

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FORTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, APRIL 30, 1993

The House of Representatives convened at 9:30 a.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Dr. Eugene Kreider, Professor of Pastoral Theology, Luther Northwestern Seminary, St. Paul, Minnesota.

The roll was called and the following members were present:

Abrams	Dauids	Hausman	Krinkie	Neary	Rest	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Nelson	Rhodes	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Ness	Rice	Van Dellen
Asch	Delmont	Huntley	Leppik	Olson, E.	Rodosovich	Vellenga
Battaglia	Dempsey	Jacobs	Lieder	Olson, K.	Rukavina	Vickerman
Bauerly	Dorn	Jaros	Limmer	Olson, M.	Sarna	Wagenius
Beard	Erhardt	Jefferson	Lindner	Ornen	Seagren	Waltman
Bergson	Evans	Jennings	Lourey	Opatz	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Luther	Orenstein	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Lynch	Orfield	Skoglund	Wenzel
Blatz	Garcia	Johnson, V.	Mariani	Osthoff	Smith	Winter
Brown, C.	Girard	Kahn	McCollum	Ostrom	Solberg	Wolf
Brown, K.	Goodno	Kalis	McGuire	Ozment	Sparby	Worke
Carlson	Greenfield	Kelley	Milbert	Pauly	Stanis	Workman
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Morrison	Perlt	Swiggun	
Commers	Gutknecht	Klinzing	Mosel	Peterson	Swenson	
Cooper	Hasskamp	Krickbocker	Munger	Pugh	Tomassoni	
Dauner	Haukoos	Koppendraye	Murphy	Reding	Tompkins	

A quorum was present.

Bishop was excused.

Mahon and Pelowski were excused until 10:00 a.m. Welle was excused until 11:15 a.m. Macklin was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Asch moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 340 and H. F. No. 232, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Skoglund moved that S. F. No. 340 be substituted for H. F. No. 232 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 532 and H. F. No. 591, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Dawkins moved that the rules be so far suspended that S. F. No. 532 be substituted for H. F. No. 591 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 902 and H. F. No. 858, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Osthoff moved that the rules be so far suspended that S. F. No. 902 be substituted for H. F. No. 858 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1105 and H. F. No. 1099, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Simoneau moved that the rules be so far suspended that S. F. No. 1105 be substituted for H. F. No. 1099 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1275 and H. F. No. 1702, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wagenius moved that the rules be so far suspended that S. F. No. 1275 be substituted for H. F. No. 1702 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 340, 532, 902, 1105 and 1275 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1153, A bill for an act relating to civil actions; clarifying the limits on recovery for economic loss caused by components of manufactured goods; amending Minnesota Statutes 1992, section 604.10.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 546, A bill for an act relating to outdoor recreation; prohibiting motor sports areas within the Dorer Memorial Hardwood Forest without county and township board approval.

PATRICK E. FLAHAVEN, Secretary of the Senate

Waltman moved that the House refuse to concur in the Senate amendments to H. F. No. 546, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 51, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 168A.152, by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 1, 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Evans moved that the House concur in the Senate amendments to H. F. No. 51 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 51, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 168A.152, by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 1, 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 119 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abrams	Commers	Garcia	Jaros	Koppendrayner	McGuire	Onnen
Anderson, I.	Cooper	Girard	Jefferson	Krinkie	Milbert	Opatz
Anderson, R.	Dauner	Goodno	Jennings	Krueger	Molnau	Orenstein
Asch	Davids	Greenfield	Johnson, A.	Lasley	Morrison	Orfield
Battaglia	Dawkins	Greiling	Johnson, R.	Leppik	Mosel	Ostrom
Bauerly	Dehler	Gruenes	Johnson, V.	Lieder	Munger	Ozment
Beard	Delmont	Gutknecht	Kahn	Limmer	Murphy	Pauly
Bergson	Dempsey	Hasskamp	Kalis	Lindner	Neary	Pawlenty
Bertram	Dorn	Hausman	Kelley	Lourey	Nelson	Perlt
Bettermann	Erhardt	Holsten	Kelso	Luther	Ness	Peterson
Blatz	Evans	Hugoson	Kinkel	Lynch	Olson, E.	Reding
Brown, C.	Farrell	Huntley	Klinzing	Mariani	Olson, K.	Rhodes
Carlson	Frerichs	Jacobs	Knickerbocker	McCollum	Olson, M.	Rice

Rodosovich	Sekhon	Solberg	Swenson	Tunheim	Weaver	Wolf
Rukavina	Simoneau	Sparby	Tomassoni	Van Dellen	Wejzman	Worke
Sarna	Skoglund	Steensma	Tompkins	Vickerman	Wenzel	Workman
Seagren	Smith	Sviggum	Trimble	Wagenius	Winter	Spk. Long

Those who voted in the negative were:

Brown, K.	Stanius	Waltman
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The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1404, A bill for an act relating to the city of New Brighton; permitting the city to acquire granular carbon without a bond.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Evans moved that the House concur in the Senate amendments to H. F. No. 1404 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1404, A bill for an act relating to the cities of New Brighton and St. Louis Park; permitting the cities to acquire granular carbon without a bond.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Haukoos	Knickerbocker	Mosel	Peterson	Swenson
Anderson, I.	Dawkins	Hausman	Koppendrayner	Munger	Pugh	Tomassoni
Anderson, R.	Dehler	Holsten	Krinkie	Murphy	Reding	Tompkins
Asch	Delmont	Hugoson	Krueger	Neary	Rhodes	Trimble
Battaglia	Dempsey	Huntley	Lasley	Nelson	Rice	Tunheim
Bauerly	Dorn	Jacobs	Leppik	Olson, E.	Rodosovich	Van Dellen
Beard	Erhardt	Jaros	Lieder	Olson, K.	Rukavina	Vellenga
Bergson	Evans	Jefferson	Limmer	Olson, M.	Sarna	Vickerman
Bertram	Farrell	Jennings	Lindner	Onnen	Seagren	Wagenius
Bettermann	Frerichs	Johnson, A.	Lourey	Opatz	Sekhon	Waltman
Blatz	Garcia	Johnson, R.	Luther	Orenstein	Simoneau	Weaver
Brown, K.	Girard	Johnson, V.	Lynch	Orfield	Skoglund	Wejzman
Carlson	Goodno	Kahn	Mariani	Osthoft	Smith	Wenzel
Carruthers	Greenfield	Kalis	McCollum	Ostrom	Solberg	Winter
Clark	Greiling	Kelley	McGuire	Ozment	Sparby	Wolf
Commers	Gruenes	Kelso	Milbert	Pauly	Stanis	Worke
Cooper	Gutknecht	Kinkel	Molnau	Pawlenty	Steensma	Spk. Long
Dauner	Hasskamp	Klinzing	Morrison	Perlt	Sviggum	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 480, 674, 741, 1097, 190, 1036, 1262, 1000, 1074, 403, 1437, 175, 470 and 1077.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 480, A bill for an act relating to workers' compensation; requiring appointment of guardians and conservators for minors and incapacitated persons; amending Minnesota Statutes 1992, sections 176.091; 176.111, subdivision 5; and 176.521, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 176; and 525.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

S. F. No. 674, A bill for an act relating to civil actions; regulating the posting of a bond required of plaintiffs in certain actions against a public body; amending Minnesota Statutes 1992, section 562.02.

The bill was read for the first time.

Orenstein moved that S. F. No. 674 and H. F. No. 747, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 741, A bill for an act relating to civil actions; authorizing appeals from the decisions of civil service commissions by first-class cities and their employees on the same basis and to the same extent; amending Minnesota Statutes 1992, section 484.01.

The bill was read for the first time.

Orenstein moved that S. F. No. 741 and H. F. No. 655, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1097, A bill for an act relating to trusts; prohibiting trustees from exercising certain powers; proposing coding for new law in Minnesota Statutes, chapter 501B.

The bill was read for the first time.

Pugh moved that S. F. No. 1097 and H. F. No. 1191, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 190, A bill for an act relating to background checks; providing that certain criminal conviction data are public; providing that a record of conviction of certain crimes and other determinations disqualify an individual from obtaining certain human services licenses; providing for access to certain data on day care and foster care licensees; amending Minnesota Statutes 1992, sections 13.46, subdivision 4; 13.87, subdivision 2; and 245A.04, subdivision 3b.

The bill was read for the first time.

Carruthers moved that S. F. No. 190 and H. F. No. 18, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1036, A bill for an act relating to commerce; trade practices; regulating transfers and sales of recordings; prescribing penalties; amending Minnesota Statutes 1992, sections 325E.17; 325E.18; 325E.19; and 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 325E; repealing Minnesota Statutes 1992, section 325E.20.

The bill was read for the first time.

Brown, C., moved that S. F. No. 1036 and H. F. No. 1206, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1262, A bill for an act relating to the metropolitan transit commission; authorizing the commission to appoint peace officers and establish a law enforcement agency; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, section 629.40, subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

S. F. No. 1000, A bill for an act relating to real estate; regulating fees, licenses, and agreements; requiring certain disclosures; providing for meetings of the real estate appraiser advisory board; changing terms; regulating fees and licenses; amending Minnesota Statutes 1992, sections 82.17, subdivision 4, and by adding subdivisions; 82.19, subdivision 5, and by adding subdivisions; 82.20, subdivision 15; 82.21, subdivision 1, and by adding a subdivision; 82.22, subdivisions 6 and 13; 82.24, subdivision 1; 82.27, subdivision 1; 82.33, subdivision 2, and by adding subdivisions; 82.34, subdivisions 3 and 7; 82B.02, by adding a subdivision; 82B.035, by adding a subdivision; 82B.05, subdivision 5; 82B.11; 82B.14; 82B.19, subdivision 2; and 507.45, subdivision 4; Laws 1992, chapter 555, article 1, section 12; proposing coding for new law in Minnesota Statutes, chapter 82; repealing Minnesota Statutes 1992, sections 82.22, subdivision 7; and 462A.201, subdivision 5; Minnesota Rules, part 2805.1200.

The bill was read for the first time.

