

Subd. 2. (a) The Minnesota Valley state recreation area consists of the Minnesota Valley trail and the Belle Plaine, Blakeley, Carver Rapids, Lawrence, Rice Lake, and Rush River state waysides.

(b) The commissioner shall manage the unit as a state recreation area as provided in Minnesota Statutes, section 86A.05, subdivision. 3. In addition to other activities authorized within state parks, the following activities may be permitted in certain areas of the Minnesota Valley state recreation area as prescribed by the commissioner: (1) public hunting, trapping, and fishing; (2) existing trail uses. The acquisition of land for the Minnesota Valley state recreation area shall continue to be as provided in Minnesota Statutes, section 85.021, subdivisions 1, 2, and 3.

Subd. 3. [85.013] [Subd. 22.] ST. CROIX ISLANDS RECREATION AREA, WASHINGTON COUNTY. The following area is deleted from the St. Croix Islands recreation area: Government Lot 7, Section 14 and Government lots 9 and 10 Section 15, all in township 30 North, Range 20 West, Washington county, Minnesota.

Sec. 3. Minnesota Statutes 1992, section 85.054, is amended by adding a subdivision to read:

Subd. 4. JAY COOKE STATE PARK. A state park permit is not required and a fee must not be charged for motor vehicle entry or parking at the Veterans Memorial scenic overlook portion of Jay Cooke state park.

Sec. 4. **REPEALER.**

Minnesota Statutes 1992, section 85.013, subdivisions 16, 18a, 24, 26, and 28, are repealed.

Sec. 5. **INSTRUCTIONS TO REVISOR.**

The revisor of statutes shall insert an appropriate notation after those repealed subdivisions in section 85.013, and shall transfer the legislative histories of the repealed subdivisions to follow the appropriate subdivisions in section 85.012.

Presented to the governor April 12, 1994

Signed by the governor April 15, 1994, 1:35 p.m.

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**CHAPTER 449—S.F.No. 819**

*An act relating to telephone services; prohibiting collection of charges for information services as if they were charges for telephone services; providing for notice of certain call blocking options; amending Minnesota Statutes 1992, section 237.66, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 325F.*

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

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

Section 1. Minnesota Statutes 1992, section 237.66, is amended by adding a subdivision to read:

Subd. 2a. CALL BLOCKING. A telephone company, when a residential customer initially requests service, shall advise each residential customer of the availability of all blocking options including 900 number blocking and international long-distance blocking.

**Sec. 2. [325F.692] FRAUDULENT TELEPHONE SERVICES; BILLING.**

Subdivision 1. DEFINITIONS. (a) For the purposes of this section, the following terms have the meanings given them.

(b) "Information service" means a billed service transmitted exclusively orally via the telecommunications network that may include provision of information or advice, participation in trivia or other games, participation in adult conversation or other group bridging services, or provision of similar billed services. An information service may be accessed by an information service customer by various methods including, but not limited to, dialing a 1-900 or 1-800 telephone number, or by the customer receiving a collect call from an information service provider following the customer's 1-800 call.

(c) "Information service customer" means a person who receives information transmitted from or participates in conversation enabled by an information service provider.

(d) "Information service provider" means a person who provides information services and directly, or indirectly through a billing agent, charges information service customers for use of the information service.

(e) "Telephone service subscriber" means a person who contracts with a telephone company for telephone services.

**Subd. 2. UNAUTHORIZED INFORMATION SERVICE CHARGES; LIABILITY.** A telephone service subscriber is not responsible for information service charges for calls made by minors or other vulnerable adults as defined in section 626.557, subdivision 2, paragraph (b), unless expressly authorized by the subscriber or spouse.

**Subd. 3. BILLING; SEGREGATED CHARGES; NOTICE.** (a) A telephone company or independent telephone company, as defined in section 237.01, or any other entity that serves as the billing agent for information service charges shall, to the extent it has knowledge, list the charges for information services separately from charges for local and long distance telephone service charges on each telephone service subscriber's billing statement, regardless of whether an information service customer initiated a call to access the information service or whether the information service provider initiated a call to the customer to allow the customer access to the information service. It is fraud under section

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325F.69 to knowingly identify information service charges as telephone charges. A common carrier is liable for fraud under this subdivision only if it knowingly participates in the misidentification.

