

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION — 1994

SEVENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 22, 1994

The House of Representatives convened at 2:30 p.m. and was called to order by Irv Anderson, Speaker of the House.

Prayer was offered by Senator Pat Piper, District 27, Austin, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Delmont and Kelley were excused.

Dawkins was excused until 2:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Rhodes 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. 2073 and H. F. No. 2255, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Lasley moved that the rules be so far suspended that S. F. No. 2073 be substituted for H. F. No. 2255 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2383 and H. F. No. 2429, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Anderson, I., moved that S. F. No. 2383 be substituted for H. F. No. 2429 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 1847, A bill for an act relating to alternative energy; providing a consumer rebate for the purchase of residential low-emission wood or biomass combustion devices; providing for rulemaking by the Minnesota pollution control agency and the department of public service; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

Reported the same back with the following amendments:

Page 1, line 16, after "pellets" insert "other than refuse-derived fuel as defined in section 116.90, subdivision 1,"

Page 1, line 27, after "biomass" insert "other than refuse-derived fuel as defined in section 116.90, subdivision 1,"

Page 3, line 1, after "devices" insert "and fuel pellets used as fuel in the devices"

Page 3, line 2, after the period, insert "From the effective date of this section until permanent rules are adopted by the commissioner, the test methods to be used for calculating particulate emissions and air-fuel ratios are Method 28 and Method 28A adopted by the United States Environmental Protection Agency in Code of Federal Regulations, title 40, part 60, appendix A."

Page 3, after line 2, insert:

"Sec. 2. [216C.391] [WOOD OR BIOMASS FUEL PELLETS; CONTAMINANTS.]

No person shall knowingly manufacture, sell, offer for sale, or distribute wood or biomass fuel pellets for use in a low-emission wood or biomass combustion device if the pellets contain refuse-derived fuel or biomass material contaminated with preservatives, fungicides, pesticides, adhesives, wastes from a manufacturing process, or other contaminants determined by the pollution control agency. A person who violates this section is subject to the criminal, civil, and administrative enforcement provisions of section 115.071."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "prohibiting the sale of contaminated pellets; providing penalties;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2057, A bill for an act relating to partition fences; requiring the department of natural resources and other state agencies to share in the expense of partition fences; amending Minnesota Statutes 1992, section 344.03, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 344.03, subdivision 1, is amended to read:

Subdivision 1. [ADJOINING OWNERS.] If all or a part of adjoining Minnesota land is improved and used, and one or both of the owners of the land desires the land to be partly or totally fenced, the land owners or occupants shall build and maintain a partition fence between their lands in equal shares. The requirement in this section and the procedures in this chapter apply to the department of natural resources when it owns land adjoining privately owned land subject to this section and chapter and the landowner desires the land permanently fenced for the purpose of restraining livestock."

Amend the title as follows:

Page 1, line 3, delete "and other state agencies"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 2058, A bill for an act relating to human services; removing the expiration date for the ombudsman committee for mental health and retardation; amending Minnesota Statutes 1993 Supplement, section 245.97, subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2080, A bill for an act relating to agriculture; providing for uniformity of certain food laws with federal regulations; amending Minnesota Statutes 1992, sections 31.101; 31.102, subdivision 1; 31.103, subdivision 1; and 31.104.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 2135, A bill for an act relating to manufactured home parks; prohibiting manufactured home parks from prohibiting senior citizens from keeping pet dogs, cats, and birds on the park premises; amending Minnesota Statutes 1992, section 327.27, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Commerce and Economic Development.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 2150, A bill for an act relating to telecommunications; appropriating money to facilitate public sector regional telecommunications systems statewide; including matching funds for pilot project development in the central Minnesota region.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 2158, A bill for an act relating to pollution; requiring that cities and counties adopt ordinances complying with pollution control agency rules regarding individual sewage treatment systems; requiring the agency to license sewage treatment professionals; requiring rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115.

Reported the same back with the following amendments:

Page 1, line 27, before the period, insert "or with local government ordinances under subdivision 2"

Page 2, line 10, before "LOCAL" insert "AGENCY RULES;" and delete "REQUIRED"

Page 2, after line 15, insert:

"(c) The agency's individual sewage treatment rules must include at least the following:

(1) how the agency will ensure compliance under paragraph (a);

(2) how cities and counties will adopt and enforce ordinances under paragraph (a), including requirements for permits and inspection programs;

(3) how the advisory committee on individual sewage treatment systems established under Minnesota Rules, part 7080.0100, will participate in review and implementation of the rules;

(4) provisions for alternative systems;

(5) provisions for handling effluents;

(6) provisions for system abandonment; and

(7) variance procedures.

(d) The agency shall consult with the advisory committee before adopting rules."

Page 3, line 24, after "in" insert "chapter 145A and"

Page 4, line 2, after the period, insert "The rules must include but are not limited to:

(1) training requirements that include both classroom and fieldwork components;

(2) examination content requirements and testing procedures;

(3) continuing education requirements;

(4) equivalent experience provisions;

(5) bonding and insurance requirements;

(6) schedules for submitting fees; and

(7) license revocation and suspension and other enforcement requirements."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Economic Development.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2191, A bill for an act relating to water; creating programs to provide financial assistance to address nonpoint source water pollution in the departments of agriculture and trade and economic development and the pollution control agency; establishing the drinking water revolving fund administered by the public facilities authority and the department of health; changing the membership of the public facilities authority; increasing the authority's bonding authority; requiring rulemaking; providing for certain exemptions from rulemaking; appropriating money; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; 116.182, subdivisions 2, 3, 4, and 5; 446A.02, subdivision 1, and by adding a subdivision; 446A.03, subdivision 3; 446A.07, subdivisions 4, 6, 8, 9, 10, and 11; 446A.071, subdivision 1; 446A.11, subdivision 1; 446A.12, subdivision 1; and 446A.15, subdivision 6; Minnesota Statutes 1993 Supplement, section 446A.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 17; 116; and 446A; repealing Minnesota Statutes 1992, section 446A.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 13.99, is amended by adding a subdivision to read:

Subd. 6a. [AGRICULTURE BEST MANAGEMENT PRACTICES LOAN PROGRAM.] Data collected by the commissioner on applicants or borrowers for the agriculture best management practices loan program are governed by section 17.117.

Sec. 2. [17.117] [AGRICULTURE BEST MANAGEMENT PRACTICES LOAN PROGRAM.]

Subdivision 1. [PURPOSE.] The purpose of the agriculture best management practices loan program is to provide low- or no-interest financing to farmers, agriculture supply businesses, and rural landowners for the implementation of agriculture best management practices.

Subd. 2. [AUTHORITY.] The commissioner may establish, adopt rules for, and implement a program to work with local units of government, federal authorities, lending institutions, and other appropriate organizations to provide loans to landowners and businesses for facilities, fixtures, equipment, or other sustainable practices that prevent or mitigate sources of nonpoint source water pollution. The commissioner may establish pilot projects to develop procedures for implementing the program. The commissioner shall develop administrative guidelines to implement the pilot projects specifying criteria, standards, and procedures for making loans.

Subd. 3. [APPROPRIATION.] Funds from the water pollution control revolving fund in section 446A.07 provided by the public facilities authority shall be appropriated to the commissioner for the establishment of this program.

Subd. 4. [DEFINITIONS.] (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Applicant" means a county or the designee of the county applying on behalf of a county. Applicant may mean a soil and water conservation district or an organization formed for the joint exercise of power.

(c) "Authority" means the Minnesota public facilities authority as established in section 446A.03.

(d) "Best management practices" has the meaning given in sections 103F.711, subdivision 3, and 103H.151, subdivision 2.

(e) "Borrower" means an individual farmer, an agriculture supply business, or rural landowner applying for a low-interest loan.

(f) "Chair" means the chair of the board of water and soil resources or the designee of the chair.

(g) "Commissioner" means the commissioner of agriculture or the designee of the commissioner.

(h) "Comprehensive water management plan" means a state approved and locally adopted plan authorized under section 103B.231, 103B.255, 103B.311, 103C.331, 103D.401, or 103D.405.

(i) "County allocation request" means a loan allocation request from an applicant to implement agriculturally related best management practices defined in paragraph (d).

(j) "Lender agreement" means an agreement entered into between the commissioner and a local lender. The agreement will contain terms and conditions of the loan that will include, but need not be limited to, general loan provisions, loan management requirements, application of payments, loan term limits, allowable expenses, and fee limitations.

(k) "Local government unit" means a county, soil and water conservation district, or an organization formed for the joint exercise of powers under section 471.59.

(l) "Local lender" means a local government unit as defined in paragraph (k), a state or federally chartered bank, a savings and loan association, or Farm Credit Services.

(m) "Nonpoint source" has the meaning given in section 103F.711, subdivision 6.

Subd. 5. [USES OF FUNDS.] Use of funds under this section must be in compliance with the federal Water Pollution Control Act, section 446A.07, and eligible activities listed in the intended use plan authorized in section 446A.07, subdivision 4.

Subd. 6. [APPLICATION.] (a) The commissioner must prescribe forms and establish an application process for applicants to apply for a county allocation request. The application must include but need not be limited to: (1) the geographic area served; (2) the type and estimated cost of activities or projects for which they are seeking a loan allocation; (3) a ranking of proposed activities or projects; and (4) the designation of the local lender and lending practices the applicant intends to use to issue the loans to the borrowers.

(b) In an area of the state where a county allocation request has not been requested or has been rejected, application forms must be available for a borrower to apply directly to the commissioner for a loan under this program.

(c) If a county allocation request is rejected, the applicant must be notified in writing as to the reasons for the rejection and given 30 days to submit a revised application. The revised application shall be reviewed according to the same procedure used to review the initial application.