Knickerbocker moved that S. F. No. 1000 and H. F. No. 1137, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1074, A bill for an act relating to natural resources; management of state-owned lands by the department of natural resources; deletion of land from Moose Lake state recreation area; private use of state trails; appropriating money; amending Minnesota Statutes 1992, sections 84.0273; 84.632; 85.015, by adding a subdivision; 86A.05, subdivision 14; 92.06, subdivision 1; 92.14, subdivision 2; 92.19; 92.29; 92.67, subdivision 5; 94.10; 94.11; 94.13; 94.343, subdivision 3; 94.348, subdivision 2; and 97A.135, subdivision 2, and by adding a subdivision.

The bill was read for the first time.

Sekhon moved that S. F. No. 1074 and H. F. No. 1285, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 403, A bill for an act relating to housing and hotels; amending reasons for innkeeper ejection and refusal to admit persons; establishing parent or guardian responsibility for guests who are minors; establishing liability for damage to hotel or personal property or injury to persons; increasing the penalty for setting fire to hotel belongings; requiring notice; amending Minnesota Statutes 1992, sections 327.70, subdivision 3; 327.73, subdivisions 1 and 2; and 327.74, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 327.

The bill was read for the first time.

Solberg moved that S. F. No. 403 and H. F. No. 511, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1437, A bill for an act relating to utilities; requiring cooperative electric associations and municipal utilities to comply with standards set by public utilities commission relating to electrical current or voltage; regulating public

utility commission procedures and filings; regulating affiliated interests of public utilities; providing for interim rates; providing that primary fuel source determines whether power generating plant is a large energy facility for purposes of certificate of need process; amending Minnesota Statutes 1992, sections 216B.09; 216B.16, subdivisions 1, 1a, 2, and 3; 216B.2421, subdivision 2, and by adding a subdivision; 216B.43; and 216B.48, subdivisions 1 and 4.

The bill was read for the first time.

Jacobs moved that S. F. No. 1437 and H. F. No. 1049, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 175, A bill for an act relating to crimes; creating a felony level offense for repeat fifth-degree assault offenders; amending Minnesota Statutes 1992, section 609.224, subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 470, A bill for an act relating to elections; changing the time and date of the precinct caucuses; amending Minnesota Statutes 1992, section 202A.14, subdivision 1.

The bill was read for the first time.

Sparby moved that S. F. No. 470 and H. F. No. 784, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1077, A bill for an act relating to human services; regulating child care programs; requiring an interpretive memoranda study; providing for a vulnerable adult study; amending Minnesota Statutes 1992, sections 245A.02, subdivisions 6a and 14; 245A.03, subdivision 2; 245A.04, subdivision 3; 245A.06, subdivision 2; 245A.09, subdivision 7; 245A.14, subdivision 6; and 245A.16, subdivision 6.

The bill was read for the first time.

Asch moved that S. F. No. 1077 and H. F. No. 1036, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

There being no objection, the order of business advanced to Motions and Resolutions for the purpose of introducing a House Resolution.

MOTIONS AND RESOLUTIONS

Long and Jaros introduced:

House Resolution No. 7, A house resolution welcoming members of the Kyrgyzstan Supreme Soviet Leadership Delegation.

SUSPENSION OF RULES

Jaros moved that the rules be so far suspended that House Resolution No. 7 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 7

A house resolution welcoming members of the Kyrgyzstan Supreme Soviet Leadership Delegation.

Whereas, we are honored by the visit of members of the Kyrgyzstan Supreme Soviet Leadership Delegation to this Legislature on Friday, April 30, 1993; and

Whereas, we wish to welcome them to our state and to the House of Representatives and Senate of the State of Minnesota; and

Whereas, we are honored that they have selected Minnesota as a state legislature from which to obtain information on the roles and duties of a legislature and how it works; and

Whereas, the newly independent Republic of Kyrgyzstan has adopted a course of developing a democratic form of government and a democratic tradition with separation of powers, checks and balances, and government by the rule of law; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it hereby resolves to extend its warmest welcome to members of the Delegation, including Alibek Jekshenkulov, Kubanychbek Idinov, Mukar Cholponbayev, Omurbek Tekebayev, Sultanbek Tabaldiyev, Victor Grinko, and Ajarbubu Kalderbekova.

Be It Further Resolved that we wish the Delegates and their country peace, friendship, prosperity, health, and well-being.

Be It Further Resolved that we, as members of the legislature, provide the Delegates with information, ideas, and knowledge which may be useful to them in building a democracy.

Jaros moved that House Resolution No. 7 be now adopted. The motion prevailed and House Resolution No. 7 was adopted.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. Nos. 1178 and 272.

H. F. No. 1178 was reported to the House.

Greenfield moved to amend H. F. No. 1178, the third engrossment, as follows:

Page 44, line 6, delete "..." and insert "6.48"

Page 44, line 9, delete "..." and insert "5.26"

Page 44, line 12, delete "..." and insert "4.29"

Page 44, line 15, delete "..." and insert "3.39"

Page 44, line 18, delete "..." and insert "2.62"

The motion prevailed and the amendment was adopted.

Workman was excused between the hours of 10:30 a.m. and 2:00 p.m.

Greenfield moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 105, line 14, strike "may elect to" and insert "shall"

Page 105, line 15, after the comma, insert "with respect to those employers in the association that employ no fewer than two nor more than 29 eligible employees,"

Page 105, strike line 16 and insert "its members that do not qualify as small employers. An association in existence prior to July 1, 1993 is exempt from this chapter with respect to small employers that are members as of that date. However, in providing coverage to new groups after July 1, 1993, the existing association must comply with all requirements of chapter 62L. Existing associations must register with the commissioner of commerce prior to July 1, 1993."

Page 105, lines 17 to 23, delete the new language and strike the existing language

Page 105, line 24, delete everything before "If"

Page 106, line 24, delete everything after the period

Page 106, lines 25 to 36, delete the new language and strike the existing language and insert:

"(b) A small employer that contributes at least 50 percent toward the cost of the coverage of eligible employees must be guaranteed coverage from any health carrier participating in the small employer market.

(c) If a small employer does not satisfy the contribution or participation requirements under this subdivision, a health carrier may voluntarily issue or renew individual coverage or a health benefit plan which, except for guaranteed issue, must fully comply with this chapter. A health carrier that provides group coverage to a small employer that does not meet the contribution or participation requirements of this subdivision must maintain this information in its files for audit by the commissioner."

Page 107, lines 1 to 15, delete the new language and strike the existing language

Page 113, after line 8, insert:

"Sec. 13. Minnesota Statutes 1992, section 62L.11, subdivision 1, is amended to read:

Subdivision 1. [DISCIPLINARY PROCEEDINGS.] The commissioner may, by order, suspend or revoke a health carrier's license or certificate of authority and impose a monetary penalty not to exceed \$25,000 for each violation of this chapter, ~~including~~. Violations include the failure to pay an assessment required by section 62L.22, and knowingly and willfully encouraging a small employer to not meet the contribution or participation requirements of section 62L.03, subdivision 3, in order to avoid the requirements of this chapter. The notice, hearing, and appeal procedures specified in section 60A.051 or 62D.16, as appropriate, apply to the order. The order is subject to judicial review as provided under chapter 14."

Page 113, line 13, delete "13" and insert "14"

Page 120, line 32, after "paragraph" insert "must be a qualified plan and"

Page 121, line 1, after the period, insert "In no event shall the premium rate exceed 90 percent of the premium charged for comparable individual coverage by the Minnesota comprehensive health association."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Bauerly to the Chair.

Cooper moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 112, after line 21, insert:

"Sec. 12. Minnesota Statutes 1992, section 62L.08, subdivision 8, is amended to read:

Subd. 8. [FILING REQUIREMENT.] No later than July 1, 1993, and each year thereafter, a health carrier that offers, sells, issues, or renews a health benefit plan for small employers shall file with the commissioner the index rates and must demonstrate that all rates shall be within the rating restrictions defined in this chapter. Such demonstration must include the allowable range of rates from the index rates and a description of how the health carrier intends to use demographic factors including case characteristics in calculating the premium rates. The rates shall not be approved, unless the commissioner has determined that the rates are reasonable. In determining reasonableness, the commissioner shall consider the growth rate established by the commissioner, actuarially valid changes in risk associated with the enrollee population, and actuarially valid changes as a result of statutory changes in Laws 1992, chapter 549. As provided in section 62A.65, subdivision 3, this subdivision applies to the individual market, as well as to the small employer market."

Page 113, line 13, delete "13" and insert "14"

Amend the title accordingly

Simoneau moved to amend the Cooper amendment to H. F. No. 1178, the third engrossment, as amended, as follows:

Page 1, after line 2 of the Cooper amendment, insert:

Page 59, after line 19, insert:

"Sec. 16. [62J.47] [RATE STRUCTURE REASONABLENESS.]

No later than each September 1, each hospital shall file with the commissioner of health its proposed rates for the forthcoming calendar year and such other information as the commissioner may reasonably require, including information about projected utilization of services, contractually agreed upon discounts and other economic arrangements that affect the hospital's rate structure and actual prices for services, and the current and prior year's rates, revenues, and expenses. The rates and rate structure shall not be approved, unless the commissioner has determined that they are reasonable. In determining reasonableness, the commissioner shall assure that the hospital's total annual revenues do not exceed its prior year's revenues by more than the annual limit on the rate of growth in health care spending established under section 62J.04. The commissioner shall adjust the hospital's total annual revenue for demonstrated changes in case mix, taxes, and other governmental assessments, and legislative initiatives that materially affect the costs of the hospital."

Page 59, line 20, delete "16" and insert "17"

Page 59, line 26, delete "17" and insert "18"

Amend the title accordingly

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Cooper amendment to H. F. No. 1178, the third engrossment, as amended. The motion prevailed and the amendment was adopted.

Kelley, Clark, Greenfield, Cooper, McCollum and Leppik moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 9, line 15, delete "40" and insert "65"

The motion prevailed and the amendment was adopted.

Cooper moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 147, after line 36, insert:

"Sec. 4. [STUDY OF SUPPLEMENTAL PHYSICIAN PAYMENTS.]

