Knutson and Janezich introduced--**

**S.F. No. 2604:** A bill for an act relating to education; phasing in full day kindergarten for all

students; expanding the first grade preparedness program; appropriating money; amending Minnesota Statutes 1997 Supplement, section 124.2613, subdivision 3; Laws 1997, First Special Session chapter 4, article 2, section 51, subdivision 29; repealing Minnesota Statutes 1996, section 124.2613, subdivision 8.

Referred to the Committee on Children, Families and Learning.

**Ms. Piper, Mrs. Robling, Messrs. Foley and Janezich introduced--**

**S.F. No. 2605:** A bill for an act relating to health; authorizing the governor to enter into an agreement with the United States Nuclear Regulatory Commission.

Referred to the Committee on Health and Family Security.

**Mrs. Lourey, Messrs. Foley, Spear and Ms. Berglin introduced--**

**S.F. No. 2606:** A bill for an act relating to health; providing funding for diabetes control and prevention services; appropriating money.

Referred to the Committee on Health and Family Security.

**Mr. Kelly, R.C.; Ms. Anderson, Mr. Wiger, Ms. Pappas and Mr. Cohen introduced--**

**S.F. No. 2607:** A bill for an act relating to community development; providing funding to acquire right-of-way in the Phalen corridor in St. Paul; authorizing bonds; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

**Ms. Wiener, Messrs. Solon, Larson and Hottinger introduced--**

**S.F. No. 2608:** A bill for an act relating to insurance; increasing the maximum lifetime benefit for policies of the comprehensive health insurance plan; amending Minnesota Statutes 1996, section 62E.12.

Referred to the Committee on Commerce.

**Messrs. Johnson, D.E.; Metzen; Stevens and Ms. Wiener introduced--**

**S.F. No. 2609:** A bill for an act relating to public administration; providing for design-build contracts; requiring rulemaking; amending Minnesota Statutes 1996, sections 16B.31, subdivision 1; and 16B.33, subdivisions 1, 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16B.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Pappas, Mr. Wiger, Ms. Anderson, Messrs. Cohen and Kelly, R.C. introduced--**

**S.F. No. 2610:** A bill for an act relating to appropriations; appropriating money for planning public art projects throughout St. Paul.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Vickerman introduced--**

**S.F. No. 2611:** A bill for an act relating to Cottonwood county; permitting the appointment of the auditor-treasurer.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Murphy; Belanger; Metzen; Johnson, D.J. and Scheevel introduced--**

**S.F. No. 2612:** A bill for an act relating to alcoholic beverages; providing for taxation of cider; amending Minnesota Statutes 1997 Supplement, sections 297G.01, by adding a subdivision; and 297G.03, subdivision 1.

Referred to the Committee on Taxes.

**Mr. Hottinger, Mrs. Lourey, Messrs. Morse and Foley introduced--**

**S.F. No. 2613:** A bill for an act relating to health; providing staffing and funding for the consumer advisory board; appropriating money; amending Minnesota Statutes 1997 Supplement, section 62J.75.

Referred to the Committee on Health and Family Security.

**Mses. Flynn; Johnson, J.B.; Messrs. Langseth; Johnson, D.E. and Ourada introduced--**

**S.F. No. 2614:** A bill for an act relating to transportation; dedicating proceeds of sales tax on motor vehicles to newly created transportation improvement fund; increasing motor fuels tax; proposing constitutional amendment to dedicate vehicle sales tax proceeds to transportation improvement fund; amending Minnesota Statutes 1996, sections 296.02, subdivision 1b; 296.025, subdivision 1b; 297B.031; and 297B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation.

**Messrs. Langseth, Vickerman and Stumpf introduced--**

**S.F. No. 2615:** A bill for an act relating to taxation; sales and use; exempting sales to the state and its political subdivisions; amending Minnesota Statutes 1997 Supplement, section 297A.25, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 297B; repealing Minnesota Statutes 1996, section 297A.47.

Referred to the Committee on Taxes.

**Mses. Anderson, Piper, Krentz, Junge and Wiener introduced--**

**S.F. No. 2616:** A bill for an act relating to transportation; requiring the commissioner of transportation to evaluate and report on the state's readiness for increased transportation of high-level radioactive waste.

Referred to the Committee on Transportation.