Subd. 7. [PAYMENTS.] Payments made from the water pollution control revolving fund must be made in accordance with applicable state and federal laws and rules governing the payments.

Subd. 8. [APPLICANT; BORROWERS.] (a) A county may submit a county allocation request as defined in subdivision 4, paragraph (i). A county or a group of counties may designate another local government unit as defined in subdivision 4, paragraph (k), to submit a county allocation request.

(b) If a county does not submit a county allocation request, and does not designate another local government unit, a soil and water conservation district may submit a county allocation request. In all instances, there may be only one request from a county. The applicant must coordinate and submit requests on behalf of other units of government within the geographic jurisdiction of the applicant.

(c) Borrowers may apply directly to the commissioner if the commissioner does not receive or approve a county allocation request from the county, designated local government unit, or soil and water conservation district in which the proposed activities would be carried out.

Subd. 9. [REVIEW AND RANKING OF ALLOCATION REQUESTS.] (a) The commissioner shall chair the subcommittee established in section 103F.761 for purposes of reviewing and ranking county allocation requests. The rankings must be in order of priority and shall provide financial assistance within the limits of the funds available. In carrying out the review and ranking, the subcommittee must consist of, at a minimum, the chair, representatives of the pollution control agency, United States Department of Agriculture Agricultural Stabilization and Conservation Service, United States Department of Agriculture Soil Conservation Service, Association of Minnesota Counties, and other agencies or associations as the commissioner, the chair, and agency determine are appropriate. The review and ranking shall take into consideration other related state or federal programs.

(b) The subcommittee shall use the criteria listed below in carrying out the review and ranking:

- (1) whether the proposed activities are identified in a comprehensive water management plan as priorities;
- (2) the potential that the proposed activities have for improving or protecting surface and groundwater quality;
- (3) the extent that the proposed activities support areawide or multijurisdictional approaches to protecting water quality based on defined watershed;
- (4) whether the activities are needed for compliance with existing water related laws or rules;
- (5) whether the proposed activities demonstrate participation, coordination, and cooperation between local units of government and other public agencies;
- (6) whether there is coordination with other public and private funding sources and programs; and
- (7) whether there are off-site public benefits such as preventing downstream degradation and siltation.

Subd. 10. [BORROWER ELIGIBILITY; TERMS; REPAYMENT.] (a) Local lenders shall use the following criteria in addition to other criteria they deem necessary in determining the eligibility of borrowers for loans:

- (1) whether the activity is certified by a local unit of government as meeting priority needs identified in a comprehensive water management plan and is in compliance with accepted standards, specifications, or criteria;
- (2) whether the activity is certified as eligible under Environmental Protection Agency or other applicable guidelines; and
- (3) whether the repayment is assured from the borrower.

(b) Local lenders shall set the terms and conditions of loans. In all instances, local lenders must provide for sufficient collateral or protection for the loan principal. They are responsible for collecting repayments by borrowers. For direct loans, the borrower must provide sufficient collateral and repay the loan according to a mutually prearranged schedule with the commissioner.

(c) A local lender is responsible for repaying the principal of a loan to the commissioner. The terms of repayment will be identified in the lender agreement. If defaults occur, it is the responsibility of the local lender to obtain repayment from the borrower.

Subd. 11. [DATA PRIVACY.] The following data on applicants or borrowers collected by the commissioner under this section, are private for data on individuals as provided in section 13.02, subdivision 12, or nonpublic for data not on individuals as provided in section 13.02, subdivision 9: financial information, including, but not limited to, credit reports, financial statements, tax returns and net worth calculations received or prepared by the commissioner.

Subd. 12. [ESTABLISHMENT OF ACCOUNT.] The authority shall establish an account called the agriculture best management practices revolving fund to provide loans and other forms of financial assistance authorized under section 446A.07. The fund must be credited with repayments.

Subd. 13. [FEES; LOAN SERVICES.] Origination fees charged directly to borrowers by local lenders upon executing a loan shall not exceed one-half of one percent of the loan amount. Servicing fees assessed to loan repayments must not exceed two percent interest on outstanding principal amounts if the local lender is a local government unit, or three percent interest on outstanding principal amounts if the local lender is a state or federally chartered bank, savings and loan association, or an entity of Farm Credit Services.

Subd. 14. [REPORT.] (a) The commissioner and chair shall prepare and submit a report to the legislative water commission by October 15, 1994, and October 15, 1995. thereafter, the report shall be submitted by October 15 of each odd-numbered year.

(b) The report shall include, but need not be limited to, matters such as loan allocations and uses, the extent to which the financial assistance is helping implement local water planning priorities, the integration or coordination that has occurred with related programs, and other matters deemed pertinent to the implementation of the program.

Sec. 3. [17.118] [FEEDLOT AND MANURE MANAGEMENT ADVISORY COMMITTEE.]

(a) The commissioner of agriculture and the commissioner of the pollution control agency shall establish a feedlot and manure management advisory committee to identify needs, goals, and suggest policies for research, monitoring, and regulatory activities regarding feedlot and manure management.

(b) The committee must include representation from beef, dairy, pork, turkey, chicken, and egg producer organizations. The committee shall not exceed 15 members, but must include representatives from at least three environmental organizations, eight livestock producers, and four experts in soil and water science, nutrient management, and animal husbandry. In addition, the department of agriculture, the pollution control agency, the board of water and soil resources, the United States Department of Agriculture Soil Conservation Service, and the United States Department of Agriculture Agricultural Stabilization and Conservation Service shall serve on the committee as ex officio nonvoting members.

(c) The advisory committee shall be chaired by one of the livestock producers on the committee selected by the livestock producers on the committee. The department and the agency shall provide staff support to the committee.

(d) The commissioner of agriculture and the commissioner of the pollution control agency shall consult with the advisory committee during the development of any policies, rules, or funding proposals or recommendations relating to feedlots or feedlot-related manure management.

(e) The commissioner of agriculture shall consult with the advisory committee on establishing a list of manure management research needs and priorities.

(f) The advisory committee shall advise the commissioners on other matters as deemed appropriate.

(g) Nongovernment members of the advisory committee shall not receive per diem but may receive reimbursement for actual expenses, in accordance with section 15.059, subdivision 6. The advisory committee expires on June 30, 1997.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective on the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; establishing the agriculture best management practices loan program; establishing a feedlot and manure management advisory committee; appropriating money; amending Minnesota Statutes 1992, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 17."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2248, A bill for an act relating to agriculture; changing certain pesticide posting requirements; amending Minnesota Statutes 1992, section 18B.07, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 8, reinstate the stricken "(a)"

Page 1, line 13, after the stricken period, insert "All fields receiving applications of pesticide(s) bearing the label statement 'Notify workers of the application by warning them orally and by posting signs at entrances to treated areas' must be posted in accordance with labeling and rules adopted under this chapter."

Page 1, line 14, reinstate the stricken "(b)"

Page 1, after line 17, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day after final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 2314, A bill for an act relating to waste reduction; amending various statutes to be consistent with recent law relating to distribution of reports and materials to legislators; amending Minnesota Statutes 1992, sections 144.672, subdivision 2; 144.70, subdivision 1; 458A.08; and 473.445, subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2373, A bill for an act relating to agriculture; modifying certain provisions relating to wheat and barley promotion orders and the payment and refund of checkoff fees; amending Minnesota Statutes 1992, sections 17.53, subdivisions 2, 8, and 13; 17.59, subdivision 2; and 17.63.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 2432, A bill for an act relating to taxation; income; providing for a subtraction from federal taxable income; amending Minnesota Statutes 1992, section 290.01, subdivision 19b.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Lieder from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 2435, A bill for an act relating to animals; changing procedures concerning certain abandoned animals; amending Minnesota Statutes 1992, section 346.37, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2525, A bill for an act relating to health; MinnesotaCare; establishing and regulating community integrated service networks; defining terms; creating a reinsurance and risk adjustment association; classifying data; requiring reports; mandating studies; modifying provisions relating to the regulated all-payer option; requiring administrative rulemaking; setting timelines and requiring plans for implementation; designating essential community providers; establishing an expedited fact finding and dispute resolution process; requiring proposed legislation; establishing task forces; providing for demonstration models; mandating universal coverage; requiring insurance reforms; providing grant programs; establishing the Minnesota health care administrative simplification act; implementing electronic data interchange standards; creating the Minnesota center for health care electronic data interchange; providing standards for the Minnesota health care identification card; appropriating money; providing penalties; amending Minnesota Statutes 1992, sections 60A.15, subdivision 1; 62A.303; 62D.04, by adding a subdivision; 62E.02, subdivisions 10, 18, 20, and 23; 62E.10, subdivisions 1, 2, and 3; 62E.141; 62E.16; 62J.03, by adding a subdivision; 62L.02, subdivisions 9, 13, 16, 17, 24, and by adding subdivisions; 62L.03, subdivision 1; 62L.05, subdivisions 1, 5, and 8; 62L.08, subdivisions 2, 5, 6, and 7; 62L.12; 62L.21, subdivision 2; 62M.02, subdivisions 5 and 21; 62M.03, subdivisions 1, 2, and 3; 62M.05, subdivision 3; 62M.06, subdivision 3; 62M.09, subdivision 5; and 295.50, by adding subdivisions; Minnesota Statutes 1993 Supplement, sections 43A.317, by adding a subdivision; 60K.14, subdivision 7; 61B.20, subdivision 13; 62A.011, subdivision 3; 62A.65, subdivisions 2, 3, 4, 5, and by adding a subdivision; 62D.12, subdivision 17; 62J.03, subdivision 6; 62J.04, subdivisions 1 and 1a; 62J.09, subdivision 2; 62J.33, by adding subdivisions; 62J.35, subdivisions 2 and 3; 62J.38; 62J.41, subdivision 2; 62J.45, by adding subdivisions; 62L.02, subdivisions 8, 11, 15, 19, and 26; 62L.03, subdivisions 3, 4, and 5; 62L.04, subdivision 1; 62L.08, subdivisions 4 and 8; 62N.01; 62N.02, subdivisions 1, 8, and by adding a subdivision; 62N.06, subdivision 1; 62N.065, subdivision 1; 62N.10, subdivisions 1 and 2; 62N.22; 62N.23; 62P.01; 62P.03; 62P.04; 62P.05; 144.1486; 151.21, subdivisions 7 and 8; 256.9352, subdivision 3; 256.9657, subdivision 3; 295.50, subdivisions 3, 4, and 12b; 295.53, subdivisions 1, 2, and 5; 295.54; 295.58; and 295.582; proposing coding for new law in Minnesota Statutes, chapters 62A; 62J; 62N; and 62P; proposing coding for new law as Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1992, sections 62A.02, subdivision 5; 62E.51; 62E.52; 62E.53; 62E.531; 62E.54; 62E.55; and 256.362, subdivision 5; Minnesota Statutes 1993 Supplement, sections 62J.04, subdivision 8; 62N.07; 62N.075; 62N.08; 62N.085; and 62N.16.

Reported the same back with the following amendments:

Page 4, line 13, after the period, insert "A cooperative organized under chapter 308A may establish a community integrated service network."

Pages 6 and 7, delete section 6 and insert:

"Sec. 6. [62N.255] [EXPANDED PROVIDER NETWORKS.]

Subdivision 1. [PROVIDER ACCEPTANCE REQUIRED.] Every community network may establish an expanded network of allied independent health providers, in addition to a preferred network. A community network shall accept as a provider in the expanded network any allied independent health provider who: (1) meets the community network's credentialing standards; (2) agrees to the terms of the community network's provider contract; and (3) agrees to comply with all managed care protocols of the community network.

Subd. 2. [MANAGED CARE.] The managed care protocols used by the community network may include: (1) a requirement that an enrollee obtain a referral from the community network before obtaining services from an allied independent health provider in the expanded network; (2) limits on the number and length of visits to allied independent health providers in the expanded network allowed by each referral, as long as the number and length of visits allowed is not less than the number and length allowed for comparable referrals to allied independent health providers in the preferred network; and (3) ongoing management and review by the community network of the care provided by an allied independent health provider in the expanded network after a referral is made.

Subd. 3. [MANDATORY OFFERING TO ENROLLEES.] Each community network may offer to enrollees the option of receiving covered services through the expanded network of allied independent health providers established under subdivisions 1 and 2. The network may establish separate premium rates and cost-sharing requirements for this expanded network plan, as long as these premium rates and cost-sharing requirements are actuarially justified and approved by the commissioner.

Subd. 4. [PROVIDER REIMBURSEMENT.] A community network shall pay each allied independent health provider in the expanded network the same rate per unit of service as paid to allied independent health providers in the preferred network.

Subd. 5. [DEFINITIONS.] (a) For purposes of this section, the following definitions apply.

(b) "Allied independent health provider" means an independently enrolled audiologist, chiropractor, dietician, home health care provider, marriage and family therapist, nurse practitioner or advanced practice nurse, occupational therapist, optometrist, optician, outpatient chemical dependency counselor, pharmacist who is not employed by and based on the premises of a community network, physical therapist, podiatrist, licensed consulting psychologist, psychological practitioner, licensed social worker, or speech therapist.

(c) "Home health care provider" means a personal care assistant, home health aide, or a provider of homemaker, respite care, adult day care, or home health nursing services.

(d) "Independently enrolled" means that a provider can bill, and receive direct payment for services from, a third-party payer or patient."

Page 7, line 14, after the period, insert "The cooperative must not be staffed, administered, or supervised by the commissioner of health. The cooperative shall make use of existing resources that are already available in the community, to the extent possible."

Page 9, after line 5, insert:

"Subd. 5. [NET WORTH CORRIDOR.] A community network shall not maintain net worth that exceeds twice the amount required of the community network under subdivision 1. Subdivision 4 is not relevant for purposes of this subdivision."

Page 14, line 12, delete "statewide"

Page 14, line 13, delete "market share" and insert "gross premium revenues"

Page 17, line 24, after "in" insert "the"

Page 18, line 12, delete "may" and insert "shall"

Page 18, line 15, after the period, insert "Data to be collected shall include structural characteristics including staff-mix and nurse-patient ratios."

Page 18, line 35, delete "HEDIS" and insert "quality"

Page 19, line 5, after the period, insert "Data shall be collected and reported by county and high-risk and special needs populations as well as by health plans, except when this would allow individuals to be identified."

Page 19, line 14, delete "provision and" and insert "provisions,"

Page 19, line 15, delete "provision" and insert "provisions, and any deductible, copayment, coinsurance, or other policy requirements"

Page 27, line 34, after the period, insert "The action plan must also describe how the health plan company intends to encourage the use of nonphysician providers, midlevel practitioners, and allied health professionals, through at least consumer education, physician education, and referral and advisement systems."

Page 28, line 2, after the period, insert "Until July 1, 1995, a health plan company may use estimates if actual data is not available."

Page 28, line 15, delete "are" and insert "is"

Page 29, line 1, delete "(g)" and insert "(f)"

Page 29, delete section 19

Page 29, delete section 21

Pages 29 and 30, delete section 23

Page 30, delete line 12 and insert "Sections 15 to 17 and 21 are effective the day following final enactment. Sections 1 to 6 and 18 are effective July 1, 1994. Sections 7 to 14, 19, and 20 are effective January 1, 1995."

Page 33, line 7, strike "COMPANY" and insert "COMPANIES"

Page 40, lines 2 and 3, delete "within the universal benefits set"

Page 40, line 3, before "integrated" insert "community integrated service networks and"

Page 40, lines 9 and 26, before "Integrated" insert "Community integrated service networks and"

Page 40, line 29, before "Integrated" insert "Community integrated service networks and" and after "reimburse" insert "out-of-network health care providers located"

Page 40, line 30, delete "health care providers"

Page 41, line 6, before "integrated" insert "community integrated service networks and"

Page 42, line 5, delete "by January 1, 1995" and insert "following the timetable set forth in article 9"

Page 46, line 29, delete the first comma and insert "and" and delete everything after "centers"

Page 46, line 30, delete "ambulatory clinics"

Page 48, line 7, delete "recommended" and insert "recommend"

Page 48, delete line 17 and insert:

"Sections 1 to 21 are effective the day following final enactment, except that section 6 is effective January 1, 1996, and section 18 is effective July 1, 1997."

Page 50, after line 15, insert:

"The membership cards shall also conform to the requirements set forth in section 62I.60."

Page 50, line 30, delete "an" and insert "a demonstrated"

Page 50, line 31, delete "low-income" and insert "uninsured persons and high-risk and special needs populations as defined in section 62Q.07, subdivision 2, paragraph (e)"

Page 53, delete line 10

Page 53, line 11, delete "(2)" and insert "(1)"

Page 53, line 13, delete "(3)" and insert "(2)"

Page 53, line 14, delete "(4)" and insert "(3)"

Page 53, line 15, delete "(5)" and insert "(4)"

Page 53, line 16, delete "(6)" and insert "(5)"

Page 53, line 17, delete "(7)" and insert "(6)"

Page 53, line 19, delete "(8)" and insert "(7)"

Page 53, line 20, delete "(9)" and insert "(8)"

Page 53, after line 20, insert:

"Subd. 5. [ADVISORY COMMITTEE ON THE UNIVERSAL BENEFITS SET.] The commissioner shall appoint an advisory committee to develop recommendations regarding nondental health care services to be included in the universal benefits set. The committee must include representatives of health care providers, consumers, health plan companies, and counties. Recommendations of the committee must be provided to the Minnesota health care commission by October 1, 1994."

Page 53, line 21, delete "5" and insert "6"

Page 53, line 25, after the period, insert "The committee shall also develop recommendations on an appropriate system to deliver dental services. In its analysis, the committee shall study the quality and cost-effectiveness of dental services delivered through capitated dental networks, discounted dental preferred provider organizations, and independent practice dentistry."

Page 53, line 26, delete "commissioner" and insert "Minnesota health care commission"

Page 55, line 4, delete "prevention" and insert "preventive"

Page 55, after line 5, insert:

"(6) the impact of enrollee cost-sharing requirements on appropriate utilization must be considered when cost-sharing requirements are developed;"

Page 55, line 6, delete "(6)" and insert "(7)"

Page 55, line 13, delete "(7)" and insert "(8)"

Page 56, delete line 9, and insert:

"Sections 1 to 9 are effective the day following final enactment, except that sections 5 and 6 are effective July 1, 1997."

Page 56, line 35, delete "PUBLIC" and insert "HEALTH"

Page 56, line 36, before "The" insert "(a)"

Page 57, line 2, delete "medical assistance" and insert "state administered health programs"

Page 57, delete line 3

Page 57, line 7, delete "public" and insert "health"

Page 57, line 9, after the period, insert "For purposes of this section, "state administered health programs" means the medical assistance, general assistance medical care, and MinnesotaCare programs."

(b) The commissioner shall include with the plan required under paragraph (a) recommendations, including proposed legislation, for a coordinated program for receiving bids from managed care plans to serve enrollees of the state health plan and recipients of state administered health programs, to be phased in beginning July 1, 1997.

