

TWENTY-FOURTH DAY

St. Paul, Minnesota, Monday, March 11, 1985

The Senate met at 2:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Kenneth Ludeschere.

The roll was called, and the following Senators answered to their names:

Adkins	Diessner	Knaak	Moe, R.D.	Renneke
Anderson	Dieterich	Knutson	Nelson	Samuelson
Belanger	Frank	Kroening	Olson	Schmitz
Benson	Frederick	Kronebusch	Pehler	Sieloff
Berg	Frederickson	Laidig	Peterson, C.C.	Solon
Berglin	Freeman	Langseth	Peterson, D.C.	Spear
Bernhagen	Gustafson	Lantry	Peterson, D.L.	Storm
Bertram	Hughes	Lessard	Peterson, R.W.	Stumpf
Chmielewski	Isackson	Luther	Petty	Taylor
Dahl	Johnson, D.E.	McQuaid	Pogemiller	Vega
Davis	Johnson, D.J.	Mehrkens	Purfeerst	Waldorf
DeCramer	Jude	Merriam	Ramstad	Wegscheid
Dicklich	Kamrath	Moe, D.M.	Reichgott	Willet

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Novak was excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 102 and 252.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 7, 1985

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1, 34 and 97.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 7, 1985

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H.F. No. 1: A bill for an act relating to local government; establishing a procedure to consolidate the cities of International Falls and South International Falls; authorizing a special mill levy in the event of consolidation.

Referred to the Committee on Rules and Administration.

H.F. No. 34: A bill for an act relating to liquor; use of Minnesota grown grapes by farm wineries; amending Minnesota Statutes 1984, section 340.435.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 72, now on the Calendar.

H.F. No. 97: A bill for an act relating to liquor; authorizing farm winery licensees to sell cheese and cheese spreads; amending Minnesota Statutes 1984, section 340.435, subdivision 3.

Referred to the Committee on Public Utilities and State Regulated Industries.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 395: A bill for an act relating to natural resources; establishing an aspen recycling program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 88.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 8 to 23 and insert:

“Subdivision 1. [ESTABLISHMENT.] The commissioner may:

(1) establish and accelerate an aspen recycling program to assure that marketable stands of aspen are available on state lands;

(2) designate priority areas on state lands for aspen recycling; and

(3) establish the pilot project under subdivision 2 in the highest priority area for aspen recycling.

Subd. 2. [PILOT PROJECT.] The commissioner may establish a pilot project to develop methods and practices to recycle aspen stands in the state. The commissioner may restrict bidding to loggers residing in the pilot project area designated under subdivision 1 that are financially distressed. The commissioner may establish standards and procedures for awarding logging contracts under section 86.35 relating to eligibility for employment for con-

ervation work projects."

Page 2, after line 7, insert:

"Sec. 3. [REPEALER.]

Section 1, subdivisions 2 and 3, are repealed effective July 1, 1987."

Renumber the remaining section

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 251: A bill for an act relating to nursing homes; establishing an educational program for nursing home consumer advisory councils; authorizing a surcharge on nursing home license fees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144A.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [144A.33] [RESIDENT AND FAMILY ADVISORY COUNCIL EDUCATION.]

Subdivision 1. [EDUCATIONAL PROGRAM.] Each resident and family council authorized under section 144.651, subdivision 27, shall be educated and informed about the following:

(1) care in the nursing home or board and care home;

(2) resident rights and responsibilities;

(3) resident and family council organization and maintenance;

(4) laws and rules that apply to homes and residents;

(5) human relations; and

(6) resident and family self-help methods to increase quality of care and quality of life in a nursing home or board and care home.

Subd. 2. [PROVIDING EDUCATIONAL SERVICES.] The Minnesota board on aging shall provide a grant-in-aid to a statewide, independent, nonprofit, consumer-sponsored agency to provide educational services to councils.

Subd. 3. [FUNDING OF ADVISORY COUNCIL EDUCATION.] A license application or renewal fee under section 144A.07 must be increased by \$2 per bed to fund the development and education of resident and family advisory councils.

Subd. 4. [APPROPRIATION; SPECIAL ACCOUNT.] All money collected by the commissioner of health under subdivision 3 must be deposited in the state treasury and credited to a special account called the nursing home advisory council fund. Money in the account is annually appropriated to the Minnesota board on aging for the purposes of this section.

Subd. 5. [REPORT; EVALUATION.] The Minnesota board on aging shall evaluate the programs established under this section and report to the legislature by February 1 of each year concerning the programs established and the effectiveness of the programs.

Sec. 2. Minnesota Statutes 1984, section 256B.421, subdivision 8, is amended to read:

Subd. 8. [OPERATING COSTS.] "Operating costs" means the day-to-day costs of operating the facility in compliance with licensure and certification standards. Operating cost categories are: nursing, including nurses and nursing assistants training; dietary; laundry and linen; housekeeping; plant operation and maintenance; other care-related services; medical directors; licenses ~~and~~, *other than license fees required by the Minnesota department of health*; permits; general and administration; payroll taxes; real estate taxes, *license fees required by the Minnesota department of health*, and actual special assessments paid; and fringe benefits, including clerical training; and travel necessary for training programs for nursing personnel and dietitians required to maintain licensure, certification, or professional standards requirements.

Sec. 3. Minnesota Statutes 1984, section 256B.431, subdivision 2b, is amended to read:

Subd. 2b. [OPERATING COSTS, AFTER JULY 1, 1985.] (a) For rate years beginning on or after July 1, 1985, the commissioner shall establish procedures for determining per diem reimbursement for operating costs.

(b) The commissioner shall contract with an econometric firm with recognized expertise in and access to national economic change indices that can be applied to the appropriate cost categories when determining the operating cost payment rate.

(c) The commissioner shall analyze and evaluate each nursing home's cost report of allowable operating costs incurred by the nursing home during the reporting year immediately preceding the rate year for which the payment rate becomes effective.

(d) The commissioner shall establish limits on actual allowable historical operating cost per diems based on cost reports of allowable operating costs for the reporting year that begins October 1, 1983, taking into consideration relevant factors including resident needs, geographic location, age, size of the nursing home, and the costs that must be incurred for the care of residents in an efficiently and economically operated nursing home. The limits established by the commissioner shall not be less, in the aggregate, than the 60th percentile of total actual allowable historical operating cost per diems for each group of nursing homes established under subdivision 1 based on cost reports of allowable operating costs in the previous reporting year. The limits established under this paragraph remain in effect until the commissioner establishes a new base period. Until the new base period is established, the commissioner shall adjust the limits annually using the appropriate economic change indices established in paragraph (e). In determining allowable historical operating cost per diems for purposes of setting limits and nursing home payment rates, the commissioner shall divide the allowable historical operating costs by the actual number of resident days, except that where a nursing home is occupied at less than 90 percent of licensed capacity days,

the commissioner may establish procedures to adjust the computation of the per diem to an imputed occupancy level at or below 90 percent. The commissioner shall establish efficiency incentives as appropriate. The commissioner may establish efficiency incentives for different operating cost categories. The commissioner shall consider establishing efficiency incentives in care related cost categories. The commissioner may combine one or more operating cost categories and may use different methods for calculating payment rates for each operating cost category or combination of operating cost categories.

(e) The commissioner shall establish a composite index or indices by determining the appropriate economic change indicators to be applied to specific operating cost categories or combination of operating cost categories.

(f) Each nursing home shall receive an operating cost payment rate equal to the sum of the nursing home's operating cost payment rates for each operating cost category. The operating cost payment rate for an operating cost category shall be the lesser of the nursing home's historical operating cost in the category increased by the appropriate index established in paragraph (e) for the operating cost category plus an efficiency incentive established pursuant to paragraph (d) or the limit for the operating cost category increased by the same index. If a nursing home's actual historic operating costs are greater than the prospective payment rate for that rate year, there shall be no retroactive cost settle-up. In establishing payment rates for one or more operating cost categories, the commissioner may establish separate rates for different classes of residents based on their relative care needs.

