

caused by the animal. The deposit is refundable at any time the renter leaves the unit of housing to the extent it exceeds the amount of damage actually caused by the animal.

Sec. 146. **REPEALER.**

Minnesota Statutes 1992, sections 44A.12; 138.97; 239.05, subdivision 2c; 239.52; 239.78; 268.365, subdivision 1; 268.914, subdivision 2; 268.977; 268.978, subdivision 3; 386.61, subdivision 3; 386.63; 386.64; and 386.70, are repealed.

Sec. 147. **EFFECTIVE DATES.**

Subdivision 1. 1993 APPROPRIATIONS. Any provisions appropriating money for fiscal year 1993 are effective the day following final enactment.

Subd. 2. STATE ARTS ACCOUNT. Sections 59 and 126 are effective July 1, 1995.

Presented to the governor May 20, 1993

Signed by the governor May 24, 1993, 6:24 p.m.

CHAPTER 370—H.F.No. 1377

An act relating to public administration; making telephone records of public officials public data; providing oversight for administrative expenses; regulating administrative rule-making procedures; amending Minnesota Statutes 1992, sections 3.055, subdivision 1; 3.841; and 14.10; Laws 1989, chapter 335, article 1, section 15, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 3; and 10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1992, section 3.055, subdivision 1, is amended to read:

Subdivision 1. **MEETINGS TO BE OPEN.** Meetings of the legislature shall be open to the public, including sessions of the senate, sessions of the house of representatives, joint sessions of the senate and the house of representatives, and meetings of a standing committee, committee division, subcommittee, conference committee, or legislative commission, but not including a caucus of the members of any of those bodies from the same house and political party nor a delegation of legislators representing a geographic area or political subdivision. For purposes of this section, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the body. Each house shall provide by rule for posting notices of meetings, recording proceedings, and making the recordings and votes available to the public.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 2. Minnesota Statutes 1992, section 3.841, is amended to read:

3.841 LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES; COMPOSITION; MEETINGS.

A legislative commission ~~for~~ to review ~~of~~ administrative rules, consisting of five senators appointed by the committee on committees of the senate and five representatives appointed by the speaker of the house of representatives shall be appointed. Its members must include the chair or vice-chair of the committees in each body having jurisdiction over administrative rules. The commission shall meet at the call of its chair or upon a call signed by two of its members or signed by five members of the legislature. The office of chair of the legislative commission shall alternate between the two houses of the legislature every two years.

Sec. 3. [3.984] RULE NOTES.

Subdivision 1. REQUIREMENT. The head or chief administrative officer of an agency, as defined in section 14.02, subdivision 2, shall prepare a note containing the information required by subdivision 2 on every bill containing a grant of rulemaking authority to that agency. The chair of a standing committee receiving a bill on rereferral from another standing committee shall request that: (1) the rule note be amended to reflect any amendment of the grant of rulemaking authority made to the bill; or (2) a rule note be prepared by the agency if a grant of rulemaking authority has been added to the bill.

Subd. 2. CONTENTS. The note required by subdivision 1 must treat separately each grant of rulemaking authority contained in the bill and must include a detailed explanation of:

- (1) the reasons for the grant of rulemaking authority;
- (2) the persons or groups the rules would impact;
- (3) the estimated cost of the rule for the persons or groups specified pursuant to clause (2); and
- (4) the areas of controversy anticipated by the agency.

The note must be delivered to the chair of the standing committee to which the bill has been referred or rereferred, the chair of the legislative commission to review administrative rules, and the chairs of the committees in each body having jurisdiction over administrative rules.

Subd. 3. ADMINISTRATION. The commissioner of finance is responsible for coordinating this process, for assuring the accuracy and completeness of the note, and for assuring that rule notes are prepared, delivered, and updated as provided by this section.

The commissioner shall prescribe a uniform procedure to govern agencies in complying with this section.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 4. [10.43] TELEPHONE USE; APPROVAL.

Each representative, senator, constitutional officer, judge, and head of a state department or agency shall sign the person's monthly long-distance telephone bills paid by the state as evidence of the person's approval of each bill.

Sec. 5. [10.44] LEGISLATURE AND OTHER OFFICIALS; BUDGETS.

The budgets of the house of representatives, senate, constitutional officers, district courts, court of appeals, and supreme court must be submitted to and considered by the appropriate committees of the legislature in the same manner as the budgets of executive agencies.

Sec. 6. [10.45] BUDGETS; INFORMATION.

The budgets of the house of representatives, the senate, each constitutional officer, the district courts, court of appeals, and supreme court shall be public information and shall be divided into expense categories. The categories shall include, among others, travel and telephone expenses.

Sec. 7. [10.46] TELEPHONE RECORDS PUBLIC.

Long-distance telephone bills paid for by the state or a political subdivision, including those of representatives, senators, judges, constitutional officers, heads of departments and agencies, local officials, and employees thereof, are public data.

Sec. 8. [10.47] TELEPHONE SERVICE; OVERSIGHT.

Each member, officer, or employee in the legislative, judicial, and executive branches shall report any evidence of misuse of long-distance telephone service to the chief officer of the legislative body, judicial branch, executive office, or executive agency, and to the legislative auditor when appropriate. The legislative auditor shall investigate and report on evidence of misuse of long-distance telephone service of legislators, judges, constitutional officers, heads of executive departments and agencies, and state employees and, where appropriate, refer the evidence to other authorities.

Sec. 9. [10.48] EXPENSE REPORTS.

The house of representatives and senate shall by rule require detailed quarterly reports of expenditures by the house of representatives and senate to their respective committees on rules and legislative administration. Each constitutional officer, the district courts, court of appeals, and supreme court shall submit detailed quarterly reports of their expenditures to the legislative auditor. These reports are public information.