The Minnesota health care commission shall study methods of providing physicians practicing in areas of Minnesota classified by the federal secretary of health and human services as health professional shortage areas with a supplemental payment for each service provided. This payment must equal ten percent of the amount reimbursed per billing by a health carrier, as defined in section 62A.011, integrated service network, or government health care program. The commission shall determine the feasibility of obtaining the necessary federal waivers and approvals for supplemental payments for government health care programs, and shall examine potential funding sources for the supplemental payments, including but not limited to assessments on Minnesota health care providers and hospitals. The commission shall present recommendations, an implementation schedule, and draft legislation necessary to implement the recommendations to the legislature by February 15, 1994."

The motion prevailed and the amendment was adopted.

Cooper moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 147, after line 36, insert:

"Sec. 4. [STUDY OF SUPPLEMENTAL PAYMENTS FOR HOSPITALS.]

The Minnesota health care commission shall study methods of providing hospitals in Minnesota that are classified as rural by the federal health care financing administration with a supplemental payment for each Medicare diagnosis related group billing. This supplemental payment must equal at least one-half the difference between the Medicare rural payment rate for the diagnosis related group and the average Medicare payment rate for Minnesota hospitals classified as urban by the health care financing administration for purposes of Medicare reimbursement. The commission shall determine the feasibility of obtaining the necessary federal waivers and approvals, and shall examine potential funding sources for the supplemental payments, including but not limited to assessments on Minnesota hospitals. The commission shall present recommendations, an implementation schedule, and draft legislation necessary to implement the recommendations to the legislature by February 15, 1994."

The motion prevailed and the amendment was adopted.

Cooper moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 147, after line 36, insert:

"Sec. 4. Minnesota Statutes 1992, section 144.581, subdivision 2, is amended to read:

Subd. 2. [USE OF HOSPITAL FUNDS FOR CORPORATE PROJECTS.] In the event that the municipality, political subdivision, state agency, or other governmental entity provides direct financial subsidy to the hospital from tax revenue at the time an undertaking authorized under subdivision 1, clauses (a) through (g), is established or funded, the hospital may not contribute funds to the undertaking for more than three years and thereafter all funds must be repaid, with interest in no more than ten years."

The motion prevailed and the amendment was adopted.

Cooper moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 110, line 15, delete the semicolon and insert "The health care services required to be covered under this clause must also be covered if rendered in a nonhospital environment, on the same basis as coverage provided for those same treatments or services if rendered in a hospital, provided, however that this sentence must not be interpreted as expanding the types or extent of services covered."

The motion prevailed and the amendment was adopted.

Cooper moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 32, after line 35, insert:

"Subd. 3. [EXCLUSIVE CONTRACTING LIMITED.] No health carrier as defined in section 62A.011 or integrated service network shall restrict any accredited capitated provider or health care providing entity, in connection with the formation or operation of any integrated service network that uses accredited capitated providers on a capitated basis, including actions that would require the health care providing entity or accredited capitated provider to refuse to participate in a competing integrated service network."

The motion prevailed and the amendment was adopted.

Cooper moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 35, after line 24, insert:

"Sec. 32. [STUDY.]

The Minnesota health care commission shall study methods to encourage integrated service networks to contract with independent providers of infusion therapy, lithotripsy services, kidney dialysis, mobile x-ray services, and ambulatory surgery services when these providers can demonstrate that they provide cost-effective, quality care. The commission shall present recommendations to the legislature and the governor by February 1, 1994."

Renumber the sections in sequence

Correct internal references

The motion prevailed and the amendment was adopted.

Leppik moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 148, line 21, before "residents" insert "primary care"

Page 148, line 23, before "resident" insert "primary care"

The motion prevailed and the amendment was adopted.

Simoneau moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 23, delete lines 34 to 36

Page 24, delete lines 1 to 5 and insert:

"Subdivision 1. [EFFECTS ON ENROLLEES.] In the event of insolvency, the coverage obligations of an integrated service network shall be satisfied as follows:

(1) for integrated service networks operated directly or indirectly by a health carrier that is a health maintenance organization, coverage shall be provided by the comprehensive health association under section 62D.181;

(2) for integrated service networks operated directly or indirectly by all other health carriers, coverage shall be provided by the life and health insurance guaranty association under chapter 61B; and

(3) for all other integrated service networks, coverage shall be provided by the comprehensive health association under section 62D.181, provided, however, that association deficits generated by such coverage shall be financed by assessments levied under section 62E.11 against contributing members of the association which do not fall under clause (1) or (2)."

The motion prevailed and the amendment was adopted.

Abrams moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 10, line 4, delete "ten" and insert "five"

The motion prevailed and the amendment was adopted.

Asch moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 5, line 3, delete "requirements that will ensure that" and insert "provisions that require each integrated service network to cooperate with the commissioner in monitoring whether"

Page 5, line 4, delete "an" and insert "the"

Page 5, line 6, delete "does not"

Page 5, line 7, delete "exceed" and insert "exceeds" and after "62J.04" insert ", which is the network's voluntary growth target"

Page 5, line 9, delete "limits" and insert "targets"

Page 8, line 32, delete "nonprofit"

Page 9, line 1, delete "nonprofit"; after "chapter" insert "302A,"; and after the comma, insert "or 319A,"

Page 11, after line 25, insert:

"(g) Networks must provide, except as otherwise required by chapter 62L, at least the inpatient and outpatient mental health benefits required of health maintenance organizations by chapter 62D and rules adopted under that chapter."

Page 118, after line 7, insert:

"Sec. 3. [62A.022] [PERMITTED BENEFIT PACKAGES.]

No health carrier, as defined in section 62A.011, shall offer, sell, issue, or renew any health plan, as defined in section 62A.011, unless the health plan contains one of the five standardized benefit packages required under section 62N.085. The health plan may also include additional benefits, in the discretion of the health carrier."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Asch amendment and the roll was called. There were 54 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Lieder	Ness	Pugh	Van Dellen
Asch	Dempsey	Hugoson	Limmer	Olson, E.	Rhodes	Vickerman
Bergson	Erhardt	Johnson, V.	Lindner	Olson, M.	Seagren	Waltman
Bertram	Girard	Kalis	Lynch	Onnen	Smith	Weaver
Bettermann	Goodno	Knickerbocker	McCollum	Opatz	Sparby	Wolf
Blatz	Gruenes	Koppendrayner	Milbert	Ozment	Stanius	Worke
Commers	Gutknecht	Krinkie	Molnau	Pauly	Swiggum	
Davids	Haukoos	Leppik	Morrison	Pawlenty	Swenson	

Those who voted in the negative were:

Anderson, I.	Dauner	Jacobs	Lasley	Olson, K.	Rukavina	Vellenga
Anderson, R.	Dawkins	Jaros	Lourey	Orenstein	Sarna	Wejcman
Battaglia	Dorn	Jefferson	Luther	Orfield	Sekhon	Wenzel
Bauerly	Evans	Jennings	Mahon	Osthoff	Simoneau	Winter
Beard	Farrell	Johnson, A.	Mariani	Ostrom	Skoglund	Spk. Long
Brown, C.	Garcia	Johnson, R.	McGuire	Pelowski	Solberg	
Brown, K.	Greenfield	Kahn	Mosel	Perl	Steensma	
Carlson	Greiling	Kelso	Munger	Peterson	Tomassoni	
Carruthers	Hasskamp	Kinkel	Murphy	Reding	Tompkins	
Clark	Hausman	Klinzing	Neary	Rest	Trimble	
Cooper	Huntley	Krueger	Nelson	Rodosovich	Tunheim	

The motion did not prevail and the amendment was not adopted.

Asch moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 38, line 9, delete "limits on" and insert "targets for"

Page 38, line 22, delete "and enforce"

Page 39, line 4, delete "ensure that" and insert "determine whether"

Page 39, line 8, delete "limits on" and insert "targets for"

Page 39, delete lines 29 to 36 and insert:

"Subd. 5. [MONITORING OF EXPENDITURES.] The commissioner of health shall monitor health carrier expenditures, using information submitted under subdivision 3, in order to determine whether health carriers meet the expenditure targets established under subdivision 2."

Page 40, delete lines 1 to 29

Page 40, line 30, delete "Subd. 8." and insert "Subd. 6."

Page 40, line 36, delete "LIMITS" and insert "TARGETS"

Page 41, line 5, delete "limits" and insert "targets"

Page 41, line 6, delete "limits" and insert "targets"

Page 41, line 7, delete "limits or" and insert "targets for"

Page 41, line 14, delete "limits" and insert "targets"

Page 41, lines 18 and 19, delete "ensure that" and insert "determine whether"

Page 41, line 19, delete "limits" and insert "targets"

Page 41, line 25, delete everything after the period

Page 41, delete lines 26 to 29

Page 41, line 30, delete "AND ENFORCEMENT"

Page 41, line 32, delete "shall" and insert "may"

Page 41, line 33, delete "shall" and insert "may"

Page 41, line 36, delete everything after the period

Page 42, delete lines 1 to 28

Renumber the sections in article 2 in sequence

Correct internal references

Pages 43 to 46, delete sections 2 and 3 and insert:

"Sec. 2. Minnesota Statutes 1992, section 62J.04, subdivision 1, is amended to read:

Subdivision 1. [COMPREHENSIVE BUDGET TARGETS FOR THE RATE OF GROWTH.] (a) The commissioner of health shall set an annual limit on targets for the rate of growth of public and private spending on health care services for Minnesota residents, as provided in paragraph (b). The limit on targets for growth must be set at a level levels the commissioner determines to be realistic and achievable but that will slow reduce the current rate of growth in health care spending by at least ten percent per year using the spending growth rate for 1991 as a base year. This limit must be achievable through good faith, cooperative efforts of health care consumers, purchasers, and providers. for the next five years. The targets must be achievable through good faith, cooperative efforts of health care consumers, purchasers, and providers. The commissioner shall set targets for growth based on available data on spending and growth trends, including data from group purchasers, national data on public and private sector health care spending and cost trends, and trend information from other states.

