

**CHAPTER 100—S.F.No. 1182**

*An act relating to commerce; regulating insurance for funeral or burial expenses; allowing funeral establishments to sell funeral insurance and receive commissions for these sales; amending Minnesota Statutes 1998, section 72A.325.*

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

Section 1. Minnesota Statutes 1998, section 72A.325, is amended to read:

**72A.325. INSURANCE FOR FUNERAL OR BURIAL EXPENSE; FREEDOM OF CHOICE.**

No insurance company, agent, or other person engaged in the business of providing insurance or other benefits for the payment of any funeral or burial expense, shall designate, endorse, or otherwise promote any particular mortician, funeral director, funeral establishment, cemetery, or any other party offering funeral or burial services or supplies, as the beneficiary or recipient of the benefits, so as to deprive the family, next of kin, or other representative of the deceased policyholder persons with legal authority to control the disposition of the remains of the deceased policyholder under section 149A.80, subdivision 2, of the right to select the funeral or burial services and supplies of their choice. No owner, director, or employee of a funeral establishment, or entity having a direct equity interest in a funeral establishment, shall receive any fee, commission, or other reimbursement on any insurance sale facilitated through the funeral establishment, except the sale of a preneed funeral insurance contract with a face amount not to exceed \$20,000.

~~No owner, director, or employee of a funeral establishment shall receive any fee for endorsing insurance policies, plans, or services.~~

For purposes of this section, "preneed funeral insurance contract" means an agreement by or for an individual before that individual's death relating to the purchase or provision of specific funeral or cemetery merchandise or services.

Nothing in this section constitutes a waiver or exception to the requirements of chapter 60K.

Presented to the governor April 22, 1999

Signed by the governor April 26, 1999, 1:15 p.m.

**CHAPTER 101—S.F.No. 1527**

*An act relating to school boards; a person convicted of a sex offense who is required to be registered under the predatory offender law is not eligible to be a candidate for the office of school board member; amending Minnesota Statutes 1998, sections 123B.09, by adding a subdivision; and 205A.06, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1998, section 123B.09, is amended by adding a subdivision to read:

Subd. 1a. **SEX OFFENDER SCHOOL BOARD INELIGIBILITY.** A sex offender who has been convicted of an offense for which registration under section 243.166

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

is required is ineligible to become a candidate for the office of school board member, as defined in subdivision 1. Ineligibility is determined by the registration requirements in effect at the time the offender files for office, not by the registration requirements, if any, that were in effect at the time the offender was convicted.

Sec. 2. Minnesota Statutes 1998, section 205A.06, is amended by adding a subdivision to read:

Subd. 1b. **SCHOOL BOARD MEMBER; SEX OFFENDER; INELIGIBLE TO FILE AFFIDAVIT OF CANDIDACY.** A sex offender who has been convicted of an offense for which registration is required under section 243.166 is ineligible to become a candidate for the office of school board member and may not file an affidavit of candidacy for that office. Ineligibility is determined by the registration requirements in effect at the time the offender files for office, not by the registration requirements, if any, that were in effect at the time the offender was convicted.

Presented to the governor April 22, 1999

Signed by the governor April 26, 1999, 1:18 p.m.

#### CHAPTER 102—S.F.No. 1273

*An act relating to professions; modifying provisions relating to nursing home administrator licensing, the board of examiners for nursing home administrators, immunity for board members and staff, and acting administrator permits; amending Minnesota Statutes 1998, sections 144A.19, subdivision 1; 144A.20, subdivision 1; 144A.22; 144A.24; and 144A.27; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 1998, sections 144A.19, subdivision 3; 144A.20, subdivision 2; and 144A.29.*

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

Section 1. Minnesota Statutes 1998, section 144A.19, subdivision 1, is amended to read:

Subdivision 1. **CREATION; MEMBERSHIP.** There is hereby created the board of examiners for nursing home administrators which shall consist of the following members:

- (a) a designee of the commissioner of health who shall be a nonvoting member;
- (b) a designee of the commissioner of human services, ~~or a designee who shall be a nonvoting member;~~ and
- (c) the following members appointed by the governor:
  - (1) two members actively engaged in the management, operation, or ownership of proprietary nursing homes;
  - (2) two members actively engaged in the management or operation of nonprofit nursing homes;
  - (3) one member actively engaged in the practice of medicine;

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