**Messrs. Marty, Price, Hottinger, Mrs. Lourey and Mr. Kelley, S.P. introduced--**

**S.F. No. 2617:** A bill for an act relating to transportation; requiring the commissioner of transportation to evaluate and report on the state's readiness for increased transportation of high-level radioactive waste.

Referred to the Committee on Transportation.

**Mses. Johnson, J.B.; Pappas and Mr. Kelly, R.C. introduced--**

**S.F. No. 2618:** A bill for an act relating to transportation; establishing the Twin Cities metropolitan area transit accessibility board; granting powers and assigning duties to the board; appropriating money; amending Minnesota Statutes 1997 Supplement, section 174.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 473.



Referred to the Committee on Transportation.

**Messrs. Johnson, D.H.; Belanger; Terwilliger and Kelly, R.C. introduced--**

**S.F. No. 2619:** A bill for an act relating to capital improvements; appropriating money for the south metro joint public safety training facility; authorizing the sale of state bonds.

Referred to the Committee on Crime Prevention.

**Messrs. Terwilliger, Frederickson and Samuelson introduced--**

**S.F. No. 2620:** A bill for an act relating to health; modifying certain nursing facility reimbursements; amending Minnesota Statutes 1997 Supplement, section 256B.431, subdivision 26.

Referred to the Committee on Health and Family Security.

**Messrs. Scheevel, Limmer, Novak and Ourada introduced--**

**S.F. No. 2621:** A bill for an act relating to economic security; making technical changes in the department of economic security; amending Minnesota Statutes 1996, sections 248.07, subdivision 15; 268.0122, subdivision 2; 268.08, as amended; 268.101, as amended; 268.13, subdivision 4; and 268.18, as amended; Minnesota Statutes 1997 Supplement, sections 268.03; 268.042, subdivisions 1 and 3; 268.043; 268.044, subdivision 1; 268.045; 268.047, subdivisions 2, 3, and 5; 268.051; 268.057, subdivisions 1, 5, 6, and 7; 268.059; 268.063; 268.064, subdivision 2; 268.066; 268.067; 268.07; 268.09, subdivisions 1a, 10, 13, 16, and 17; 268.105, subdivision 3a; 268.125; 268.13, subdivisions 1 and 2; 268.182; 268.184; 268.192, subdivision 1; 268.194, subdivisions 2, 3, and 6; and 268.196, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1996, sections 268.04, as amended; 268.08, subdivision 5a; 268.13, subdivisions 3 and 5; and 268.25; Minnesota Statutes 1997 Supplement, sections 268.042, subdivision 2; and 268.054.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Scheevel, Sams and Ms. Lesewski introduced--**

**S.F. No. 2622:** A bill for an act relating to pollution control; providing for denial of certain permits; appropriating money for feedlot grants, assessments, and enforcement; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Agriculture and Rural Development.

**Mrs. Fischbach, Messrs. Johnson, D.E.; Limmer and Kleis introduced--**

**S.F. No. 2623:** A bill for an act relating to human services; modifying the method of paying assistance under the Minnesota family investment program-statewide; amending Minnesota Statutes 1997 Supplement, section 256J.24, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Mr. Day introduced--**

**S.F. No. 2624:** A bill for an act relating to appropriations; appropriating money for city infrastructure for the Heritage Halls Museum project.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Solon and Stevens introduced--**

**S.F. No. 2625:** A resolution memorializing the President to direct the Food and Drug Administration to accelerate review of a Lyme disease vaccine.

Referred to the Committee on Health and Family Security.

**Mses. Pappas; Johnson, J.B.; Flynn; Messrs. Kelly, R.C. and Langseth introduced--**

**S.F. No. 2626:** A bill for an act relating to transportation; authorizing issuance of bonds for transit-related capital improvements; appropriating money.

Referred to the Committee on Transportation.

**Messrs. Moe, R.D. and Ten Eyck introduced--**

**S.F. No. 2627:** A bill for an act relating to taxation; providing that certain payments in lieu of taxes may be used for road maintenance in unorganized townships; amending Minnesota Statutes 1996, section 477A.14.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Berglin introduced--**

**S.F. No. 2628:** A bill for an act relating to taxes; making technical adjustments to the one percent premium tax; amending Minnesota Statutes 1997 Supplement, section 60A.15, subdivision 1.

Referred to the Committee on Taxes.