(b) A bill or the portion of a telephone bill for information services must contain the following language printed in at least ten-point bold type or type-written in capital letters in a color or shade that readily contrasts with the background:

"YOU HAVE THE RIGHT TO DISPUTE CHARGES FOR INFORMATION SERVICE CALLS. AS A TELEPHONE SERVICE SUBSCRIBER, YOU ARE NOT LEGALLY RESPONSIBLE FOR INFORMATION SERVICE CHARGES INCURRED BY OTHERS WITHOUT YOUR CONSENT EXCEPT FOR CALLS MADE BY YOUR SPOUSE. NEITHER A LONG DISTANCE COMPANY NOR YOUR LOCAL TELEPHONE COMPANY MAY DISCONNECT YOUR SERVICE BECAUSE YOU REFUSE TO PAY AN INFORMATION SERVICE CHARGE."

The notice required by this paragraph can be provided in conjunction with other required notices.

Subd. 4. FRAUDULENT MISREPRESENTATION. It is fraudulent misrepresentation under section 325F.69 for an information service provider or a provider's agent, including an agent or employee of an entity that provides billing services for an information service provider, to knowingly advise an information service customer or a telephone service subscriber, either orally or in writing, that:

(1) information service charges not incurred or authorized by a telephone service subscriber are the responsibility of the subscriber;

(2) parents or guardians of minors or other vulnerable people are responsible for information service charges incurred by the minors or other vulnerable persons; or

(3) the availability of telephone service for the subscriber may be affected by failure to pay information service charges not incurred or authorized by the subscriber.

Subd. 5. ALLOCATION OF PAYMENT OF TELEPHONE BILLS. The telephone service subscriber shall have the right to direct partial payments of a telephone bill. Unless otherwise directed by the telephone service subscriber, a telephone company or other billing entity that receives partial payment of a telephone bill shall allocate the partial payment first to charges for telephone services, and last to charges for information services.

Subd. 6. INDEMNITY. A telephone company or independent telephone company has a right of indemnity against anyone who has provided it with false information as to the status of information charges.

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Subd. 7. INVOLUNTARY BLOCKING. Anyone who has refused to pay for two months of information charge bills or one month of charges in excess of \$500 may be blocked from access to information services.

Subd. 8. EXCEPTION. This section does not apply to information services provided via the international telephone network if the charge for the information service call is based on tariff rates and does not apply to traditional long-distance telephone calls.

Subd. 9. CALLER RESPONSIBILITY. This section does not affect the legal responsibility of the person who places an information service call for the charges for the call.

Subd. 10. CALLER CODES REGULATED. Information service providers or their agents and telephone companies shall not issue calling card identification codes or personal identification numbers (PIN codes) to consumers over the telephone. This subdivision does not apply to the issuance of identification codes or personal identification numbers to consumers by a financial institution as defined in United States Code, title 18, section 20, or an affiliate or subsidiary of a financial institution.

Sec. 3. Minnesota Statutes 1992, section 237.075, is amended by adding a subdivision to read:

Subd. 11. RECOVERY OF EXPENSES OF SEGREGATING BILLING CHARGES. The public utilities commission shall allow each telephone company and independent telephone company subject to the requirements of section 2 to automatically adjust tariffs or rates paid by information service providers to reflect the reasonable cost to the company to comply with section 2.

Presented to the governor April 12, 1994

Signed by the governor April 15, 1994, 1:58 p.m.

#### CHAPTER 450—H.F.No. 2967

*An act relating to local government; giving the Minneapolis school district and the municipal building commission the same authority as the city of Minneapolis to negotiate certain trade and craft contracts; amending Laws 1988, chapter 471, sections 1 and 2.*

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

Section 1. Laws 1988, chapter 471, section 1, is amended to read:

Section 1. CITY OF MINNEAPOLIS; SPECIAL SCHOOL DISTRICT NO. 1; MUNICIPAL BUILDING COMMISSION; TRADE AND CRAFT CONTRACTS.

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