(g) The commissioner shall include the reported actual real estate tax liability of each proprietary nursing home as an operating cost of that nursing home. The commissioner shall include a reported actual special assessment, and reported actual license fees required by the Minnesota department of health, for each nursing home as an operating cost of that nursing home. Total real estate tax liability and, actual special assessments paid, and license fees paid as required by the Minnesota department of health, for each nursing home (1) shall be divided by actual resident days in order to compute the operating cost payment rate for this operating cost category, (2) shall not be used to compute the 60th percentile or other operating cost limits established by the commissioner, and (3) shall not be increased by the composite index or indices established pursuant to paragraph (e)."

Amend the title as follows:

Page 1, line 3, delete "nursing home consumer" and insert "resident and family"

Page 1, line 4, delete "nursing home" and after the semicolon, insert "requiring evaluation and a report to the legislature by the Minnesota board on aging;"

Page 1, line 5, after the semicolon, insert "amending Minnesota Statutes 1984, sections 256B.421, subdivision 8; and 256B.431, subdivision 2b;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 51: A bill for an act relating to health; requiring licensure of a home care agency; providing a home care bill of rights; providing a grievance procedure for a home care agency; amending Minnesota Statutes 1984, sections 144.12, subdivision 1; 144A.51, by adding a subdivision; 144A.52, subdivision 3; 144A.53, subdivisions 1, 2, 3, and 4; 144A.54, subdivision 1; 626.557, subdivision 2; and proposing coding for new law in Minnesota Statutes, chapter 144A.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. [144A.43] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 to 4 and 13.

Subd. 2. [COMMISSIONER.] “Commissioner” means the commissioner of health.

Subd. 3. [HOME CARE SERVICE.] “Home care service” means any of the following services when delivered in a place of residence to a person whose advanced age, illness, disability, or physical condition creates a need for the service:

(1) nursing;

(2) personal care;

(3) home health aide services;

(4) physical therapy;

(5) speech therapy;

(6) respiratory therapy;

(7) occupational therapy;

(8) nutritional services;

(9) homemaker services, meal preparation, and similar nonmedical services when arranged to be provided along with at least one other home care service listed in this subdivision;

(10) medical social services; and

(11) other similar medical services and health-related support services identified by the commissioner in rule.

Subd. 4. [HOME CARE AGENCY.] “Home care agency” means an organization, unit of government, self-employed individual, or other entity that is regularly engaged in the delivery, directly or by contractual arrangement, of home care services for a fee. “Home care agency” does not include:

(1) a program sponsored by the Church of Christ, Scientist;

(2) an individual who only provides services to a relative; or

(3) an agency that only provides chore or housekeeping services which do not involve any medical care or treatment or personal care services.

Sec. 2. [144A.44] [HOME CARE BILL OF RIGHTS.]

Subdivision 1. [STATEMENT OF RIGHTS.] A person who receives home care services has these rights:

(1) the right to receive written information about rights, including what to do if rights are violated;

(2) the right to receive care and services according to a suitable and up-to-date plan, subject to accepted medical nursing standards, and to take an active part in creating and changing the plan and evaluating care and services;

(3) the right to be told, as part of the doctor's treatment plan, about treatment and services that are being provided or suggested, about other choices that are available, and about the consequences of these choices including the consequences of refusing treatment;

(4) the right to refuse services or treatment;

(5) the right to know, in advance, any limits to the services available from an agency and whether the services are covered by health insurance, medical assistance, or other health programs;

(6) the right to know what the charges are for services, no matter who will be paying the bill;

(7) the right to know that there may be other services available in the community, including other home care services, agencies, and case management services, and to know where to go for information about these services;

(8) the right to choose freely among available agencies and to change agencies after services have begun, within the limits of health insurance, medical assistance, or other health programs;

(9) the right to have personal, financial, and medical information kept private;

(10) the right to be served by people who are properly trained and competent to perform their duties;

(11) the right to be treated with courtesy and respect;

(12) the right to be free from physical and verbal abuse;

(13) the right to reasonable notice of changes in services or charges;

(14) the right to a smooth transition when there will be a change in the agency which provides the services;

(15) the right to know how to contact the director of an agency who is responsible for handling problems and where to go for help outside the agency; and

(16) the right to assert these rights without retaliation.

Subd. 2. [INTERPRETATION AND ENFORCEMENT OF RIGHTS.] These rights are established for the benefit of persons who receive home care services. "Home care services" means home care services as defined in section 1. A home care agency may not require a person to surrender these rights as a condition of receiving services. A guardian or conservator or,

when there is no guardian or conservator, a designated person, may seek to enforce these rights. This statement of rights does not replace or diminish other rights and liberties that may exist. The commissioner of health shall establish guidelines for interpretation of these rights.

Sec. 3. [144A.45] [REGULATION OF HOME CARE SERVICES.]

Subdivision 1. [AUTHORITY TO REGULATE.] The commissioner may regulate and control the delivery of home care services in order to protect consumers; assure quality of care; improve access to services; prevent fraud, overcharging and other undesirable practices; promote desirable forms of competition; and control health care costs. The commissioner may:

(1) require home care providers to furnish relevant information and documentation including information requested for purposes of section 4;

(2) inspect the office and records of a provider during regular business hours;

(3) with the consent of the consumer, visit the home where services are being provided;

(4) issue correction orders and assess civil penalties in accordance with section 144.653, subdivisions 5 to 8; and

(5) take other action the commissioner considers appropriate to accomplish the purposes of sections 1 to 4.

In the exercise of the authority granted in sections 1 to 4, the commissioner shall comply with the applicable requirements of section 144.122, the government data practices act, and the administrative procedure act. When conducting routine office visits or inspections, the commissioner shall provide at least 48 hours advance notice to the home care agency.

Subd. 2. [LICENSURE.] A home care agency may not operate in the state without a current license issued by the commissioner of health. In addition to the exemptions listed in subdivision 3, the commissioner may by rule exempt other classes of agencies from licensure requirements. When determining whether to exempt a class of agencies, the commissioner shall consider: (1) the extent to which the agencies, or the individuals who provide services through the agencies, are regulated under another law; (2) the risk to the health, safety, and well-being of the client; and (3) other factors the commissioner considers appropriate. The commissioner may establish different classes of licenses for different types of agencies and may impose different standards and requirements for different kinds of home care services. If a home care agency is Medicare certified, the state standards shall not be more burdensome than the Medicare standards for Medicare services, except as necessary to enforce the home care bill of rights.

Subd. 3. [EXEMPTIONS.] The following agencies are exempt from the requirement to obtain a home care agency license:

(1) a person who is licensed under sections 148.171 to 148.299 and who independently provides nursing services in the home without any contractual or employment relationship to a home care agency or other organization; and

(2) a personal care attendant authorized by the commissioner of human services to provide services under the medical assistance program.

An exemption under this subdivision does not excuse the exempted agency from complying with applicable provisions of the home care bill of rights.

Subd. 4. [ENFORCEMENT.] The commissioner may refuse to grant or renew a license, or may suspend or revoke a license, for violation of statutes or rules relating to home care services or for conduct detrimental to the welfare of the consumer. In addition to any other remedy provided by law, the commissioner may, without a prior contested case hearing, temporarily suspend a license or prohibit delivery of services by a provider for not more than 60 days if the commissioner determines that the health or safety of a consumer is in imminent danger, provided advance notice is given to the provider and there is a subsequent opportunity for a contested case hearing. The process of suspending or revoking a license must include a plan for transferring affected clients to other providers.