**Ms. Berglin introduced--**

**S.F. No. 2629:** A bill for an act relating to landlord tenant; modifying provisions relating to the manner in which the landlord must hold a tenant's personal property left on the premises after abandonment or eviction; amending Minnesota Statutes 1996, section 566.17, subdivision 2.

Referred to the Committee on Jobs, Energy and Community Development.

**Ms. Berglin introduced--**

**S.F. No. 2630:** A bill for an act relating to economic development; creating a fund for local development; authorizing bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs, Energy and Community Development.

**Ms. Berglin, Mrs. Lourey and Mr. Solon introduced--**

**S.F. No. 2631:** A bill for an act relating to human services; modifying several provisions related to the Minnesota family investment program-statewide (MFIP-S); amending local service unit plans; amending Minnesota Statutes 1996, section 268.88; Minnesota Statutes 1997 Supplement, sections 119B.01, subdivision 16; 256.741, by adding a subdivision; 256B.0635, by adding a subdivision; 256J.31, by adding a subdivision; 256J.42, by adding subdivisions; 256J.45, subdivision 2; 256J.515; and 256J.52, subdivision 2, and by adding subdivisions.

Referred to the Committee on Health and Family Security.

**Ms. Berglin, Messrs. Sams, Hottinger, Samuelson and Ms. Kiscaden introduced--**

**S.F. No. 2632:** A bill for an act relating to human services; increasing the income eligibility standard for medical assistance for the aged, blind, or disabled; amending Minnesota Statutes 1997 Supplement, section 256B.056, subdivision 4.

Referred to the Committee on Health and Family Security.

**Ms. Berglin introduced--**

**S.F. No. 2633:** A bill for an act relating to human services; changing provisions in medical assistance, Medicare, and Minnesotacare; modifying the medical assistance elderly waiver; modifying a waiver request; changing implementation date for treatment of income and resources for the elderly waiver program; changing procedures for nursing facilities cost reports; delaying study of the elderly waiver expansion; providing an offset of HMO surcharge; amending Minnesota Statutes 1996, sections 245.462, subdivisions 4 and 8; 245.4871, subdivision 4; 256.969, subdivisions 16 and 17; 256B.03, subdivision 3; 256B.055, by adding a subdivision; 256B.057, subdivision 3a, and by adding a subdivision; 256B.0625, subdivisions 20 and 34; 256B.0911, subdivision 4; 256B.19, subdivision 1; 256B.41, subdivision 1; 256B.431, subdivision 2b, and by adding a subdivision; 256B.501, subdivision 2; 256B.69, by adding a subdivision; and 256D.03, subdivision 4; Minnesota Statutes 1997 Supplement, sections 256.9657, subdivision 3; 256.9685, subdivision 1; 256B.06, subdivision 4; 256B.0627, subdivision 5; 256B.0645; 256B.0911, subdivisions 2 and 7; 256B.0915, subdivision 1d; and 256B.77, subdivisions 7a and 12; Laws 1997, chapter 203, article 4, section 64; repealing Minnesota Statutes 1996, section 144.0721, subdivision 3a; Minnesota Statutes 1997 Supplement, sections 144.0721, subdivision 3; and 256B.0913, subdivision 15.

Referred to the Committee on Health and Family Security.

**Ms. Berglin and Mr. Wiger introduced--**

**S.F. No. 2634:** A bill for an act relating to health; modifying provisions of the health care cost information system; appropriating money; amending Minnesota Statutes 1996, section 144.702, subdivisions 2 and 8; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1996, sections 144.701, subdivision 4; and 144.702, subdivision 7.

Referred to the Committee on Health and Family Security.

**Mses. Berglin, Piper, Messrs. Sams, Samuelson and Mrs. Lourey introduced--**

**S.F. No. 2635:** A bill for an act relating to human services; modifying eligibility provisions for medical assistance and general assistance medical care; modifying MinnesotaCare; amending Minnesota Statutes 1996, section 256B.057, by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 256B.04, subdivision 18; 256D.03, subdivision 3; 256L.01; 256L.02, subdivision 3; 256L.03, subdivisions 1, 3, 4, 5, and by adding subdivisions; 256L.04, subdivisions 1, 2, 7, 8, 9, 10, and by adding subdivisions; 256L.05, subdivisions 2, 3, 4, and by adding subdivisions; 256L.06, subdivision 3; 256L.07; 256L.09, subdivisions 2, 4, and 6; 256L.11, subdivision 6; 256L.12, subdivision 5; 256L.15; and 256L.17, by adding a subdivision; repealing Minnesota Statutes 1997 Supplement, sections 256B.057, subdivision 1a; 256L.04, subdivisions 3, 4, 5, and 6; 256L.06, subdivisions 1 and 2; 256L.08; 256L.09, subdivision 3; 256L.13; 256L.14; and 256L.15, subdivision 3.