(c) The recommendations shall include a requirement that managed care plans interested in contracting to serve enrollees or recipients of any program listed in paragraph (b) submit a bid to provide services to all enrollees and recipients of those programs residing within the plan's service area.

(d) The commissioner must convene an advisory task force to assist with the preparation of plans, recommendations, and legislation required by this section. The task force must include representatives of recipients of state administered health programs, providers with substantial experience in providing services to recipients of these programs, the department of human services, county human services representatives, and other affected persons."

Page 57, line 28, before "employers" insert "public and private"

Page 58, delete line 26 and insert:

"Sections 1 to 6 are effective the day following final enactment."

Page 59, line 23, delete the first "health" and insert "healthy"

Page 62, delete lines 18 to 36

Page 63, delete lines 1 to 12

Page 63, line 13, delete "7" and insert "6"

Page 63, line 33, delete "8" and insert "7"

Page 64, delete lines 2 to 7

Page 64, line 8, delete "10" and insert "8"

Page 64, line 9, delete "subdivisions 7, paragraph (b), and 9" and insert "subdivision 6, paragraph (b),"

Page 64, delete lines 18 to 20 and insert:

"(1) whether mergers between or among health care providers and group purchasers that expand market share beyond a specified percentage should be regulated or prohibited, in order to preserve competition on price and quality;"

Page 66, line 6, after the comma, insert "and representatives of county government"

Page 67, delete line 30 and insert:

"Sections 1 and 4 to 9 are effective the day following final enactment. Sections 2 and 3 are effective July 1, 1994."

Page 67, line 36, delete "and" and insert "or"

Page 68, line 28, delete "agency" and insert "commissioner"

Page 69, after line 3, insert:

"Sec. 2. [62Q.32] [LOCAL OMBUDSPERSON.]

Community health service agencies may establish an office of ombudsperson to provide a system of consumer advocacy for persons receiving health care services through an integrated service network system or through the regulated all-payer option. The ombudsperson's functions may include but are not limited to:

(a) mediation or advocacy on behalf of a person who is having difficulty accessing health care services through either an integrated service network or through the regulated all-payer option; and

(b) investigation of the quality of services provided to a person and determine the extent to which quality assurance mechanisms are needed or any other system change may be needed."

Page 71, delete line 23 and insert:

"Sections 1 to 8 are effective the day following final enactment."

Page 85, line 30, strike ", or offering to sell,"

Page 86, after line 34, insert:

"Sec. 27. Minnesota Statutes 1992, section 65B.49, subdivision 2, is amended to read:

Subd. 2. [BASIC ECONOMIC LOSS.] (a) Each plan of reparation security shall provide for payment of basic economic loss benefits.

(b) A reparation obligor may make available a policy endorsement that provides medical expense benefits under section 65B.44, subdivision 2, solely through managed care plans certified by the commissioner. If made available, the insured may elect this policy endorsement at the time of the policy application or renewal. Once elected, this policy endorsement remains effective for as long as the policy is in effect, or until written revocation of it by the insured is received by the reparation obligor.

In exchange for electing this policy endorsement, the insured shall receive an appropriate premium reduction.

(c) The commissioner shall adopt rules, and may adopt emergency rules, necessary to implement this section including rules specifying the criteria and procedure for certifying a managed care plan, including provisions for emergency care, and regulating the form and content of notices to insureds regarding the precise consequences of electing to obtain medical expense benefits through certified managed care plans."

Pages 95 and 96, delete section 33

Page 96, delete line 20, and insert:

"Sections 1, 2, 4 to 15, 17 to 26, 31, and 32 are effective the day following final enactment. Sections 16, 28 to 30, and 33 are effective July 1, 1994."

Page 97, line 1, delete "american" and insert "American"

Page 97, line 16, delete "all" and insert "the following"

Page 97, line 18, delete the first semicolon, and insert a colon

Page 99, line 22, after "manual" insert "specified by the commissioner. In promulgating these instructions, the commissioner may utilize the manual"

Page 99, line 23, delete "adapted" and insert "adopted"

Page 99, line 24, delete everything after "committee"

Page 99, delete line 25

Page 99, line 26, delete everything before the period

Page 100, line 20, after "Minnesota" insert "except dental or pharmacy providers"

Page 100, line 25, after "committee" insert "entitled standards for the use of the HCFA 1500 form, dated February 1994"

Page 103, line 29, delete "providers" and insert "patients"

Page 103, line 36, delete "american" and insert "American"

Page 104, line 1, delete "Institute" and insert "institute"

Page 104, line 3, after "maintained" insert "in unencrypted form"

Page 104, line 5, after the period, insert "The encryption algorithm and hardware used must not use clipper chip technology."

Page 105, line 33, delete "american" and insert "American"

Page 107, lines 4, 9, and 26, after "shall" insert "be able to"

Page 107, line 26, delete "in full production"

Page 111, line 14, delete "public"

Page 112, line 23, strike ", or"

Page 112, line 24, strike "offering to sell,"

Page 115, line 20, after the period, insert "This paragraph does not prohibit use of a constant percentage adjustment for factors permitted to be used under this paragraph."

Page 120, line 20, after the period, insert "Notwithstanding any other law to the contrary, a health carrier is not required under any circumstances to provide a person covered by short-term coverage the right to obtain coverage on a guaranteed issue basis under another health plan offered by the health carrier, as a result of the person's enrollment in short-term coverage."

Sec. 11. Minnesota Statutes 1993 Supplement, section 62A.65, is amended by adding a subdivision to read:

Subd. 8. [CESSATION OF INDIVIDUAL BUSINESS.] Notwithstanding the provisions of subdivisions 1 to 7, a health carrier may elect to cease doing business in the individual market if it complies with the requirements of this subdivision. A health carrier electing to cease doing business in the individual market shall notify the commissioner 180 days prior to the effective date of the cessation. The cessation of business does not include the failure of a health carrier to offer or issue new business in the individual market or continue an existing product line, provided that a health carrier does not terminate, cancel, or fail to renew its current individual business or other product lines. A health carrier electing to cease doing business in the individual market shall provide 120 days' written notice to each policyholder covered by a health benefit plan issued by the health carrier. A health carrier that ceases to write new business in the individual market shall continue to be governed by this section with respect to continuing individual business conducted by the carrier. A health carrier that ceases to do business in the individual market after July 1, 1994, is prohibited from writing new business in the individual market in this state for a period of five years from the date of notice to the commissioner. This subdivision applies to any health maintenance organization that ceases to do business in the individual market in one service area with respect to that service area only. Nothing in this subdivision prohibits an affiliated health maintenance organization from continuing to do business in the individual market in that same service area.

Page 120, line 24, after "in" insert "a health plan, as defined in section 62A.011, offered by"

Page 120, line 25, strike "or"

Page 120, line 26, strike "offering to sell"

Page 124, line 3, strike the period

Page 128, line 36, after the period, insert "A political subdivision of the state is not a small employer and is not subject to this chapter when it provides health coverage to its employees, officers, and retirees, and their dependents, by participation in group purchasing of health plan coverage by or through an association of political subdivisions or by or through an educational cooperative service unit created under section 123.58 or by participating in a joint self-insurance pool authorized under section 471.617, subdivision 2."

Page 130, line 10, delete "must be" and insert ", as a result of the collective bargaining agreement, is"

Page 137, line 6, after the period, insert "This subdivision does not prohibit use of a constant percentage adjustment for factors permitted to be used under this subdivision."

Page 142, line 17, delete "rule" and insert "rules"

Page 143, delete lines 4 and 5, and insert:

"Sections 1, 3 to 6, 8, 10, 15 to 26, 28, 29, 31 to 40, and 42 to 45 are effective the day following final enactment. Sections 2 and 12 are effective July 1, 1994. Sections 7, 9, 13, 14, 21, 30, and 41 are effective January 1, 1995."

Page 144, after line 21, insert:

"Sec. 2. Minnesota Statutes 1993 Supplement, section 256.9356, subdivision 3, is amended to read:

Subd. 3. [ADMINISTRATION AND COMMISSIONER'S DUTIES.] Premiums are dedicated to the commissioner for MinnesotaCare. The commissioner shall make an annual redetermination of continued eligibility and identify people who may become eligible for medical assistance. The commissioner shall develop and implement procedures to: (1) require enrollees to report changes in income; (2) adjust sliding scale premium payments, based upon changes

in enrollee income; and (3) disenroll enrollees from MinnesotaCare for failure to pay required premiums. Premiums are calculated on a calendar month basis and may be paid on a monthly, quarterly, or annual basis, with the first payment due upon notice from the commissioner of the premium amount required. Premium payment is required before enrollment is complete and to maintain eligibility in MinnesotaCare. ~~Nonpayment~~ Payment of the premium later than 30 days after the premium due date will result in disenrollment from the plan ~~within one calendar month after the due date~~. Persons disenrolled for nonpayment may not reenroll until four calendar months have elapsed."

Page 149, after line 29, insert:

"Sec. 12. Minnesota Statutes 1993 Supplement, section 295.582, is amended to read:

295.582 [AUTHORITY.]