At the request of a licensee who has been issued a correction order, the commissioner shall order a review of the appropriateness of the correction order by a person designated by the commissioner other than the person who issued the correction order. The review process must allow an opportunity for the licensee to submit a brief explanation of the objections to the correction order. If, after receiving the report and recommendation of the reviewer, the commissioner determines that the correction order was issued inappropriately, the commissioner shall retract the correction order and remove from the licensee's record all references to the order.

Subd. 5. [RELATION TO OTHER REGULATORY PROGRAMS.] In the exercise of the authority granted under sections 1 to 4, the commissioner shall not duplicate or replace standards and requirements imposed under another state regulatory program. The commissioner shall not impose additional training or education requirements upon members of a licensed or registered occupation or profession, except as necessary to address or prevent problems that are unique to the delivery of services in the home or to enforce and protect the rights of consumers listed in section 2.

Subd. 6. [RULES.] The commissioner shall, in consultation with representatives of home care providers, community health service agencies, and consumers, adopt rules to implement sections 1 to 4. The rules shall, to the extent possible, assure the health, safety, well-being, and appropriate treatment of persons who receive home care services.

Sec. 4. [144A.46] [INFORMATION AND REFERRAL SERVICES.]

The commissioner shall ensure that information and referral services relating to home care are available in all regions of the state. The commissioner shall collect and make available information about available home care services, costs, sources of payment, providers, the rights of consumers, and other information the commissioner determines to be appropriate. The commissioner may require home care providers to provide information requested for the purposes of this section, including price information, as a condition of licensure. Specific price information furnished by providers under this section is not public data and must not be released without the written permission of the provider. The commissioner may publish and make available:

(1) general information about the range of costs of home care services in the state and a summary of the range of prices charged by specific providers;

(2) *summary information about the number and nature of complaints received about individual providers;*

(3) *summary information about consumer evaluations of individual providers;*

(4) *limitations on hours, availability of services, and eligibility for third-party payments, applicable to individual providers; and*

(5) *other information the commissioner determines to be appropriate.*

Sec. 5. Minnesota Statutes 1984, section 144A.51, is amended by adding a subdivision to read:

Subd. 7. "Home care agency" means a home care agency as defined in section 1.

Sec. 6. Minnesota Statutes 1984, section 144A.52, subdivision 3, is amended to read:

Subd. 3. The director may delegate to members of his staff any of his authority or duties except the duty of formally making recommendations to the legislature, administrative agencies, health facilities, health care providers, *home care agencies*, and the state commissioner of health.

Sec. 7. Minnesota Statutes 1984, section 144A.53, subdivision 1, is amended to read:

Subdivision 1. [POWERS.] The director may:

(a) Promulgate by rule, pursuant to chapter 14, and within the limits set forth in subdivision 2, the methods by which complaints against health facilities, health care providers, *home care agencies*, or administrative agencies are to be made, reviewed, investigated, and acted upon; provided, however, that he may not charge a fee for filing a complaint;

(b) Recommend legislation and changes in rules to the state commissioner of health, legislature, governor, administrative agencies or the federal government;

(c) Investigate, upon a complaint or upon his own initiative, any action or failure to act by a health care provider, *home care agency*, or a health facility;

(d) Request and receive access to relevant information, records, or documents in the possession of an administrative agency, a health care provider, a *home care agency*, or a health facility which he deems necessary for the discharge of his responsibilities;

(e) Enter and inspect, at any time, a health facility; provided that the director shall not unduly interfere with or disturb the activities of a resident unless the resident consents;

(f) Issue a correction order pursuant to section 144.653 or any other law which provides for the issuance of correction orders to health care facilities or *home care agencies*, or pursuant to section 3, subdivisions 1 and 3;

(g) Recommend the certification or decertification of health facilities pursuant to Title XVIII or Title XIX of the United States Social Security Act;

(h) Assist residents of health facilities in the enforcement of their rights

under Minnesota law; and

(i) Work with administrative agencies, health facilities, *home care agencies*, and health care providers and organizations representing consumers on programs designed to provide information about health facilities to the public and to health facility residents.

Sec. 8. Minnesota Statutes 1984, section 144A.53, subdivision 2, is amended to read:

Subd. 2. [COMPLAINTS.] The director may receive a complaint from any source concerning an action of an administrative agency, a health care provider, a *home care agency*, or a health facility. He may require a complainant to pursue other remedies or channels of complaint open to the complainant before accepting or investigating the complaint.

The director shall keep written records of all complaints and his action upon them. After completing his investigation of a complaint, he shall inform the complainant, the administrative agency having jurisdiction over the subject matter, the health care provider, the *home care agency*, and the health facility of the action taken.

Sec. 9. Minnesota Statutes 1984, section 144A.53, subdivision 3, is amended to read:

Subd. 3. [RECOMMENDATIONS.] If, after duly considering a complaint and whatever material he deems pertinent, the director determines that the complaint is valid, he may recommend that an administrative agency, a health care provider, a *home care agency*, or a health facility should:

- (a) Modify or cancel the actions which gave rise to the complaint;
- (b) Alter the practice, rule or decision which gave rise to the complaint;
- (c) Provide more information about the action under investigation; or
- (d) Take any other step which the director considers appropriate.

If the director requests, the administrative agency, a health care provider, a *home care agency*, or health facility shall, within the time specified, inform the director about the action taken on his recommendation.

Sec. 10. Minnesota Statutes 1984, section 144A.53, subdivision 4, is amended to read:

Subd. 4. [REFERRAL OF COMPLAINTS.] If a complaint received by the director relates to a matter more properly within the jurisdiction of an occupational licensing board or other governmental agency, the director shall forward the complaint to that agency and shall inform the complaining party of the forwarding. The agency shall promptly act in respect to the complaint, and shall inform the complaining party and the director of its disposition. If a governmental agency receives a complaint which is more properly within the jurisdiction of the director, it shall promptly forward the complaint to the director, and shall inform the complaining party of the forwarding. If the director has reason to believe that an official or employee of an administrative agency, a *home care agency*, or health facility has acted in a manner warranting criminal or disciplinary proceedings, he shall refer the matter to the state commissioner of health, the commissioner of human services, an

appropriate prosecuting authority, or other appropriate agency.

Sec. 11. Minnesota Statutes 1984, section 144A.54, subdivision 1, is amended to read:

Subdivision 1. Except as otherwise provided by this section, the director may determine the form, frequency, and distribution of his conclusions and recommendations. The director shall transmit his conclusions and recommendations to the state commissioner of health and the legislature. Before announcing a conclusion or recommendation that expressly or by implication criticizes an administrative agency, a health care provider, a home care agency, or a health facility, the director shall consult with that agency, health care provider, home care agency, or facility. When publishing an opinion adverse to an administrative agency, a health care provider, a home care agency, or a health facility, he shall include in the publication any statement of reasonable length made to him by that agency, health care provider, home care agency, or health facility in defense or explanation of the action.

Sec. 12. Minnesota Statutes 1984, section 626.557, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific context indicates otherwise.

(a) "Facility" means a hospital or other entity required to be licensed pursuant to sections 144.50 to 144.58; a nursing home required to be licensed to serve adults pursuant to section 144A.02; an agency, day care facility, or residential facility required to be licensed to serve adults pursuant to sections 245.781 to 245.812; a mental health program receiving funds pursuant to section 245.61; or a home health care agency certified for participation in Titles XVIII or XIX of the Social Security Act, United States Code, title 42, sections 1395 et seq licensed by the state pursuant to section 3.

(b) "Vulnerable adult" means any person 18 years of age or older:

(1) Who is a resident or inpatient of a facility;

(2) Who receives services at or from a facility required to be licensed to serve adults pursuant to sections 245.781 to 245.812, except a person receiving outpatient services for treatment of chemical dependency or mental illness;

(3) Who receives services from a home health care agency certified for participation under Titles XVIII or XIX of the Social Security Act, United States Code, title 42, sections 1395 et seq and 1396 et seq licensed by the state pursuant to section 3; or

(4) Who, regardless of residence or type of service received, is unable or unlikely to report abuse or neglect without assistance because of impairment of mental or physical function or emotional status.