Referred to the Committee on Health and Family Security.

**Mses. Berglin and Higgins introduced--**

**S.F. No. 2636:** A bill for an act relating to appropriations; appropriating money for the Green Institute, Inc.

Referred to the Committee on Jobs, Energy and Community Development.

**Mses. Berglin, Higgins, Flynn and Mr. Frederickson introduced--**

**S.F. No. 2637:** A bill for an act relating to the Minneapolis community development agency; authorizing the establishment of a phased redevelopment tax increment financing district for the

Sears project; extending the term of the district; defining as a qualifying activity the removal of hazardous substances; reducing the original local net tax capacity of the district to zero; clarifying that revenues expended pursuant to the requirements of the neighborhood revitalization program constitute a local contribution.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Wiener introduced--**

**S.F. No. 2638:** A bill for an act relating to health care; modifying the calculation of certain premium taxes; abolishing the regional coordinating boards; providing for assessments of proposed health coverage mandates; appropriating money; amending Minnesota Statutes 1996, section 62J.09, subdivision 8; Minnesota Statutes 1997 Supplement, sections 60A.15, subdivision 1; 62Q.105, subdivision 1; and 62Q.30; proposing coding for new law in Minnesota Statutes, chapter 62A; repealing Minnesota Statutes 1997 Supplement, sections 16B.93; 16B.94; 16B.95; 16B.96; and 62J.685.

Referred to the Committee on Health and Family Security.

**Messrs. Ten Eyck, Hottinger and Mrs. Lourey introduced--**

**S.F. No. 2639:** A bill for an act relating to health; appropriating money for sexually transmitted disease prevention initiatives.

Referred to the Committee on Health and Family Security.

**Mrs. Pariseau, Messrs. Frederickson and Price introduced--**

**S.F. No. 2640:** A bill for an act relating to the environment; providing for legislative review of aboveground storage tank rules; amending Minnesota Statutes 1996, section 116.49, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Mr. Lessard introduced--**

**S.F. No. 2641:** A bill for an act relating to Itasca county; increasing an amount that may be spent for tourism; amending Laws 1965, chapter 326, section 1, subdivision 5, as amended.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Knutson, Mses. Olson, Lesewski and Mr. Day introduced--**

**S.F. No. 2642:** A bill for an act relating to taxation; individual income; modifying the tax brackets and the alternative minimum tax exemption amount to reduce marriage penalties; amending Minnesota Statutes 1996, sections 290.06, subdivisions 2c and 2d; and 290.091, subdivision 3.

Referred to the Committee on Taxes.

**Messrs. Berg and Larson introduced--**

**S.F. No. 2643:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the University of Minnesota, Morris campus.

Referred to the Committee on Children, Families and Learning.

**Mr. Wiger and Mrs. Fischbach introduced--**

**S.F. No. 2644:** A bill for an act relating to capital intensive public services; providing that certain documents may be classified as nonpublic data until negotiations with vendors and best and final offers are received; amending Minnesota Statutes 1996, section 13.99, by adding a subdivision; and Minnesota Statutes 1997 Supplement, section 471A.03, subdivision 3.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Wiger introduced--**

**S.F. No. 2645:** A bill for an act relating to metropolitan government; modifying requirement for affirmative action plans by certain contractors; amending Minnesota Statutes 1996, section 473.144.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Wiger and Mrs. Fischbach introduced--**

**S.F. No. 2646:** A bill for an act relating to education; modifying the eligibility for the alternative facilities program; amending Minnesota Statutes 1996, section 124.239, subdivision 1.

Referred to the Committee on Children, Families and Learning.

**Messrs. Wiger; Kelly, R.C.; Vickerman and Novak introduced--**

**S.F. No. 2647:** A bill for an act relating to natural resources; modifying the provisions of the permanent school fund advisory committee; amending Minnesota Statutes 1996, section 124.078.

Referred to the Committee on Children, Families and Learning.