(b) The commissioner shall set the following annual targets for the rate of growth of public and private spending on health care services for Minnesota residents:

(1) for calendar year 1994, the target for growth must not exceed the change in the regional consumer price index for urban consumers plus 6.48 percentage points;

(2) for calendar year 1995, the target for growth must not exceed the change in the regional consumer price index for urban consumers plus 5.26 percentage points;

(3) for calendar year 1996, the target for growth must not exceed the change in the regional consumer price index for urban consumers plus 4.29 percentage points;

(4) for calendar year 1997, the target for growth must not exceed the change in the regional consumer price index for urban consumers plus 3.39 percentage points; and

(5) for calendar year 1998, the target for growth must not exceed the change in the regional consumer price index for urban consumers plus 2.62 percentage points.

If the health care financing administration forecast for the total growth in national health expenditures for a calendar year is lower than the rate of growth for the calendar year as specified in clauses (1) to (5), the commissioner shall adopt this forecast as the target for growth for that calendar year. The commissioner shall publish:

(1) the targets in the State Register by March 15 of the year immediately preceding the year in which the target will be effective except for the year 1993, in which the target shall be published by July 1, 1993;

(2) the quarterly change in the regional consumer price index for urban consumers; and

(3) the health care financing administration forecast for total growth in the national health care expenditures.

(c) The commissioner shall exempt health care provider spending related to compliance with the data collection requirements of this chapter from being counted toward the targets for growth, if these expenditures would not otherwise have been made in the course of providing patient care.

Sec. 3. Minnesota Statutes 1992, section 62J.04, is amended by adding a subdivision to read:

Subd. 1a. [MONITORING OF TARGETS FOR GROWTH.] The commissioner shall monitor the degree to which integrated service networks, and providers outside of the integrated service network system, achieve the targets for growth in spending and revenues, and shall make adjustments for changes in enrollment, benefits, severity, and risks."

Page 47, after line 7, insert:

"Subd. 2c. [ENCOUNTER LEVEL DATA.] The commissioner shall not collect encounter level data from individual health care providers until standardized forms and procedures are available"

Page 46, line 8, strike "limits" and insert "targets"

Page 47, delete lines 8 to 24 and insert:

"Sec. 5. Minnesota Statutes 1992, section 62J.09, is amended by adding a subdivision to read:

Subdivision 1a. [TECHNICAL ASSISTANCE.] Regional coordinating boards, in cooperation with the commissioner, shall provide technical assistance to parties interested in establishing or operating an integrated service network within the region. This assistance must complement assistance provided by the commissioner under section 62N.23."

Page 48, delete lines 15 to 36 and insert:

"Subd. 2. [INFORMATION CLEARINGHOUSE.] The commissioner of commerce shall establish an information clearinghouse within the department of commerce to facilitate the ability of consumers, employers, providers, health carriers, and others to obtain information on health care costs and quality in Minnesota. The commissioner of commerce shall make available through the clearinghouse information developed or collected by the department of health on practice parameters, outcomes data and research, the costs and quality of integrated service networks, reports or recommendations of the health planning advisory committee and other entities on technology assessments, worksite wellness and prevention programs, other wellness programs, consumer education, and other initiatives. The commissioner of health shall provide this information to the commissioner of commerce and assist the commissioner of commerce in establishing and administering the information clearinghouse. The clearinghouse shall, upon request, make available information submitted voluntarily by health plans, providers, employers, and others if the information clearly states that an entity other than the state submitted the information, identifies the entity, and states that distribution by the clearinghouse does not imply endorsement of the entity or the information by the commissioner of commerce or the state of Minnesota. The clearinghouse shall also refer requesters to sources of further information or assistance. The clearinghouse is subject to chapter 13."

Page 51, delete lines 29 to 36

Page 52, delete lines 1 to 12 and insert:

"Subd. 3. [WAIVER OF REQUIREMENTS.] The commissioner may waive data collection requirements for health care clinics with less than 50 physicians, rural hospitals, and community clinics, if the commissioner determines that sufficient information can be obtained from a sample of providers. If the commissioner makes this determination, the commissioner shall reimburse providers surveyed as part of the sample for all costs related to data collection."

Pages 53 to 58, delete section 14 and insert:

"Sec. 14. [62].45] [AUTHORITY; ITEMIZATION.]

A health care provider that is subject to the data collection requirements of this chapter may transfer additional expenses generated by compliance with these requirements on to contracts with third parties regulated under chapter 60A, 62A, 62C, 62D, 62H, or 64B, or to patients or consumers. The expense must not exceed the cost of compliance with the data collection requirements. Third party purchasers must pay the transferred expense in addition to any payments due under existing or future contracts with the health care provider. Nothing in this subdivision limits the ability of a health care provider to recover all or part of the costs of data collection by other methods, including increasing fees or charges. A health care provider may separately state the costs related to compliance with the data collection requirements of this chapter on bills provided to individual patients."

Page 59, after line 25, insert:

"In the next edition of Minnesota Statutes, the revisor of statutes shall change the terms "limits," "limits on," and similar terms, to "targets," "targets for," and similar terms, as appropriate, wherever they occur in chapter 62]."

Page 69, line 18, strike "limits on" and insert "targets for"

Page 69, line 20, strike "limits" and insert "targets"

Page 69, line 29, strike "limits" and insert "targets"

ReNUMBER the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Asch amendment and the roll was called. There were 59 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Limmer	Onnen	Seagren	Waltman
Asch	Dempsey	Hugoson	Lindner	Opatz	Smith	Weaver
Bergson	Erhardt	Johnson, V.	Lynch	Osthoff	Sparby	Wenzel
Bertram	Frerichs	Kalis	Milbert	Ozment	Stanis	Wolf
Bettermann	Girard	Knickerbocker	Molnau	Pauly	Swiggum	Worke
Blatz	Goodno	Koppendrayner	Morrison	Pawlenty	Swenson	
Brown, C.	Gruenes	Krinkie	Ness	Pelowski	Tompkins	
Commers	Gutknecht	Leppik	Olson, E.	Pugh	Van Dellen	
Dauids	Haukoos	Lieder	Olson, M.	Rhodes	Vickerman	

Those who voted in the negative were:

Anderson, I.	Dauner	Huntley	Klinzing	Munger	Rest	Trimble
Anderson, R.	Dawkins	Jacobs	Krueger	Murphy	Rodosovich	Tunheim
Battaglia	Dorn	Jaros	Lasley	Neary	Rukavina	Wagenius
Bauerly	Evans	Jefferson	Lourey	Nelson	Sarna	Wejcman
Beard	Farrell	Jennings	Luther	Olson, K.	Sekhon	Winter
Brown, K.	Garcia	Johnson, A.	Mahon	Orenstein	Simoneau	Spk. Long
Carlson	Greenfield	Johnson, R.	Mariani	Orfield	Skoglund	
Carruthers	Greiling	Kahn	McCollum	Ostrom	Solberg	
Clark	Hasskamp	Kelso	McGuire	Peterson	Steensma	
Cooper	Hausman	Kinkel	Mosel	Reding	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Dauids moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 8, delete lines 32 to 36

Page 9, delete lines 1 to 7, and insert:

"Subdivision 1. [AUTHORIZED ENTITIES.] Any partnership, limited liability company, business corporation, cooperative, fraternal benefit society or nonprofit corporation otherwise authorized to do business in this state may establish and operate an integrated service network if it complies with the applicable provisions of this chapter."

A roll call was requested and properly seconded.

The question was taken on the Davids amendment and the roll was called. There were 61 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Hugoson	Lieder	Neary	Pawlenty	Swenson
Asch	Erhardt	Johnson, R.	Limmer	Ness	Pelowski	Van Dellen
Bergson	Frerichs	Johnson, V.	Lindner	Olson, E.	Reding	Vickerman
Bertram	Girard	Kalis	Lynch	Olson, M.	Rhodes	Waltman
Bettermann	Goodno	Kinkel	McCollum	Onnen	Seagren	Weaver
Blatz	Gruenes	Knickerbocker	Milbert	Opatz	Simoneau	Wolf
Commers	Gutknecht	Koppendrayner	Molnau	Osthoff	Smith	Worke
Davids	Haukoos	Krinkie	Morrison	Ozment	Stanis	
Dehler	Holsten	Leppik	Mosel	Pauly	Sviggum	

Those who voted in the negative were:

Anderson, I.	Cooper	Hausman	Krueger	Olson, K.	Sekhon	Welle
Anderson, R.	Dauner	Huntley	Lasley	Orenstein	Skoglund	Wenzel
Battaglia	Dawkins	Jacobs	Lourey	Orfield	Solberg	Winter
Bauerly	Dorn	Jaros	Luther	Ostrom	Steensma	Spk. Long
Beard	Evans	Jefferson	Mahon	Perlt	Tomassoni	
Brown, C.	Farrell	Jennings	Mariani	Peterson	Trimble	
Brown, K.	Garcia	Johnson, A.	McGuire	Pugh	Tunheim	
Carlson	Greenfield	Kahn	Munger	Rest	Vellenga	
Carruthers	Greiling	Kelso	Murphy	Rukavina	Wagenius	
Clark	Hasskamp	Klinzing	Nelson	Sarna	Wejcman	

The motion did not prevail and the amendment was not adopted.

Dorn, Trimble, Greenfield, Rodosovich, Morrison and Cooper moved to amend H.F. 1178, the third engrossment, as amended, as follows:

Page 162, after line 21, insert:

"Sec. 24. [NURSING PROPOSALS.]

The state university board shall develop proposals for masters degree level nurse practitioner programs to begin in the 1994-1995 academic year. The programs shall be designed to serve unmet primary care needs, including the needs of high risk populations, in rural and urban areas of the state. Proposals must avoid program duplication and may include joint programs between campuses and post-secondary systems, as well as distance learning technology. The board shall report its proposals to the education and health and human services committees by January 15, 1994."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Dehler, Davids, Waltman, Bertram, Girard and Dempsey moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 167, lines 35 and 36, strike the old language and delete the new language

Page 168, lines 1 to 4, strike the old language and delete the new language

Page 168, line 5, delete the new language

Pages 169 and 170, delete section 8

Page 171, lines 33 to 36, strike the old language and delete the new language

Renumber the clauses in sequence

Page 176, line 19, delete "subdivision" and insert "subdivisions" and after "10" insert "and 14" and delete "is" and insert "are"

Page 176, after line 22, insert:

"Minnesota Statutes 1992, section 295.52, subdivisions 3 and 4, are repealed."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Dehler et al amendment and the roll was called. There were 58 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Haukoos	Limmer	Olson, E.	Rodosovich	Waltman
Anderson, R.	Erhardt	Holsten	Lindner	Olson, M.	Seagren	Weaver
Asch	Evans	Hugoson	Lynch	Opatz	Smith	Welle
Bertram	Farrell	Johnson, R.	Milbert	Orenstein	Stanis	Worke
Bettermann	Frerichs	Johnson, V.	Molnau	Ozment	Sviggum	
Blatz	Girard	Klinzing	Morrison	Pauly	Swenson	
Commers	Goodno	Koppendraye	Munger	Pawlenty	Tompkins	
Davids	Gruenes	Krinkie	Murphy	Pelowski	Van Dellen	
Dehler	Gutknecht	Lasley	Ness	Pugh	Vickerman	

Those who voted in the negative were:

Anderson, I.	Dauner	Jaros	Krueger	Mosel	Rest	Tomassoni
Battaglia	Dawkins	Jefferson	Leppik	Neary	Rhodes	Trimble
Beard	Dorn	Jennings	Lieder	Nelson	Rukavina	Tunheim
Bergson	Garcia	Johnson, A.	Lourey	Olson, K.	Sarna	Vellenga
Brown, C.	Greenfield	Kahn	Luther	Onnen	Sekhon	Wagenius
Carlson	Greiling	Kalis	Mahon	Orfield	Simoneau	Wejcman
Carruthers	Hausman	Kelley	Mariani	Ostrom	Skoglund	Wenzel
Clark	Huntley	Kelso	McCollum	Peterson	Solberg	Winter
Cooper	Jacobs	Kinkel	McGuire	Reding	Steensma	Wolf

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Gruenes moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 32, line 35, delete everything after "and" and insert "enrollees outside of an integrated service network"

Page 35, line 27, delete everything after "networks"

Page 36, delete lines 5 to 8

Pages 36 to 42, delete sections 1 to 7 (article 2)

Re-number the articles in sequence

Page 45, line 7, delete everything after "networks"

Page 45, line 8, delete everything before the period

Page 45, delete lines 28 to 36

Page 46, delete lines 1 to 3

Page 47, delete lines 10 to 18

Page 47, line 19, delete "(b)" and insert "Subd. 1a."

Page 63, delete lines 6 to 8

Re-number the clauses in subdivision 5 in sequence

Page 63, delete lines 19 to 24

Page 63, line 25, delete "Z" and insert "6"

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Gruenes amendment and the roll was called. There were 59 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Haukoos	Krinkie	Olson, E.	Rhodes	Waltman
Asch	Dehler	Holsten	Leppik	Olson, M.	Seagren	Weaver
Bauerly	Dempsey	Hugoson	Limner	Onnen	Smith	Wenzel
Bergson	Erhardt	Jennings	Lindner	Opatz	Stanis	Wolf
Bertram	Frerichs	Johnson, R.	Lynch	Osthoff	Sviggum	Worke
Bettermann	Girard	Johnson, V.	Milbert	Ozment	Swenson	
Blatz	Goodno	Kalis	Molnau	Pauly	Tompkins	
Brown, C.	Gruenes	Knickerbocker	Morrison	Pawlenty	Van Dellen	
Conners	Gutknecht	Koppendrayar	Ness	Pugh	Vickerman	

Those who voted in the negative were:

Anderson, I.	Dawkins	Jacobs	Lourey	Nelson	Sarna	Wagenius
Anderson, R.	Delmont	Jaros	Luther	Olson, K.	Sekhon	Wejcman
Battaglia	Dorn	Jefferson	Mahon	Orenstein	Simoneau	Welle
Beard	Evans	Johnson, A.	Mariani	Orfield	Skoglund	Winter
Brown, K.	Farrell	Kahn	McCollum	Ostrom	Solberg	Spk. Long
Carlson	Garcia	Kelso	McGuire	Perlt	Sparby	
Carruthers	Greenfield	Kinkel	Mosel	Peterson	Steensma	
Clark	Greiling	Klinzing	Munger	Reding	Tomassoni	
Cooper	Hausman	Krueger	Murphy	Rest	Trimble	
Dauner	Huntley	Lasley	Neary	Rukavina	Tunheim	

The motion did not prevail and the amendment was not adopted.

Sviggum moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 172, delete section 14

Page 176, after line 22, insert:

"Minnesota Statutes 1992, section 295.53, subdivision 3, is repealed."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 2, line 7, after the semicolon, insert "295.53, subdivision 3;"

A roll call was requested and properly seconded.

The question was taken on the Sviggum amendment and the roll was called. There were 61 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hugoson	Limmer	Olson, E.	Pelowski	Van Dellen
Asch	Dempsey	Jennings	Lindner	Olson, M.	Peterson	Vickerman
Bergson	Frerichs	Johnson, R.	Lynch	Onnen	Pugh	Waltman
Bertram	Girard	Johnson, V.	Milbert	Opatz	Rhodes	Weaver
Bettermann	Goodno	Kalis	Molnau	Orenstein	Seagren	Wenzel
Blatz	Gutknecht	Knickerbocker	Morrison	Osthoff	Smith	Wolf
Commers	Hasskamp	Koppendrayner	Mosel	Ozment	Stanisus	Worke
Dauner	Haukoos	Krinkie	Nelson	Pauly	Sviggum	
Davids	Holsten	Leppik	Ness	Pawlenty	Swenson	

Those who voted in the negative were:

Anderson, I.	Cooper	Huntley	Krueger	Murphy	Sekhon	Wagenius
Anderson, R.	Dawkins	Jacobs	Lasley	Neary	Simoneau	Wejzman
Battaglia	Delmont	Jaros	Lieder	Olson, K.	Skoglund	Welle
Bauerly	Dorn	Jefferson	Lourey	Orfield	Solberg	Winter
Beard	Evans	Johnson, A.	Luther	Ostrom	Sparby	Spk. Long
Brown, C.	Farrell	Kahn	Mahon	Perl	Steensma	
Brown, K.	Garcia	Kelley	Mariani	Reding	Tomassoni	
Carlson	Greenfield	Kelso	McCollum	Rest	Trimble	
Carruthers	Greiling	Kinkel	McGuire	Rodosovich	Tunheim	
Clark	Hausman	Klinzing	Munger	Rukavina	Vellenga	

The motion did not prevail and the amendment was not adopted.

Van Dellen move to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 123, after line 14, insert:

"Sec. 10. [MEDICAL CARE SAVINGS ACCOUNTS.]

(a) The department of health, in consultation with the departments of employee relations, commerce, and revenue and the Minnesota health care commission, shall conduct a study to determine the feasibility of establishing a medical and health care benefits plan to help provide incentives for persons in Minnesota whose employers pay all or part of the cost of medical and health care benefits for their employees to forego unnecessary medical treatment and to shop for the best value in cases where treatment is necessary. The study must address, at a minimum, the advantages and disadvantages of establishing a medical and health care benefits plan and may contain the components and criteria in paragraphs (b) to (f).

(b) Employers each year shall set aside in an account for each of their employees a substantial percentage of the amount that the employers currently or would otherwise spend for medical and health care benefits for each employee. The account is an allowance for medical and health care for the employee during that year.

(c) Employers shall use the remaining percentage amount to purchase or self fund major medical and health care benefits for all employees, which shall pay 100 percent of the cost of any portion of an employee's medical and health care that exceeds the amount in the employee's medical and health care account.

(d) Any amount in an employee's medical and health care account that is unspent belongs to the employee with no restrictions on the purposes for which it may be used.

(e) The amount in an employee's medical and health care account is not subject to state income taxation while it remains in the account. Any amount spent from the account on medical and health care is totally exempt from state income taxation. Any amount spent from the account for any purpose other than medical and health care is subject to state income taxation.

(f) Employers that provide medical and health care benefits to their employees in accordance with the plan shall receive state tax credits against their income for each year that the benefits are provided.

(g) The results of the study must be submitted to the legislature by January 15, 1994."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Van Dellen amendment and the roll was called. There were 49 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hasskamp	Krinkie	Ness	Seagren	Vickerman
Bergson	Dempsey	Haukoos	Leppik	Olson, M.	Smith	Waltman
Bertram	Erhardt	Holsten	Limmer	Onnen	Stanius	Weaver
Bettermann	Girard	Hugoson	Lindner	Opatz	Sviggum	Wenzel
Blatz	Goodno	Johnson, V.	Lynch	Pauly	Swenson	Winter
Commers	Gruenes	Knickerbocker	Molnau	Fawcenty	Tompkins	Wolf
Davids	Gutknecht	Koppendraye	Morrison	Rhodes	Van Dellen	Worke

Those who voted in the negative were:

Anderson, I.	Dawkins	Jefferson	Lieder	Nelson	Reding	Tunheim
Anderson, R.	Delmont	Jennings	Lourey	Olson, E.	Rest	Vellenga
Asch	Dorn	Johnson, A.	Luther	Olson, K.	Rodosovich	Wagenius
Battaglia	Evans	Johnson, R.	Mahon	Orenstein	Rukavina	Wejcman
Bauerly	Farrell	Kahn	Mariani	Orfield	Sekhon	Welle
Brown, C.	Garcia	Kalis	McCollum	Osthoff	Simoneau	Spk. Long
Brown, K.	Greenfield	Kelley	McGuire	Ostrom	Skoglund	
Carlson	Greiling	Kelso	Milbert	Ozment	Solberg	
Carruthers	Hausman	Kinkel	Mosel	Pelowski	Sparby	
Clark	Huntley	Klinzing	Munger	Perlt	Steensma	
Cooper	Jacobs	Krueger	Murphy	Peterson	Tomassoni	
Dauner	Jaros	Lasley	Neary	Pugh	Trimble	

The motion did not prevail and the amendment was not adopted.