(c) "Caretaker" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, or by contract, or agreement.

(d) "Abuse" means:

(1) Any act which constitutes a violation under sections 609.221 to 609.235, 609.322, 609.342, 609.343, 609.344, or 609.345; or

(2) The intentional and nontherapeutic infliction of physical pain or injury, or any persistent course of conduct intended to produce mental or emotional distress.

(e) "Neglect" means:

(1) Failure by a caretaker to supply the vulnerable adult with necessary food, clothing, shelter, health care or supervision; or

(2) The absence or likelihood of absence of necessary food, clothing, shelter, health care, or supervision for a vulnerable adult.

(f) "Report" means any report received by the local welfare agency, police department, county sheriff, or licensing agency pursuant to this section.

(g) "Licensing agency" means:

(1) The commissioner of health, for facilities as defined in clause (a) which are required to be licensed or certified by the department of health;

(2) The commissioner of human services, for facilities required by sections 245.781 to 245.813 to be licensed;

(3) Any licensing board which regulates persons pursuant to section 214.01, subdivision 2; and

(4) Any agency responsible for credentialing human services occupations.

Sec. 13. [TEMPORARY PROCEDURES.]

Beginning December 1, 1985, no home care agency may provide home care services in this state without a license issued by the commissioner. The commissioner shall, in consultation with representatives of home care providers, community health service agencies, and consumers, establish temporary licensing procedures and standards under sections 14.29 to 14.36. Notwithstanding section 14.35, emergency rules adopted under this section are effective until December 31, 1986, or until permanent rules are adopted, whichever is earlier. The activities of the commissioner under this section are limited to the following:

(1) *requiring providers to obtain a license;*

(2) *collecting information from providers;*

(3) *collecting licensing fees; and*

(4) *requiring providers to disclose, to clients, information about rights and complaint procedures.*

The granting of a license under these temporary procedures does not exempt a home care agency from requirements later adopted in permanent rules.

Sec. 14. [APPROPRIATION.]

§ is appropriated from the general fund to the commissioner of health for purposes of sections 1 to 13, to be available for the biennium ending June 30, 1987.

Sec. 15. [EFFECTIVE DATE]

This act is effective the day following final enactment.

Delete the title and insert:

"A bill for an act relating to health; requiring licensure of home care agencies; providing a home care bill of rights; providing a complaint procedure for home care clients; appropriating money; amending Minnesota Statutes 1984, sections 144A.51, by adding a subdivision; 144A.52, subdivision 3; 144A.53, subdivisions 1, 2, 3, and 4; 144A.54, subdivision 1; 626.557, subdivision 2; and proposing coding for new law in Minnesota Statutes, chapter 144A."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 287: A bill for an act relating to the city of Hibbing; fixing the term of mayor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, before "The" insert "Notwithstanding section 412.022, or any law to the contrary,"

Page 1, after line 9, insert:

"Sec. 2. [HIBBING; CITY COUNCIL MEMBERS' TERMS.]

The council members of the city of Hibbing shall be elected at the 1986 general election for the following terms: three for two years and two for four years. At subsequent regular elections, all council members shall be elected for a term of four years."

Renumber the remaining section

Amend the title as follows:

Page 1, line 2, delete "term" and insert "terms"

Page 1, line 3, after "mayor" insert "and city council members"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 435: A bill for an act relating to statutes; providing free distribution of Minnesota Statutes to library of largest municipality of each county; amending Minnesota Statutes 1984, section 3C.12, subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

H.F. No. 241: A bill for an act relating to commerce; modifying certain motor vehicle sale and distribution regulations; amending Minnesota Statutes 1984, sections 80E.04, subdivision 4; 80E.06, subdivision 1; 80E.10, subdivision 5; 80E.12; and 80E.14, subdivision 1; repealing Minnesota Statutes 1984, section 80E.03, subdivision 11.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which were referred the following appointments as reported in the Journal for January 28, 1985:

BOARD OF ANIMAL HEALTH
Henry L. Banal, D.V.M.
Sharon Hurley

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 287 and 435 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 241 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Diessner moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 16. The motion prevailed.

Mr. Lessard moved that the name of Mr. Merriam be added as a co-author to S.F. No. 93. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Jude be added as a co-author to S.F. No. 123. The motion prevailed.

Mr. Ramstad moved that the name of Mr. Jude be added as a co-author to S.F. No. 136. The motion prevailed.

Mr. Diessner moved that the name of Mr. Solon be added as a co-author to S.F. No. 253. The motion prevailed.

Mr. Johnson, D.J. moved that the name of Mr. Willet be added as a co-author to S.F. No. 306. The motion prevailed.

Mr. Diessner moved that the name of Mr. Jude be added as a co-author to S.F. No. 327. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 694. The motion prevailed.

Mr. Johnson, D.E. moved that the name of Mr. Wegscheid be added as a

co-author to S.F. No. 700. The motion prevailed.

Mr. Merriam moved that the name of Ms. Berglin be added as a co-author to S.F. No. 703. The motion prevailed.

Mr. Freeman moved that S.F. No. 220 be withdrawn from the Committee on Economic Development and Commerce and re-referred to the Committee on Employment. The motion prevailed.

Mr. Dicklich moved that S.F. No. 264 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Employment. The motion prevailed.

Mr. Samuelson moved that S.F. No. 305 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Employment. The motion prevailed.

Mr. Dicklich moved that S.F. No. 425 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Employment. The motion prevailed.

Mr. Spear moved that S.F. No. 513 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Employment. The motion prevailed.

Mr. Pehler introduced—

Senate Resolution No. 35: A Senate resolution congratulating Linda Wolford for being elected Ms. Minnesota Wheelchair.

Referred to the Committee on Rules and Administration.

Mr. Lessard introduced—

Senate Concurrent Resolution No. 11: A Senate concurrent resolution commending Larry Ross upon his retirement after 31 years as hockey coach at International Falls High School.

Referred to the Committee on Rules and Administration.

Mr. Johnson, D.J. moved that S.F. No. 522 be withdrawn from the Committee on Economic Development and Commerce and re-referred to the Committee on Employment. The motion prevailed.

Mr. Schmitz moved that his name be stricken as chief author, shown as a co-author and the name of Mr. Wegscheid be shown as chief author to S.F. No. 461. The motion prevailed.

CALENDAR

S.F. No. 42: A bill for an act relating to taxation; sales; including replacement parts in the definition of farm machinery; amending Minnesota Statutes 1984, section 297A.01, subdivision 15.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Knutson	Nelson	Samuelson
Anderson	Frank	Kroening	Olson	Schmitz
Belanger	Frederick	Kronebusch	Pehler	Sieloff
Benson	Frederickson	Laidig	Peterson, C.C.	Solon
Berg	Freeman	Langseth	Peterson, D.C.	Spear
Berglin	Gustafson	Lantry	Peterson, D.L.	Stumpf
Bernhagen	Hughes	Lessard	Peterson, R.W.	Taylor
Bertram	Isackson	Luther	Petty	Vega
Chmielewski	Johnson, D.E.	McQuaid	Pogemiller	Waldorf
Dahl	Johnson, D.J.	Mehrkens	Purfeerst	Wegscheid
Davis	Jude	Merriam	Ramstad	Willet
DeCramer	Kamrath	Moe, D. M.	Reichgott	
Dicklich	Knaak	Moe, R. D.	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 546: A bill for an act relating to agriculture; appropriating money for the state board of vocational technical education and the agricultural extension service of the University of Minnesota.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kroening	Olson	Schmitz
Anderson	Frank	Kronebusch	Pehler	Sieloff
Belanger	Frederick	Laidig	Peterson, C.C.	Solon
Benson	Frederickson	Langseth	Peterson, D.C.	Spear
Berg	Freeman	Lantry	Peterson, D.L.	Storm
Berglin	Gustafson	Lessard	Peterson, R.W.	Stumpf
Bernhagen	Hughes	Luther	Petty	Taylor
Bertram	Isackson	McQuaid	Pogemiller	Vega
Chmielewski	Johnson, D.E.	Mehrkens	Purfeerst	Wegscheid
Dahl	Johnson, D.J.	Merriam	Ramstad	Willet
Davis	Jude	Moe, D. M.	Reichgott	
DeCramer	Kamrath	Moe, R. D.	Renneke	
Dicklich	Knaak	Nelson	Samuelson	