**Messrs. Ourada; Kelley, S.P.; Janezich and Novak introduced--**

**S.F. No. 2648:** A bill for an act relating to utilities; establishing conditions for telephone company depreciation deregulation; amending Minnesota Statutes 1996, section 237.22.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Wiger; Sams; Kelly, R.C.; Vickerman and Novak introduced--**

**S.F. No. 2649:** A bill for an act relating to agriculture; requiring labeling of unpasteurized fruit juice and cider; proposing coding for new law in Minnesota Statutes, chapter 31.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Neville, Ms. Ranum, Messrs. Kelly, R.C. and Knutson introduced--**

**S.F. No. 2650:** A bill for an act relating to crime; authorizing peace officers to apprehend and detain a probationer for reasonable cause that the probationer has violated the terms of probation; amending Minnesota Statutes 1996, section 629.34, subdivision 1.

Referred to the Committee on Crime Prevention.

**Mr. Neville, Ms. Ranum, Messrs. Kelly, R.C. and Kleis introduced--**

**S.F. No. 2651:** A bill for an act relating to crimes; requiring mandatory minimum sentences and lifetime probation for certain dangerous repeat offenders; amending Minnesota Statutes 1996, section 609.152, subdivision 2a, and by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Messrs. Morse, Foley, Mrs. Lourey, Messrs. Ten Eyck and Hottinger introduced--**

**S.F. No. 2652:** A bill for an act relating to health; enhancing the patient protection act; establishing the office of health care consumer advocacy and information; appropriating money; amending Minnesota Statutes 1996, section 62M.09, subdivision 6; Minnesota Statutes 1997 Supplement, sections 62J.70, subdivision 3; 62J.71, subdivisions 1, 3, and 4; 62J.72, subdivision 1; and 62M.09, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1996, section 62Q.105, subdivisions 2, 3, 4, 5, 6, 7, and 8; Minnesota Statutes 1997 Supplement, sections 62Q.105, subdivision 1; and 62Q.30.

Referred to the Committee on Health and Family Security.

**Mr. Morse, Ms. Kiscaden and Mr. Hottinger introduced--**

**S.F. No. 2653:** A bill for an act relating to human services; allowing a region 10 commission carryover of money appropriated for fiscal year 1998.

Referred to the Committee on Health and Family Security.

**Messrs. Morse, Hottinger and Murphy introduced--**

**S.F. No. 2654:** A bill for an act relating to taxation; authorizing the city of Winona to impose sales and use taxes for certain purposes.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Neuville introduced--**

**S.F. No. 2655:** A bill for an act relating to liquor; clarifying local restriction provision; amending Minnesota Statutes 1996, section 340A.509.

Referred to the Committee on Commerce.

**Mr. Morse introduced--**

**S.F. No. 2656:** A bill for an act relating to taxation; property; providing for the assessment of certain platted property; amending Minnesota Statutes 1996, section 273.11, subdivision 14, and by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Morse, Hottinger, Ten Eyck, Terwilliger and Stumpf introduced--**

**S.F. No. 2657:** A bill for an act relating to retirement; modifying higher education retirement plan provisions; amending Minnesota Statutes 1996, sections 136F.48; 354.445; 354B.23, by adding a subdivision; and 354C.12, by adding a subdivision; Minnesota Statutes 1997 Supplement, section 354B.25, subdivision 1a.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Johnson, J.B.; Messrs. Langseth, Day, Sams and Ourada introduced--**

**S.F. No. 2658:** A bill for an act relating to transportation; prohibiting transfer of county state-aid funds to revolving loan account until increase in certain tax rates; authorizing issuance of state transportation bonds; appropriating money; amending Minnesota Statutes 1997 Supplement, section 162.06, subdivision 6; Laws 1997, chapter 141, section 11.

Referred to the Committee on Transportation.

**Ms. Wiener, Messrs. Larson, Metzen, Oliver and Solon introduced--**

**S.F. No. 2659:** A bill for an act relating to insurance; regulating life insurance company investments and financial transactions; regulating qualified long-term care policies; modifying the definition of chronically ill individual; amending Minnesota Statutes 1996, section 61A.28, subdivisions 6, 9a, and 12; Minnesota Statutes 1997 Supplement, section 62S.01, subdivision 8.

Referred to the Committee on Commerce.

