

represent at least 51 percent of the value of the project as documented by the contractor or vendor. An organization that fails to comply with this paragraph shall reapply to the board for approval of the project.

Sec. 8. REPORT.

The commissioner of human services must report to the senate committee on gaming regulation, the house of representatives committee on governmental operations and gambling, and the governor by June 1, 1996, on the results of its negotiations of the agreement provided for in Minnesota Statutes, section 245.98, subdivision 4. The commissioner must also issue a follow-up report on January 15, 1997.

Sec. 9. REPEALER.

Minnesota Statutes 1994, section 349.168, subdivision 3, is repealed.

Sec. 10. EFFECTIVE DATE.

Section 1 is effective July 1, 1996.

Section 2 is effective the day after final enactment and applies to unredeemed tickets whenever sold. Sections 3, 4, 5, 6, 7, 8, and 9 are effective the day following final enactment.

Presented to the governor April 4, 1996

Signed by the governor April 11, 1996, 11:45 a.m.

CHAPTER 468—H.F.No. 1648

An act relating to civil actions; providing for recovery of damages and injunctive relief for victims of bias offenses; imposing parental liability; proposing coding for new law in Minnesota Statutes, chapter 611A.

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

Section 1. [611A.79] CIVIL DAMAGES FOR BIAS OFFENSES.

Subdivision 1. DEFINITION. For purposes of this section, "bias offense" means conduct that would constitute a crime and was committed because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363.01, age, or national origin.

Subd. 2. CAUSE OF ACTION; DAMAGES AND FEES INJUNCTION. A person who is damaged by a bias offense has a civil cause of action against the person who committed the offense. The plaintiff is entitled to recover the greater of: (i) \$500; or (ii) actual general and special damages, including damages for emotional distress.

A plaintiff also may obtain punitive damages as provided in sections 549.191 and 549.20 or an injunction or other appropriate relief.

New language is indicated by underline, deletions by strikeout.

Subd. 3. RELATION TO CRIMINAL PROCEEDING; BURDEN OF PROOF. A person may bring an action under this section regardless of the existence or outcome of criminal proceedings involving the bias offense that is the basis for the action. The burden of proof in an action under this section is preponderance of the evidence.

Subd. 4. PARENTAL LIABILITY. Section 540.18 applies to actions under this section, except that:

(1) the parent or guardian is liable for all types of damages awarded under this section in an amount not exceeding \$5,000; and

(2) the parent or guardian is not liable if the parent or guardian made reasonable efforts to exercise control over the minor's behavior.

Subd. 5. TRIAL; LIMITATION PERIOD. (a) The right to trial by jury is preserved in an action brought under this section.

(b) An action under this section must be commenced not later than six years after the cause of action arises.

Subd. 6. OTHER RIGHTS PRESERVED. The remedies under this section do not affect any rights or remedies of the plaintiff under other law.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective August 1, 1996, and applies to bias offenses committed on or after that date.

Presented to the governor April 4, 1996

Signed by the governor April 11, 1996, 12:15 p.m.

CHAPTER 469—H.F.No. 343

An act proposing an amendment to the Minnesota Constitution, article VIII, by adding a section; providing for recall of elected state officers; amending Minnesota Statutes 1994, section 200.01; proposing coding for new law as Minnesota Statutes, chapter 211C.

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

ARTICLE 1 .

Section 1. CONSTITUTIONAL AMENDMENT.

An amendment to the Minnesota Constitution, amending article VIII by adding a section, is proposed to the people. If the amendment to article VIII is adopted, the new section will read:

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