Messrs. Knutson and Waldorf voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 71: A bill for an act relating to commerce; providing for payment to a farm implement retailer by the manufacturer, wholesaler, or distributor who repurchases inventory; requiring the payment of interest on overdue accounts; amending Minnesota Statutes 1984, section 325E.06, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Moe, R. D.	Samuelson
Anderson	Dieterich	Knutson	Nelson	Schmitz
Belanger	Frank	Kroening	Pehler	Sieloff
Benson	Frederick	Kronebusch	Peterson, C. C.	Solon
Berg	Frederickson	Laidig	Peterson, D. C.	Spear
Berglin	Freeman	Langseth	Peterson, D. L.	Storm
Bernhagen	Gustafson	Lantry	Peterson, R. W.	Stumpf
Bertram	Hughes	Lessard	Petty	Taylor
Chmielewski	Isackson	Luther	Pogemiller	Vega
Dahl	Johnson, D.E.	McQuaid	Purfeerst	Waldorf
Davis	Johnson, D.J.	Mehrkens	Ramstad	Wegscheid
DeCramer	Jude	Merriam	Reichgott	Willet
Dicklich	Kamrath	Moe, D. M.	Renneke	

Ms. Olson voted in the negative.

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 147: A bill for an act relating to human services; authorizing a state hospital to enter into shared service agreements with for profit organizations; amending Minnesota Statutes 1984, section 246.57, subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Knaak	Moe, R. D.	Samuelson
Anderson	Dieterich	Knutson	Nelson	Schmitz
Belanger	Frank	Kroening	Olson	Sieloff
Benson	Frederick	Kronebusch	Peterson, C. C.	Solon
Berg	Frederickson	Laidig	Peterson, D. C.	Spear
Berglin	Freeman	Langseth	Peterson, D. L.	Storm
Bernhagen	Gustafson	Lantry	Peterson, R. W.	Stumpf
Bertram	Hughes	Lessard	Petty	Taylor
Chmielewski	Isackson	Luther	Pogemiller	Vega
Dahl	Johnson, D.E.	McQuaid	Purfeerst	Waldorf
Davis	Johnson, D.J.	Mehrkens	Ramstad	Wegscheid
DeCramer	Jude	Merriam	Reichgott	Willet
Dicklich	Kamrath	Moe, D. M.	Renneke	

Mr. Pehler voted in the negative.

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes reported that the committee had considered the following:

S.F. No. 604, which the committee recommends to pass.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees

indicated.

Messrs. Pehler, Dicklich, Petty, Benson and Wegscheid introduced—

S.F. No. 754: A bill for an act relating to education; requiring school districts to provide special instruction and services for handicapped children under the age of four and their families; requiring certain agencies and political subdivisions to maintain certain services and funding levels for young handicapped children and their families until agreements are reached; appropriating money; amending Minnesota Statutes 1984, sections 120.03; 120.17, subdivisions 1, 2, 3, 3a, and by adding subdivisions; 124.17, subdivision 1; 124.223; and 124.32, by adding a subdivision.

Referred to the Committee on Education.

Ms. Berglin, Messrs. Chmielewski, Stumpf, DeCramer and Peterson, R.W. introduced—

S.F. No. 755: A bill for an act relating to education; requiring school districts to provide special instruction and services for handicapped children under the age of four and their families; requiring certain agencies and political subdivisions to maintain certain services and funding levels for young handicapped children and their families until agreements are reached; appropriating money; amending Minnesota Statutes 1984, sections 120.03; 120.17, subdivisions 1, 2, 3, 3a, and by adding subdivisions; 124.17, subdivision 1; 124.223; and 124.32, by adding a subdivision.

Referred to the Committee on Education.

Mr. Solon introduced—

S.F. No. 756: A bill for an act relating to financial institutions; authorizing the department of administration to provide for the use of certain motor vehicles by the department of commerce; providing for the classification and disclosure of records; modifying the definition of financial institutions to include branches and detached facilities; regulating the closing of financial institutions; providing for the deposit of securities in lieu of bonds; simplifying the recording requirements of credit union certificates or bylaw amendments; providing for certain industrial loan and thrift loan disclosures; providing for the liquidation of safe deposit companies; eliminating a certain motor vehicle finance company assessment; modifying the licensing requirements of regulated lenders; regulating changes of business locations of regulated lenders; providing for the recovery of examination and investigation costs from motor vehicle sales finance companies; increasing the time price differentials on motor vehicle sales; regulating payments in advance on retail installment contracts; and providing for the notice and publication of, and hearings on, bank applications; amending Minnesota Statutes 1984, sections 16B.54, subdivision 2; 46.041, subdivision 1; 46.042; 46.07, subdivision 2, and by adding a subdivision; 46.131, subdivision 2; 47.015, subdivision 1; 47.0151, subdivision 3; 48.13; 49.05, by adding subdivisions; 52.02, subdivision 3; 53.04, by adding a subdivision; 55.095; 56.04; 56.07; 168.705; 168.72, subdivisions 1 and 2; 168.73; and 168.74; proposing coding for new law in Minnesota Statutes, chapter 47; repealing Minnesota Statutes 1984, sections 47.20, subdivisions 11 and 12; 48.19; 48.57; and

48.58.

Referred to the Committee on Economic Development and Commerce.

Mr. Frank introduced—

S.F. No. 757: A bill for an act relating to motor vehicles; prescribing confidential status of and information in motor vehicle accident reports; amending Minnesota Statutes 1984, sections 169.09, subdivisions 11 and 13; and 171.12, subdivision 2.

Referred to the Committee on Transportation. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Frank introduced—

S.F. No. 758: A bill for an act relating to liquor; including wine in the prohibition on discrimination in sales; amending Minnesota Statutes 1984, section 340.114, subdivision 4.

Referred to the Committee on Public Utilities and State Regulated Industries.

Ms. Olson, Messrs. Wegscheid, Knaak, Ramstad and Mrs. McQuaid introduced—

S.F. No. 759: A bill for an act relating to education; providing levy authority for intermediate school districts for energy retrofit and asbestos removal or encapsulation purposes; amending Minnesota Statutes 1984, sections 136D.27; 136D.74, subdivision 2; and 136D.87.

Referred to the Committee on Education.

Mr. Dicklich introduced—

S.F. No. 760: A bill for an act relating to independent school district No. 706; authorizing the issuance of general obligation bonds to finance the acquisition and betterment of school buildings and facilities and the levy of ad valorem taxes therefor; authorizing the transfer of certain taconite taxes to the district for payment of debt service on the bonds; appropriating money.

Referred to the Committee on Education.

Mr. Pehler introduced—

S.F. No. 761: A bill for an act relating to drivers' licenses; requiring certain notice on uniform traffic ticket; providing penalty for failure to respond to summons and complaint on uniform traffic ticket; prohibiting issuance of warrants for failure to pay fines for parking violations; establishing system for collecting unpaid fines; allocating driver's license reinstatement fees; amending Minnesota Statutes 1984, sections 169.99, by adding a subdivision; 171.16, subdivision 3, and by adding subdivisions; 171.20, subdivision 1; and 171.29.

Referred to the Committee on Judiciary.