**Messrs. Morse, Hottinger, Dille and Vickerman introduced--**

**S.F. No. 2660:** A bill for an act relating to community-based planning; amending goals; providing for notification; appropriating money; amending Minnesota Statutes 1997 Supplement, sections 4A.08; 4A.09; 394.232, subdivisions 2, 3, and by adding a subdivision; and 462.3535, subdivision 2, and by adding subdivisions; Laws 1997, chapter 202, article 4, section 13, subdivision 7; repealing Minnesota Statutes 1997 Supplement, section 4A.10.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Ranum, Messrs. Morse, Frederickson and Ms. Higgins introduced--**

**S.F. No. 2661:** A bill for an act relating to capital improvements; authorizing issuance of state bonds for hazardous material abatement and renovation for the Fort Snelling International Hostel; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

**Mr. Kelly, R.C.; Ms. Anderson, Pappas, Messrs. Wiger and Cohen introduced--**

**S.F. No. 2662:** A bill for an act relating to economic development; appropriating money to assist in the redevelopment of the Stroh Brewery site and creation of manufacturing jobs.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Johnson, D.H.; Kelly, R.C. and Ten Eyck introduced--**

**S.F. No. 2663:** A bill for an act relating to crime; expanding the stalking and harassment law to include certain types of harassment committed against a peace officer; providing enhanced penalties for harassment of a peace officer in retaliation for the officer's performance of official duties in connection with a criminal investigation; amending Minnesota Statutes 1996, section 609.749, subdivision 3; Minnesota Statutes 1997 Supplement, section 609.749, subdivision 2.

Referred to the Committee on Crime Prevention.

**Ms. Johnson, J.B.; Messrs. Langseth; Johnson, D.E.; Ms. Pappas and Mr. Ourada introduced--**

**S.F. No. 2664:** A bill for an act relating to transportation; redefining road or highway; imposing requirements and restrictions on transportation expenditures from the trunk highway fund and general fund; establishing spending goals for transportation; requiring expenditures for operations of the state patrol to be from the general fund; specifying compensation to be included in prevailing wage rate; providing for periodic adjustments in motor fuel tax rate; authorizing issuance of bonds for local bridge replacement and reconstruction; appropriating money; amending Minnesota Statutes 1996, sections 160.02, subdivision 7, and by adding a subdivision; 161.04, by adding a subdivision; 174.01, by adding a subdivision; 174.02, by adding a subdivision; 177.42, subdivision 6; 299D.01, by adding a subdivision; and 299D.03, subdivision 5.

Referred to the Committee on Transportation.

**Mses. Pappas, Ranum, Messrs. Wiger, Janezich and Kelly, R.C. introduced--**

**S.F. No. 2665:** A bill for an act relating to education; increasing the basic formula allowance; modifying compensatory revenue; extending supplemental revenue; modifying nonpublic pupil transportation aid; creating new funding for unreimbursed costs associated with transporting charter school pupils; increasing funding for limited English proficiency programs; increasing special education funding; modifying the lease levy; restoring the training and experience formula; creating ongoing technology revenue; authorizing local bonding; extending school district contract authority; qualifying certificates of participation for state guarantee; appropriating money; amending Minnesota Statutes 1996, sections 123.35, subdivision 19a; 124.225, by adding a subdivision; 124.323, by adding subdivisions; 124.755, subdivision 1; 124A.22, by adding a subdivision; 354A.31, subdivision 3a; Minnesota Statutes 1997 Supplement, sections 124.17, subdivision 1d; 124.225, subdivision 16; 124.315, subdivision 3; 124.323, subdivision 2; 124.91, subdivision 1; 124.912, subdivision 6; 124A.04, subdivision 2; 124A.22, subdivisions 1, 2, 3a, and 13b; and 124A.28, subdivisions 1a and 1b; Laws 1995, First Special Session chapter 3, article 1, section 56, as amended; Laws 1997, First Special Session chapter 4, article 2, section 51, subdivision 14; article 5, section 28, subdivisions 9 and 12; repealing Minnesota Statutes 1996, section 124A.22, subdivision 2a.

Referred to the Committee on Children, Families and Learning.

**MEMBERS EXCUSED**

Messrs. Belanger, Neuville, Oliver, Ms. Olson and Mr. Terwilliger were excused from the Session of today. Mr. Solon was excused from the Session of today until 10:00 a.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Monday, February 2, 1998. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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