(a) A hospital, surgical center, pharmacy, or health care provider that is subject to a tax under section 295.52, or a pharmacy that has paid additional expense transferred under this section by a wholesale drug distributor, may transfer additional expense generated by section 295.52 obligations on to all third-party contracts for the purchase of health care services on behalf of a patient or consumer. The expense must not exceed two percent of the gross revenues received under the third-party contract, including plus two percent of copayments and deductibles paid by the individual patient or consumer. The expense must not be generated on revenues derived from payments that are excluded from the tax under section 295.53. All third-party purchasers of health care services including, but not limited to, third-party purchasers regulated under chapter 60A, 62A, 62C, 62D, 62H, 62N, 64B, or 62H, 65A, 65B, 79, or 79A, or under section 471.61 or 471.617, must pay the transferred expense in addition to any payments due under existing ~~or future~~ contracts with the hospital, surgical center, pharmacy, or health care provider, to the extent allowed under federal law. A third-party purchaser of health care services includes a health carrier, integrated service network, or community integrated service network that pays for health care services on behalf of patients or that reimburses patients for health care services. A wholesale drug distributor may transfer additional expense generated by section 295.52 obligations to entities that purchase from the wholesaler. Nothing in this ~~subdivision~~ section limits the ability of a hospital, surgical center, pharmacy, wholesale drug distributor, or health care provider to recover all or part of the section 295.52 obligation by other methods, including increasing fees or charges.

(b) Each third-party purchaser regulated under any chapter cited in paragraph (a) shall include with its annual renewal for certification of authority or licensure documentation indicating compliance with paragraph (a). If the commissioner responsible for regulating the third-party purchaser finds at any time that the third-party purchaser has not complied with paragraph (a) the commissioner may by order fine, censure, revoke, or suspend the certificate of authority or license of the third-party purchaser to do business in this state. The third-party purchaser may appeal the commissioner's order through a contested case hearing in accordance with chapter 14.

Sec. 13. [EFFECTIVE DATES.]

Sections 1, 8, and 11 are effective the day following final enactment. Sections 3 to 7, 9, and 10 are effective July 1, 1994."

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 32, after the semicolon insert "65B.49, subdivision 2;"

Page 1, line 37, delete "a subdivision" and insert "subdivisions"

Page 2, line 2, after "3;" insert "256.9356, subdivision 3;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 2536, A bill for an act relating to family law; clarifying pension plan obligations; amending Minnesota Statutes 1992, section 518.581, subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2554, A bill for an act relating to agriculture; providing for an agricultural processing facility loan program administered by the rural finance authority; providing for funding; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [41B.045] [VALUE-ADDED AGRICULTURAL PRODUCT LOAN PROGRAM.]

Subdivision 1. [DEFINITIONS.] For purposes of this section:

(1) "Agricultural product processing facility" means land, buildings, structures, fixtures, and improvements located or to be located in Minnesota and used or operated primarily for the processing or production of marketable products from agriculture crops, including waste and residues from agriculture crops, but not including livestock or livestock products, poultry or poultry products, or wood or wood products.

(2) "Value-added agricultural product" means a product derived from agricultural crops, including waste and residues from agricultural crops, but not including livestock or livestock products, poultry or poultry products, or wood or wood products, which are processed by an agricultural product processing facility.

Subd. 2. [ESTABLISHMENT.] The authority shall establish and implement a value-added agricultural product loan program to help farmers finance the purchase of stock in a cooperative proposing to build or purchase and operate an agricultural product processing facility.

Subd. 3. [REVOLVING FUND.] There is established in the state treasury a value-added agricultural product revolving fund which is eligible to receive appropriations. All repayments of financial assistance granted under subdivision 2, including principal and interest, must be deposited into this fund. Interest earned on money in the fund accrues to the fund, and money in the fund is appropriated to the commissioner of agriculture for purposes of the value-added agricultural loan program, including costs incurred by the authority to establish and administer the program.

Subd. 4. [ELIGIBILITY.] To be eligible for this program a borrower must:

(1) be a resident of Minnesota or a domestic family farm corporation as defined in section 500.24, subdivision 2;

(2) be a grower of the agricultural product which is to be processed by an agricultural product processing facility;

(3) demonstrate an ability to repay the loan; and

(4) meet any other requirements which the authority may impose by rule.

Subd. 5. [LOANS.] (a) The authority may participate in a stock loan with an eligible lender to a farmer who is eligible under subdivision 4. Participation is limited to 50 percent of the principal amount of the loan or \$50,000, whichever is less. The interest rates and repayment terms of the authority's participation interest may differ from the interest rates and repayment terms of the lender's retained portion of the loan.

(b) No more than 80 percent of the purchase price of the stock may be financed under this program.

(c) Loans under this program may not be included in lifetime limitation calculated under section 41B.03, subdivision 1, clause (3).

(d) Security for stock loans must be the stock purchased, a personal note executed by the borrower, and whatever other security is required by the eligible lender or the authority.

(f) The authority may impose a reasonable nonrefundable application fee for each application for a stock loan. The authority may review the fee annually and make adjustments as necessary. The application fee is initially \$50. Application fees received by the authority must be deposited in the value-added agricultural product revolving fund.

(g) Stock loans under this program will be made using money in the value-added agricultural product revolving fund established under subdivision 3.

(h) The authority may not grant stock loans in a cumulative amount exceeding \$10,000,000 for the financing of stock purchases in any one cooperative.

Subd. 6. [RULES.] The authority may adopt rules necessary for the administration of the program established under subdivision 2, including rules which establish a minimum cost of any agricultural product processing facility for which financial assistance may be given to any farmer to help finance the purchase of stock in a cooperative.

Sec. 2. [RURAL FINANCE AUTHORITY PROGRAM PROMOTION.]

The commissioner of agriculture and the director of the rural finance authority shall initiate an effort to examine local lender participation in programs of the rural finance authority and expand participation in programs of the authority where possible. The effort must examine the reasons why lenders do not participate in programs of the authority. The effort must attempt to determine if current programs of the authority fail to meet the needs of lenders and the scale and types of farming practiced in areas with low participation.

Not later than March 1, 1995, the commissioner shall report to the legislature on the findings, conclusions, and recommendations of the investigation and promotion effort. The report must include suggestions for changes in rural finance authority programs to make the programs more attractive to lenders and farm operators in areas where lenders do not participate in rural finance authority programs. The report may recommend statutory changes to make rural finance authority programs more available to Minnesota farm operators.

Sec. 3. [APPROPRIATION; RFA PROGRAM PROMOTION.]

\$50,000 is appropriated from the general fund to the commissioner of agriculture for the employment and expenses of additional staff to carry out the rural finance authority examination and promotion effort in section 2. This appropriation remains available until June 30, 1995.

Sec. 4. [VALUE-ADDED AGRICULTURAL PRODUCT LOAN PROGRAM FUNDING.]

\$..... is appropriated from the general fund to the value-added agricultural revolving fund to fund the authority's value-added agricultural product loan program under section 1.

Sec. 5. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, lines 2 and 3, delete "an agricultural processing facility" and insert "a value-added agricultural product"

Page 1, after line 4, insert "providing for a rural finance authority examination and promotion effort;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 2588, A bill for an act relating to energy; modifying provisions relating to liquefied petroleum gas sales; establishing an account; amending Minnesota Statutes 1993 Supplement, sections 239.785, subdivision 2, and by adding a subdivision; Laws 1993, chapter 369, section 11.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services/Health and Housing Finance Division.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 2589, A bill for an act relating to motor fuels; specifying ten-county area as carbon monoxide control area; requiring annual registration of oxygenate blenders; specifying records that must be maintained by oxygenate blenders and allowing for audits; making technical amendments relating to regulation of oxygenated fuels; amending Minnesota Statutes 1992, sections 239.05, subdivisions 6a and 10b; and 239.791, subdivisions 3, 4, 5, 7, and by adding a subdivision; Minnesota Statutes 1993 Supplement, section 239.791, subdivision 8; repealing Minnesota Statutes 1993 Supplement, section 239.791, subdivision 6.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Transportation and Transit.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 2590, A bill for an act relating to energy; classifying and requiring information on applications for the municipal energy conservation investment loan program; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; 216C.37, subdivision 3, and by adding subdivisions; Minnesota Statutes 1993 Supplement, section 216C.37, subdivision 1; repealing Minnesota Statutes 1992, section 216C.37, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 16, delete "subdivision 3a" and insert "subdivisions 3a and 3b"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 2591, A bill for an act relating to utilities; eliminating duplicate reporting relating to energy demand forecasting information by public utilities; amending Minnesota Statutes 1992, sections 116C.57, subdivision 3; 216B.241, subdivision 1a; and 216C.17, subdivision 2; Minnesota Statutes 1993 Supplement, sections 216B.2422, by adding a subdivision; and 216C.17, subdivision 3; repealing Minnesota Statutes 1993 Supplement, section 116C.54.

Reported the same back with the following amendments:

Page 2, after line 3, insert:

"Sec. 2. Minnesota Statutes 1992, section 216B.16, is amended by adding a subdivision to read:

Subd. 14. [LOW-INCOME RATES.] (a) The commission may consider ability to pay as a factor in setting utility rates and may establish programs for low-income residential ratepayers in order to ensure affordable, reliable, and continuous service to low-income utility customers. The commission shall order a pilot program for at least one utility. In ordering pilot programs, the commission shall consider the following:

(1) the potential for low-income programs to provide savings to the utility for all collection costs including but not limited to: costs of disconnecting and reconnecting residential ratepayers' service, all activities related to the utilities' attempt to collect past due bills, utility working capital costs, and any other administrative costs related to inability to pay programs and initiatives;

(2) the potential for leveraging federal low-income energy dollars to the state; and

(3) the impact of energy costs as a percentage of the total income of a low-income residential customer.

(b) In determining the structure of the pilot utility program, the commission shall:

(1) consult with advocates for and representatives of low-income utility customers, administrators of energy assistance and conservation programs, and utility representatives;

(2) coordinate eligibility for the program with the state and federal energy assistance program and low-income residential energy programs, including weatherization programs; and

(3) evaluate comprehensive low-income programs offered by utilities in other states.

(c) The commission shall implement at least one pilot project by January 1, 1995, and shall allow a utility required to implement a pilot project to recover the net costs of the project in the utility's rates.

(d) The commission, in conjunction with the commissioner of the department of public service and the commissioner of jobs and training, shall review low-income rate programs and shall report to the legislature by January 1, 1998. The report must include:

(1) the increase in federal energy assistance money leveraged by the state as a result of this program;

(2) the effect of the program on low-income customer's ability to pay energy costs;

(3) the effect of the program on utility customer bad debt and arrearages;

(4) the effect of the program on the costs and numbers of utility disconnections and reconNECTIONS and other costs incurred by the utility in association with inability to pay programs;

(5) the ability of the utility to recover the costs of the low-income program without a general rate change;

(6) how other ratepayers have been affected by this program;

(7) recommendations for continuing, eliminating, or expanding the low-income pilot program; and

(8) how general revenue funds may be utilized in conjunction with low-income programs."

Page 3, line 33, strike "Public"

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "authorizing low-income rates in certain circumstances; establishing a pilot program;"

Page 1, line 5, after the semicolon, insert "216B.16, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2646, A bill for an act relating to agriculture; expanding the restricted seed potato growing area; amending Minnesota Statutes 1992, section 21.1196, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Lieder from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 2677, A bill for an act relating to burial grounds; modifying provisions for enforcement of certain civil actions; amending Minnesota Statutes 1993 Supplement, section 307.082.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 2766, A bill for an act relating to capital improvements; authorizing the sale of bonds and appropriating money for the neighborhood land trust program.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 2772, A bill for an act relating to state government; public employment; establishing a pilot project in certain agencies; permitting the waiver of rules governing the classified and unclassified service of the state by joint committees.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2878, A bill for an act relating to agriculture; appropriating money for legal challenges to the federal milk market order system.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

S. F. No. 788, A bill for an act relating to energy; clarifying maximum energy consumption requirements for certain exit lamps; eliminating advance forecast reporting requirements for public electric utilities submitting advance

forecasts in an integrated resource plan; updating the municipal energy conservation loan program; eliminating the district heating loan program; providing for certain energy related matters with respect to rental property; amending Minnesota Statutes 1992, sections 16B.61, subdivision 3; 116C.54; 216B.16, by adding a subdivision; 216B.241, subdivisions 1b and 2; 216C.17, subdivision 3; 216C.19, subdivisions 17 and 19; 216C.31; 216C.37, subdivision 1; 299F.011, subdivision 4c; 446A.10, subdivision 2; 504.185, subdivision 1, and by adding a subdivision; and 504.22, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1992, sections 216C.36; and 327C.04, subdivision 4; Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 216B.47, is amended to read:

216B.47 [ACQUISITION BY EMINENT DOMAIN.]

Nothing in ~~Laws 1974, chapter 429 shall~~ this chapter may be construed to preclude a municipality from acquiring the property of a public utility by eminent domain proceedings; provided that damages to be paid in eminent domain proceedings ~~shall must~~ include the original cost of the property less depreciation, loss of revenue to the utility, expenses resulting from integration of facilities, and other appropriate factors. A municipality seeking to acquire the property of a public utility in eminent domain proceedings may not acquire the right to furnish electric service during the pendency of the proceedings through the use of section 117.042 but may petition the commission under section 216B.44 for service rights. For purposes of this section, a public utility ~~shall include~~ includes a cooperative electric association.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and applies to acquisition of property that is begun on or after that date."

Delete the title and insert:

"A bill for an act relating to utilities; prohibiting a municipality from using a quick take condemnation proceeding when acquiring the property of another electric service provider through eminent domain; amending Minnesota Statutes 1992, section 216B.47."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2058, 2080, 2248, 2314, 2373, 2435, 2536, 2591, 2646 and 2772 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2073, 2383 and 788 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Neary, Clark, Jennings, Onnen and Greiling introduced:

H. F. No. 3059, A bill for an act relating to health; prohibiting certain organizational mergers or acquisitions; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 62J.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Carlson, Morrison, Perl, Luther and Bergson introduced:

H. F. No. 3060, A bill for an act relating to education; providing for an elected board for intermediate school districts; restoring intermediate school districts and their funding for fiscal year 1996 and thereafter; amending Minnesota Statutes 1992, sections 136D.22, by adding subdivisions; 136D.72, by adding subdivisions; and 136D.82, by adding subdivisions; Minnesota Statutes 1993 Supplement, section 124.2727, subdivision 6; and Laws 1992, chapter 499, article 6, section 39, subdivision 3.

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

Hausman introduced:

H. F. No. 3061, A bill for an act relating to transportation; creating a metropolitan commission on special transportation service; prescribing duties; abolishing transportation accessibility advisory committee; appropriating money; amending Minnesota Statutes 1992, section 473.386, as amended.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Huntley introduced:

H. F. No. 3062, A bill for an act relating to lead abatement; developing directives; modifying definition of asbestos-related work; amending Minnesota Statutes 1992, sections 144.871, subdivision 3; and 144.874, subdivision 12, and by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 16B.61, subdivision 3; 144.871, subdivision 2; 144.872, subdivision 2; 144.874, subdivisions 1, 3, 9, and 11a; 144.878, subdivisions 2 and 5; and 326.71, subdivision 4; repealing Minnesota Statutes 1993 Supplement, section 144.877.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rodosovich introduced:

H. F. No. 3063, A bill for an act relating to taxes; including information on saving for a post-secondary education in individual income tax return forms, instruction booklets, and tax refund mailings; amending Minnesota Statutes 1992, section 289A.08, by adding a subdivision.

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

Molnau introduced:

H. F. No. 3064, A bill for an act relating to state government; providing for the size of the legislature; providing conditions for the organization of legislative committees; providing term limits; proposing an amendment to the Minnesota Constitution, articles IV, section 4; and V, sections 2 and 4; amending Minnesota Statutes 1992, section 2.021; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Huntley, Lourey, Cooper, Van Engen and Jaros introduced:

H. F. No. 3065, A bill for an act relating to education; establishing a rural psychiatry program at the University of Minnesota Duluth; proposing coding for new law in Minnesota Statutes, chapter 137.

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

Hugoson, Mosel and Vickerman introduced:

H. F. No. 3066, A bill for an act relating to tax increment financing; allowing the city of Lake Crystal to extend the duration of a redevelopment tax increment financing district.

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

Wenzel introduced:

H. F. No. 3067, A bill for an act relating to appropriations; highways; appropriating money for work on Morrison county road No. 206.

The bill was read for the first time and referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

Greenfield introduced:

H. F. No. 3068, A bill for an act relating to human services; appropriating money for the departments of human services and health, the veterans nursing homes board, the health-related boards, the council on disability, and the ombudsman for mental health and mental retardation.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kalis; Brown, C.; Mosel; Lieder and Johnson, V., introduced:

H. F. No. 3069, A bill for an act relating to taxation; sales and use; exempting unprocessed gravel; amending Minnesota Statutes 1992, section 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bauerly; Anderson, I.; Mosel and Nelson introduced:

H. F. No. 3070, A bill for an act relating to tax increment financing; authorizing the establishment of manufacturing districts; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Peterson, Reding and Sviggum introduced:

H. F. No. 3071, A bill for an act relating to tax increment financing; allowing the city of Dawson to extend the duration of a tax increment financing district.

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

Ness, Gruenes, Rukavina, Bettermann and Beard introduced:

H. F. No. 3072, A bill for an act relating to workers' compensation insurance; prohibiting the combination of experience rating after certain ownership changes; amending Minnesota Statutes 1992, section 79.211, by adding a subdivision.

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

Kahn, Krueger, Solberg and Hausman introduced:

H. F. No. 3073, A bill for an act relating to state government; department of employee relations; establishing a program to promote responsiveness, innovation, productivity, and employee involvement within executive agencies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Tunheim; Anderson, I.; Johnson, V.; Peterson and Olson, E., introduced:

H. F. No. 3074, A bill for an act relating to wetlands; allowing replacement plans under approved county comprehensive wetland management plans; removing restrictions on wetlands that may be used in the statewide wetland banking program; modifying exemptions; clarifying the applicability of the wetland conservation act to the state; amending Minnesota Statutes 1992, section 103G.2242, subdivision 9; Minnesota Statutes 1993 Supplement, sections 103G.222; and 103G.2241.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Tomassoni and Reding introduced:

H. F. No. 3075, A bill for an act relating to insurance; life insurance and annuities; requiring certain disclosures prior to replacement of an existing policy or contract; proposing coding for new law in Minnesota Statutes, chapter 61A.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Smith and Olson, M., introduced:

H. F. No. 3076, A bill for an act relating to libraries; removing the authority of the Great River Regional library system to establish a regional public library district; amending Minnesota Statutes 1993 Supplement, section 134.201, subdivision 1.

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

Klinzing and Olson, M., introduced:

H. F. No. 3077, A bill for an act relating to regional library districts; amending the process for establishing regional library districts; changing the manner in which a regional library district's levy is spread; amending Minnesota Statutes 1993 Supplement, section 134.201, subdivisions 2 and 5.

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

Olson, E., and Johnson, V., introduced:

H. F. No. 3078, A bill for an act relating to taxation; sales and use; exempting certain sales to veterinarians; amending Minnesota Statutes 1992, section 297A.25, subdivision 9.

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

Rukavina introduced:

H. F. No. 3079, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to make subgrants of certain money; amending Minnesota Statutes 1992, section 84.085, subdivision 1; repealing Minnesota Statutes 1992, section 88.063.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Farrell introduced:

H. F. No. 3080, A bill for an act relating to retirement; making the 1993 early retirement incentive program retroactive in certain instances.