Messrs. Peterson, R.W.; Schmitz; Bernhagen; Chmielewski and Taylor introduced—

S.F. No. 762: A bill for an act relating to local government; providing for fees of the county recorder and registrar of titles; amending Minnesota Statutes 1984, sections 268.161, subdivision 1; 357.18, subdivision 1, and by adding a subdivision; 386.77; 505.08, subdivision 2; 508.47, subdivision 4; 508.82; 508A.11; 508A.47, subdivision 4; and 508A.82.

Referred to the Committee on Local and Urban Government.

Mr. Frank introduced—

S.F. No. 763: A bill for an act relating to real property; modifying procedures for mortgage foreclosure by action; eliminating deficiency judgments following mortgagee's purchase of property at sheriff's sale; amending Minnesota Statutes 1984, sections 581.09; and 581.10.

Referred to the Committee on Judiciary.

Mr. Frank introduced—

S.F. No. 764: A bill for an act relating to courts; providing for interest rates on arbitration awards; amending Minnesota Statutes 1984, section 549.09, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Moe, R.D.; Freeman; Storm; Pogemiller and Johnson, D.E. introduced—

S.F. No. 765: A bill for an act relating to agriculture; providing famine relief for African people; appropriating money.

Referred to the Committee on Finance.

Messrs. Wegscheid, Willet, Renneke, Benson and Schmitz introduced—

S.F. No. 766: A bill for an act relating to retirement; authorizing municipalities to establish and finance defined contribution plans for municipal ambulance and rescue volunteers; amending Minnesota Statutes 1984, sections 356.24; and 356.25; proposing coding for new law in Minnesota Statutes, chapter 424A.

Referred to the Committee on Governmental Operations.

Mr. Peterson, C.C. introduced—

S.F. No. 767: A bill for an act relating to Otter Tail county; authorizing the county board to adopt an ordinance for the control of dogs and cats.

Referred to the Committee on Local and Urban Government.

Mr. Novak introduced—

S.F. No. 768: A bill for an act relating to non-intoxicating malt liquor; permitting holders of on-sale and off-sale intoxicating liquor licenses to sell

non-intoxicating malt liquor without further license; amending Minnesota Statutes 1984, section 340.02, subdivisions 2 and 3.

Referred to the Committee on Public Utilities and State Regulated Industries.

Messrs. Solon, Luther, Belanger, Laidig and Dahl introduced—

S.F. No. 769: A bill for an act relating to occupations and professions; requiring registration of interior designers; amending Minnesota Statutes 1984, section 326.02, subdivision 1, and by adding a subdivision; 326.03, by adding a subdivision; 326.04; 326.05; 326.06; 326.07; 326.08, subdivision 2; 326.09; 326.10, subdivisions 1, 2, 2a, and by adding a subdivision; 326.11, subdivision 1; 326.12; 326.13; and 326.14.

Referred to the Committee on Economic Development and Commerce.

Mr. Chmielewski introduced—

S.F. No. 770: A bill for an act relating to courts; authorizing conciliation courts to hear civil disputes involving up to \$5,000; amending Minnesota Statutes 1984, sections 487.30, subdivision 1; 488A.12, subdivision 3; 488A.14, subdivision 6; 488A.29, subdivision 3; and 488A.31, subdivision 6.

Referred to the Committee on Judiciary.

Messrs. Dieterich, Nelson, Taylor, Dahl and Peterson, R.W. introduced—

S.F. No. 771: A bill for an act relating to education; providing for employment rights in certain school district supervisory and administrative positions; amending Minnesota Statutes 1984, section 125.12, subdivision 2.

Referred to the Committee on Education.

Mr. Samuelson introduced—

S.F. No. 772: A bill for an act relating to education; establishing the foundation aid formula allowance for 1986-1987; amending Minnesota Statutes 1984, section 124A.02, subdivision 9.

Referred to the Committee on Education.

Mr. Samuelson introduced—

S.F. No. 773: A bill for an act relating to taxation; motor vehicles; accelerating distribution of motor vehicle excise tax proceeds; amending Minnesota Statutes 1984, section 297B.09, subdivision 2.

Referred to the Committee on Transportation.

Messrs. Luther, Pogemiller, Ms. Reichgott, Messrs. Petty and Ramstad introduced—

S.F. No. 774: A bill for an act relating to drivers licenses; requiring that drivers license of person be revoked who flees in motor vehicle from peace

officer; amending Minnesota Statutes 1984, section 171.17.

Referred to the Committee on Judiciary.

Mr. Benson introduced—

S.F. No. 775: A bill for an act relating to game and fish; use of crossbows to take deer; amending Minnesota Statutes 1984, section 98.48, subdivision 16.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Nelson; Peterson, C.C.; Ms. Berglin, Messrs. Storm and Petty introduced—

S.F. No. 776: A bill for an act relating to health; requiring the commissioner of health to develop programs for the promotion of nonsmoking; providing for tax increase on cigarettes; prohibiting the free distribution of cigarettes; raising the cigarette tax; appropriating money; amending Minnesota Statutes 1984, sections 297.02, by adding a subdivision; 297.03, subdivisions 5 and 10; 297.13, subdivision 1; 297.22, subdivision 1; 297.32, subdivisions 1, 2, and by adding subdivisions; and 297.35, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 124, 144, and 145.

Referred to the Committee on Health and Human Services.

Messrs. Frederickson, Bertram, Pehler, Wegscheid and Benson introduced—

S.F. No. 777: A bill for an act relating to taxation; eliminating the excise tax rates for farm wineries; reducing the excise tax credit for certain malt beverages and extending the credit to beverages produced outside Minnesota; amending Minnesota Statutes 1984, sections 340.435, subdivisions 1 and 5; 340.47, subdivision 2; repealing Minnesota Statutes 1984, sections 340.436; and 340.47, subdivision 2a.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederickson, Ramstad, Dahl and Frank introduced—

S.F. No. 778: A bill for an act relating to adoption; eliminating the requirement for certain consents; amending Minnesota Statutes 1984, section 259.24, subdivisions 1 and 5.

Referred to the Committee on Judiciary.

Mrs. Lantry and Mr. Solon introduced—

S.F. No. 779: A bill for an act relating to economic development; providing for the election of certain community development corporation directors; amending Minnesota Statutes 1984, section 116M.04, subdivision 6.

Referred to the Committee on Economic Development and Commerce.

Messrs. Ramstad, Chmielewski and Mrs. Kronebusch introduced—

S.F. No. 780: A bill for an act relating to motor vehicles; requiring motor

vehicle lessors to provide information to department of public safety when lease periods are greater than two months; amending Minnesota Statutes 1984, section 168.27, subdivision 4.

Referred to the Committee on Transportation.

Ms. Peterson, D.C. and Mr. Dicklich introduced—

S.F. No. 781: A bill for an act relating to juvenile court; clarifying the authority to release juvenile court records; amending Minnesota Statutes 1984, section 260.161, subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Knaak, Lessard, Ramstad, Bernhagen and Laidig introduced—

S.F. No. 782: A bill for an act relating to the environment; providing for the statewide open burning of leaves in the spring and fall as governed by local ordinances; amending Minnesota Statutes 1984, section 116.082.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Moe, R.D. and DeCramer introduced—

S.F. No. 783: A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks.

Referred to the Committee on Agriculture and Natural Resources.

Ms. Berglin, Messrs. Benson, Samuelson, Dicklich and Mrs. Lantry introduced—

S.F. No. 784: A bill for an act relating to health; providing for the approval of swing beds; amending Minnesota Statutes 1984, section 144.50, subdivision 3, and by adding a subdivision; 144.56, subdivision 1; 144A.01, subdivision 5, and by adding a subdivision; 144A.071, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144A.

Referred to the Committee on Health and Human Services.

Messrs. Bertram, Jude, Chmielewski and Kamrath introduced—

S.F. No. 785: A bill for an act relating to obscenity; prohibiting obscene live performances; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 617.

Referred to the Committee on Judiciary.