Stanius moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 171, after line 9, insert:

"Sec. 13. Minnesota Statutes 1992, section 295.52, is amended by adding a subdivision to read:

Subd. 7. [REVENUES; PURPOSE.] Revenues collected under this section may be used only for premium subsidies and the administration of MinnesotaCare for MinnesotaCare enrollees."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Stanius amendment and the roll was called. There were 57 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Haukoos	Leppik	Onnen	Smith	Wenzel
Asch	Dempsey	Holsten	Limmer	Osthoff	Stanius	Wolf
Bergson	Erhardt	Hugoson	Lindner	Ozment	Sviggum	Worke
Bertram	Frerichs	Jennings	Molnau	Pauly	Swenson	
Bettermann	Girard	Johnson, R.	Morrison	Pawlenty	Tompkins	
Blatz	Goodno	Johnson, V.	Nelson	Perlt	Van Dellen	
Carruthers	Gruenes	Knickerbocker	Ness	Peterson	Vickerman	
Commers	Gutknecht	Koppendrayner	Olson, E.	Rhodes	Waltman	
Davids	Hasskamp	Krinkie	Olson, M.	Seagren	Weaver	

Those who voted in the negative were:

Anderson, I.	Dawkins	Jaros	Lieder	Neary	Rukavina	Vellenga
Anderson, R.	Delmont	Jefferson	Lourey	Olson, K.	Sarna	Wagenius
Battaglia	Dorn	Johnson, A.	Luther	Opatz	Sekhon	Wejzman
Bauerly	Evans	Kahn	Mahon	Orenstein	Simoneau	Welle
Beard	Farrell	Kalis	Mariani	Orfield	Skoglund	Winter
Brown, C.	Garcia	Kelley	McCollum	Ostrom	Solberg	Spk. Long
Brown, K.	Greenfield	Kelso	McGuire	Pelowski	Sparby	
Carlson	Greiling	Kinkel	Milbert	Pugh	Steensma	
Clark	Hausman	Klinzing	Mosel	Reding	Tomassoni	
Cooper	Huntley	Krueger	Munger	Rest	Trimble	
Dauner	Jacobs	Lasley	Murphy	Rodosovich	Tunheim	

The motion did not prevail and the amendment was not adopted.

Lourey moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 120, line 9, delete "or" and reinstate the stricken ", or renewed"

Page 120, lines 12 to 15, delete the new language

Page 120, line 27, after the period, insert "A health carrier shall, at the time of first issuance or renewal of a health plan on or after July 1, 1993, credit against any preexisting condition limitation or exclusion permitted under this section, the time period prior to July 1, 1993, during which the person was covered by qualifying existing coverage or qualifying prior coverage, as defined in section 62L.02, if the person has maintained continuous coverage. A person who had a preexisting condition limitation or exclusion prior to July 1, 1993, may voluntarily agree to permit its continuation after that date, in order to obtain coverage at a lower premium."

A roll call was requested and properly seconded.

The question was taken on the Lourey amendment and the roll was called. There were 53 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carruthers	Hausman	Lasley	Neary	Reding	Tunheim
Anderson, R.	Clark	Jacobs	Lourey	Nelson	Rest	Vellenga
Battaglia	Dawkins	Jaros	Luther	Olson, K.	Rukavina	Welle
Bauerly	Evans	Jefferson	Mahon	Orenstein	Sarna	Winter
Beard	Farrell	Johnson, A.	Mariani	Orfield	Sekhon	Spk. Long
Brown, C.	Garcia	Kahn	McGuire	Ozment	Skoglund	
Brown, K.	Greenfield	Kelso	Munger	Perlt	Sparby	
Carlson	Greiling	Knickerbocker	Murphy	Peterson	Trimble	

Those who voted in the negative were:

Abrams	Delmont	Holsten	Krinkie	Mosel	Pugh	Tompkins
Asch	Dempsey	Hugoson	Krueger	Ness	Rhodes	Van Dellen
Bergson	Dorn	Huntley	Leppik	Olson, E.	Rodosovich	Vickerman
Bertram	Erhardt	Jennings	Lieder	Olson, M.	Seagren	Waltman
Bettermann	Frerichs	Johnson, R.	Limmer	Onnen	Simoneau	Weaver
Blatz	Girard	Johnson, V.	Lindner	Opatz	Smith	Wejcman
Commers	Goodno	Kalis	Lynch	Osthoff	Stanis	Wenzel
Cooper	Gruenes	Kelley	McCollum	Ostrom	Steensma	Wolf
Dauner	Gutknecht	Kinkel	Milbert	Pauly	Sviggum	Worke
Dauids	Hasskamp	Klinzing	Molnau	Pawlenty	Swenson	
Dehler	Haukoos	Koppendraye	Morrison	Pelowski	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Jennings was excused between the hours of 1:50 p.m. and 3:00 p.m.

Leppik, Stanis, Cooper and Onnen moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 118, delete section 3

ReNUMBER the sections in sequence

Correct internal references

The motion did not prevail and the amendment was not adopted.

Leppik, Hasskamp, Simoneau, Gutknecht and Asch offered an amendment to H. F. No. 1178, the third engrossment, as amended.

POINT OF ORDER

Skoglund raised a point of order pursuant to rule 3.09 that the Leppik et al amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Winter moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 115, line 34, strike "one" and insert "two and one-half" and strike "point" and insert "points"

Page 116, line 1, delete "1999" and insert "1996"

Page 116, line 3, strike "one" and insert "two and one-half" and strike "point" and insert "points"

Page 116, line 4, delete "1999" and insert "1996"

The motion prevailed and the amendment was adopted.

Winter moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 115, line 16, strike "75" and insert "80"

Page 115, line 18, strike "65" and insert "75"

Page 115, line 36, strike "80" and insert "85"

Page 116, line 3, strike "70" and insert "80"

A roll call was requested and properly seconded.

The question was taken on the Winter amendment and the roll was called. There were 68 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark	Jacobs	Klinzing	Munger	Pugh	Steensma
Anderson, R.	Dauner	Jaros	Lasley	Murphy	Reding	Tomassoni
Asch	Dawkins	Jefferson	Lieder	Neary	Rest	Trimble
Battaglia	Delmont	Johnson, A.	Lourey	Nelson	Rodosovich	Vellenga
Bauerly	Farrell	Johnson, R.	Luther	Olson, E.	Rukavina	Wagenius
Beard	Garcia	Kahn	Mahon	Olson, K.	Sarna	Wejcmán
Brown, C.	Greenfield	Kalis	Mariani	Orenstein	Sekhon	Winter
Brown, K.	Greiling	Kelley	McCollum	Orfield	Skoglund	Spk. Long
Carlson	Hasskamp	Kelso	McGuire	Perlt	Solberg	
Carruthers	Hausman	Kinkel	Milbert	Peterson	Sparby	

Those who voted in the negative were:

Abrams	Dempsey	Holsten	Limmer	Opatz	Smith	Weaver
Bergson	Dorn	Hugoson	Lindner	Osthoff	Stanis	Welle
Bertram	Erhardt	Huntley	Lynch	Ostrom	Sviggum	Wenzel
Bettermann	Evans	Johnson, V.	Molnau	Ozment	Swenson	Wolf
Blatz	Frerichs	Knickerbocker	Morrison	Pauly	Tompkins	Worke
Commers	Girard	Koppendrayner	Mosel	Pawlenty	Tunheim	Workman
Cooper	Goodno	Krinkie	Ness	Pelowski	Van Dellen	
Davids	Gruenes	Krueger	Olson, M.	Rhodes	Vickerman	
Dehler	Haukoos	Leppik	Onnen	Seagren	Waltman	

The motion prevailed and the amendment was adopted.

Leppik, Cooper and Onnen moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 172, line 28, after the period insert:

"Orthodontists are not subject to this restriction on itemization."

The motion did not prevail and the amendment was not adopted.

Onnen moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Delete articles 1, 2, and 3, and insert:

"Article 1

Cost Containment

Section 1. [62A.68] [LIMIT ON PREMIUM INCREASES.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, "health carrier" has the definition provided in section 62A.011, subdivision 2, and "health plan" has the definition provided in section 62A.011, subdivision 3.

Subd. 2. [REQUIREMENT.] (a) Health carriers are prohibited from increasing average premium rates for each type of health plan sold by more than the rate of increase in the medical care component of the consumer price index for urban consumers for the previous calendar year, minus five percentage points. The average premium rate for a health plan must be calculated by dividing the total premium revenue from the health plan by the number of individuals covered under the health plan. If a health carrier has, as of the effective date of this section, a contract with a health care provider that requires that payments to the health care provider increase at a rate above the rate provided in this subdivision, the commissioner shall, upon request of the health carrier, permit a premium increase in excess of that otherwise permitted under this section, but only to the minimum extent necessary to reflect the contract and only for the term of the contract, not including any renewal.

(b) Each health carrier must submit to the commissioner of commerce or the commissioner of health, as appropriate, an actuarial opinion that the requirement in paragraph (a) has been met for each type of health plan sold. This opinion must be submitted by February 15, 1994, for health plans issued or renewed on or after July 1, 1993, and each February 15 thereafter for health plans issued or renewed during the previous calendar year.

(c) For purposes of enforcing this requirement for health maintenance organizations, the commissioner of health has all the enforcement authority granted under chapter 62D.

(d) This requirement is effective for health plans issued or renewed on or after July 1, 1993.

(e) A health carrier shall not use increased consumer cost sharing as a means of avoiding the effect of this section. If a health carrier desires to increase a deductible, coinsurance, or copayment, the commissioner shall require that the premium rate increase comply with this section when adjusted to eliminate the effect of the increased consumer cost sharing.

Sec. 2. [62A.69] [REQUIRED COST SHARING.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, "health plan" has the definition provided in section 62A.011, subdivision 3.

Subd. 2. [REQUIREMENT.] Every health plan issued or renewed after January 1, 1994, must include deductible, coinsurance, or copayment requirements for enrollees and insureds. Deductible, coinsurance, and copayment requirements must apply to all health care services for which cost sharing is not prohibited by law. Deductibles and coinsurance requirements must be set at a level that does not prevent enrollees and insureds from seeking care that is medically necessary. For purposes of enforcing this requirement for health maintenance organizations, the commissioner of health has all the enforcement authority granted under chapter 62D. Health plans provided under a collective bargaining agreement in effect as of the effective date of this section shall comply as of the first day of a new or renewed agreement.

Sec. 3. [62A.70] [PRESCRIPTION DRUG PRICE NOTIFICATION.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, "health carrier" has the definition provided in section 62A.011, subdivision 2, and "health plan" has the definition provided in section 62A.011, subdivision 3.

Subd. 2. [REQUIREMENT.] Beginning January 1, 1994, health carriers shall regularly provide all physicians participating as providers in a health plan with a list of the average cost to the health carrier of all prescription drugs covered by that health plan. For purposes of this requirement, "average cost to the health carrier" means: (1) the health carrier's average reimbursement level under the health plan for a prescription drug; or (2) the average cost to the health carrier of purchasing the prescription drug from a wholesale drug distributor, whichever is applicable. An updated price list must be provided to physicians at the start of each new health plan contract period.

Sec. 4. Minnesota Statutes 1992, section 256B.063, is amended to read:

256B.063 [COST SHARING.]

Subdivision 1. [FEES.] Notwithstanding the provisions of section 256B.05, subdivision 2, the commissioner is authorized to promulgate rules pursuant to the administrative procedure act, and to require a nominal enrollment fee, premium, or similar charge for recipients of medical assistance, if and to the extent required by applicable federal regulation.

Subd. 2. [COPAYMENTS.] The commissioner shall require a nominal copayment for a health care service provided to a medical assistance recipient. A copayment is required for the following medical assistance services in the amount of the maximum allowed under Code of Federal Regulations, title 42, section 447.54, for nonemergency services provided in an emergency room; eyeglasses; dentures; prescription drugs, except drugs prescribed for family planning purposes; chiropractic services; emergency and special transportation; physical therapy; occupational therapy; speech therapy; audiology; podiatry; dental exams; and psychotherapy. If the United States Department of Health and Human Services grants a waiver under Code of Federal Regulations, title 42, section 431.55(g), the commissioner may charge the maximum allowable copayment under that section for nonemergency services provided in an emergency room.

Subd. 3. [EXCEPTIONS.] The commissioner may not charge a copayment for services provided to children under 18 years of age; pregnant women through 60 days postpartum; persons residing in nursing facilities, intermediate care facilities for the mentally retarded, and medical institutions; individuals who are receiving hospice care; and individuals who are enrolled in health maintenance organizations.

Subd. 4. [COLLECTION.] The commissioner shall reduce medical assistance reimbursement to the provider in the amount of the copayment. The provider may collect the copayment from the recipient but may not deny medical assistance services to a recipient who is unable to pay the copayment.

Sec. 5. [COMMISSIONER OF COMMERCE STUDY.]

The commissioner of commerce shall determine and report to the legislature, no later than January 15, 1994, the effect of 1992 Laws, chapter 549, upon the level and distribution of premiums charged by health carriers for health plans in this state.

Sec. 6. [REPEALER.]

Minnesota Statutes, section 62J.04 is repealed."

Delete references to integrated service networks in other articles

Renumber remaining articles

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Onnen amendment and the roll was called. There were 50 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Lindner	Osthoff	Sviggum	Worke
Asch	Dempsey	Hugoson	Lynch	Pauly	Swenson	Workman
Bergson	Erhardt	Johnson, V.	Molnau	Pawlenty	Tompkins	
Bertram	Frerichs	Kalis	Morrison	Peterson	Van Dellen	
Bettermann	Girard	Knickerbocker	Mosel	Rhodes	Vickerman	
Blatz	Goodno	Koppendrayner	Ness	Seagren	Waltman	
Commers	Gutknecht	Krinkie	Olson, M.	Smith	Weaver	
Davids	Haukoos	Limmer	Onnen	Stanis	Wolf	

Those who voted in the negative were:

Anderson, I.	Dawkins	Jaros	Lieder	Olson, E.	Rodosovich	Vellenga
Anderson, R.	Delmont	Jefferson	Lourey	Olson, K.	Rukavina	Wagenius
Battaglia	Dorn	Johnson, A.	Luther	Opatz	Sarna	Wejcmán
Bauerly	Evans	Johnson, R.	Mahon	Orenstein	Sekhon	Welle
Beard	Garcia	Kahn	Mariani	Orfield	Simoneau	Wenzel
Brown, C.	Greenfield	Kelley	McCollum	Ostrom	Skoglund	Winter
Brown, K.	Greiling	Kelso	McGuire	Pelowski	Sparby	Spk. Long
Carlson	Hasskamp	Kinkel	Munger	Perlt	Steensma	
Clark	Hausman	Klinzing	Murphy	Pugh	Tomassoni	
Cooper	Huntley	Krueger	Neary	Reding	Trimble	
Dauner	Jacobs	Lasley	Nelson	Rest	Tunheim	

The motion did not prevail and the amendment was not adopted.

Sviggum and Wenzel moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 12, line 11, after the period insert "The rules establishing standardized benefit plans may permit coverage of abortion services only to the extent allowed under the medical assistance program."

A roll call was requested and properly seconded.

The question was taken on the Sviggum and Wenzel amendment and the roll was called. There were 68 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Cooper	Haukoos	Lieder	Olson, E.	Seagren	Vickerman
Anderson, R.	Dauner	Hugoson	Limmer	Olson, M.	Smith	Waltman
Battaglia	Davids	Jacobs	Lindner	Onnen	Sparby	Weaver
Bauerly	Dehler	Johnson, V.	Lynch	Opatz	Stanis	Wenzel
Beard	Dempsey	Kalis	Milbert	Ozment	Steensma	Winter
Bertram	Girard	Kelso	Molnau	Pauly	Sviggum	Wolf
Bettermann	Goodno	Klinzing	Mosel	Pelowski	Swenson	Worke
Blatz	Gruenes	Koppendrayner	Murphy	Peterson	Tompkins	Workman
Brown, C.	Gutknecht	Krinkie	Nelson	Rodosovich	Tunheim	
Commers	Hasskamp	Krueger	Ness	Sarna	Van Dellen	

Those who voted in the negative were:

Abrams	Carruthers	Erhardt	Greenfield	Jaros	Kelley	Lourey
Asch	Clark	Evans	Greiling	Jefferson	Kinkel	Luther
Bergson	Dawkins	Farrell	Hausman	Johnson, A.	Knickerbocker	Mahon
Brown, K.	Delmont	Frerichs	Holsten	Johnson, R.	Lasley	Mariani
Carlson	Dorn	Garcia	Huntley	Kahn	Leppik	McCollum

McGuire	Olson, K.	Ostrom	Rest	Simoneau	Trimble	Welle
Morrison	Orenstein	Perlt	Rhodes	Skoglund	Vellenga	Spk. Long
Munger	Orfield	Pugh	Rukavina	Solberg	Wagenius	
Neary	Osthoft	Reding	Sekhon	Tomassoni	Wejcman	

The motion prevailed and the amendment was adopted.

Asch moved to amend H. F. No. 1178, the third engrossment, as amended, as follows:

Page 163, line 2, strike the old language and delete the new language and insert "American Medical Association, National Medical Association, a member board of the American Board of Medical Specialties, a board approved by the American Osteopathic Association, a college or board approved by the Royal College of Physicians and Surgeons of Canada, or a board approved by the American Dental Association."

Page 163, delete line 3

The motion prevailed and the amendment was adopted.

H. F. No. 1178, A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for classification of certain tax data; permitting expedited rulemaking; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 43A.317, subdivision 5; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.05, subdivision 2, and by adding a subdivision; 62J.09, subdivisions 2, 5, 8, and by adding subdivisions; 62J.15, subdivision 1; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, 7, and 8; 62J.32, subdivision 4; 62J.33; 62J.34, subdivision 2; 62L.02, subdivisions 16, 19, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 2, 3, 4, and 6; 62L.08, subdivisions 4 and 8; 62L.09, subdivision 1; 62L.11, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2, 4, and 5; 136A.1357; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.147, subdivision 4; 144.1484, subdivisions 1 and 2; 144.335, by adding a subdivision; 144.581, subdivision 2; 151.47, subdivision 1; 214.16, subdivision 3; 256.9351, subdivision 3; 256.9352, subdivision 3; 256.9353; 256.9354, subdivisions 1, 4, and 5; 256.9356, subdivisions 1 and 2; 256.9357, subdivision 1; 256.9657, subdivision 3, and by adding a subdivision; 256B.04, subdivision 1; 256B.057, subdivisions 1, 2, and 2a; 256B.0625, subdivision 13; 256D.03, subdivision 3; 270B.01, subdivision 8; 295.50, subdivisions 3, 4, 7, 14, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivisions 1, 3, and by adding a subdivision; 295.54; 295.55, subdivision 4; 295.57; 295.58; 295.59; Laws 1990, chapter 591, article 4, section 9; proposing coding for new law in Minnesota Statutes, chapters 16B; 43A; 62A; 62J; 136A; 144; 151; 256; and 295; proposing coding for new law as Minnesota Statutes, chapters 62N; and 62O; repealing Minnesota Statutes 1992, sections 62J.15, subdivision 2; 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; Laws 1992, chapter 549, article 9, section 19, subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 88 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Brown, C.	Dauner	Farrell	Hasskamp	Jennings	Kinkel
Anderson, R.	Brown, K.	Dawkins	Frerichs	Hausman	Johnson, A.	Klinzing
Battaglia	Carlson	Delmont	Garcia	Huntley	Johnson, R.	Krueger
Bauerly	Carruthers	Dempsey	Greenfield	Jacobs	Kahn	Lasley
Beard	Clark	Dorn	Greiling	Jaros	Kelley	Leppik
Blatz	Cooper	Evans	Gutknecht	Jefferson	Kelso	Lieder

Lourey	Mosel	Orenstein	Pugh	Sekhon	Tomassoni	Wenzel
Luther	Munger	Orfield	Reding	Simoneau	Trimble	Winter
Mahon	Murphy	Osthoff	Rest	Skoglund	Tunheim	Wolf
Mariani	Neary	Ostrom	Rhodes	Solberg	Vellenga	Spk. Long
McCollum	Nelson	Ozment	Rice	Sparby	Wagenius	
McGuire	Olson, E.	Perlt	Rukavina	Steensma	Wejzman	
Milbert	Olson, K.	Peterson	Sarna	Swenson	Welle	

Those who voted in the negative were:

Abrams	Dehler	Hugoson	Lindner	Onnen	Smith	Weaver
Asch	Erhardt	Johnson, V.	Lynch	Opatz	Stanius	Worke
Bergson	Girard	Kalis	Macklin	Pauly	Sviggum	Workman
Bertram	Goodno	Krickerbocker	Molnau	Pawlenty	Tompkins	
Bettermann	Gruenes	Koppendraye	Morrison	Pelowski	Van Dellen	
Commers	Haukoos	Krinkie	Ness	Rodosovich	Vickerman	
Davids	Holsten	Limmer	Olson, M.	Seagren	Waltman	

The bill was passed, as amended, and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Olson, E., was excused between the hours of 3:30 p.m. and 6:00 p.m.