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

Swiggum introduced:

H. F. No. 3081, A bill for an act relating to state lands; directing sale and conveyance of certain state-owned lands to the city of Medford.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pugh and Skoglund introduced:

H. F. No. 3082, A bill for an act relating to civil actions; changing the statute of limitations applicable to actions against sheriffs and coroners from three to two years; amending Minnesota Statutes 1992, section 541.06.

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

Trimble introduced:

H. F. No. 3083, A bill for an act relating to human development; appropriating money for preliminary planning and programming for a human development center.

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

Pawlenty and Davids introduced:

H. F. No. 3084, A bill for an act relating to family law; requiring publication of names of certain delinquent child support obligors; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Evans introduced:

H. F. No. 3085, A bill for an act relating to economic development; adding New Brighton and Mounds View to a pilot project; appropriating money.

The bill was read for the first time and referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

Wagenius introduced:

H. F. No. 3086, A bill for an act relating to the environment; allowing use of passive bioremediation for certain voluntary response actions; expanding the authority of the commissioner of the pollution control agency to issue determinations regarding liability for releases of hazardous substances and petroleum; amending Minnesota Statutes 1992, section 115B.175, by adding a subdivision; Minnesota Statutes 1993 Supplement, section 115B.178, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115C.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Mariani introduced:

H. F. No. 3087, A bill for an act relating to bilingual communication services; requiring the Spanish-speaking affairs council and the council on Asian-Pacific Minnesotans to report on coordination with the department of administration; requiring all public agencies that deal directly with non-English-speaking people to provide information and services in the language of the non-English-speaking people; amending Minnesota Statutes 1992, sections 3.9223, subdivision 7; 3.9226, subdivision 7; and 15.441.

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

Mariani introduced:

H. F. No. 3088, A bill for an act relating to state government; field archaeology; transferring to the Indian affairs council the duty to appoint the state archaeologist; amending Minnesota Statutes 1992, sections 3.922, subdivision 6; 138.31, by adding a subdivision; 138.33; 138.34; 138.35; 138.38; 138.39; and 138.41.

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

Mariani introduced:

H. F. No. 3089, A bill for an act relating to Indian burials; authorizing the Indian Affairs Council to hire or contract for an archaeologist; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 307.

The bill was read for the first time and referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

Evans and Anderson, I., introduced:

H. F. No. 3090, A bill for an act relating to education; modifying the formula for abatement aids; appropriating money; amending Minnesota Statutes 1992, sections 124.214, subdivision 2; 124.912, by adding a subdivision; and 124A.032; Minnesota Statutes 1993 Supplement, section 275.48.

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

Milbert introduced:

H. F. No. 3091, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 17.47, subdivision 3; 41A.05, subdivision 2; 60B.04, subdivision 1; 60B.09, subdivisions 1 and 3; 115.41, subdivisions 1 and 2; 115.42; 115.43, subdivision 2; 115.44, subdivision 2; 115.45, subdivision 1; 115.50; 115.52; 115.53; 120.101, subdivisions 2 and 6; 121.88, subdivision 8; 125.611, subdivision 1; 136.24, subdivision 1; 136.622, subdivision 1; 152.02, subdivisions 9, 12, and 13; 160.265; 169.443, subdivision 8; 214.01, subdivision 3; 214.13, subdivision 1; 237.60, subdivision 2; 256D.06, subdivision 1b; 260.151, subdivision 1; 299C.61, subdivision 4; 309.53, subdivision 2; 326.212; 326.224; 326.461, subdivision 1; 327.32, subdivision 8; 327.33; 327.34, subdivision 1; 331A.06, subdivision 4; 348.13; 352.119, subdivision 1; 386.61, by adding

a subdivision; 423B.12; 446A.07, subdivision 6; 449.06; 469.174, subdivision 10; 469.181, subdivision 1; and 471A.11; Minnesota Statutes 1993 Supplement, sections 16B.06, subdivision 2a; 16B.122, subdivision 3; 62A.31, subdivision 1n; 62N.075; 82.195, subdivision 2; 115A.542; 115C.082, subdivision 1; 124.195, subdivision 8; 138.96, subdivision 2; 144.991, subdivisions 3 and 4; 152.11, subdivision 1; 169.121, subdivision 1c; 214.103, subdivision 6; 245A.04, subdivision 3b; 256D.44, subdivision 3; 257.67, subdivision 3; 268.92, subdivision 1; 296.035; 325F.755, subdivision 5; 326.111, subdivision 4; 326.975; subdivision 2; 349.217, subdivision 1; 386.66; 491A.01, subdivision 3; 549.09, subdivision 1; 609.5312, subdivision 3; 609.605, subdivision 1; and 609.749, subdivision 5; repealing Minnesota Statutes 1992, sections 216B.164, subdivision 7; 385.08; and 473.872; Laws 1977, chapter 11, section 8; Laws 1982, chapter 514, sections 18 and 19; Laws 1983, chapter 247, section 130; Laws 1984, chapter 628, article 2, section 4; Laws 1985, First Special Session chapters 9, article 2, sections 81 and 82; 13, section 191; and 14, article 9, section 16; Laws 1987, chapters 197, section 1; 315, section 4, subdivision 2; and 336, section 35; Laws 1988, chapters 441, section 2; 486, sections 15 and 68; 496, section 8; 514, section 5; and 636, section 3; Laws 1989, chapters 89, sections 1 (in part) and 13; 133, section 1; 144, article 2, section 8; 209, article 2, sections 8 and 34; 222, sections 10, 21, 22, and 36; 271, section 32; 282, article 2, sections 144 and 186; 293, section 74; 319, article 13, sections 22 and 55; 329, article 5, section 10; 334, article 2, section 17; 335, article 1, sections 200 and 255; 353, section 10; and 356, section 18; Laws 1990, chapters 426, article 1, sections 5 and 32; 480, articles 5, sections 6 and 9; and 9, section 3; 512, section 12; 562, article 10, section 1; 571, section 39; 574, section 5; and 594, article 3, sections 6 and 7; Laws 1991, chapters 58, sections 1, 2, 3, 4, 5, 6, 7, and 8; 130, section 24; 174, section 8; 199, article 1, section 71; 238, article 1, section 7; 265, article 4, section 19; 292, article 4, section 45; 336, article 2, section 2; 340, sections 1 and 32; and 345, article 2, section 46; Laws 1992, chapters 432, article 2, section 41; 437, section 1; and 499, article 6, section 15; Laws 1993, chapters 4, section 9; 47, sections 1, 4, 6, and 9; 78, section 3; 101, section 1; 224, article 13, sections 3 and 43; 247, articles 1, section 11; and 2, section 9; 269, section 17; 286, sections 2 and 21; 303, sections 15, 17, and 18; 339, section 12; and 369, sections 38 and 128; Laws 1993, First Special Session chapter 1, article 2, section 6.

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

Bettermann introduced:

H. F. No. 3092, A bill for an act relating to workers' compensation; making changes of a technical and housekeeping nature; establishing a fraud investigation unit; modifying provisions relating to compensation and procedures; amending Minnesota Statutes 1992, sections 13.69, subdivision 1; 13.82, subdivision 1; 168.012, subdivision 1; 175.16; 176.011, subdivision 16; 176.041, subdivision 1; 176.081, subdivision 1; 176.101, subdivisions 3a, 3e, 3i, and 3p; 176.102, subdivisions 3a, 11, and 14; 176.103, subdivisions 2 and 3; 176.104, subdivision 1; 176.106, subdivision 7; 176.136, subdivisions 1a and 2; 176.138; 176.178; 176.181, subdivision 8; 176.191, by adding a subdivision; 176.215, by adding a subdivision; 176.238, subdivision 6; 176.261; 176.2615, subdivision 7; 176.275, subdivision 1; 176.281; 176.285; 176.291; 176.305, subdivision 1a; 176.645; 176.83, subdivision 5; 299C.46, subdivision 2; 626.11; and 626.84, subdivision 1; Minnesota Statutes 1993 Supplement, sections 176.041, subdivision 1a; 176.136, subdivision 1b; 626.05, subdivision 2; and 626.13; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 1992, sections 176.103, subdivision 2a; and 176.86.

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

Cooper, Lieder, Reding, Girard and Steensma introduced:

H. F. No. 3093, A bill for an act relating to capital improvements; appropriating money and authorizing state bonding to build a water retention basin in Renville county.

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

Kelso introduced:

H. F. No. 3094, A bill for an act relating to adoption; consent; requiring certain notice to a birth parent; specifying a deadline for action by the birth parent; amending Minnesota Statutes 1992, section 259.24, by adding a subdivision.

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

Beard and Goodno introduced:

H. F. No. 3095, A bill for an act relating to employment; establishing the governor's workforce development council to replace the governor's job training council; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1993 Supplement, section 268.9755.

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

Wejzman introduced:

H. F. No. 3096, A bill for an act relating to human services; appropriating money for interdisciplinary training of persons who deal with victims and perpetrators of violence.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark and Jefferson introduced:

H. F. No. 3097, A bill for an act relating to public administration; authorizing spending to make public improvements of a capital nature; authorizing issuance of bonds; authorizing assessment of debt service; appropriating money.