Mr. DeCramer introduced—

S.F. No. 786: A bill for an act relating to agriculture; appropriating money for clean-up of pseudorabies infected swine herds.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Gustafson and Solon introduced—

S.F. No. 787: A bill for an act relating to state lands; directing conveyance

of an easement over certain state lands to the city of Duluth.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Chmielewski and Frederick introduced—

S.F. No. 788: A bill for an act relating to workers' compensation; regulating the membership of the board of directors of the workers' compensation reinsurance association; amending Minnesota Statutes 1984, section 79.37.

Referred to the Committee on Employment.

Ms. Berglin introduced—

S.F. No. 789: A bill for an act relating to human services; recovering the federal share of overpayments from medical vendors participating in medical assistance; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services.

Messrs. Peterson, C.C.; Johnson, D.J.; Novak and Ms. Berglin introduced—

S.F. No. 790: A bill for an act relating to taxation; simplifying the property classification system; amending Minnesota Statutes 1984, sections 124.2137, subdivision 1; 272.02, subdivision 1, and by adding a subdivision; 272.115, subdivision 4; 273.1104, subdivision 1; 273.115, subdivisions 3 and 7; 273.116, subdivisions 3 and 7; 273.118; 273.121; 273.123, subdivisions 1 and 4; 273.13, by adding subdivisions; 273.1311; 273.1313, subdivisions 1, 2, and 4; 273.1314, subdivision 6; 273.133, subdivisions 1 and 3; 273.135, subdivisions 1, 2, and 5; 273.1391, subdivisions 1, 2, and 4; 273.1392; 273.15; 273.38; 273.42, subdivision 2; 274.19, by adding a subdivision; 276.04; 279.01, subdivision 1; 290A.03, subdivisions 6, 13, and 14; 290A.04, subdivisions 2, 2a, and 2b; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 1984, sections 273.11, subdivision 8; 273.1105; 273.112, subdivision 9; 273.13, subdivisions 2, 2a, 3, 4, 5a, 6, 6a, 7, 7a, 7b, 7c, 7d, 8a, 9, 10, 11, 12, 14a, 15a, 16, 17, 17a, 17b, 17c, 17d, 19, 20, and 21; 273.1313, subdivision 3; and 273.1315.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, C.C.; Bertram; Bernhagen and Novak introduced—

S.F. No. 791: A bill for an act relating to wild animals; altering provisions relating to taking and possession of certain animals; amending Minnesota Statutes 1984, sections 98.48, subdivision 5; 100.27, subdivisions 1, 3, and 4; and 100.29, subdivisions 15 and 25.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Taylor; Moe, R.D.; Anderson; Mrs. Kronebusch and Mr. Nelson introduced—

S.F. No. 792: A bill for an act relating to public safety; appropriating money to purchase mobile communications equipment for state patrol.

Referred to the Committee on Transportation.

Ms. Berglin, Messrs. Samuelson, Dicklich, Benson and Mrs. Lantry introduced—

S.F. No. 793: A bill for an act relating to nursing homes; extending the nursing home bed moratorium; amending Minnesota Statutes 1984, section 144A.071, subdivisions 1, 2, and 3.

Referred to the Committee on Health and Human Services.

Messrs. Bertram, Jude, Chmielewski and Kamrath introduced—

S.F. No. 794: A bill for an act relating to obscenity; prohibiting distribution of sexual devices; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 617.

Referred to the Committee on Judiciary.

Messrs. Lessard and Chmielewski introduced—

S.F. No. 795: A bill for an act relating to state lands; authorizing conveyance by commissioner of transportation of certain state lands for historical preservation purposes; amending Minnesota Statutes 1984, section 161.44, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon and Gustafson introduced—

S.F. No. 796: A bill for an act relating to retirement; authorizing an amendment to the articles of incorporation of the Duluth teachers retirement fund association.

Referred to the Committee on Governmental Operations.

Ms. Berglin introduced—

S.F. No. 797: A bill for an act relating to human services; extending the nursing home moratorium to licensed beds; amending Minnesota Statutes 1984, section 144A.071, subdivisions 2, 3, and 5.

Referred to the Committee on Health and Human Services.

Messrs. Solon and Gustafson introduced—

S.F. No. 798: A bill for an act relating to labor; independent school district No. 709; removing educational assistants from civil service; amending Laws 1967, chapter 252, section 2, as amended.

Referred to the Committee on Education.

Messrs. Dicklich, Merriam, Chmielewski, Ramstad and Benson introduced—

S.F. No. 799: A bill for an act relating to recreation; establishing study of need for motor sports facility; appropriating money.

Referred to the Committee on Local and Urban Government.

Ms. Reichgott, Messrs. Benson, Mehrkens and Dahl introduced—

S.F. No. 800: A bill for an act relating to consumer protection; prohibiting certain deceptive advertising practices; amending Minnesota Statutes 1984, sections 325F.68, by adding a subdivision; and 325F.69, by adding a subdivision.

Referred to the Committee on Economic Development and Commerce.

Mr. Pogemiller introduced—

S.F. No. 801: A bill for an act relating to crimes; authorizing the commissioner of revenue to request a prosecuting authority of a county to assist in criminal tax investigations; proposing coding for new law in Minnesota Statutes, chapter 270.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 802: A bill for an act relating to crimes; clarifying elements of the crime of depriving another of custodial or parental rights; amending Minnesota Statutes 1984, section 609.26, subdivisions 1 and 2.

Referred to the Committee on Judiciary.

Mr. Spear introduced—

S.F. No. 803: A bill for an act relating to crimes; prescribing the powers of the governor and the commissioner of corrections with respect to extradition under treaty; amending Minnesota Statutes 1984, section 243.515.

Referred to the Committee on Judiciary.

Mr. Bernhagen introduced—

S.F. No. 804: A bill for an act relating to state government; providing for a warranty for certain small business preferences and set-asides; amending Minnesota Statutes 1984, section 16B.19, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Spear and Frank introduced—

S.F. No. 805: A bill for an act relating to human services; regulating long-term sheltered workshop; amending Minnesota Statutes 1984, section 129A.07, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 129A.

Referred to the Committee on Employment.

Messrs. Novak and Merriam introduced—

S.F. No. 806: A bill for an act relating to the environment; providing for the regulation of underground storage tanks; proposing coding for new law in

Minnesota Statutes, chapter 116.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Lessard and Bertram introduced—

S.F. No. 807: A bill for an act relating to alcoholic beverages; repealing mandatory liquor liability insurance; restoring the authority of municipalities to require liquor liability insurance; amending Minnesota Statutes 1984, section 340.12; repealing Minnesota Statutes 1984, sections 340.11, subdivisions 21 and 23; and 340.353, subdivision 8.

Referred to the Committee on Judiciary. Mr. Dieterich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Pogemiller introduced—

S.F. No. 808: A bill for an act relating to state departments and agencies; transferring authority to make certain appointments to various commissioners; reducing size of alcohol and drug abuse advisory council; abolishing the cable communications board; transferring the duties of the public employment relations board to the bureau of mediation services; amending Minnesota Statutes 1984, sections 1.22; 4.31, subdivision 5; 14.02, subdivision 4; 16B.20, subdivision 2; 16B.33, subdivision 2; 16C.01, subdivision 2; 35.02, subdivision 1; 40.03, subdivision 1; 84B.11, subdivision 1; 115.74, subdivision 1; 115A.22, subdivisions 3 and 4; 116C.41, subdivision 2; 116J.404; 116L.03; 121.82, subdivision 1; 121.83; 125.183, subdivision 1; 129B.01, subdivision 1; 144A.19, subdivision 1; 147.01, subdivisions 1 and 2; 148.03; 148.181; 148.52; 148.90, subdivision 2; 150A.02, subdivision 1; 151.03; 153.02; 154.22; 156.01, subdivisions 1 and 2; 161.1419, subdivision 2; 250.05, subdivision 2; 254A.04; 270.41; 326.04; 326.17; 326.241, subdivision 1; 343.01, subdivision 3; 386.63, subdivision 1; 611.215, subdivision 1; and 626.841; amending Laws 1984, chapter 654, article 2, section 151, subdivision 2; repealing Minnesota Statutes 1984, sections 3.29, subdivisions 1 to 9 and 11; 179A.05, subdivisions 1, 2, and 3; 238.01; 238.02, subdivision 4; 238.04 to 238.06; 238.08, subdivision 2; 238.09; 238.10; 238.11, subdivision 1; 238.12, subdivision 3; and 238.13 to 238.17.