Milbert was excused between the hours of 3:30 p.m. and 5:05 p.m.

H. F. No. 272 was reported to the House.

Evans and Perlt moved to amend H. F. No. 272, the third engrossment, as follows:

Page 2, line 24, before "all" insert "the two unclassified positions of director and deputy director and"

Page 4, line 11, delete "Four" and insert "Six"

Page 4, line 14, after the period insert "The person occupying the unclassified position of secretary to the director on April 21, 1993, may transfer to a classified position in the liquor control licensing activity with the department of commerce and may continue to occupy that position pursuant to the appropriate personnel code and employment laws. The eleven persons occupying on April 21, 1993, the remaining eleven classified positions to be transferred on July 1, 1993, may continue to occupy those positions with the department of commerce pursuant to the appropriate personnel code and employment laws."

A roll call was requested and properly seconded.

The question was taken on the Evans and Perlt amendment and the roll was called.

Pursuant to rule 2.05, Delmont requested that he be excused from voting on the Evans and Perlit amendment to H. F. No. 272, the third engrossment. The request was granted.

There were 79 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark	Jaros	Lieder	Olson, K.	Rice	Vellenga
Anderson, R.	Cooper	Jefferson	Lourey	Opatz	Rodosovich	Wagenius
Asch	Dauner	Jennings	Luther	Orenstein	Rukavina	Wejcman
Battaglia	Dawkins	Johnson, A.	Mahon	Orfield	Sarna	Welle
Bauerly	Dorn	Johnson, R.	Mariani	Osthoff	Skoglund	Wenzel
Beard	Evans	Kalis	McCollum	Ostrom	Solberg	Winter
Bergson	Farrell	Kelley	McGuire	Ozment	Sparby	Spk. Long
Bertram	Garcia	Kelso	Mosel	Pelowski	Steensma	
Brown, C.	Greenfield	Kinkel	Munger	Perlt	Swenson	
Brown, K.	Hasskamp	Klinzing	Murphy	Pugh	Tomassoni	
Carlson	Hausman	Krueger	Neary	Reding	Trimble	
Carruthers	Jacobs	Lasley	Nelson	Rest	Tunheim	

Those who voted in the negative were:

Abrams	Erhardt	Holsten	Leppik	Ness	Seagren	Vickerman
Bettermann	Frerichs	Hugoson	Limmer	Olson, M.	Sekhon	Waltman
Blatz	Girard	Huntley	Lindner	Ornen	Smith	Weaver
Commers	Goodno	Johnson, V.	Lynch	Pauly	Stanis	Wolf
Davids	Greiling	Knickerbocker	Macklin	Pawlenty	Sviggum	Worke
Dehler	Gruenes	Koppendrayner	Molnau	Peterson	Tompkins	Workman
Dempsey	Haukoos	Krinkie	Morrison	Rhodes	Van Dellen	

The motion prevailed and the amendment was adopted.

Perlt moved to amend H. F. No. 272, the third engrossment, as amended, as follows:

Page 10, line 3, reinstate the stricken ", division of liquor control" and after "control" insert "of the department of commerce"

The motion prevailed and the amendment was adopted.

Holsten was excused for the remainder of today's session.

H. F. No. 272, the third engrossment, as amended, was read for the third time.

POINT OF ORDER

Knickerbocker raised a point of order pursuant to rule 5.10 relating to bills that affect state government powers and structure that H. F. No. 272, as amended, be re-referred to the Committee on Governmental Operations and Gambling. The Speaker ruled the point of order not well taken.

Vellenga was excused for the remainder of today's session.

H. F. No. 272, A bill for an act relating to state departments; abolishing department of public safety and transferring certain responsibilities and personnel to other agencies; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 13.99, subdivision 82; 15.01; 15A.081, subdivision 1; 16B.14; 16B.46; 16B.54, subdivision 2; 43A.05, subdivision 4; 43A.34, subdivision 4; 65B.28, subdivision 2; 161.125, subdivision 3; 161.20, subdivision 4; 161.465; 168.011, by adding subdivisions; 168.126, subdivision 3; 168.325; 169.751; 169.783, subdivision 1; 170.23; 170.24; 171.015; 216C.19, subdivision 1; 218.031, subdivision 2; 270.73, subdivision 1; 297B.01, subdivision 3; 297C.09; 297C.10, subdivision 1; 299A.02; 299A.30; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivision 1; 299C.01; 299C.03; 299C.06; 299C.13; 299C.50; 299F.01; 299F.05, subdivision 2; 299L.01, subdivision 1; 340A.201; 347.51, subdivision 2a; 349.151, subdivision 2; 352B.01, subdivision 2; 360.0752, subdivision 7; 360.0753, subdivision 6; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; and 634.16; repealing Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions 1 and 5; 270B.12, subdivision 4; and 299A.01; Laws 1987, chapter 315, section 4, subdivision 2; Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pursuant to rule 2.05, Delmont requested that he be excused from voting on the final passage of H. F. No. 272, the third engrossment, as amended. The request was granted.

There were 73 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carruthers	Hausman	Lasley	Neary	Rest	Tomassoni
Anderson, R.	Clark	Huntley	Lieder	Nelson	Rice	Tunheim
Asch	Cooper	Jacobs	Lourey	Olson, K.	Rodosovich	Wagenius
Battaglia	Dauner	Johnson, A.	Luther	Opatz	Rukavina	Welle
Bauerly	Dorn	Johnson, R.	Mahon	Orenstein	Sarna	Wenzel
Beard	Evans	Kahn	McCollum	Orfield	Sekhon	Winter
Bergson	Farrell	Kalis	McGuire	Osthoff	Simoneau	Spk. Long
Bertram	Garcia	Kelley	Milbert	Ostrom	Skoglund	
Brown, C.	Greenfield	Kinkel	Mosel	Pelowski	Solberg	
Brown, K.	Greiling	Klinzing	Munger	Peterson	Sparby	
Carlson	Hasskamp	Krueger	Murphy	Reding	Steensma	

Those who voted in the negative were:

Abrams	Erhardt	Jaros	Lindner	Ozment	Sviggum	Wolf
Bettermann	Frerichs	Jennings	Lynch	Pauly	Swenson	Worke
Blatz	Girard	Johnson, V.	Macklin	Pawlenty	Tompkins	Workman
Commers	Goodno	Krickerbocker	Molnau	Perlt	Van Dellen	
Davids	Gruenes	Koppendrayner	Morrison	Rhodes	Vickerman	
Dawkins	Gutknecht	Krinkie	Ness	Seagren	Waltman	
Dehler	Haukoos	Leppik	Olson, M.	Smith	Weaver	
Dempsey	Hugoson	Limmer	Onnen	Stanius	Wejzman	

The bill was passed, as amended, and its title agreed to.

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mosel moved that the name of Cooper be added as an author on H. F. No. 1060. The motion prevailed.

Greenfield moved that the name of Huntley be added as an author on H. F. No. 1178. The motion prevailed.

Rodosovich moved that H. F. No. 1283 be returned to its author. The motion prevailed.

Delmont moved that H. F. No. 1629 be returned to its author. The motion prevailed.

Mariani, Garcia, Dawkins, Beard and Haukoos introduced:

House Resolution No. 6, A house resolution commemorating the life and work of Cesar Chavez.

SUSPENSION OF RULES

Mariani moved that the rules be so far suspended that House Resolution No. 6 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 6

A house resolution commemorating the life and work of Cesar Chavez.

Whereas, Cesar Chavez, the son of Mexican immigrant farmers and agricultural migrant workers, was born on a farm near Yuma, Arizona, on March 31, 1927; and

Whereas, he spent his childhood living in a series of labor camps following the harvest crop, attending 30 elementary schools, and dropping out in the seventh grade; and

Whereas, Cesar Chavez served in the United States Navy during World War II; and

Whereas, as a migrant farm worker, he studied under Saul Alinsky and organized Mexican-Americans throughout the San Joaquin Valley in California to confront problems with voter registration, immigration authorities, and government bureaucracy; and

Whereas, in 1962, he founded the United Farm Workers Organizing Committee, the first successful collective bargaining effort on behalf of farm workers, employing innovative methods of protest, including sing-ins, bilingual theatrical troupes, and fasting; and

Whereas, in 1968, the United Farm Workers Organizing Committee conducted a nationwide boycott of table grapes which rallied support from national leaders such as Senator Robert F. Kennedy, Senator Hubert H. Humphrey, and the mayors of New York City, Boston, Detroit, and St. Louis, and resulted in the acceptance of the union by grape growers in 1970; and

Whereas, throughout his career as a labor organizer helping to lift Mexican-American migratory farm workers out of peonage, he dedicated himself to the principles of change through nonviolence as embodied by Gandhi and Dr. Martin Luther King; and

Whereas, Cesar Chavez died on April 23, 1993; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it holds in honor the memory of Cesar Chavez and extends condolences to his family and to his colleagues at the United Farm Workers of America.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the family of Cesar Chavez.

Mariani moved that House Resolution No. 6 be now adopted. The motion prevailed and House Resolution No. 6 was adopted.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 9:30 a.m., Saturday, May 1, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:30 a.m., Saturday, May 1, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

