

CHAPTER 209—S.F.No. 171

An act relating to commerce; providing an appropriation for an education campaign on mortgage flipping; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 82B.

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

Section 1. **[82B.201] CRIMINAL PENALTY.**

A person is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the person:

- (1) violates section 82B.20, subdivision 2, clause (4);
- (2) performs unlicensed activities, if a license is required under this chapter; or
- (3) violates any order issued by the commissioner related to conduct prohibited by clause (1).

Sec. 2. **APPROPRIATION.**

\$100,000 is appropriated from the real estate education, research, and recovery fund established under Minnesota Statutes, section 82.34 to the department of commerce for an educational campaign aimed at stopping the fraudulent practice known commonly as mortgage flipping. The department is directed to develop a public awareness campaign targeted to the communities hardest hit by this practice. The department is further directed to solicit contributions to this campaign from trade organizations, banks, mortgage companies, and foundations to supplement the program. The materials shall be prepared in multiple languages as necessary. The appropriation is available until expended and any contributions received are available for the educational campaign described in this section.

Sec. 3. **EFFECTIVE DATE.**

Section 2 is effective the day following final enactment.

Presented to the governor May 21, 1999

Signed by the governor May 24, 1999, 10:05 a.m.

CHAPTER 210—S.F.No. 1099

An act relating to health; modifying training requirements for nursing assistants; requiring an evaluation; amending Minnesota Statutes 1998, section 144A.61, subdivisions 2 and 3a.

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

Section 1. Minnesota Statutes 1998, section 144A.61, subdivision 2, is amended to read:

Subd. 2. **NURSING ASSISTANTS.** For the purposes of this section and section 144A.611 "nursing assistant" means a nursing home or certified boarding care home em-

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

ployee, including a nurse's aide or an orderly, who is assigned by the director of nursing to provide or assist in the provision of nursing or nursing-related services under the supervision of a registered nurse. "Nursing assistant" includes nursing assistants employed by nursing pool companies but does not include a licensed health professional. ~~The commissioner of health may, by rule, establish categories of nursing assistants who are not required to comply with the educational requirements of this section and section 144A.611.~~

Sec. 2. Minnesota Statutes 1998, section 144A.61, subdivision 3a, is amended to read:

Subd. 3a. **COMPETENCY EVALUATION PROGRAM.** The commissioner of health shall approve the competency evaluation program. A competency evaluation must be administered to ~~nursing assistants~~ persons who desire to be listed in the nursing assistant registry and who have done one of the following: (1) ~~completed an approved training program;~~ or (2) ~~are enrolled in a licensed nurse education program.~~ The tests may only be administered by technical colleges, community colleges, or other organizations approved by the department of health. The commissioner of health shall approve a nursing assistant for the registry without requiring a competency evaluation if the nursing assistant is in good standing on a nursing assistant registry in another state.

Sec. 3. EVALUATION OF MODIFICATIONS IN COMPETENCY EVALUATION PROGRAM.

After one year of implementation, the commissioner of health shall evaluate the impact of allowing persons to take a nursing assistant competency evaluation test without first completing an approved training program or enrolling in a licensed nurse education program. The evaluation must include a determination of the positive and negative impact, if any, of allowing persons to qualify as nursing assistants without completing a training program. The result of the evaluation must be reported to the chairs of the house health and human services committee and the senate health and family security committee by December 1, 2000.

Presented to the governor May 21, 1999

Signed by the governor May 24, 1999, 9:55 a.m.

CHAPTER 211—S.F.No. 1821

An act relating to housing; modifying provision for amending zoning ordinance by cities of the first class; modifying housing finance agency provisions; authorizing agency to make equity take-out loans to owners of federally subsidized housing under certain circumstances; allowing participants to receive rental assistance for family stabilization for up to 60 months; clarifying purposes for which community rehabilitation funds may be used; establishing account to provide homeownership opportunities for disabled; modifying low-income housing credits; amending Minnesota Statutes 1998, sections 462.357, subdivision 5; 462A.05, subdivision 14; 462A.073, subdivisions 2 and 4; 462A.205, subdivisions 1, 2, 4, 5, 6, and 9; 462A.206, subdivision 2; 462A.21, by adding a subdivi-

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