Sec. 10. Minnesota Statutes 1992, section 14.10, is amended to read:

14.10 SOLICITATION OF OUTSIDE INFORMATION.

New language is indicated by underline, deletions by ~~strikeout~~.

When an agency seeks to obtain information or opinions in preparing to propose the adoption, amendment, suspension, or repeal of a rule from sources outside of the agency, the agency shall publish notice of its action in the State Register, mail this notice to persons who have registered their names pursuant to section 14.14, subdivision 1a, 14.22, or 14.30, and shall afford all interested persons an opportunity to submit data or views on the subject of concern in writing or orally. Such notice and any written material received by the agency shall become a part of the rulemaking record to be submitted to the ~~attorney general~~ or administrative law judge under section 14.14, 14.26, or 14.32. This notice must contain a summary of issues that may be considered by the agency when the rule is proposed, a statement of the agency's intentions regarding the formation of an advisory task force on the subject, and, if a task force is to be formed, a list of the persons or associations the agency intends to invite to serve on the task force. The notice must also include a proposed timetable outlining when the agency intends to form the advisory task force, when it could be expected to complete its work, and how long the agency anticipates the rulemaking process taking.

Sec. 11. Laws 1989, chapter 335, article 1, section 15, subdivision 3, is amended to read:

Subd. 3. Information Management		
\$ 5,836,000	\$ 5,759,000	
	Summary by Fund	
General	\$ 1,678,000	\$ 1,601,000
Special Revenue	\$ 4,158,000	\$ 4,158,000

The appropriation from the special revenue fund is for recurring costs of 911 emergency telephone service.

\$201,100 the first year and \$205,800 the second year must be subtracted from the amount that would otherwise be payable to local government aid under Minnesota Statutes, chapter 477A, in order to fund the local government records program and the intergovernmental information systems activity.

\$1,000,000 in contributed capital is transferred from the computer services fund to the telecommunications fund.

The commissioner shall study the feasibility of contracting for disaster recovery services from nonstate sources.

~~Notwithstanding any law to the contrary, legislators' telephone records are private data.~~

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Sec. 12. LCRAR RULEMAKING REPORT.

No later than February 15, 1994, the legislative commission to review administrative rules shall submit a report including its recommendations to the governmental operations and gaming committee of the house of representatives and the governmental operations and reform committee of the senate on the following topics:

(1) a list of all delegations of rulemaking authority to state agencies that indicates which of those are grants of general rulemaking authority and which are narrowly drawn, specific authorizations;

(2) the use made of broad delegations of rulemaking authority, the purpose served by this use, and the relationship of broad delegations with other delegations of authority in the promulgation of rules;

(3) an evaluation of the continued need for these delegations of general rulemaking authority;

(4) an evaluation of the continued need for delegations of rulemaking authority to quasi-independent boards or commissions;

(5) recommendations for establishing statutory criteria to be used in preparing rule impact statements including those in Minnesota Statutes, sections 14.11 and 14.115, for agricultural land, small businesses, and local governments or the removal of requirements for these impact statements;

(6) recommendations for development of more complete information on the economic and other impacts of proposed rules on directly affected parties and on agencies required to enforce the rules, how to determine when these impacts are significant enough to require greater efforts at assessing impacts, on ways this information might be obtained from affected parties and developed by agencies, whether this information should be included in the statement of need and reasonableness, and how the information might be distributed before the proposed rule is published;

(7) criteria to be used by legislative committees for the granting of exemptions to the rulemaking requirements of Minnesota Statutes, chapter 14;

(8) recommendations on which fees should be set or changed by rule or statute; and

(9) methods to improve the coordination of rulemaking in the executive branch.

Sec. 13. INVESTIGATION OF RECORDS.

Legislators' long distance telephone records as to bills paid by the state, including WATS service, for 1991, 1992, and 1993 shall be provided upon request made in accordance with Minnesota Statutes, section 8.16 or 388.23, to

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the attorney general or county attorney with jurisdiction, or to the United States attorney under the procedures of the appropriate federal rules, to the extent necessary to complete any investigation. Failure to comply with a request without just cause subjects the person who fails to comply to contempt of court.

Sec. 14. **EFFECTIVE DATE.**

This act is effective the day following final enactment, except that section 12 is effective July 1, 1993; sections 4 and 9 are effective October 1, 1993; sections 3 and 10 are effective January 1, 1994; and section 2 is effective January 1, 1995.

Presented to the governor May 20, 1993

Signed by the governor May 24, 1993, 12:20 p.m.

CHAPTER 371—S.F.No. 636

An act relating to pollution control; requiring a study of the feasibility of including the city of Red Wing in the state financial assistance program for combined sewer overflow; appropriating money for grants for composting; proposing coding for new law in Minnesota Statutes, chapter 115A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. COMBINED SEWER OVERFLOW STUDY; CITY OF RED WING.

The commissioner of the pollution control agency shall study the feasibility and cost of including the city of Red Wing in the combined sewer overflow program under Minnesota Statutes, section 116.162. The commissioner shall report the findings of the study to the legislature by January 15, 1994.

Sec. 2. [115A.542] COMPOSTING PROJECTS.

Subdivision 1. GRANTS. The director of the office of waste management shall award grants to optimize operations at mixed municipal solid waste composting facilities owned by multi-county project boards. Before awarding a grant under this section, the directors of the offices of waste management and the pollution control agency must approve a facility optimization plan submitted by the multi-county project board. The plan must include a financial and technical feasibility analysis.

Subd. 2. APPROPRIATION. \$1,500,000 in the first year of the biennium ending June 30, 1995, is appropriated from the general fund to the office of waste management for grants under section 1. Any unencumbered balance remaining after the first year shall be available in the second year of the biennium.

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