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

Greiling introduced:

H. F. No. 3098, A bill for an act relating to education; providing for comprehensive parent involvement programs to prevent violence; establishing a parent advisory council; requiring program evaluation; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Beard and Winter introduced:

H. F. No. 3099, A bill for an act relating to workers' compensation; revising benefits for permanent partial disability, temporary total disability, temporary partial disability, dependency benefits; allowing one change of physician as a matter of right; revising hearings procedures; repealing administrative rules; amending Minnesota Statutes 1992, sections 176.011, subdivision 18; 176.021, subdivision 3; 176.061, subdivision 10; 176.101, subdivisions 1, 2, 5, 6, and by adding a subdivision; 176.102, subdivision 2; 176.105, subdivisions 2 and 4; 176.106, subdivision 3; 176.135, subdivision 2; 176.179; 176.221, subdivision 6a; 176.66, subdivision 11; and 176.83, subdivisions 1 and 5; Minnesota Statutes 1993 Supplement, section 268.08, subdivision 3; repealing Minnesota Statutes 1992, sections 176.011, subdivisions 25 and 26; 176.021, subdivision 3a; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, and 3u.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Cooper; Anderson, R., and Brown, C., introduced:

H. A. No. 34, A proposal to study funding methods for emergency medical services communications systems.

The advisory was referred to the Committee on Health and Human Services.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. 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. 1885, A bill for an act relating to financial institutions; regulating administrative hearings on bank applications, certain bank mergers, certain emergency notices, certain credit union accounts, and motor vehicle sales finance contracts; making technical and clarifying changes; amending Minnesota Statutes 1992, sections 46.041, subdivision 4; 47.0153, subdivision 1; 47.0154; 48.47; 48.70; 52.191; 52.24, subdivision 2; 59A.03, subdivision 1; 168.69; Minnesota Statutes 1993 Supplement, sections 47.54, subdivision 4; and 56.155, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 48 and 52; repealing Minnesota Statutes 1992, sections 48.26; and 48.88, subdivision 2; Laws 1982, chapter 429, section 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jennings moved that the House concur in the Senate amendments to H. F. No. 1885 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1885, A bill for an act relating to financial institutions; regulating administrative hearings on bank applications, certain bank mergers, certain emergency notices, certain credit union accounts, and motor vehicle sales finance contracts; regulating maximum interest rates; making technical and clarifying changes; amending Minnesota Statutes 1992, sections 46.041, subdivision 4; 47.0153, subdivision 1; 47.0154; 48.47; 48.70; 52.191; 52.24, subdivision 2; 59A.03, subdivision 1; and 168.69; Minnesota Statutes 1993 Supplement, sections 47.20, subdivision 4a; 47.54, subdivision 4; and 56.155, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 48; and 52; repealing Minnesota Statutes 1992, sections 48.26; and 48.88, subdivision 2; Laws 1982, chapter 429, section 6.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

CONSENT CALENDAR

S. F. No. 1750 was reported to the House.

Evans moved that S. F. No. 1750 be continued on the Consent Calendar. The motion prevailed.

S. F. No. 844, A bill for an act relating to public employees; requiring public employers to afford time off to appointed representatives of an exclusive representative of any Minnesota public employer; amending Minnesota Statutes 1992, section 179A.07, subdivision 6.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Huntley	Leppik	Murphy	Reding	Van Dellen
Anderson, R.	Dehler	Jacobs	Lieder	Neary	Rest	Van Engen
Asch	Dempsey	Jaros	Limmer	Nelson	Rice	Vellenga
Battaglia	Dorn	Jefferson	Lindner	Ness	Rodosovich	Vickerman
Bauerly	Erhardt	Jennings	Long	Olson, E.	Rukavina	Wagenius
Beard	Evans	Johnson, A.	Lourey	Olson, K.	Sarna	Waltman
Bergson	Farrell	Johnson, R.	Luther	Onnen	Sekhon	Weaver
Bertram	Finseth	Johnson, V.	Lynch	Opatz	Simoneau	Wejcmán
Bettermann	Garcia	Kahn	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Goodno	Kalis	Mahon	Orfield	Smith	Winter
Brown, C.	Greenfield	Kelso	Mariani	Ostrom	Solberg	Wolf
Brown, K.	Greiling	Kinkel	McCollum	Ozment	Stanius	Worke
Carlson	Gruenes	Klinzing	McGuire	Pauly	Steensma	Workman
Carruthers	Gutknecht	Knickerbocker	Milbert	Pawlenty	Swenson	Spk. Anderson, I.
Clark	Hasskamp	Knight	Molnau	Pelowski	Tomassoni	
Commers	Haukoos	Koppendrayner	Morrison	Perl	Tompkins	
Cooper	Hausman	Krueger	Mosel	Peterson	Trimble	
Dauner	Holsten	Lasley	Munger	Pugh	Tunheim	

Those who voted in the negative were:

Frerichs	Hugoson	Olson, M.	Seagren
Girard	Krinkie	Rhodes	Sviggum

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 1966, A bill for an act relating to peace officers; authorizing officers of states adjoining Minnesota to render assistance to peace officers of this state on request; granting these officers arrest authority in this state under certain circumstances; extending the state and local government tort liability laws to the conduct of these officers; proposing coding for new law in Minnesota Statutes, chapter 626.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Battaglia	Bergson	Bishop	Carlson	Commers	Davids
Anderson, R.	Bauerly	Bertram	Brown, C.	Carruthers	Cooper	Dawkins
Asch	Beard	Bettermann	Brown, K.	Clark	Dauner	Dehler

Dempsey	Hausman	Knickerbocker	Mariani	Opatz	Rodosovich	Tunheim
Dorn	Holsten	Knight	McCollum	Orenstein	Rukavina	Van Dellen
Erhardt	Hugoson	Koppendrayser	McGuire	Orfield	Sarna	Van Engen
Evans	Huntley	Krinkie	Milbert	Osthoff	Seagren	Vellenga
Farrell	Jacobs	Krueger	Molnau	Ostrom	Sekhon	Vickerman
Finseth	Jaros	Lasley	Morrison	Ozment	Simoneau	Wagenius
Frerichs	Jefferson	Leppik	Mosel	Pauly	Skoglund	Waltman
Garcia	Jennings	Lieder	Munger	Pawlenty	Smith	Weaver
Girard	Johnson, A.	Limmer	Murphy	Pelowski	Solberg	Wejcman
Goodno	Johnson, R.	Lindner	Neary	Perlt	Stanis	Wenzel
Greenfield	Johnson, V.	Long	Nelson	Peterson	Steensma	Winter
Greiling	Kahn	Lourey	Ness	Pugh	Sviggum	Wolf
Gruenes	Kalis	Luther	Olson, E.	Reding	Swenson	Worke
Gutknecht	Kelso	Lynch	Olson, K.	Rest	Tomassoni	Workman
Hasskamp	Kinkel	Macklin	Olson, M.	Rhodes	Tompkins	Spk. Anderson, I.
Haukoos	Klinzing	Mahon	Ornen	Rice	Trimble	

The bill was passed and its title agreed to.

H. F. No. 2142, A bill for an act relating to the city of Brooklyn Park; authorizing the city's economic development authority to make certain small business loans.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Anderson, I., in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. Nos. 2010, 2043, 2143, 2210, 2222 and 2306 were recommended to pass.

H. F. Nos. 2099, 1374 and 2243 were recommended for progress.

S. F. Nos. 1691 and 2073 were recommended for progress.

On the motion of Carruthers the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Gutknecht moved that the name of Erhardt be added as an author on H. F. No. 2632. The motion prevailed.

Rodosovich moved that the name of Worke be added as an author on H. F. No. 2741. The motion prevailed.

Wagenius moved that the name of Rice be added as an author on H. F. No. 2762. The motion prevailed.

Brown, K., moved that the name of Jennings be added as an author on H. F. No. 2782. The motion prevailed.

Mariani moved that the name of Kinkel be added as an author on H. F. No. 2926. The motion prevailed.

Wejcman moved that the name of Weaver be added as an author on H. F. No. 2950. The motion prevailed.

Jaros moved that the name of Dawkins be added as an author on H. F. No. 3004. The motion prevailed.

Cooper moved that the names of Peterson and Huntley be added as authors on H. F. No. 3007. The motion prevailed.

Murphy moved that the names of Rodosovich, Solberg and Lourey be added as authors on H. F. No. 3009. The motion prevailed.

Lourey moved that the name of Jennings be added as an author on H. F. No. 3051. The motion prevailed.

McCollum moved that the names of Murphy; Olson, K.; Vellenga and Ness be added as authors on H. F. No. 3056. The motion prevailed.

Bauerly moved that the following statement be printed in the Journal of the House: "Had I been present, it was my intention to vote in the affirmative on Thursday, March 17, 1994, when the vote was taken on the repassage of H. F. No. 1863, as amended by the Senate." The motion prevailed.

Bauerly moved that the following statement be printed in the Journal of the House: "Had I been present, it was my intention to vote in the affirmative on Thursday, March 17, 1994, when the vote was taken on the final passage of H. F. No. 2074, as amended." The motion prevailed.

Mariani moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Monday, March 21, 1994, when the vote was taken on the final passage of H. F. No. 1914, as amended." The motion prevailed.

Finseth moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Monday, March 21, 1994, when the vote was taken on the final passage of S. F. No. 1512, as amended." The motion prevailed.

Peterson moved that H. F. No. 2240 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Pelowski moved that H. F. No. 2609 be recalled from the Committee on Education and be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

Carlson moved that H. F. No. 2957 be recalled from the Committee on Judiciary and be re-referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

Murphy moved that H. F. No. 2962 be recalled from the Committee on Governmental Operations and Gambling and be re-referred to the Committee on Labor-Management Relations. The motion prevailed.

Greiling moved that S. F. No. 2040 be recalled from the Committee on Governmental Operations and Gambling and together with H. F. No. 2536, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Peterson moved that H. F. No. 2540 be returned to its author. The motion prevailed.

ADJOURNMENT

Carruthers moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, March 23, 1994.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