Referred to the Committee on Public Utilities and State Regulated Industries.

Mr. Peterson, C.C. introduced—

S.F. No. 809: A bill for an act relating to natural resources; establishing a board of regents for the department of natural resources; amending Minnesota Statutes 1984, section 84.01, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Merriam, Ms. Reichgott, Messrs. Pogemiller and Diessner introduced—

S.F. No. 810: A bill for an act relating to crimes; prohibiting escape from custody by certain mental patients; amending Minnesota Statutes 1984, sec-

tion 609.485, subdivisions 2 and 4.

Referred to the Committee on Judiciary.

Mr. Knutson introduced—

S.F. No. 811: A bill for an act relating to marriage dissolution; eliminating the statistical report form requirement; repealing Minnesota Statutes 1984, section 518.147.

Referred to the Committee on Judiciary.

Mr. Knutson introduced—

S.F. No. 812: A bill for an act relating to marriage dissolution; clarifying the application of the child support guidelines; amending Minnesota Statutes 1984, sections 518.17, subdivision 5; and 518.551, subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Petty, Merriam, Dahl and Dieterich introduced—

S.F. No. 813: A bill for an act relating to health; authorizing statewide mosquito research; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Mr. Peterson, R.W.; Ms. Olson, Messrs. Stumpf, Peterson, D.L. and Hughes introduced—

S.F. No. 814: A bill for an act relating to education; establishing the state council on vocational technical education; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136C.

Referred to the Committee on Education.

Messrs. Petty, Merriam, Dieterich and Dahl introduced—

S.F. No. 815: A bill for an act relating to health; restricting the use of lead in pipes and solders; proposing coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Health and Human Services.

Mr. Bertram introduced—

S.F. No. 816: A bill for an act relating to alcoholic beverages; allowing certain extensions of credit; amending Minnesota Statutes 1984, sections 340.031, subdivision 2; and 340.405.

Referred to the Committee on Public Utilities and State Regulated Industries.

Ms. Reichgott, Messrs. Purfeerst, Novak and Knaak introduced—

S.F. No. 817: A bill for an act relating to utilities; excepting certain public

utility pipelines from county and environmental quality board regulation; authorizing settlement in cases of proposed general rate increases by public utilities upon review and approval by public utilities commission; authorizing department of public service to consolidate prehearing discovery activities of attorney general regarding utility rate changes; eliminating depreciation as factor in commission determination of fair rate of return for utility; allowing certain advertising expense of utility to be considered for rate purposes; providing new standard for intervention cost reimbursement in rate proceedings; increasing cost limitation for utility to acquire use of additional operating unit before commission authorization is required; amending Minnesota Statutes 1984, sections 116L.01, subdivision 3; 216B.16, subdivisions 1a, 2, 6, 8, and 10; and 216B.50, subdivision 1.

Referred to the Committee on Public Utilities and State Regulated Industries.

Mr. Pogemiller introduced—

S.F. No. 818: A bill for an act relating to employment; abolishing the department of economic security; creating a new department of jobs and training; transferring responsibilities of the department of economic security to the department of jobs and training and the department of human services; transferring certain employment and training functions of the department of human services and the department of administration to the department of jobs and training; providing for biennial statewide plans for jobs and training and apprenticeships; providing for coordination of state and federal jobs programs; establishing community investment programs; granting rulemaking authority; changing formulas for paying local agencies for general assistance grants to recipients subject to work requirements; removing a sunset provision from the Minnesota emergency employment development act; amending Minnesota Statutes 1984, sections 86.33, by adding subdivisions; 116L.03, subdivision 7; 116L.04, by adding a subdivision; 129A.02, subdivision 2; 129A.03; 129A.04; 178.03, by adding a subdivision; 245.87; 248.07; 248.08; 256.01, subdivision 4; 256.736; 256C.24; 256C.25; 256C.26; 256D.02, subdivision 13; 256D.03, subdivision 2; 256D.09, subdivision 3, and by adding a subdivision; 256D.111, subdivision 2; 268.31; 268.32; 268.33; 268.34; 268.35; 268.36; 268.673, subdivisions 1 and 3; 268.683, subdivision 3; and 268.685; 268.82; proposing coding for new law as Minnesota Statutes, chapter 268A; repealing Minnesota Statutes 1984, sections 129A.02, subdivision 4; 245.84, subdivision 2; 256.737; 256D.02, subdivision 8a; 256D.111, subdivision 1a; 256D.112; 268.011; 268.012; 268.013; 268.12, subdivisions 1 and 1a; 268.683, subdivision 2; 268.684; 268.686; 268.80; and 268.81.

Referred to the Committee on Employment.

Messrs. Pogemiller; Samuelson; Johnson, D.J.; Dicklich and Ms. Berglin introduced—

S.F. No. 819: A bill for an act relating to state government; creating the office of full productivity, the full productivity council, and the coordinator of full productivity; setting out the duties and powers of the coordinator of full productivity; setting out the duties of the full productivity council; requiring

the cooperation of other state agencies, counties, and local governments; appropriating money; amending Minnesota Statutes 1984, sections 268.08, subdivision 1, and by adding a subdivision; 268.672, subdivision 2; 268.686; and 268.84; proposing coding for new law as Minnesota Statutes, chapter 267.

Referred to the Committee on Employment.

Messrs. Merriam and Nelson introduced—

S.F. No. 820: A bill for an act relating to education; establishing a Minnesota school for the arts and resource center; establishing aid for arts education programs in school districts; providing for the comprehensive arts planning program; appropriating money; amending Minnesota Statutes 1984, sections 129B.17; 129B.20; and 129B.21; proposing coding for new law in Minnesota Statutes, chapters 124 and 129B; repealing Minnesota Statutes 1984, sections 129B.18 and 129B.19.

Referred to the Committee on Education.

Messrs. Laidig; Peterson, R. W.; Knaak; Dahl and Petty introduced—

S.F. No. 821: A bill for an act relating to unclaimed property; extending coverage to corporate stock and other ownership interests; amending Minnesota Statutes 1984, sections 345.35; 345.43; and 345.47.

Referred to the Committee on Economic Development and Commerce.

Ms. Reichgott, Messrs. Pogemiller, Bernhagen and Novak introduced—

S.F. No. 822: A bill for an act relating to taxation; changing certain income tax provisions relating to corporations; amending Minnesota Statutes 1984, sections 290.05, subdivision 1; 290.10; 290.37, subdivision 1; 290.391; 290.42; and 290.931, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Diessner, Pogemiller, Chmielewski and Vega introduced—

S.F. No. 823: A bill for an act relating to unemployment compensation; creating a training and jobs program; amending Minnesota Statutes 1984, section 268.08, by adding a subdivision.

Referred to the Committee on Employment.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Samuelson moved that the name of Mr. Bertram be stricken as a co-author to S.F. No. 318. The motion prevailed.

Mr. Samuelson moved that his name be stricken as chief author, shown as a co-author and the name of Mr. Dieterich be added as chief author to S.F. No. 318. The motion prevailed.

Mr. Knaak moved that S.F. No. 729 be withdrawn from the Committee on

Judiciary and re-referred to the Committee on Economic Development and Commerce. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, March 14, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate