

TWENTY-FOURTH DAY

St. Paul, Minnesota, Wednesday, March 22, 1989

The Senate met at 12:00 noon and was called to order by the President.

Prayer was offered by the Chaplain, Sister Charlotte Ann Le Claire.

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

Adkins	Cohen	Johnson, D.E.	McGowan	Piper
Anderson	Dahl	Johnson, D.J.	McQuaid	Pogemiller
Beckman	Davis	Knaak	Merriam	Purleerst
Belanger	Decker	Knutson	Moe, D.M.	Reichgott
Benson	DeCramer	Kroening	Moe, R.D.	Renneke
Berg	Dicklich	Laidig	Morse	Schmitz
Berglin	Diessner	Langseth	Novak	Solon
Bernhagen	Frank	Lantry	Olson	Spear
Bertram	Frederickson, D.J.	Larson	Pariseau	Storm
Brandl	Frederickson, D.R.	Lessard	Pehler	Stumpf
Brataas	Freeman	Luther	Peterson, D.C.	Vickerman
Chmielewski	Hughes	Marty	Peterson, R.W.	Waldorf

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

Messrs. Frederick, Gustafson, Mehrkens, Metzen, Ramstad, Samuelson and Taylor were excused from the Session of today. Mr. Frederickson, D.J. was excused from the Session of today from 12:00 to 12:24 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

March 17, 1989

The Honorable Robert E. Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1989 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1989	Date Filed 1989
	267	11	0840 hours March 17	March 17
644		12	1330 hours March 17	March 17

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 149.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1989

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 214:

H.F. No. 214: A bill for an act relating to taxation; making technical corrections and clarifications to individual income and corporate franchise taxes; updating references to the Internal Revenue Code; imposing a tax and providing for withholding of certain payments to nonresidents; requiring surety payment by out-of-state contractors; amending Minnesota Statutes 1988, sections 290.01, subdivisions 4, 7, 19, 19a, 19b, 19c, 19d, 19e, and 19f; 290.06, subdivision 22; 290.067, subdivision 1; 290.0802, subdivisions 1 and 2; 290.095, subdivision 9; 290.17, subdivisions 1 and 2; 290.311, subdivision 1; 290.92, by adding subdivisions; and 291.005, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1988, section 290.01, subdivision 6a.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Welle, Long and Schreiber have been appointed as such committee on the part of the House.

House File No. 214 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 20, 1989

Mr. Pogemiller moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 214, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 156: A bill for an act relating to gambling; authorizing the governor to negotiate a tribal-state compact pursuant to the Indian gaming regulatory act; proposing coding for new law in Minnesota Statutes, chapter 3.

There has been appointed as such committee on the part of the House: Kostohryz, Quinn and Kelso.

Senate File No. 156 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1989

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 100, 942, 1115, 128, 695, 819 and 46.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 20, 1989

FIRST READING OF HOUSE BILLS

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

H.F. No. 100: A bill for an act relating to state government; regulating part-time employees and employment policies; amending Minnesota Statutes 1988, sections 16A.11, subdivision 3; and 43A.24, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1988, section 43A.25.

Referred to the Committee on Governmental Operations.

H.F. No. 942: A bill for an act relating to metropolitan government; extending the responsibility of the mosquito control district to disease vectoring ticks; amending Minnesota Statutes 1988, sections 473.702; 473.704; and 473.711, subdivision 2.

Referred to the Committee on Local and Urban Government.

H.F. No. 1115: A bill for an act relating to Dakota county; permitting the county to pay costs of a morgue; proposing coding for new law in Minnesota Statutes, chapter 383D.

Referred to the Committee on Local and Urban Government.

H.F. No. 128: A bill for an act relating to local government; delaying the effective date of the historical society levy for Chisago, Kanabec, Pine, and Carlton counties; amending Laws 1988, chapter 640, section 4.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 695: A bill for an act relating to education; reducing the Askov school board from seven to six members; requiring local approval.

Referred to the Committee on Education.

H.F. No. 819: A bill for an act relating to Hennepin county; providing for the number of commissioners of the county housing and redevelopment authority; amending Minnesota Statutes 1988, section 383B.77, by adding a subdivision.

Referred to the Committee on Economic Development and Housing.

H.F. No. 46: A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; providing for deficiencies in and supplementing appropriations for the expenses of state government; authorizing issuance of state bonds; providing for the maximum effort school loan program and the cooperative secondary facilities grant program; clarifying the definition of mental health service provider and providing for a fee for the providers; clarifying requirements of manufactured home parks in certain cases; reducing certain bond sales authorizations; distributing the proceeds of certain litigation; increasing authorizations for certain state transportation bonds; increasing the allocation for bridges to political subdivisions; providing for certain adjustment grants; approving a capital loan; appropriating money; amending Minnesota Statutes 1988, sections 116.18, subdivision 3d; 124.477; 124.493, subdivision 1; 124.494, subdivisions 1, 2, and 4; 124.495; 129B.72, subdivision 2, and by adding a subdivision; 129B.73, subdivision 4, and by adding a subdivision; 148B.40, subdivision 3; 148B.42, by adding a subdivision; 327.20, subdivision 1; and Laws 1979, chapter 280, sections 1 and 2, as amended; proposing coding for new law in Minnesota Statutes, chapter 129B; repealing Laws 1987, chapter 400, section 59, as amended; and Laws 1988, chapter 686, article 1, section 37, subdivision 10.

Mr. Moe, R.D. moved that H.F. No. 46 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 711, 14 and reports pertaining to appointments. The motion prevailed.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 328: A bill for an act relating to agriculturally derived ethyl alcohol; clarifying eligibility for producer payments; defining terms; amending Minnesota Statutes 1988, section 41A.09, subdivisions 2 and 3.

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

Page 1, delete lines 19 to 23

Page 1, line 24, delete "(c)" and insert "(b)"

Page 1, line 25, delete "70" and insert "50"

Page 2, line 1, delete everything after "*percent*" and insert a period

Page 2, delete lines 2 and 3

Page 2, line 8, delete ". *diesel supplement alcohol*,"

Page 2, line 9, strike ". for use as a motor fuel,"

Page 2, line 17, strike "For each gallon produced of" and delete "*diesel*"

Page 2, line 18, delete "*supplement*" and strike "alcohol"

Page 2, line 20, strike "for the"

Page 2, line 21, strike "period" and strike everything after the stricken "and"

Page 2, strike line 22

Page 2, line 23, delete the paragraph coding and delete "(c)"

Page 2, line 31, before the first "The" insert "(c)"

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

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 27: A bill for an act relating to education; requiring the student member of the board of regents to be a student at the time of election; amending Minnesota Statutes 1988, section 137.023.

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

Page 1, line 18, strike "serve for a six-year term"

Page 1, line 19, strike "and"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S.F. No. 711: A bill for an act relating to Ramsey county; authorizing the use of certain property for public purposes.

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

Page 1, line 8, delete "*any*" and insert "*a*" and delete "*purpose*" and insert "*library*"

And when so amended the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

H.F. No. 279: A bill for an act relating to local government; permitting bank letters of credit in lieu of certain bonds; proposing coding for new law in Minnesota Statutes, chapter 574.

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

Page 1, line 9, after "*work*" insert "*project of under \$50,000*"

Page 1, line 11, after "*may*" insert "*be permitted to*"

Amend the title as follows:

Page 1, line 3, delete "*certain*" and before the semicolon, insert "*in certain public work projects*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 695: A bill for an act relating to education; requiring school boards to report certain teacher discharges and resignations to the board of teaching; providing for immunity from liability; amending Minnesota Statutes 1988, section 125.09, by adding subdivisions.

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

Page 1, line 11, delete "*state*"

Page 1, line 15, delete "*subdivision*" and insert "*subdivisions 4 and*"

Page 1, line 18, delete "*, or*" and insert a semicolon

Page 1, line 19, delete "*subdivision*" and insert "*subdivisions 4 and*" and delete "*, or when it is obligated to report child*" and insert a semicolon

Page 1, delete line 20 and insert "*or 626.556*"

Page 1, line 21, delete "*3*"

Page 1, line 22, delete "*or the report under*"

Page 1, line 23, delete everything before the period

Page 2, line 8, after the period, insert "*The board or a person granted immunity under this subdivision prevailing in a civil action arising from the report or cooperation may recover attorney fees and costs.*"

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 14: A bill for an act relating to crimes; lowering maximum allowable alcohol concentration to 0.05 for crimes involving driving while intoxicated; amending Minnesota Statutes 1988, sections 84.911, subdivision 1; 169.121, subdivisions 1 and 2; 169.123, subdivisions 2, 4, 5a, and 6; 169.129; 192A.555; 361.12, subdivision 4; 361.121, subdivision 1; and 609.21, subdivisions 1, 2, 3, and 4.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 84.911, subdivision 1, is amended to read:

Subdivision 1. [MANDATORY CHEMICAL TESTING.] A person who operates or is in physical control of a snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state is required, subject to the provisions of this section, to take or submit to a test of the person's blood, breath, or urine for the purpose of determining the presence and amount of alcohol or a controlled substance. The test shall be administered at the direction of an officer authorized to make arrests under section 84.91, subdivision 2. Taking or submitting to the test is mandatory when requested by an officer who has probable cause to believe the person was operating or in physical control of a snowmobile or all-terrain vehicle in violation of section 84.91, subdivision 1, paragraph (a), and one of the following conditions exists:

(1) the person has been lawfully placed under arrest for violating section 84.91, subdivision 1, paragraph (a);

(2) the person has been involved while operating a snowmobile or all-terrain vehicle in an accident resulting in property damage, personal injury, or death;

(3) the person has refused to take the preliminary screening test provided for in section 84.91, subdivision 3; or

(4) the screening test was administered and recorded an alcohol concentration of ~~0.10~~ 0.08 or more.

Sec. 2. Minnesota Statutes 1988, section 169.121, subdivision 1, is amended to read:

Subdivision 1. [CRIME.] It is a misdemeanor for any person to drive, operate, or be in physical control of any motor vehicle within this state or upon the ice of any boundary water of this state:

(a) when the person is under the influence of alcohol;

(b) when the person is under the influence of a controlled substance, as defined in section 152.01, subdivision 4;

(c) when the person is under the influence of a combination of any two or more of the elements named in clauses (a), (b), and (f);

(d) when the person's alcohol concentration is ~~0.10~~ 0.08 or more;

(e) when the person's alcohol concentration as measured within two hours of the time of driving is ~~0.10~~ 0.08 or more; or

(f) when the person is knowingly under the influence of any chemical compound or combination of chemical compounds that is listed as a hazardous substance in rules adopted under section 182.655 and that affects the nervous system, brain, or muscles of the person so as to substantially impair the person's ability to drive or operate the motor vehicle.

Sec. 3. Minnesota Statutes 1988, section 169.121, subdivision 2, is amended to read:

Subd. 2. [EVIDENCE.] Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving, operating, or being in physical control of a motor vehicle in violation of subdivision 1, the court may admit evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine as shown by an analysis of those items.

For the purposes of this subdivision:

(a) evidence that there was at the time an alcohol concentration of 0.05 or less is prima facie evidence that the person was not under the influence of alcohol;

(b) evidence that there was at the time an alcohol concentration of more than 0.05 and less than ~~0.10~~ 0.08 is relevant evidence in indicating whether or not the person was under the influence of alcohol.

Evidence of the refusal to take a test is admissible into evidence in a prosecution under this section or an ordinance in conformity with it.

If proven by a preponderance of the evidence, it shall be an affirmative defense to a violation of subdivision 1, clause (e), that the defendant consumed a sufficient quantity of alcohol after the time of actual driving, operating, or physical control of a motor vehicle and before the administration of the evidentiary test to cause the defendant's alcohol concentration to exceed ~~0.10~~ 0.08. Provided, that this evidence may not be admitted unless notice is given to the prosecution prior to the omnibus or pretrial hearing in the matter.

The foregoing provisions do not limit the introduction of any other competent evidence bearing upon the question whether or not the person violated this section, including tests obtained more than two hours after the alleged violation and results obtained from partial tests on an infrared breath-testing instrument. A result from a partial test is the measurement obtained by analyzing one adequate breath sample, as defined in section 169.123, subdivision 2b, paragraph (b).

Sec. 4. Minnesota Statutes 1988, section 169.123, subdivision 2, is amended to read:

Subd. 2. [IMPLIED CONSENT; CONDITIONS; ELECTION AS TO TYPE OF TEST.] (a) Any person who drives, operates, or is in physical control of a motor vehicle within this state or upon the ice of any boundary water of this state consents, subject to the provisions of this section and section 169.121, to a chemical test of that person's blood, breath, or urine for the purpose of determining the presence of alcohol or a controlled substance. The test shall be administered at the direction of a peace officer. The test may be required of a person when an officer has probable cause to believe the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 and one of the following conditions exist: (1) the person has been lawfully placed under arrest for violation of section 169.121, or an ordinance in conformity with it; or (2) the person has been involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death; or (3) the person has refused to take the screening test provided for by section 169.121, subdivision 6; or (4) the screening test was administered and recorded an alcohol concentration of ~~0.10~~ 0.08 or more.

(b) At the time a test is requested, the person shall be informed:

(1) that Minnesota law requires the person to take a test to determine if the person is under the influence of alcohol or a controlled substance;

(2) that if testing is refused, the person's right to drive will be revoked for a minimum period of one year or, if the person is under the age of 18 years, for a period of one year or until the person reaches the age of 18 years, whichever is greater;

(3) that if a test is taken and the results indicate that the person is under the influence of alcohol or a controlled substance, the person will be subject to criminal penalties and the person's right to drive may be revoked for a minimum period of 90 days or, if the person is under the age of 18 years, for a period of six months or until the person reaches the age of 18 years, whichever is greater;

(4) that after submitting to testing, the person has the right to consult with an attorney and to have additional tests made by someone of the person's own choosing; and

(5) that if the person refuses to take a test, the refusal will be offered into evidence against the person at trial.

(c) The peace officer who requires a test pursuant to this subdivision may direct whether the test shall be of blood, breath, or urine. Action may be taken against a person who refuses to take a blood test only if an alternative test was offered and action may be taken against a person who refuses to take a urine test only if an alternative test was offered.

Sec. 5. Minnesota Statutes 1988, section 169.123, subdivision 4, is amended to read:

Subd. 4. [REFUSAL; REVOCATION OF LICENSE.] If a person refuses to permit a test, none shall be given, but the peace officer shall report the refusal to the commissioner of public safety and the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred. A refusal to submit to an alcohol concentration test does not constitute a violation of section 609.50, unless the refusal was accompanied by force or violence or the threat of force or violence. If a person submits to a test and the test results indicate an alcohol concentration of ~~0.10~~ 0.08 or more, the results of the test shall be reported to the commissioner of public safety and to the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred.

Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person refused to submit to a test, the commissioner of public safety shall revoke the person's license or permit to drive, or nonresident operating privilege, for a period of one year. If the person refusing to submit to testing is under the age of 18 years, the commissioner shall revoke the person's license or permit to drive, or nonresident operating privilege, for a period of one year or until the person reaches the age of 18 years, whichever is greater. Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person submitted to a test and the test results indicate an alcohol concentration of ~~0.10~~ 0.08 or more, the commissioner of public safety shall revoke the person's license or permit to drive, or nonresident operating privilege, for a period of 90 days or, if the person is under the age of 18 years, for a period of six months or until the person reaches the age of 18 years, whichever is greater.

If the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner of public safety shall deny to the person the issuance of a license or permit for the same period after the

date of the alleged violation as provided herein for revocation, subject to review as hereinafter provided.

Sec. 6. Minnesota Statutes 1988, section 169.123, subdivision 5a, is amended to read:

Subd. 5a. [PEACE OFFICER AGENT FOR NOTICE OF REVOCATION.] On behalf of the commissioner of public safety a peace officer requiring a test or directing the administration of a chemical test shall serve immediate notice of intention to revoke and of revocation on a person who refuses to permit a test or on a person who submits to a test the results of which indicate an alcohol concentration of ~~0.10~~ 0.08 or more. The officer shall take the license or permit of the driver, if any, and issue a temporary license effective only for seven days. The peace officer shall send the person's driver's license to the commissioner of public safety along with the certificate required by subdivision 4.

Sec. 7. Minnesota Statutes 1988, section 169.123, subdivision 6, is amended to read:

Subd. 6. [HEARING.] A hearing under this section shall be before a municipal or county judge, in any county in the judicial district where the alleged offense occurred. The hearing shall be to the court and may be conducted at the same time and in the same manner as hearings upon pretrial motions in the criminal prosecution under section 169.121, if any. The hearing shall be recorded. The commissioner of public safety shall appear and be represented by the attorney general or through the prosecuting authority for the jurisdiction involved.

The hearing shall be held at the earliest practicable date, and in any event no later than 60 days following the filing of the petition for review. The judicial district administrator shall establish procedures to ensure efficient compliance with the provisions of this subdivision. To accomplish this, the administrator may, whenever possible, consolidate and transfer review hearings among the county courts within the judicial district.

The scope of the hearing shall be limited to the issues of:

(1) whether the peace officer had probable cause to believe the person was driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance, and whether the person was lawfully placed under arrest for violation of section 169.121, or the person was involved in a motor vehicle accident or collision resulting in property damage, personal injury or death, or the person refused to take a screening test provided for by section 169.121, subdivision 6, or the screening test was administered and recorded an alcohol concentration of ~~0.10~~ 0.08 or more; and

(2) whether at the time of the request for the test the peace officer informed the person of the person's rights and the consequences of taking or refusing the test as required by subdivision 2; and

(3) either (a) whether the person refused to permit the test, or (b) whether a test was taken and the test results indicated an alcohol concentration of ~~0.10~~ 0.08 or more at the time of testing, and whether the testing method used was valid and reliable, and whether the test results were accurately evaluated.

It shall be an affirmative defense for the petitioner to prove that, at the time of the refusal, the petitioner's refusal to permit the test was based

upon reasonable grounds.

Certified or otherwise authenticated copies of laboratory or medical personnel reports, records, documents, licenses and certificates shall be admissible as substantive evidence.

The court shall order either that the revocation be rescinded or sustained and forward the order to the commissioner of public safety. The court shall file its order within 14 days following the hearing. If the revocation is sustained, the court shall also forward the person's driver's license or permit to the commissioner of public safety for further action by the commissioner of public safety if the license or permit is not already in the commissioner's possession.

Sec. 8. Minnesota Statutes 1988, section 169.129, is amended to read:
169.129 [AGGRAVATED VIOLATIONS: PENALTY.]

Any person who drives, operates, or is in physical control of a motor vehicle, the operation of which requires a driver's license, within this state or upon the ice of any boundary water of this state in violation of section 169.121 or an ordinance in conformity with it before the person's driver's license or driver's privilege has been reinstated following its cancellation, suspension or revocation (1) because the person drove, operated, or was in physical control of a motor vehicle while under the influence of alcohol or a controlled substance or while the person had an alcohol concentration of ~~0.10~~ 0.08 or more or (2) because the person refused to take a test which determines the presence of alcohol or a controlled substance when requested to do so by a proper authority, is guilty of a gross misdemeanor. Jurisdiction over prosecutions under this section is in the county court.

Sec. 9. Minnesota Statutes 1988, section 192A.555, is amended to read:
192A.555 [DRUNKEN OR RECKLESS DRIVING.]

Any person subject to this code who drives, operates or is in actual physical control of any vehicle or aircraft while under the influence of an alcoholic beverage or narcotic drug or a combination thereof or whose blood contains ~~0.10~~ 0.08 percent or more by weight of alcohol or who operates said vehicle or aircraft in a reckless or wanton manner, shall be punished as a court-martial may direct. Chemical and other tests for intoxication shall be made only in accordance with rules issued under this code.

Sec. 10. Minnesota Statutes 1988, section 361.12, subdivision 4, is amended to read:

Subd. 4. [EVIDENCE.] (a) Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for operating or being in physical control of any motorboat in violation of subdivision 1, paragraph (a), the court may admit evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine as shown by an analysis of those items.

(b) For the purposes of this subdivision:

(1) evidence that there was at the time an alcohol concentration of 0.05 or less is prima facie evidence that the person was not under the influence of alcohol;

(2) evidence that there was at the time an alcohol concentration of more than 0.05 and less than ~~0.10~~ 0.08 is relevant evidence in indicating whether

or not the person was under the influence of alcohol.

(c) Evidence of the refusal to take a preliminary screening test required under subdivision 3 or a chemical test required under section 361.121 is admissible into evidence in a prosecution under this section.

(d) This subdivision does not limit the introduction of any other competent evidence bearing upon the question whether or not the person violated this section, including results obtained from partial tests on an infrared breath-testing instrument. A result from a partial test is the measurement obtained by analyzing one adequate breath sample. A sample is adequate if the instrument analyzes the sample and does not indicate the sample is deficient.

Sec. 11. Minnesota Statutes 1988, section 361.121, subdivision 1, is amended to read:

Subdivision 1. [CHEMICAL TESTING.] A person who operates or is in physical control of a motorboat while underway or in use on the waters of this state is required, subject to the provisions of this section, to take or submit to a test of the person's blood, breath, or urine for the purpose of determining the presence and amount of alcohol or a controlled substance. The test shall be administered at the direction of an officer authorized to make arrests under section 361.12, subdivision 2. Taking or submitting to the test is mandatory when requested by an officer who has probable cause to believe the person was operating or in physical control of a motorboat in violation of section 361.12, subdivision 1, paragraph (a), and one of the following conditions exist:

(1) the person has been lawfully placed under arrest for violating section 361.12, subdivision 1, paragraph (a);

(2) the person has been involved in a motorboat accident resulting in property damage, personal injury, or death;

(3) the person has refused to take the preliminary screening test provided for in section 361.12, subdivision 3; or

(4) the screening test was administered and recorded an alcohol concentration of ~~0.10~~ 0.08 or more.

Sec. 12. Minnesota Statutes 1988, section 609.21, subdivision 1, is amended to read:

Subdivision 1. [RESULTING IN DEATH.] Whoever causes the death of a human being not constituting murder or manslaughter as a result of operating a vehicle as defined in section 169.01, subdivision 2, or an aircraft or watercraft,

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of alcohol, a controlled substance, or any combination of those elements; or

(3) in a negligent manner while having an alcohol concentration of ~~0.10~~ 0.08 or more,

is guilty of criminal vehicular operation resulting in death and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Sec. 13. Minnesota Statutes 1988, section 609.21, subdivision 2, is amended to read:

Subd. 2. [RESULTING IN INJURY.] Whoever causes great bodily harm to another, as defined in section 609.02, subdivision 8, not constituting attempted murder or assault as a result of operating a vehicle defined in section 169.01, subdivision 2, or an aircraft or watercraft,

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of alcohol, a controlled substance, or any combination of those elements; or

(3) in a negligent manner while having an alcohol concentration of ~~0.10~~ 0.08 or more,

is guilty of criminal vehicular operation resulting in injury and may be sentenced to imprisonment for not more than three years or the payment of a fine of not more than \$5,000, or both.

Sec. 14. Minnesota Statutes 1988, section 609.21, subdivision 3, is amended to read:

Subd. 3. [RESULTING IN DEATH TO AN UNBORN CHILD.] Whoever causes the death of an unborn child as a result of operating a vehicle defined in section 169.01, subdivision 2, or an aircraft or watercraft,

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of alcohol, a controlled substance, or any combination of those elements; or

(3) in a negligent manner while having an alcohol concentration of ~~0.10~~ 0.08 or more, is guilty of criminal vehicular operation resulting in death to an unborn child and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both. A prosecution for or conviction of a crime under this subdivision is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct.

Sec. 15. Minnesota Statutes 1988, section 609.21, subdivision 4, is amended to read:

Subd. 4. [RESULTING IN INJURY TO UNBORN CHILD.] Whoever causes great bodily harm, as defined in section 609.02, subdivision 8, to an unborn child who is subsequently born alive, as a result of operating a vehicle defined in section 169.01, subdivision 2, or an aircraft or watercraft,

(1) in a grossly negligent manner;

(2) in a negligent manner while under the influence of alcohol, a controlled substance, or any combination of those elements; or

(3) in a negligent manner while having an alcohol concentration of ~~0.10~~ 0.08 or more, is guilty of criminal vehicular operation resulting in injury to an unborn child and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both. A prosecution for or conviction of a crime under this subdivision is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct.

Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 15 are effective August 1, 1989, and apply to crimes committed on or after that date."

Amend the title as follows:

Page 1, line 3, delete "to 0.05"

And when so amended the bill do pass. Mr. Purfeerst questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 754: A bill for an act relating to Chisago county; permitting the cancellation of certain ditch assessments and providing for the allocation of others.

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

Page 1, line 7, before "The" insert "*Notwithstanding contrary provisions of chapter 106A,*"

Page 1, line 8, after the second comma, insert "*and satisfy the corresponding drainage liens*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Frank from the Committee on Economic Development and Housing, to which was referred

S.F. No. 187: A bill for an act relating to manufactured homes; providing for notice and first option to purchase a manufactured home park by the residents; proposing coding for new law in Minnesota Statutes, chapter 327C.

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

Delete everything after the enacting clause and insert:

"Section 1. [327C.096] [RESIDENT'S RIGHT TO NOTICE AND FIRST OPTION TO PURCHASE.]

Subdivision 1. [NOTICE OF SALE.] Before a park owner fully executes a sale of the park, the park owner shall provide 30 days' written notice to the residents of the cash price of the park. For purposes of this section, "cash price" means the cash price offer or equivalent cash offer as defined in section 500.24, subdivision 6, paragraph (d). The notice must inform the residents of the first option to purchase the park under subdivision 2. The notice must be sent by first class mail to each manufactured home in the park. The notice period begins on the postmark date affixed to the notice and ends 30 days after it begins.

Subd. 2. [FIRST OPTION TO PURCHASE.] During the notice period required by subdivision 1, a cooperative association formed under chapter 308 by a majority of the owners of manufactured homes who are renting lots in the park on the first day of the notice period has the first option to purchase the manufactured home park. The first option to purchase

created by this section can be exercised by the residents forming a cooperative association and sending a notice to the park owner that the cooperative association accepts the offer to purchase the park at the cash price identified in the notice required under subdivision 1. The written exercise of the option to purchase must be received by the park owner by first class mail, within the notice period prescribed in subdivision 1.

Subd. 3. [RIGHT TO PURCHASE.] (a) The residents' cooperative association shall execute a purchase agreement with the park owner during the notice period required by subdivision 1 and pay a deposit equal to one percent of the cash price. The deposit may be paid in cash or by cashier's check.

(b) The residents' cooperative association must obtain the necessary financing required under the purchase agreement within 60 days after the purchase agreement is executed. The deposit is nonrefundable if the residents' cooperative association fails to obtain the necessary financing or does not perform under the purchase agreement.

(c) Nothing in this section prevents a park owner from negotiating to sell the park or from accepting an offer to purchase that is conditioned upon the failure of the residents to exercise the first option to purchase or obtain the necessary financing. Time periods required under this section may be extended by agreement of the park owner and the residents' cooperative association. The owner has no obligation to provide financing to a resident or cooperative association for the sale or to disclose financial information other than the cash price of the park.

(d) If within the time periods prescribed under subdivision 1 or paragraph (b), the park owner elects to offer or accept an offer to purchase the park at a price lower than the price specified in the original notice to the residents, the park owner shall notify the secretary of the cooperative and the cooperative has an additional ten days to meet the price of the park owner by executing a contract to purchase the park.

Subd. 4. [EXCLUSIONS.] This section does not apply to:

(1) a sale or transfer to a park owner's spouse, parent, child, grandchild, stepchild, brother, sister, aunt, or uncle;

(2) a transfer by gift, devise, or operation of law;

(3) a transfer by a corporation to an affiliate;

(4) a transfer among partners who own the manufactured home park;

(5) a conveyance of an interest in a manufactured home park incidental to the financing of the manufactured home park;

(6) a conveyance by a mortgagee resulting from the foreclosure of a mortgage, or a deed given in lieu of a foreclosure;

(7) a sale or transfer between or among joint tenants or tenants in common owning a manufactured home park; and

(8) a purchase of a manufactured home park by a governmental entity under its power of eminent domain.

Subd. 5. [AFFIDAVIT OF COMPLIANCE.] A park owner may file an affidavit certifying compliance with this section with the county recorder in the county in which the park is located. A person acquiring an interest in a park or a title insurance company or attorney who prepares, furnishes,

or examines evidence of title may rely on the truth and accuracy of statements made in the affidavit and is not required to inquire further as to the park owner's compliance with this section."

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 878: A bill for an act relating to highways; removing legislative route 249 from the trunk highway system.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 707: A bill for an act relating to motor vehicles; requiring a notice of motor vehicle title transfer procedures to be included with annual motor vehicle registrations; amending Minnesota Statutes 1988, section 168.017, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 1011: A bill for an act relating to highways; redesignating the AMVETS memorial highway as the American Veterans Memorial Highway; amending Minnesota Statutes 1988, section 161.14, subdivision 23.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 738: A bill for an act relating to traffic regulations; providing for special permit for special vehicle; setting a fee; amending Minnesota Statutes 1988, sections 169.825, by adding a subdivision; and 169.86, subdivision 5.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 169.86, subdivision 5, is amended to read:

Subd. 5. [FEES.] The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

(a) \$15 for each single trip permit.

(b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight and dimension.

(c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) refuse compactor vehicles that carry a gross weight up to but not in excess of 22,000 pounds on a single rear axle and not in excess of 38,000 pounds on a tandem rear axle;

(2) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(3) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;

(4) motor vehicles operating with gross weights authorized under section 169.825, subdivision 11, paragraph (a), clause (3); and

(5) *special pulpwood vehicles described in section 2.*

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) truck cranes;

(2) construction equipment, machinery, and supplies;

(3) manufactured homes;

(4) farm equipment when the movement is not made according to the provisions of section 169.80, subdivision 1, paragraphs (a) to (f);

(5) double-deck buses;

(6) commercial boat hauling.

(e) for vehicles which have axle weights exceeding the weight limitations of section 169.825, an additional cost added to the fees listed above. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors

Weight (pounds) exceeding weight limi- tations on axles	Cost Per Mile For Each Group Of:		
	Two consec- utive axles spaced within 8 feet or less	Three consec- utive axles spaced within 9 feet or less	Four consec- utive axles spaced with- in 14 feet or less
0-2,000	.100	.040	.036
2,001-4,000	.124	.050	.044
4,001-6,000	.150	.062	.050
6,001-8,000	Not permitted	.078	.056
8,001-10,000	Not permitted	.094	.070
10,001-12,000	Not permitted	.116	.078
12,001-14,000	Not permitted	.140	.094
14,001-16,000	Not permitted	.168	.106
16,001-18,000	Not permitted	.200	.128
18,001-20,000	Not permitted	Not permitted	.140
20,001-22,000	Not permitted	Not permitted	.168

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, construction equipment, machinery, and supplies. The fees for the permit are as follows:

Gross Weight (pounds) of vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) for vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

Sec. 2. [169.863] [SPECIAL PULPWOOD VEHICLE PERMIT.]

Subdivision 1. [SPECIAL VEHICLE.] The commissioner may issue a permit for a vehicle that meets the following requirements:

(a) There must be no more than two support points for the vehicle or for each vehicle of a vehicle combination. The support point of each axle group must be capable of distributing the load equally to each axle of the group with a variance of no more than 3,000 pounds between any two axles of the group.

(b) The maximum wheel load may not exceed the tire manufacturer's recommended load or the following weight limits, whichever is less:

(1) front steering axles, 550 pounds per inch;

(2) other single axles, 500 pounds per inch;

(3) tandem axles, 450 pounds per inch; and

(4) tridem or quad axle groups, 425 pounds per inch.

(c) The axle group weights must comply with the limitations of section 169.825, subdivision 10.

(d) The vehicle may not be equipped with a variable load axle, unless the variable load axle cannot be operated from the cab of the vehicle.

(e) The vehicle transports pole-length pulpwood, carries a gross vehicle weight of not more than 82,000 pounds, and has six axles.

Subd. 2. [PERMIT RESTRICTIONS.] A vehicle operating under a permit issued under this section may not travel on an interstate highway. The permit does not authorize the vehicle to exceed allowable gross weights that restrict travel on a highway or bridge under the authority of the commissioner or a local road authority."

Delete the title and insert:

"A bill for an act relating to traffic regulations; providing for special permits for vehicles transporting pole-length pulpwood; setting a fee;

amending Minnesota Statutes 1988, section 169.86, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 169."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 665: A bill for an act relating to motor vehicles; allowing second set of handicapped license plates to be issued to physically handicapped person who is furnished a vehicle as part of employment; allowing commissioner of public safety to accept photograph instead of physician's statement as evidence of physical handicap in certain circumstances; amending Minnesota Statutes 1988, sections 168.021, subdivision 1; and 169.345, subdivisions 2a and 3.

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

Page 1, lines 20 to 24, delete the new language and insert "*The owner of a motor vehicle may apply for and secure a set of special plates for a motor vehicle if:*

(1) the owner employs a permanently physically handicapped person who would qualify for special plates under this section; and

(2) the owner furnishes the motor vehicle to the physically handicapped person for the exclusive use of that person in the course of employment."

Page 2, line 4, before "The" insert "(a)"

Page 2, line 21, delete the new language and insert:

"(b) The commissioner may accept a current photograph of the applicant in lieu of the statement of a licensed physician or chiropractor, if:

(1) the applicant has previously filed with the commissioner a statement of a licensed physician or chiropractor certifying that the applicant has a permanent physical handicap; and

(2) the permanent physical handicap of the applicant is evident from the photograph."

Page 2, delete lines 22 to 26

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred

S.F. No. 827: A bill for an act relating to public safety; increasing membership on advisory council for the children's trust fund; amending Minnesota Statutes 1988, section 299A.23, subdivision 2.

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

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was re-referred

S.F. No. 588: A bill for an act relating to horse racing; allowing a licensed racetrack to conduct pari-mutuel betting on televised races on days when races are not conducted at the licensed racetrack; allowing the licensed racetrack to commingle pari-mutuel pools with the sending racetrack; amending Minnesota Statutes 1988, sections 240.01, subdivision 10, and by adding a subdivision; 240.10; 240.13, subdivisions 1, 3, and by adding a subdivision; 240.14, by adding a subdivision; 240.16, by adding a subdivision; and 240.29.

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

Page 2, after line 28, insert:

"Sec. 6. Minnesota Statutes 1988, section 240.13, subdivision 6, is amended to read:

Subd. 6. [TELEVISED RACES.] (a) The commission may by rule permit a class B or class D licensee to conduct on the premises of the licensed racetrack pari-mutuel betting on horse races run in other states and broadcast by television on the premises. All provisions of law governing pari-mutuel betting apply to pari-mutuel betting on televised races except as otherwise provided in this subdivision or in the commission's rules. Pari-mutuel pools conducted on such televised races may consist only of money bet on the premises and may not be commingled with any other pool off the premises, except that:

(a) (1) the licensee may pay a fee to the person or entity conducting the race for the privileges of conducting pari-mutuel betting on the race; and

(b) (2) the licensee may pay the costs of transmitting the broadcast of the race.

(b) Pari-mutuel betting on a televised race may be conducted only on a racing day assigned by the commission. The takeout and taxes on pari-mutuel pools on televised races are as provided for other pari-mutuel pools. All televised races under this subdivision must comply with the Interstate Horse Racing Act of 1978 as found in United States Code, title 15, section 3001 and the following relevant sections. In lieu of the purse requirement established by subdivision 5, the licensee shall set aside for purses one-half of the take-out from the amount bet on televised races after the payment of fees and taxes. For the purposes of purse distribution under subdivision 5, the average daily handle shall not include amounts bet in pari-mutuel pools on televised races.

(c) A licensee may, with the approval of the commission, transmit telecasts of races the licensee conducts, for wagering purposes, to a location outside the state."

Page 3, line 15, after the period, insert "*Subject to the approval of the commission,*"

Page 3, line 17, after "*sending*" insert "*licensed*"

Page 3, after line 26, insert:

"(c) Notwithstanding section 240.13, subdivision 7, and section 240.15,

subdivision 5, the commission may approve procedures governing the definition and disposition of unclaimed tickets which are consistent with the law and rules governing unclaimed tickets at the sending racetrack."

Page 3, line 27, delete "(c)" and insert "(d)"

Page 4, line 5, delete "(d)" and insert "(e)"

Page 5, delete section 10

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "allowing a licensed racetrack to transmit telecasts of races it conducts to other racetracks:"

Page 1, line 9, after the third comma, insert "6."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred

S.F. No. 161: A bill for an act relating to peace officers; providing benefits to good samaritans who assist peace officers; amending Minnesota Statutes 1988, section 176B.01, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. [PEACE OFFICER BENEFIT.]

For the purposes of Minnesota Statutes, chapter 176B, a "peace officer" as defined in section 176B.01, subdivision 2, includes any person who was a volunteer or compensated member of a fire and rescue unit recognized by a local government unit who was giving assistance at the scene of a traffic accident on October 28, 1987, and who subsequently died as a result of injuries incurred at the scene of that accident. The assistance need not have been given pursuant to any order or request but may have been given on a voluntary, good samaritan basis.

Sec. 2. Minnesota Statutes 1988, section 176B.01, subdivision 2, is amended to read:

Subd. 2. [PEACE OFFICER.] "Peace officer" means:

(a) a police officer employed by the state of Minnesota or any governmental subdivision within the state to enforce the criminal laws;

(b) a Minnesota state patrol officer;

(c) a sheriff or full-time deputy sheriff with power of arrest by warrant;

(d) a state conservation officer as defined in section 84.028, subdivision 3;

(e) a person employed by the bureau of criminal apprehension as a police officer with power of arrest by warrant;

(f) a correction officer employed at any correctional institution and charged with maintaining the safety, security, discipline and custody of inmates at

such institutions:

(g) a firefighter employed on a full-time basis by a fire department of any governmental subdivision of the state who is engaged in the hazards of firefighting or a regularly enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of fire fighting;

(h) a good samaritan who complies with the request or direction of a peace officer to assist the officer;

(i) a reserve police officer or a reserve deputy sheriff acting under the supervision and authority of a political subdivision; ~~and~~

(j) a driver or attendant with a licensed basic or advanced life support transportation service who is engaged in providing emergency care; *and*

(k) a first responder who is certified by the commissioner of health to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective retroactive to October 1, 1987. Section 2 is effective July 1, 1989."

Delete the title and insert:

"A bill for an act relating to peace officers; providing eligibility for death benefits for certain fire and rescue unit members and other first responders; amending Minnesota Statutes 1988, section 176B.01, subdivision 2."

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

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred

S.F. No. 666: A resolution memorializing Congress of ratification of a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of Congress until an intervening election of representatives has occurred.

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

Page 2, line 10, delete "twenty-five" and insert "twenty-six"

Page 2, line 21, delete "and"

Page 2, line 22, after "and" insert "Iowa on February 7, 1989; and"

Page 3, line 6, delete everything after "Constitution"

Page 3, delete lines 7 and 8

Page 3, line 9, delete everything before the semicolon

And when so amended the resolution do pass. Amendments adopted. Report adopted.

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

S.F. No. 664: A bill for an act relating to human services; providing for a supplementary payment for families who are adversely affected by the budgeting methods under the aid to families with dependent children program; amending Minnesota Statutes 1988, section 256.74, by adding a subdivision.

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

Page 1, line 17, after "*subdivision*" insert "*, unless the total decrease in income for the month is less than \$25*"

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. 779: A bill for an act relating to human services; allowing for allocation of federal fiscal disallowances; amending date for rule adoption for family and group family foster care; permitting charges for postadoption services; permitting charges for searches involving original birth certificate information; amending Minnesota Statutes 1988, sections 256.01, subdivision 2; 256F05, subdivisions 2, 3, and 4; 257.071, subdivision 7; 259.47, subdivision 5; and 259.49, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 256E and 256F; repealing Minnesota Statutes 1988, section 256F05, subdivision 1.

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

Page 9, after line 3, insert:

"Sec. 8. [259.44] [REIMBURSEMENT OF NONRECURRING ADOPTION EXPENSES.]

The commissioner of human services shall provide reimbursement of up to \$2,000 to the adoptive parent or parents for costs incurred in adopting a child with special needs. The commissioner shall determine the child's eligibility for adoption expense reimbursement under title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 676."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "authorizing reimbursement of parents for expenses of adopting a child with special needs;"

Page 1, line 12, delete "and 256F" and insert "256F; and 259"

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

Mr. Dicklich from the Committee on Public Utilities and Energy, to which was referred

S.F. No. 322: A bill for an act relating to utilities; establishing circumstances under which certain utility customers may be considered as being

located outside municipalities.

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

Page 1, line 14, delete "*outside*" and insert "*within*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Dicklich from the Committee on Public Utilities and Energy, to which was referred

S.F. No. 901: A bill for an act relating to utilities; regulating noncompetitive and competitive telephone services; amending Minnesota Statutes 1988, sections 237.07; 237.081; 237.295, subdivisions 1 and 2; 237.57, subdivision 1; 237.58, subdivision 1; 237.59, subdivisions 1, 2, 3, and 6; 237.60, subdivisions 1 and 2; 237.62, subdivisions 1 and 2, and by adding a subdivision; 237.63, subdivision 1, and by adding subdivisions; and 237.64, subdivisions 1 and 2; Laws 1987, chapter 340, section 26; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1988, sections 237.075, subdivision 1a; and 237.081, subdivision 3.

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

Page 14, line 9, after "*shall*" insert "*treat both investments and related costs as though they are providing noncompetitive services and shall*"

Page 17, line 4, delete "*may*" and insert "*shall*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S.F. No. 595: A bill for an act relating to adoption; creating a postadoption service and grants program; defining eligibility criteria; providing for certification statement by local social service agency; proposing coding for new law in Minnesota Statutes, chapter 259.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 461 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
461	315				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 461 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 461 and

insert the language after the enacting clause of S.F. No. 315, the first engrossment; further, delete the title of H.F. No. 461 and insert the title of S.F. No. 315, the first engrossment.

And when so amended H.F. No. 461 will be identical to S.F. No. 315, and further recommends that H.F. No. 461 be given its second reading and substituted for S.F. No. 315, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 702 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
702	675				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 702 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 702 and insert the language after the enacting clause of S.F. No. 675, the first engrossment; further, delete the title of H.F. No. 702 and insert the title of S.F. No. 675, the first engrossment.

And when so amended H.F. No. 702 will be identical to S.F. No. 675, and further recommends that H.F. No. 702 be given its second reading and substituted for S.F. No. 675, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 135 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
135	220				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 135 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 135 and insert the language after the enacting clause of S.F. No. 220, the first engrossment; further, delete the title of H.F. No. 135 and insert the title of S.F. No. 220, the first engrossment.

And when so amended H.F. No. 135 will be identical to S.F. No. 220, and further recommends that H.F. No. 135 be given its second reading and

substituted for S.F. No. 220, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

S.F. No. 184: A bill for an act relating to charitable organizations; regulating charitable solicitations and professional fund raisers; excluding certain religious organizations from registration; requiring a bond for professional fund raisers who have access to contributions; modifying disclosure requirements; authorizing the district court to redress violations of law; amending Minnesota Statutes 1988, sections 309.515, subdivision 2; 309.531, subdivision 2; 309.556; and 309.57, subdivision 1.

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

Page 3, line 26, strike "In connection with any"

Page 3, line 27, strike "charitable solicitation" and insert "*Prior to orally requesting a contribution or contemporaneously with a written request for a contribution*"

Page 3, line 29, strike "address and telephone number" and insert "*and location by city and state*"

Page 4, line 3, after "direct" insert "*personal*"

Page 4, line 4, after the first "shall" insert "*also*" and strike "card" and insert "*written document*"

Page 4, lines 8 to 11, reinstate the stricken language and delete the new language

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S.F. No. 521: A bill for an act relating to occupations and professions; providing for a uniform electrical violation ticket; proposing coding for new law in Minnesota Statutes, chapter 326.

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

Page 1, delete lines 17 to 19 and insert "*The uniform electrical violation ticket shall state that if the defendant fails to appear in court in response to the ticket, an arrest warrant may be issued. The*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S.F. No. 886: A bill for an act relating to insurance; township mutuals; permitting the directors to choose a manager who need not be a member of the board; expanding the permissible duties of the treasurer and manager;

permitting township mutual fire insurance companies to cover certain secondary property; permitting township mutual insurance companies to insure secondary property outside the companies' territory under certain circumstances; setting forth a director's personal liability; amending Minnesota Statutes 1988, sections 67A.09, subdivision 1; 67A.12, subdivision 1; 67A.14, subdivisions 1 and 5; and 67A.17, subdivisions 2 and 3.

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

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 344: A bill for an act relating to environment; exempting generators of small amounts of hazardous waste from administrative regulation; amending Minnesota Statutes 1988, section 116.07, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 116.07, subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, storage, processing, and disposal of solid waste and sewage sludge for the prevention and abatement of water, air and land pollution, recognizing that due to variable factors, no single standard of control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable

and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

The pollution control agency shall adopt standards for the identification of hazardous waste and for the management, identification, labeling, classification, storage, collection, transportation, processing, and disposal of hazardous waste, recognizing that due to variable factors, a single standard of hazardous waste control may not be applicable to all areas of the state. In adopting standards, the pollution control agency shall recognize that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state. The agency shall consider existing physical conditions, topography, soils, and geology, climate, transportation and land use. Standards of hazardous waste control shall be premised on technical knowledge, and commonly accepted practices. No local government unit shall set standards of hazardous waste control which are in conflict or inconsistent with those set by the pollution control agency.

A person who generates less than 100 kilograms of hazardous waste per month is exempt from the agency hazardous waste rules relating to transportation, manifesting, storage, and labeling for photographic fixer and x-ray negative wastes that are hazardous solely because of silver content. Nothing in this paragraph exempts the generator from the agency's rules relating to on-site accumulation or outdoor storage. A political subdivision or other local unit of government may not adopt management requirements that are more restrictive than this paragraph."

And when so amended the bill do pass. Amendments adopted. Report

adopted.

Mr. Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 683: A bill for an act relating to the Western Lake Superior Sanitary District; authorizing the district to issue refunding obligations without redemption of outstanding obligations prior to maturity; amending Laws 1971, chapter 478, section 9a, subdivision 4, as added; and section 13, subdivision 4.

Reports the same back with the recommendation that the bill be referred to the Committee on Taxes and Tax Laws without recommendation. Report adopted.

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

S.F. No. 787: A bill for an act relating to human services; establishing reporting requirements; defining the functions and responsibilities of the commissioner in supervising community social services administered by the counties; requiring the commissioner of human services to ensure compliance with applicable program laws and regulations; implementing corrective action plans; providing sanctions and establishing an incentive program; amending Minnesota Statutes 1988, sections 245.482; 245.716; 245.73, subdivision 4; 252.275, subdivision 7; 256.01, subdivision 2; 256.72; 256.736, subdivision 15; 256.871, subdivision 6; 256.935, subdivision 1; 256B.05, subdivision 1; 256B.20; 256D.04; 256D.39; 256E.05, subdivision 3, and by adding subdivisions; 256E.08, subdivisions 1 and 8; 256E06, subdivision 4; 256H.09, subdivision 1; and 257.3575, subdivision 2.

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

Page 3, line 21, reinstate the stricken language and before the reinstated "The" insert "*The commissioner shall specify requirements for reports, including quarterly fiscal reports, according to section 256.01, subdivision 2, paragraph (17).*"

Page 3, lines 22 to 28, reinstate the stricken language and delete the new language

Page 9, line 6, after the period, insert "*When establishing financial and statistical reporting requirements, the commissioner shall evaluate all reports, in consultation with the counties, to determine if the reports can be simplified or the number of reports can be reduced.*"

Page 9, line 18, delete "shall" and insert "may"

Page 10, line 7, after "(f)" insert "*The commissioner may not delay payments, withhold funds, or require repayment under paragraph (c) or (e) if the county demonstrates that the commissioner failed to provide appropriate forms, guidelines, and technical assistance to enable the county to comply with the requirements.*"

Page 10, after line 9, insert:

"(g) *Counties subject to withholding of funds under paragraph (c) or forfeiture or repayment of funds under paragraph (e) shall not reduce or withhold benefits or services to clients to cover costs incurred due to*

actions taken by the commissioner under paragraph (c) or (e)."

Page 19, line 21, after the period, insert *"Upon request from the county, the commissioner shall provide technical assistance to the county in developing a corrective action plan. The county shall have 30 days from the date the technical assistance is provided to develop the corrective action plan."*

Page 19, after line 34, insert:

"(g) The commissioner may not impose a fine or reduce funds under this subdivision if the county demonstrates that the commissioner failed to provide appropriate forms, guidelines, and technical assistance to enable the county to comply with the requirements."

Page 19, line 35, delete *"(g)"* and insert *"(h)"*

Page 22, after line 27, insert:

"Sec. 20. Minnesota Statutes 1988, section 256E.12, subdivision 3, is amended to read:

Subd. 3. The commissioner shall allocate grants under this section to finance up to 90 percent of each county's costs for services to persons with serious and persistent mental illness. The commissioner shall promulgate permanent rules to govern grant applications, approval of applications, allocation of grants, and maintenance of financial statements by grant recipients. *The commissioner shall specify requirements for reports, including quarterly fiscal reports, according to section 256.01, subdivision 2, paragraph (17).* The commissioner shall require collection of data and periodic reports as the commissioner deems necessary to demonstrate the effectiveness of the services in helping persons with serious and persistent mental illness remain and function in their own communities."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 16, after the second semicolon, insert "256E.12, subdivision 3;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S.F. No. 747: A bill for an act relating to human services; providing for eligibility changes in the medical assistance, general assistance medical care, and children's health plan programs; clarifying existing eligibility requirements; providing for coordination of benefits with the children's health plan; providing for certain changes in the administration of the medical assistance demonstration project; amending Minnesota Statutes 1988, sections 62A.045; 62A.046; 145.61, subdivision 5; 145.63; 214.06, subdivision 1; 256.936, subdivisions 1, 2, and 4; 256.969; 256B.031, subdivision 5; 256B.04, subdivision 14; 256B.055, subdivisions 7 and 8; 256B.056, subdivisions 3 and 5; 256B.062; 256B.0625, subdivision 13, and by adding a subdivision; 256B.14; 256B.69, subdivisions 4, 5, 11, and by adding a subdivision; 256D.03, subdivisions 3, 4, and 7; and 297.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters

256 and 256B; repealing Minnesota Statutes 1988, sections 256.969, subdivisions 2a, 3, 4, 5, and 6; 256B.17; and 256B.69, subdivisions 12, 13, 14, and 15.

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

Page 9, line 33, delete "*period of time*" and insert "*hospital's fiscal year*"

Page 10, lines 5 and 6, delete "*and third party payors*"

Page 11, line 6, reinstate the stricken "*and*" and delete "*or*"

Page 11, line 34, delete the first comma and insert "*or*" and delete "*, or regional designation*"

Page 14, line 5, delete "*on the earlier of*" and insert "*during*"

Page 14, line 6, delete "*or January 1, 1989*"

Page 14, line 15, before "*two*" insert "*first*" and after "*two*" insert "*consecutive*"

Page 14, line 32, delete "*on the earlier of*" and insert "*during*" and delete "*or*"

Page 14, line 33, delete "*January 1, 1989*"

Page 17, line 23, before "*The*" insert "*After consulting with the affected hospitals,*"

Page 18, line 30, after "*may*" insert "*, after consulting the affected hospitals,*"

Page 18, line 34, delete "*or January 1, 1989, whichever is earlier*"

Page 22, line 4, delete "*kidney dialysis,*"

Page 24, line 33, delete "*June 30, 1989*" and insert "*December 31, 1990*"

Page 25, line 1, delete "*and*"

Page 25, line 2, after "*Minnesota*" insert "*; and (iv) the hospital is not located in a city of the first class as defined in section 410.01*"

Page 25, line 8, delete "*June 30, 1989*" and insert "*December 31, 1990*"

Page 25, line 13, delete "*and*" and after "*Minnesota*" insert "*; and (iv) the hospital is not located in a city of the first class as defined in section 410.01*"

Page 27, line 20, delete "*and paragraph (h),*"

Page 27, line 23, delete "*not*"

Page 27, lines 28 and 29, delete "*, without regard to the one percent technology factor*"

Page 31, line 4, strike "*as specified in section 256D.37, subdivisions*" and delete "*7*"

Page 31, line 5, delete "*and 10*" and strike "*to 14*" and insert "*the same as the methodology used for calculating income for the supplemental security income program except as specified otherwise by state or federal law*"

Page 32, lines 8 and 9, strike "with a total equity value of \$2,000 or less"

Page 33, delete lines 1 to 5 and insert "supplemental security income (SSI) program."

Page 34, line 14, after the stricken "care," insert "The commissioner shall seek applicable waivers from the Secretary of Health and Human Services to allow persons eligible for assistance on a spend-down basis under this subdivision to elect to pay the monthly spend-down amount to the local agency in order to maintain eligibility on a continuous basis for medical assistance and to simplify payment to health care providers. If the local agency has not received payment of the spend-down amount by the 15th day of the month, the recipient is ineligible for this option for the following month. The commissioner may seek a waiver of the requirement of the Social Security Act that all requirements be uniform statewide, to phase in this option over a six-month period."

Page 35, line 8, before "premiums" insert "cost-effective"

Page 37, line 1, delete "equals" and insert ", when added to the community spouse's income, does not exceed"

Page 37, line 24, after the period, insert "The \$1,500 limit in paragraph (a) must be adjusted January 1, 1990, and every January 1 after that by the same percentage as the percentage change in the Consumer Price Index for all urban consumers (all items; United States city average) between the two previous Septembers."

Page 37, after line 28, insert:

"(d) If a court has entered an order against an institutionalized spouse for monthly income for the support of the community spouse, the community spouse income allowance may not be less than the amount of income ordered."

Page 39, line 4, delete "have" and insert "had" and delete " shall" and insert "at the time of institutionalization must" and delete "A"

Page 39, delete lines 5 to 10 and insert "An amount that is equal to one-half of the total value of all assets must be calculated. At the time of application for medical assistance, or at the time of institutionalization of a recipient, only the amount of total assets currently owned that exceeds the community spouse asset allowance may be considered available to the institutionalized spouse. The community spouse asset allowance is the greater of:

(1) \$12,000;

(2) the lesser of half the total assets at the time of institutionalization or \$60,000; or

(3) the amount required by court order to be paid to the community spouse.

On January 1, 1990, and every January 1 thereafter, the \$12,000 and \$60,000 limits shall be adjusted by the same percentage change in the consumer price index for all urban consumers (all items; United States city average) between the two previous Septembers."

Page 39, line 29, delete the second "The"

Page 39, delete lines 30 to 35

Page 40, line 2, after "*eligibility*" insert "*within the time needed for a court order required to effect the transfer*"

Page 40, line 5, after the second comma, insert "*except assets other than the homestead that are excluded under section 256B.056, subdivision 3,*"

Page 41, line 35, delete "*excluded under section 256B.056, subdivision 3,*"

Page 42, lines 3 and 4, delete "*as allowed under subdivision 5,*" and insert "*, provided the spouse does not transfer the assets to another person for less than fair market value;*"

Page 42, after line 19, insert:

"Sec. 21. Minnesota Statutes 1988, section 256B.062, is amended to read:

256B.062 [CONTINUED ELIGIBILITY.]

~~Subdivision 1. Any family which was eligible for aid to families with dependent children in at least three of the six months immediately preceding the month in which the family became ineligible for aid to families with dependent children because of increased income from employment shall, while a member of the family is employed, remain eligible for medical assistance for four calendar months following the month in which the family would otherwise be determined to be ineligible due to the income and resources limitations of this chapter.~~

~~Subd. 2. A family whose eligibility for aid to families with dependent children is terminated because of the loss of the \$30, or the \$30 and one-third earned income disregard is eligible for medical assistance for 42 calendar months following the month in which the family loses medical assistance eligibility as an aid to families with dependent children recipient. Medical assistance may be paid for persons who received aid to families with dependent children in at least three of the six months preceding the month in which the person became ineligible for aid to families with dependent children, if the ineligibility was due to an increase in hours of employment or employment income or due to the loss of an earned income disregard. A person who is eligible for extended medical assistance is entitled to six months of assistance without reapplication, unless the assistance unit ceases to include a dependent child. For a person under 21 years of age, medical assistance may not be discontinued within the six-month period of extended eligibility until it has been determined that the person is not otherwise eligible for medical assistance. Medical assistance may be continued for an additional six months if the person meets all requirements for the additional six months, according to Title XIX of the Social Security Act, as amended by section 303 of the Family Support Act of 1988, Public Law Number 100-485."~~

Page 45, line 10, delete "*only if*" and insert "*. The services must be*"

Page 45, line 12, after "*provider*" insert "*or its subcontractor*"

Page 45, line 16, after the period, insert "*Medical assistance coverage for medically necessary services provided under other subdivisions in this section may not be denied solely on the basis that the same or similar services are covered under this subdivision.*"

Page 49, line 7, delete "emergency and"

Page 51, line 31, delete "and"

Page 51, line 32, after "services" insert "and psychological services"

Page 51, line 35, after "diseases" insert "and"

(5) medical supplies and equipment and Medicare coinsurance and deductible payments for a person who would be eligible for medical assistance except that the person resides in an institution for mental diseases"

Page 57, after line 5, insert:

"Sec. 33. [PRESERVATION OF ELIGIBILITY FOR CERTAIN CHILDREN COVERED BY THE CHILDREN'S HEALTH PLAN.]

Notwithstanding Minnesota Statutes 1988, section 256.936, subdivision 1, a child enrolled in the children's health plan who reached or will reach age nine between the date of initial implementation of the children's health plan and July 1, 1990, remains eligible for the children's health plan after the child's ninth birthday until July 1, 1990, if the child meets all other program requirements."

Page 57, line 19, delete "is" and insert "and section 33, are"

Page 57, line 20, delete "22" and insert "23"

Page 57, line 21, delete "26" and insert "27"

Page 57, delete lines 23 to 26 and insert:

"Section 20, subdivisions 1 to 3, are effective for persons who reside in an institution on or after October 1, 1989. Section 20, subdivisions 4 and 5, are effective for persons who enter an institution on or after October 1, 1989. Section 20, subdivisions 6 to 9, are effective July 1, 1989, for all assets transferred on or after that date, except for interspousal transfers under section 256B.17, subdivision 7."

Page 57, line 27, delete "32" and insert "34"

Renumber the sections in sequence

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

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 839: A bill for an act relating to workers' compensation; providing coverage for preventive rabies treatment; amending Minnesota Statutes 1988, section 176.135, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 176.011, subdivision 16, is amended to read:

Subd. 16. [PERSONAL INJURY.] (a) "Personal injury" means injury arising out of and in the course of employment and includes personal injury caused by occupational disease; but does not cover an employee except

while engaged in, on, or about the premises where the employee's services require the employee's presence as a part of such service at the time of the injury and during the hours of such service.

(b) Where the employer regularly furnished transportation to employees to and from the place of employment such employees are subject to this chapter while being so transported, but shall not include an injury caused by the act of a third person or fellow employee intended to injure the employee because of personal reasons, and not directed against the employee as an employee, or because of the employment.

(c) *Exposure to rabies arising out of and in the course of employment is a personal injury under this subdivision for purposes of section 176.135.*

Sec. 2. Minnesota Statutes 1988, section 176.135, subdivision 1, is amended to read:

Subdivision 1. [MEDICAL, CHIROPRACTIC, PODIATRIC, SURGICAL, HOSPITAL.] (a) The employer shall furnish any medical, chiropractic, podiatric, surgical and hospital treatment, including nursing, medicines, medical, chiropractic, podiatric, and surgical supplies, crutches and apparatus, including artificial members, or, at the option of the employee, if the employer has not filed notice as hereinafter provided, Christian Science treatment in lieu of medical treatment, chiropractic medicine and medical supplies, as may reasonably be required at the time of the injury and any time thereafter to cure and relieve from the effects of the injury. This treatment shall include treatments necessary to physical rehabilitation.

(b) The employer shall furnish replacement or repair for artificial members, glasses, or spectacles, artificial eyes, podiatric orthotics, dental bridge work, dentures or artificial teeth, hearing aids, canes, crutches, or wheel chairs damaged by reason of an injury arising out of and in the course of the employment.

(c) *The employer shall pay for the reasonable value of nursing services by a member of the employee's family in cases of permanent total disability.*

(d) *The employer shall furnish preventive treatment to employees exposed to rabies arising out of and in the course of employment.*

(e) In case of the employer's inability or refusal seasonably to do so the employer is liable for the reasonable expense incurred by or on behalf of the employee in providing the same, including costs of copies of any medical records or medical reports that are in existence, obtained from health care providers, and that directly relate to the items for which payment is sought under this chapter, limited to the charges allowed by subdivision 7, and attorney fees incurred by the employee. No action to recover the cost of copies may be brought until the commissioner adopts a schedule of reasonable charges under subdivision 7. Attorney's fees shall be determined on an hourly basis according to the criteria in section 176.081, subdivision 5. ~~The employer shall pay for the reasonable value of nursing services by a member of the employee's family in cases of permanent total disability.~~

~~(b)~~ (f) Both the commissioner and the compensation judges have authority to make determinations under this section in accordance with sections 176.106 and 176.305."

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 176.011, subdivision

16; and”

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

S.F. No. 491: A bill for an act relating to health care; providing a program of affordable health care coverage for Minnesota residents; creating a health care access commission to implement and administer the program; establishing eligibility requirements and funding sources; modifying income eligibility requirements for medical assistance; imposing penalties; appropriating money; amending Minnesota Statutes 1988, section 256B.056, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 62J.

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

Delete everything after the enacting clause and insert:

“ARTICLE 1

Section 1. [62J.01] [FINDINGS.]

The legislature finds that substantial numbers of Minnesotans have no health care coverage and that most of these residents are wage earners or their dependents. One-third of these individuals are children. When these individuals enter the health care system they have often foregone preventive care and are in need of more expensive treatment that often exceeds their financial resources. Much of the cost for these uncompensated services to the uninsured are already in the health care system in the form of increased insurance and provider rates and property and income taxes. These costs, spread among the already insured, represent a woefully inefficient method for providing basic preventive and acute care for the uninsured and represent an added cost to employers now providing health insurance to their employees.

The legislature further finds that it is essential for the state to initiate and participate in a system to ensure basic and affordable health care to all Minnesotans while addressing the economic pressures on the health care system as a whole in Minnesota.

Sec. 2. [62J.02] [HEALTH CARE ACCESS COMMISSION.]

Subdivision 1. [MEMBERSHIP; COMPENSATION; CHAIR.] The Minnesota health care access commission consists of 11 members. Seven members, three of whom are experienced health care professionals, are appointed by the governor. The commissioners of health, human services, employee relations, and commerce, or their designated representatives, are also members. The governor shall appoint the chair of the commission after considering the commission's recommendation. The terms, compensation, and removal of the members appointed by the governor are as provided in section 15.0575.

Subd. 2. [STAFF] The commission shall select a director to serve at its pleasure as the chief administrative officer of the commission. The director may hire advisors, consultants, and employees, as authorized by the commission, and prescribe their duties. Employees are not state employees,

but are covered by section 3.736. At the option of the commission, the employees may participate in the following plans for employees in the unclassified service: the state retirement plan, the state deferred compensation plan, and the health insurance and life insurance plans.

Subd. 3. [GENERAL DUTIES.] The commission shall:

(1) implement and administer the health care access program created in sections 1 to 11;

(2) coordinate the health care access program with other state and federal health care programs;

(3) administer the health care access account created in section 11;

(4) subject to chapter 14, adopt, amend, and repeal rules, including emergency rules, necessary to implement and administer sections 1 to 11;

(5) conduct necessary investigations and inquiries and compel the submission of information, documents, and records it considers necessary to carry out its duties;

(6) report annually to the legislature and the governor on its activities and on recommended insurance and health care law changes to improve access to health care for residents of this state;

(7) employ and supervise staff;

(8) make every effort to ensure representation in service delivery by eligible practitioners, without regard to race, color, or sex; and

(9) conduct other activities it considers necessary to carry out the intent of the legislature as expressed in sections 1 to 11.

Sec. 3. [62J.03] [CONTRACTING AUTHORITY.]

Subdivision 1. [GENERAL.] The commission may request bids from, and negotiate and contract with, carriers the commission determines are best qualified to underwrite and service health care plans that meet the requirements of section 4. The commission may also contract directly with health care providers. The commission may establish any conversion and continuation privileges for those plans it considers appropriate. The commission may negotiate premium rates and coverage provisions with all carriers regulated under chapters 62A, 62C, and 62D. The commission may negotiate separate contracts to cover eligible persons who are in need of, and receive, immediate medical treatment but who have not as yet selected a health care plan. The commission shall also negotiate reasonable cost containment measures to be applied to all carriers under chapters 62A, 62C, and 62D. Contracts to manage enrollment and plan selection must be bid or negotiated separately from contracts to service the plans, which shall be awarded only on the basis of competitive bids. The commission shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers and other factors the commission considers appropriate including, but not limited to, plan utilization review provisions, case management provisions, and preauthorization requirements. Each contract must be for a uniform term of at least one year but may be made automatically renewable from term to term in the absence of notice of termination by either party. The commission shall, to the extent feasible, offer a choice of plans available from two or more carriers regulated under chapters 62A, 62C, and 62D. The commission may offer only one plan in

an area of the state if only one acceptable bid exists or if offering more than one plan would result in substantial, additional administrative costs. Payments from the commission to a carrier are exempt from the tax imposed by section 60A.15 and are not included in the carrier's premiums for the purposes of assessments under 62E.11.

Subd. 2. [COMMUNITY CLINICS.] The commission, or an entity selected by the commission to administer health care plans on its behalf, shall to the extent appropriate contract with community clinics. For purposes of this subdivision, "community clinics" means an entity that:

(1) through its staff and supporting resources or through its contracts or cooperative arrangements with other public or private entities, provides primary health services for all intended residents of its service area;

(2) was established to serve the primary health needs of low-income population groups;

(3) uses a sliding fee scale based on ability to pay, and does not limit access or care because of the financial limitations of the client;

(4) has nonprofit status under chapter 317; and

(5) has a governing board, for which at least 51 percent of the membership resides in and represents the local community served by the clinic.

Subd. 3. [CONTRACT TO CONTAIN STATEMENT OF BENEFITS.] A contract under this section must contain a detailed statement of benefits offered and must include any maximums, limitations, exclusions, and other provisions the commission considers necessary or desirable. A contract providing only the coverage specified in section 4, subdivision 2, may not contain a provision denying coverage for any preexisting conditions.

Subd. 4. [ACTUARIAL DATA.] The commission shall estimate, on an actuarially sound basis, the expected cost of providing coverage under the health care access program, recognizing variations in the cost of providing coverage through various systems and in different areas in the state. The commission shall make this actuarial data available to potential carriers under the health care access program.

Sec. 4. [62J.04] [BENEFITS.]

Subdivision 1. [AVAILABILITY.] The commission shall make available to all residents of this state health care plans meeting the requirements of subdivisions 2 and 3.

Subd. 2. [MINIMUM CORE COVERAGE.] (a) The commission shall make available a health care plan that provides the benefits described in this subdivision.

(b) Only the following services and articles are covered:

(1) hospital services for not more than 30 days;

(2) professional services for the diagnosis or treatment of injuries, illnesses, or conditions, other than dental, which are rendered by a physician or at a physician's direction;

(3) preventive health services, including screenings, immunizations, and yearly disease detection;

(4) diagnostic x-rays and laboratory tests;

(5) prostheses, not including eye glasses and hearing aids;

(6) prenatal and well child care;

(7) transportation provided by a licensed ambulance service to the nearest facility qualified to treat the condition; and

(8) drugs requiring a physician's prescription, but not to exceed \$500 in any year.

(c) The following are not covered:

(1) any charge for care for injury or disease either (i) arising out of an injury in the course of employment and subject to a workers' compensation or similar law, (ii) for which benefits are payable without regard to fault under coverage statutorily required to be contained in any motor vehicle, or other liability insurance policy or equivalent self-insurance, or (iii) for which benefits are payable under another policy of accident and health insurance, Medicare, or any other governmental program except as otherwise provided by section 62A.04, subdivision 3, clause (4);

(2) any charge for treatment for cosmetic purposes other than for reconstructive surgery when the service is incidental to or follows surgery resulting from injury, sickness, or other diseases of the involved part or when the service is performed on a covered dependent child because of congenital disease or anomaly which has resulted in a functional defect as determined by the attending physician;

(3) care which is primarily for custodial or domiciliary purposes that would not qualify as eligible services under Medicare;

(4) a charge for confinement in a private room to the extent it exceeds the institution's charge for its most common semiprivate room, unless a private room is prescribed as medically necessary by a physician, provided, however, that if the institution does not have semiprivate rooms, its most common semiprivate room charge is considered to be 90 percent of its lowest private room charge;

(5) that part of any charge for services or articles rendered or prescribed by a physician, dentist, or other health care personnel that exceeds the prevailing charge in the locality where the service is provided; and

(6) a charge for services or articles that are not within the scope of authorized practice of the institution or individual providing the services or articles.

(d) The commission shall establish copayment requirements and a dollar limitation per person on the total annual out-of-pocket expenses for covered services. Copayments must be imposed for prescription drug benefits at a level of \$5 per prescription. Copayments must be imposed for routine office visits at a level of \$5 per visit. Copayments must be imposed for ambulance transportation covered under this subdivision at a level of \$25 per use of those services, if the patient is not admitted to a hospital within 24 hours after the services. Copayments must be imposed for emergency room services at a level of \$25 per visit if the patient is not admitted to a hospital within 24 hours after the visit. No copayments may be imposed on preventive health services covered under this subdivision.

(e) Coverage under a minimum core coverage plan is subject to a maximum lifetime benefit of \$50,000 per individual.

Subd. 3. [OPTIONAL COVERAGES.] The commission shall make available a number one qualified plan, a number two qualified plan, a number three qualified plan, and a qualified Medicare supplement plan under chapter 62E and other optional coverages provided by carriers selected by the commission. Eligible persons may elect to purchase optional coverages.

Sec. 5. [62J.05] [MANDATORY HEALTH INSURANCE; PARTICIPATION IN HEALTH CARE ACCESS PROGRAM.]

(a) By July 1, 1990, every resident of the state is required to have coverage under a health care plan that provides benefits at least equivalent to the minimum core coverage in section 4, subdivision 2. For purposes of this paragraph, health coverage under Medicare; medical assistance; general assistance medical care; the comprehensive health insurance act; or a plan of coverage as defined by section 62E.02, subdivision 9, that meets the requirements of a qualified plan under chapter 62E is considered at least equivalent to the minimum core coverage in section 4, subdivision 2.

(b) A person must participate in and obtain coverage through the health care access program if the person meets the eligibility requirements in section 6, subdivision 1, and the health care access account under section 11 has sufficient funds to allow payment of the commission's share of the premium.

(c) For purposes of sections 1 to 11, "resident" means a person who is presently living in Minnesota in the person's principal and permanent home and who:

- (1) has lived in Minnesota for at least six consecutive months; or*
- (2) is employed by an employer who is subject to the payroll tax in section 12.*

Sec. 6. [62J.06] [ELIGIBILITY TO PARTICIPATE IN HEALTH CARE ACCESS PROGRAM.]

Subdivision 1. [RESIDENTS WITH NO COVERAGE OR INADEQUATE COVERAGE.] (a) A Minnesota resident is eligible to participate in the health care access program if the resident:

(1) does not have coverage available under a policy, plan, or contract of health or accident insurance regulated under chapter 62A, 62C, 62D, 62H, or 64B, or Medicare, medical assistance, general assistance medical care, an employment-based insurance program, or other subsidized health insurance program;

(2) has coverage under a health care plan that does not meet the level of minimum core benefits in section 4, subdivision 2;

(3) does not have coverage available under an employment-based group insurance program, and for whom all income received is self-employment income, as defined in section 13, subdivision 1, paragraph (c); or

(4) has coverage under the comprehensive health insurance plan under chapter 62E.

Subd. 2. [EMPLOYER PARTICIPATION.] The following employers are eligible to participate in the health care access program:

(1) an employer who does not provide or make available a health care plan to employees; and

(2) an employer who provides or makes available to employees a health care plan, including plans under section 62E.03, who chooses to participate in the health care access program, provided the employer obtains and provides employees with at least the level of coverage required under section 62E.03.

Sec. 7. [62J.07] [UNINSURED PERSONS REQUIRED TO PARTICIPATE; RECOVERY OF PAYMENTS BY COMMISSION.]

A person who is not covered under a health care plan who seeks medical care from a health care provider is enrolled in the health care access program from the time the person first seeks treatment. The commission may recover from the person the costs of the treatment if the person is financially able to pay for the costs. The commission may also recover the annual premium amount the person would owe for coverage under the health care access program.

Sec. 8. [62J.08] [PREMIUMS.]

Subdivision 1. [PREMIUMS PAID BY PARTICIPANT; SUBSIDIZED BY FUND.] An enrollee in the health care access program shall pay the first installment of the premium for coverage upon the effective date of the coverage. The premium payment must be deposited in the account in section 11. The enrollee's share of the premium for minimum core coverage under section 4, subdivision 2, is determined by the income-based sliding fee schedule in subdivision 2. The remainder of the premium for this coverage is paid by the health care access account established in section 11. An enrollee who chooses optional coverage under section 4, subdivision 3, must pay the entire premium for the optional coverage and minimum core coverage.

Subd. 2. [SLIDING FEE SCHEDULE FOR PREMIUMS.] A participant's share of the premium for minimum core coverage is based on the participant's net disposable income, according to the schedule in this subdivision. A participant with a net disposable income listed in column A must pay the corresponding percent of the premium in column B, up to an annual premium amount in column C. In addition, the participant must pay a percent, as listed in column D, of any remaining premium above the annual premium amount in column C. The remainder of the enrollee's premium is paid for by the health care access account established in section 11.

**SLIDING FEE SCHEDULE FOR DETERMINING
INSURANCE PREMIUM SUBSIDIES**

A Net Disposable Income	B Participant's Percent of Premium	C Annual Premium Amount	D Participant's Percent of Remaining Premium
Less than 0	0	-0-	0
\$ 0-999	5	\$ 500	0
1,000-2,499	5	\$1,000	0
2,500-4,999	10	\$1,000	5
5,000-7,499	20	\$1,000	5
7,500-9,999	30	\$1,000	10
10,000-12,499	40	\$1,000	10

12,500-14,999	50	\$1,000	20
15,000-19,999	60	\$1,000	30
20,000-24,999	70	\$1,000	40
25,000-29,999	80	\$1,250	50
30,000-39,999	100	\$1,250	75
40,000 +	100	No Limit	-0-

"Net Disposable Income" means total gross income, as defined by the commission in rule, minus \$5,750 for the head of household or single individual and minus \$1,900 for each dependent. These deductions from gross income must be adjusted upward, if appropriate, every two years to reflect inflation. The commission shall publish notice of these adjustments in the State Register. Gross income does not include the ordinary and necessary expenses paid or incurred in carrying on a trade or business as defined under section 162 of the Internal Revenue Code of 1986, as amended through December 31, 1988.

Sec. 9. [62J.09] [ENROLLMENT AND PREMIUM PAYMENTS.]

The time, manner, conditions, and terms of eligibility and payment of premiums for enrollment of eligible persons for coverage under section 6 must be determined by the commission in rule. The rules shall:

(1) include a procedure for referring persons eligible for coverage under the comprehensive health insurance plan to that plan if the commission considers it appropriate;

(2) establish procedures for the subsequent enrollment of eligible persons who are denied enrollment in the program because there are insufficient funds in the account to allow payment of the commission's share of the premium; and

(3) provide for the withholding by employers of premiums payable under section 8 from the wages of employees. The commission may provide for payment by employers of the premiums withheld from wages to the commission or directly to providers for insurance or services under sections 1 to 11.

Sec. 10. [62J.10] [PROGRAM INFORMATION AND ENROLLMENT.]

Subdivision 1. [SOLICITATION OF ELIGIBLE PERSONS.] The commission shall disseminate appropriate information to the residents of this state about the existence of the program and the means of enrollment. The commission shall use the press, radio, and television, as well as publication in appropriate state offices and publications. The commission shall devise and implement methods to maintain public awareness of the provisions of sections 1 to 11 and shall administer sections 1 to 11 in a manner that facilitates public participation.

Subd. 2. [HEALTH INSURANCE INFORMATION; PENALTY.] A resident of the state shall furnish to the health care access commission the information required by the commission to determine the health care coverage of the person and the person's dependents. The commission may require proof of coverage. An employer shall distribute evidence of insurance forms to all employees. A person required to give information to the commission under this subdivision who willfully fails to supply information or willfully supplies false or fraudulent information is guilty of a gross misdemeanor.

Subd. 3. [HEALTH CARE APPLICATIONS.] The health care access

commission shall prepare and distribute information and evidence of insurance and application forms for health insurance under sections 1 to 11. The applications and other information must be made available to employers; health care provider offices and facilities; local human services agencies; public and community health offices and clinics; school clinics; county extension offices; and women, infants, and children (WIC) program sites. Employers must furnish applications and information to employees.

Sec. 11. [62J.11] [HEALTH CARE ACCESS ACCOUNT.]

Subdivision 1. [CREATION.] The health care access account is established in the state treasury. There is annually appropriated from the account to the commission the amount needed to pay for implementing and administering the health care access program established under sections 1 to 11, including payment of approved claims, refunds, administrative costs, and other related service charges. This appropriation may not exceed \$150,000,000 in any state fiscal year. Nothing in sections 1 to 11 obligates the commission to pay its share of the premium cost of an otherwise eligible person if the appropriation in this subdivision is insufficient to allow payment of the commission's share of the premium.

Subd. 2. [SOURCE OF FUNDING.] The account is funded with revenue from the sources specified in subdivision 5 and sections 8; 12, subdivision 10; and 13, subdivision 7.

Subd. 3. [INVESTMENT OF ACCOUNT ASSETS.] Except as otherwise provided in subdivision 6, when money in the account exceeds the amount the commission determines is currently needed, the commission shall direct the state treasurer to certify this amount to the state board of investment for investment subject to section 11A.24. Investment income and losses attributable to the account must be credited to the account.

Subd. 4. [ALLOCATION.] The commission shall allocate the appropriation to ensure that eligible persons of every income level for which there is a premium subsidy are enrolled and the appropriation is not used to disproportionately subsidize any particular income group.

Subd. 5. [ASSESSMENT ON EMPLOYERS THAT DISCONTINUE COVERAGE.] An employer that discontinues all plans of health coverage provided or made available to employees employed in this state and does not provide substantially similar coverage to replace it shall pay a special assessment to the account. The special assessment consists of an amount equal to five times the total annual premium or financing obligation of that employer for the previous calendar year. One-half of the assessment must be paid to the account by January 1 of the year following the discontinuance, and one-half of the assessment must be paid to the account by January 1 of the next year. The commission has all the powers under chapter 290 to impose and collect the assessment under this subdivision. The commissioner of revenue shall provide the commission with information necessary to allow the commission to administer and enforce this subdivision.

Subd. 6. [SURPLUS.] Any surplus remaining in the fund at the end of a fiscal year may be used by the commission, in its discretion, to increase the premium subsidies for those participants whose net disposable income is less than \$20,000.

Sec. 12. [290.924] [HEALTH CARE ACCESS; PAYROLL TAX.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the terms in paragraphs (b) to (g) have the meanings given them.

(b) "Commissioner" means the commissioner of revenue.

(c) "Employee" has the meaning given it in section 290.92, subdivision 1, clause (3). The provisions of section 290.92, subdivision 4a, clause (2), apply in determining who is an employee for purposes of this section.

(d) "Employer" has the meaning given it in section 290.92, subdivision 1, clause (4). The provisions of section 290.92, subdivision 4a, clause (2), apply in determining who is an employer for purposes of this section.

(e) "Payroll period" has the meaning given it in section 290.92, subdivision 1, clause (2).

(f) "Taxable wages" means wages paid to an employee exceeding \$10,000 in a calendar year.

(g) "Wages" has the meaning given it in section 290.92, subdivision 1, clause (1). The provisions of section 290.92, subdivision 2a, clauses (6), (9), and (10), subdivision 4, and subdivision 4a, clauses (1) and (2), apply in determining wages for purposes of this section.

Subd. 2. [TAX IMPOSED; EMPLOYERS.] (a) A tax is imposed on an employer paying wages to employees during a payroll period. The amount of tax is equal to five-tenths percent of wages paid to employees less the credit allowed in paragraph (b).

(b) A credit against the tax imposed in paragraph (a) is allowed to an employer offering a health care plan of coverage as defined in section 62E.02, subdivision 9, that meets the requirements of a qualified plan under chapter 62E and who pays at least 50 percent of the premium costs or other financing costs for that coverage for employees and their dependents. The credit is equal to the lesser of (1) the amount of tax imposed under this subdivision, or (2) 100 percent of premium or other financing costs paid by the employer if that amount is at least 75 percent of the premium costs or other financing costs for coverage of the employees and their dependents. If the amount paid by the employer is less than 75 percent of the premium or other costs, the percentage of the premium or other costs paid by the employer allowed as a credit under this clause must be proportionately reduced so that an employer paying 50 percent of the premium or other financing costs of coverage for employees and their dependents is allowed only 50 percent of the costs paid by the employer as a credit. If the employer pays less than 50 percent of the premium or other financing costs, no credit is allowed. The credit may be applied only against the tax imposed with respect to employees for whom the employer pays the applicable percentage of premium or other financing costs of insurance coverage for the employees and their dependents. A credit may be carried forward to later reporting periods in the calendar year but may not be carried forward to a succeeding calendar year.

(c) The United States and its agencies and instrumentalities are exempt from the tax imposed in this subdivision.

Subd. 3. [TAX IMPOSED; EMPLOYEES.] A tax is imposed on an employee paid wages by an employer during a payroll period. The amount of tax is equal to three-tenths percent of taxable wages paid to the employee.

Subd. 4. [PAYMENT; WITHHOLDING.] The tax imposed in subdivision

2 must be reported and paid by an employer to the commissioner of revenue at the times and in the manner that the tax imposed in section 290.92 is paid. The tax imposed in subdivision 3 must be deducted and withheld from the wages of each employee each payroll period and reported and paid to the commissioner in the same manner and at the same time as the tax imposed in section 290.92 is withheld and paid. An employee is not liable for the tax imposed in subdivision 3 if the employer fails to deduct and withhold it. The employer is liable for payment of the tax required to be deducted and paid under subdivision 3, and is not liable to a person for the amount of the payment.

Subd. 5. [RETURNS.] *The commissioner shall prepare return forms and instructions for reporting and withholding and paying the taxes imposed in this section. The commissioner may prepare tables for use by employers in reporting and withholding and paying the taxes. The tables may require that the amount of tax imposed on taxable wages be prorated over the calendar year. The commissioner may determine whether employers must use the withholding tables and may give employers permission to withhold and pay the tax by another method determined satisfactory by the commissioner. The returns and instructions are not rules for purposes of chapter 14. The return must be in the form and contain the information required by the commissioner. Failure to provide the information renders the return unprocessable. A return is not treated as filed until it is in a processible form. The commissioner may extend the period of time for filing the return for up to 60 days. A return that is required to be filed with the commissioner under this section must contain a written declaration that it is correct and complete. It must contain, in language prescribed by the commissioner, a confession of judgment for the tax shown due on it to the extent it is not timely paid.*

Subd. 6. [REFUNDS.] *If the taxes paid or withheld and paid under subdivision 4 exceed by more than \$1 the taxes imposed in subdivision 2 or 3, the excess must be refunded by the commissioner to the extent provided in this subdivision. The commissioner shall provide by rule for refund to the persons who paid the tax. Refund of an overpayment may be made to an employer only to the extent that the overpayment was not deducted and withheld from the wages of an employee. When the amount of the refund exceeds \$10, it must be returned with interest at the rate given in section 270.76 computed from 90 days after the date the return was due.*

Subd. 7. [PENALTIES; INTEREST.] *To the extent applicable to the taxes imposed in this section, all civil and criminal penalties and the imposition of interest relating to withholding, reporting, deposit, and payment of taxes under section 290.92 are imposed on and apply to persons having a duty to withhold, report, deposit, and pay the taxes imposed in this section.*

Subd. 8. [POWERS OF THE COMMISSIONER.] *The taxes imposed in this section must be assessed by the commissioner in the manner provided in section 290.92. The time limits for assessment and collection in section 290.92 apply. The commissioner has the powers given in this chapter to administer, assess, collect, and enforce the taxes imposed in this section.*

Subd. 9. [RULES.] *The commissioner of revenue may adopt rules under chapter 14 to administer and enforce reporting, payment, and collection of taxes imposed under this section.*

Subd. 10. [DEPOSIT OF FUNDS.] *The taxes paid or withheld and paid to the commissioner together with penalties and interest must be deposited*

in the general fund and credited to the health care access account created in section 11. Refunds of the taxes imposed in this section and the administrative expenses of the commissioner must be paid from that account. There is annually appropriated to the commissioner from the health care access account the amounts required to pay the refunds authorized in this section.

Sec. 13. [290.925] [HEALTH CARE ACCESS; EARNED INCOME TAX.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section the terms in paragraphs (b) to (d) have the meanings given them:

(b) "Commissioner" means the commissioner of revenue.

(c) "Self-employment income" means self-employment income as defined in section 1402(b) of the Internal Revenue Code of 1986, as amended through December 31, 1988, derived by a resident individual either within or without, or both within and without, the state and by a nonresident individual within the state to the extent the income does not constitute "wages" for purposes of section 12. "Self-employment income" is determined without regard to the benefit and contribution base amount and minimum earnings in section 1402(b)(1) and (2) of the Internal Revenue Code.

(d) "Taxable self-employment income" means self-employment income of an individual exceeding \$10,000 in a taxable year.

Subd. 2. [TAX IMPOSED.] A tax is imposed on the self-employment income of an individual. The amount of the tax is equal to three-tenths percent of taxable self-employment income for the taxable year.

Subd. 3. [RETURNS; PAYMENT.] The tax must be reported and paid to the commissioner in the same manner and at the same times as the tax imposed in section 290.03 is reported and paid. The provisions of section 290.93 apply to the tax imposed in this section.

Subd. 4. [PENALTIES; INTEREST.] To the extent applicable to the taxes imposed in this section, all civil and criminal penalties and the imposition of interest relating to the reporting and payment of taxes under section 290.03 apply to the tax imposed in this section.

Subd. 5. [REFUNDS.] Overpayments of the tax imposed in this section must be refunded or credited as provided in sections 290.50 and 290.93.

Subd. 6. [POWERS OF THE COMMISSIONER.] The commissioner has the powers given in this chapter to administer, assess, collect, and enforce the tax imposed in this section.

Subd. 7. [DEPOSIT OF FUNDS.] The taxes paid to the commissioner under this section together with penalties and interest must be deposited in the general fund and credited to the health care access account created in section 11. Refunds of the tax imposed in this section and the administrative expenses of the commissioner must be paid from that account. There is annually appropriated to the commissioner from the health care access account the amounts required to pay the refunds of tax imposed in this section.

Sec. 14. [UNCOMPENSATED CARE STUDY.]

The commission shall study the problem of uncompensated health care

in the state and report to the legislature and the governor. The report shall include definitions of the terms "uncompensated care", "unsponsored care", and "bad debt", as they relate to the providing of health care in this state. The commission shall collect data necessary to determine the nature and extent of the problem. The report must include recommendations for more equitably distributing the burden of uncompensated health care in this state.

Sec. 15. [APPROPRIATION.]

\$ is appropriated from the general fund to the health care access commission to pay for the administrative and operating expenses of the commission. The appropriation is available until June 30, 1990, at which time the commission shall repay this amount to the general fund from the account created in section 11.

Sec. 16. [EFFECTIVE DATES.]

(a) Sections 1 to 4 and 8 to 11, 14, and 15 are effective July 1, 1989.

(b) Sections 12 and 13 are effective January 1, 1990.

(c) Sections 5 to 7 are effective July 1, 1990.

ARTICLE 2

Section 1. Minnesota Statutes 1988, section 256B.056, subdivision 4, is amended to read:

Subd. 4. [INCOME.] To be eligible for medical assistance, a person must not have, or anticipate receiving, semiannual income in excess of 445 133-1/3 percent of the income standards by family size used in the aid to families with dependent children program; ~~except that families and children may have an income up to 133-1/3 percent of the AFDC income standard.~~ Notwithstanding any laws or rules to the contrary, in computing income to determine eligibility of persons who are not residents of long-term care facilities, the commissioner shall disregard increases in income as required by Public Law Numbers 94-566, section 503; 99-272; and 99-509.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health care; providing a program of affordable health care coverage for Minnesota residents; creating a health care access commission to implement and administer the program; establishing eligibility requirements and funding sources; modifying income eligibility requirements for medical assistance; imposing penalties; appropriating money; amending Minnesota Statutes 1988, section 256B.056, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 62J."

And when so amended the bill be re-referred to the Committee on Commerce without recommendation. Amendments adopted. Report adopted.

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

S.F. No. 745: A bill for an act relating to human services; encouraging increased efforts to collect child support for public and nonpublic assistance

clients; presuming paternity when blood tests are 99 percent positive; excluding public assistance from income for maintenance and support determinations in divorce; establishing an administrative process to obtain and enforce support orders; appropriating money; amending Minnesota Statutes 1988, sections 15A.083, by adding a subdivision; 256.979; 257.55, subdivision 1; 257.62, subdivision 5; 518.54, subdivision 6; 518.551, subdivision 10; 518.611, subdivision 4; 518.613; and 518.614, subdivision 1; repealing Minnesota Statutes 1988, section 518.613, subdivision 5.

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

Pages 1 to 3, delete section 1

Page 5, line 4, after "child" insert ", calculated with a prior probability of no more than 0.5 (50 percent)."

Page 5, line 8, strike the first "the" and after "tests" insert "completed in a laboratory accredited by the American Association of Blood Banks"

Page 5, line 9, after "paternity" insert ", calculated with a prior probability of no more than 0.5 (50 percent).", and strike "more than" and after "percent" insert "or greater"

Page 5, line 15, delete the second "the" and after "tests" insert "completed in a laboratory accredited by the American Association of Blood Banks"

Page 5, line 16, after "paternity" insert ", calculated with a prior probability of no more than 0.5 (50 percent)."

Page 9, lines 1 to 5, reinstate the stricken language and delete the new language

Page 9, line 17, after "entered" insert ", unless the requirements of this section have been waived under subdivision 6" and before "The" insert "By January 1, 1990,"

Page 9, line 19, after the period, insert "The form must be made a part of the decree by reference."

Page 9, line 36, delete "November" and insert "May"

Page 10, line 2, delete "November" and insert "May"

Page 10, after line 12, insert:

"Subd. 6. [WAIVER.] (a) The court may waive the requirements of this section if the court finds that there is no arrearage in child support or maintenance as of the date of the hearing, that it would not be contrary to the best interests of the child, and: (1) one of the parties demonstrates, and the court finds, that there is good cause to waive the requirements of this section or to terminate automatic income withholding on an order previously entered under this section; or (2) all parties reach a written agreement that provides for an alternative payment arrangement and the agreement is approved by the court after a finding that the agreement is likely to result in regular and timely payments. If the court waives the requirements of this section:

(1) in all cases where the obligor is at least 30 days in arrears, withholding must be carried out pursuant to section 518.611;

(2) the obligee may at any time and without cause request the court to

issue an order for automatic income withholding under this section; and

(3) the obligor may at any time request the public authority to begin withholding pursuant to this section, by serving the public authority such a request, a copy of the order for child support or maintenance, and an application fee not to exceed \$5. Upon receipt of the request, the public authority shall serve a copy of the court's order and the provisions of section 518.611 and this section on the obligor's employer or other payor of funds. The public authority shall notify the court that withholding has begun at the request of the obligor pursuant to this clause.

(b) For purposes of this subdivision, "parties" includes the public authority in cases when it is a party pursuant to section 518.551, subdivision 9."

Page 10, delete section 8

Page 11, delete line 2 and insert "increase the amount of money distributed as child support collection incentive awards in accordance with Minnesota Rules, parts 9500.1800 to 9500.1821."

Page 11, delete line 7 and insert:

"Sections 1 to 5; 6, subdivisions 1 to 4; 7; and 8; are effective July 1, 1989. Section 6, subdivision 6, is effective the day following final enactment and applies to support and maintenance orders entered or modified before, on, or after the effective date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "encouraging increased"

Page 1, delete line 3

Page 1, line 4, delete "nonpublic assistance clients;"

Page 1, line 11, delete "256.979;"

Page 1, line 13, after the second semicolon, insert "and" and delete "and"

Page 1, line 14, delete "518.614, subdivision 1"

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

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

S.F. No. 313: A bill for an act relating to occupations and professions; requiring the licensing of interior designers; defining the practice of interior design; providing for administration of licensing requirements; amending Minnesota Statutes 1988, sections 214.01, subdivision 3; 214.04, subdivision 3; 326.02, subdivision 1, and by adding a subdivision; 326.03, subdivision 1; 326.031; 326.04; 326.05; 326.06; 326.07; 326.08, subdivision 2; 326.09; 326.10, subdivisions 1, 2, and 2a; 326.11, subdivision 1; 326.12; 326.13; and 326.14.

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

Page 1, line 19, strike everything after "of"

Page 1, line 20, delete the comma and strike "landscape architecture"

and delete the new language and insert "*design professions*"

Page 2, line 18, strike "architecture, engineering, land surveying" and delete the comma

Page 2, line 19, strike "landscape architecture" and delete the new language and insert "*design professions*"

Page 4, delete lines 4 to 31 and insert:

"Subd. 4b. [PRACTICE OF INTERIOR DESIGN.] (a) A person shall be considered to be practicing as a licensed interior designer, within the meaning of sections 326.02 to 326.15, if that person claims to be able to perform or does perform any professional service, such as consultation, study, or the preparation of plans and specifications in connection with using the principles of aesthetics in the design of interior public spaces, planning for public interior space utilization, the selection of furnishings that are required to meet code, the design of nonstructural elements for public interior spaces, and services intended for the safeguarding of the public life, health, and property and the promoting of the public welfare.

(b) Licensed interior designers are prohibited from designing buildings, building structural systems, or mechanical, electrical, or fire and life safety systems for buildings.

(c) Architects licensed to practice in this state and the design of building systems by professional engineers are exempt from the provisions of this subdivision.

(d) This subdivision does not apply to those persons claiming to be interior designers who offer residential interior design services, including the selection of or assistance in selecting interior surface materials, window treatments, wall coverings, paint, floor coverings, surface mounted lighting fixtures, or loose furnishings not subject to regulation under applicable building codes."

Page 5, line 27, strike everything after "OF"

Page 5, line 28, strike the old language and delete the new language and insert "*DESIGN PROFESSIONS*"

Page 5, line 30, strike everything after "of"

Page 5, line 31, strike the old language and delete the new language

Page 5, line 32, after "*design*" insert "*professions*"

Page 9, line 10, after "*and*" insert "*in the case of interior designers*"

Page 9, line 11, delete "*in the case of interior designers*" and insert "*or an educational institution accredited by the Foundation for Interior Design Education Research*"

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

Mr. Chmielewski from the Committee on Employment, to which was referred the following appointment as reported in the Journal for January 12, 1989:

**DEPARTMENT OF LABOR AND INDUSTRY
COMMISSIONER**

Kenneth Peterson

Reports the same back with the recommendation that the appointment 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. 27, 754, 878, 1011, 738, 665, 827, 588, 666, 322, 901, 184, 521, 886, 344, 787 and 839 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 279, 461, 702 and 135 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the name of Mr. Beckman be added as a co-author to S.F. No. 186. The motion prevailed.

Ms. Berglin moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 321. The motion prevailed.

Ms. Berglin moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 682. The motion prevailed.

Mr. Mehrkens moved that the names of Mr. Dahl and Ms. Berglin be added as co-authors to S.F. No. 1005. The motion prevailed.

Mr. DeCramer moved that the name of Mr. Marty be added as a co-author to S.F. No. 1049. The motion prevailed.

Mr. Pogemiller moved that the names of Mr. Dahl and Ms. Piper be added as co-authors to S.F. No. 1104. The motion prevailed.

Ms. Berglin moved that the name of Ms. Piper be added as a co-author to S.F. No. 1134. The motion prevailed.

Ms. Berglin moved that the name of Ms. Piper be added as a co-author to S.F. No. 1135. The motion prevailed.

Ms. Berglin moved that the name of Ms. Piper be added as a co-author to S.F. No. 1136. The motion prevailed.

Ms. Berglin moved that the name of Ms. Piper be added as a co-author to S.F. No. 1137. The motion prevailed.

Mr. Chmielewski moved that the names of Mr. Moe, R.D. and Mrs. Lantry be added as co-authors to S.F. No. 1156. The motion prevailed.

Mr. Luther moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1169. The motion prevailed.

Mr. Bertram introduced—

Senate Resolution No. 78: A Senate resolution commending Richard Volkert for his years of dedication and service to Minnesota veterans.

Referred to the Committee on Rules and Administration.

Mr. Frederick introduced—

Senate Resolution No. 79: A Senate resolution congratulating the Owatonna High School Boys Basketball Team for winning the 1989 State High School Class AA Basketball Championship.

Referred to the Committee on Rules and Administration.

CALENDAR

H.F. No. 95: A bill for an act relating to crime victims; clarifying certain criminal fine provisions; authorizing the deposit of unclaimed and abandoned restitution payments in the crime victim and witness account; increasing the maximum amount of reparations payable for funeral, burial, or cremation expenses; authorizing the payment of reparations under certain circumstances to Minnesota residents injured by crimes committed elsewhere; clarifying the authority of the reparations board to deny reparations on the basis of claimant's contributory misconduct; amending Minnesota Statutes 1988, sections 345.48, subdivision 1; 609.101, subdivision 2; 611A.52, subdivision 8; 611A.53, by adding a subdivision; and 611A.54.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Knaak	Moe, D.M.	Reichgott
Anderson	Davis	Knutson	Moe, R.D.	Renneke
Beckman	Decker	Laidig	Morse	Schmitz
Belanger	DeCramer	Langseth	Novak	Solon
Benson	Dicklich	Lantry	Olson	Spear
Berg	Diessner	Larson	Pariseau	Storm
Berglin	Frank	Lessard	Pehler	Stumpf
Bernhagen	Frederickson, D.R.	Luther	Peterson, D.C.	Vickerman
Bertram	Freeman	Marty	Peterson, R.W.	Waldorf
Brandl	Hughes	McGowan	Piper	
Brataas	Johnson, D.E.	McQuaid	Pogemiller	
Cohen	Johnson, D.J.	Merriam	Purfeerst	

So the bill passed and its title was agreed to.

S.F. No. 218: A bill for an act relating to health; amending the bill of rights for patients and residents of health facilities; requiring health facilities to notify family members of the admission of a patient or resident under certain circumstances; amending Minnesota Statutes 1988, section 144.651, subdivision 10.

Mr. Moe, R.D. moved that S.F. No. 218, No. 2 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

S.F. No. 126: A bill for an act relating to traffic regulations; providing for suspension of driver's license of certain persons failing to appear in court; setting a fee; amending Minnesota Statutes 1988, sections 169.92; 171.01, subdivision 13; and 171.20, subdivision 4.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Johnson, D.E.	McGowan	Piper
Anderson	Dahl	Johnson, D.J.	McQuaid	Pogemiller
Beckman	Davis	Knaak	Merriam	Purfeerst
Belanger	Decker	Knutson	Moe, D.M.	Reichgott
Benson	DeCramer	Kroening	Moe, R.D.	Renneke
Berg	Dicklich	Laidig	Morse	Schmitz
Berglin	Diessner	Langseth	Novak	Solon
Bernhagen	Frank	Lantry	Olson	Storm
Bertram	Frederickson, D.J.	Larson	Pariseau	Stumpf
Brandl	Frederickson, D.R.	Lessard	Pehler	Vickerman
Brataas	Freeman	Luther	Peterson, D.C.	Waldorf
Chmielewski	Hughes	Marty	Peterson, R.W.	

So the bill passed and its title was agreed to.

H.F. No. 387: A bill for an act relating to traffic regulations; exempting state patrol troopers from requirement of security barrier in marked state patrol vehicles; amending Minnesota Statutes 1988, section 169.98, by adding a subdivision.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Johnson, D.J.	McQuaid	Purfeerst
Anderson	Dahl	Knaak	Merriam	Reichgott
Beckman	Davis	Knutson	Moe, D.M.	Renneke
Belanger	Decker	Kroening	Moe, R.D.	Schmitz
Benson	DeCramer	Laidig	Morse	Solon
Berg	Dicklich	Langseth	Olson	Spear
Berglin	Diessner	Lantry	Pariseau	Storm
Bernhagen	Frank	Larson	Pehler	Stumpf
Bertram	Frederickson, D.R.	Lessard	Peterson, D.C.	Vickerman
Brandl	Freeman	Luther	Peterson, R.W.	Waldorf
Brataas	Hughes	Marty	Piper	
Chmielewski	Johnson, D.E.	McGowan	Pogemiller	

So the bill passed and its title was agreed to.

H.F. No. 509: A bill for an act relating to the city of St. Peter; providing for a seven-member municipal hospital board and a nine-member economic development authority.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.J.	McQuaid	Pogemiller
Anderson	Davis	Knaak	Merriam	Purfeerst
Beckman	Decker	Knutson	Moe, D.M.	Reichgott
Belanger	DeCramer	Kroening	Moe, R.D.	Renneke
Benson	Dicklich	Laidig	Morse	Schmitz
Berg	Diessner	Langseth	Novak	Solon
Berglin	Frank	Lantry	Olson	Spear
Bernhagen	Frederickson, D.J.	Larson	Pariseau	Storm
Bertram	Frederickson, D.R.	Lessard	Pehler	Stumpf
Brandl	Freeman	Luther	Peterson, D.C.	Vickerman
Chmielewski	Hughes	Marty	Peterson, R.W.	Waldorf
Cohen	Johnson, D.E.	McGowan	Piper	

So the bill passed and its title was agreed to.

H.F. No. 410: A bill for an act relating to public safety: defining high pressure piping; regulating the practice of pipefitting; amending Minnesota Statutes 1988, section 326.461, subdivision 2.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knaak	Moe, D.M.	Reichgott
Anderson	Decker	Kroening	Moe, R.D.	Renneke
Beckman	DeCramer	Laidig	Morse	Schmitz
Belanger	Dicklich	Langseth	Novak	Solon
Benson	Diessner	Lantry	Olson	Spear
Berglin	Frank	Larson	Pariseau	Storm
Bernhagen	Frederickson, D.J.	Lessard	Pehler	Stumpf
Bertram	Frederickson, D.R.	Luther	Peterson, D.C.	Vickerman
Brandl	Freeman	Marty	Peterson, R.W.	Waldorf
Brataas	Hughes	McGowan	Piper	
Cohen	Johnson, D.E.	McQuaid	Pogemiller	
Dahl	Johnson, D.J.	Merriam	Purfeerst	

So the bill passed and its title was agreed to.

S.F. No. 203: A bill for an act relating to intoxicating liquor: authorizing an on-sale liquor license for the Minneapolis convention center, the Orpheum Theatre, and the State Theatre; amending Minnesota Statutes 1988, section 340A.404, subdivision 2; repealing Laws 1973, chapter 505.

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 53 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Hughes	McGowan	Purfeerst
Anderson	Dahl	Johnson, D.E.	McQuaid	Reichgott
Beckman	Davis	Johnson, D.J.	Moe, R.D.	Schmitz
Belanger	Decker	Knaak	Morse	Solon
Benson	DeCramer	Knutson	Novak	Spear
Berg	Dicklich	Kroening	Pariseau	Storm
Berglin	Diessner	Langseth	Pehler	Stumpf
Bernhagen	Frank	Lantry	Peterson, D.C.	Vickerman
Bertram	Frederickson, D.J.	Lessard	Peterson, R.W.	Waldorf
Brandl	Frederickson, D.R.	Luther	Piper	
Brataas	Freeman	Marty	Pogemiller	

Messrs. Laidig; Larson; Moe, D.M. and Renneke voted in the negative.

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 264: A bill for an act relating to health; requiring that health care providers timely furnish patient health records and reports; amending Minnesota Statutes 1988, section 144.335, subdivisions 2 and 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.J.	Merriam	Reichgott
Anderson	Davis	Knaak	Moe, D.M.	Renneke
Beckman	Decker	Knutson	Moe, R.D.	Schmitz
Belanger	DeCramer	Laidig	Morse	Spear
Benson	Dicklich	Langseth	Olson	Storm
Berg	Diessner	Lantry	Pariseau	Stumpf
Berglin	Frank	Larson	Pehler	Vickerman
Bernhagen	Frederickson, D.J.	Lessard	Peterson, D.C.	Waldorf
Bertram	Frederickson, D.R.	Luther	Peterson, R.W.	
Brandl	Freeman	Marty	Piper	
Brataas	Hughes	McGowan	Pogemiller	
Cohen	Johnson, D.E.	McQuaid	Purfeerst	

So the bill passed and its title was agreed to.

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

MOTIONS AND RESOLUTIONS

Mr. Peterson, R.W. moved that S.F. No. 754, on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 214: Messrs. Pogemiller, Belanger and Johnson, D.J.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Pehler, Mses. Berglin; Peterson, D.C.; Messrs. Brandl and Knutson introduced—

S.F. No. 1173: A bill for an act relating to human services; requiring counties to contract with post-secondary education institutions regarding child care payments for students on AFDC; guaranteeing continued child care assistance to eligible students who change their county of residence; appropriating money; amending Minnesota Statutes 1988, sections 256.736, subdivision 8; and 256H.08.

Referred to the Committee on Health and Human Services.

Mr. Benson introduced—

S.F. No. 1174: A bill for an act relating to public lands; conditions for acceptance of transfers from the federal government; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Mr. DeCramer introduced—

S.F. No. 1175: A bill for an act relating to education; updating the language and procedures with respect to certain state university bonding authority; amending Minnesota Statutes 1988, section 136.31, subdivisions 3 and 5.

Referred to the Committee on Education.

Mr. Metzen introduced—

S.F. No. 1176: A bill for an act relating to retirement; authorizing purchase of prior service credit in the public employees retirement association by a certain Dakota county elected official.

Referred to the Committee on Governmental Operations.

Messrs. Cohen and Solon introduced—

S.F. No. 1177: A bill for an act relating to commerce; securities regulation; providing for annual expiration of certain securities registration statements; modifying fees payable on registration of certain securities; amending Minnesota Statutes 1988, sections 80A.12, subdivision 9; and 80A.28, subdivision 1.

Referred to the Committee on Commerce.

Mr. Frederickson, D.J. and Ms. Peterson, D.C. introduced—

S.F. No. 1178: A bill for an act relating to education; providing elementary school students counseling on the dangers of inhalant abuse; providing grants for student volunteers to work with young inhalant abusers; developing curriculum on inhalants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 123.

Referred to the Committee on Education.

Mr. Dicklich introduced—

S.F. No. 1179: A bill for an act relating to state government; regulating the location of state agencies; amending Minnesota Statutes 1988, sections

16B.24, by adding subdivisions; 43A.01, by adding a subdivision; and 43A.15, subdivision 1.

Referred to the Committee on Governmental Operations.

Mr. Dicklich introduced—

S.F. No. 1180: A bill for an act relating to taxation; property tax; limiting property tax paid by certain retired persons on certain seasonal, recreational, nonhomestead property; providing for state reimbursement for lost local tax revenue; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dicklich introduced—

S.F. No. 1181: A bill for an act relating to education; allowing alternative postseason extracurricular competition; proposing coding for new law in Minnesota Statutes, chapter 129.

Referred to the Committee on Education.

Mr. DeCramer introduced—

S.F. No. 1182: A bill for an act relating to water; directing the commissioner of health to contract for technical assistance for rural water systems; appropriating money.

Referred to the Committee on Health and Human Services.

Mr. Luther, Mrs. McQuaid and Mr. Cohen introduced—

S.F. No. 1183: A bill for an act relating to insurance; accident and health; requiring coverage for the diagnosis and treatment of infertility to the same extent as covered pregnancy-related benefits; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

Mr. Luther introduced—

S.F. No. 1184: A bill for an act relating to probate; modifying provisions for the award of sentimental property and family allowances; amending Minnesota Statutes 1988, sections 525.151; and 525.152.

Referred to the Committee on Judiciary.

Mr. Bertram introduced—

S.F. No. 1185: A bill for an act relating to veterans; appropriating money for use by the Vietnam Veterans of America in assisting veterans to make claims against the United States government.

Referred to the Committee on Veterans and Military Affairs.

Messrs. Johnson, D.E. and Bertram introduced—

S.F. No. 1186: A bill for an act relating to taxation; property; providing a special levy for city libraries; amending Minnesota Statutes 1988, section

275.50, subdivision 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Bertram introduced—

S.F. No. 1187: A bill for an act relating to taxation; providing an income tax credit for compensation paid for service in the United States armed forces reserve; amending Minnesota Statutes 1988, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Frank, Mrs. Lantry and Mr. Laidig introduced—

S.F. No. 1188: A bill for an act relating to traffic regulations; regulating use of seat belts and child passenger restraint systems; amending Minnesota Statutes 1988, section 169.685.

Referred to the Committee on Transportation.

Messrs. Moe, R.D.; Merriam and Benson introduced—

S.F. No. 1189: A bill for an act relating to state buildings; establishing a state policy of barrier-free environments for state owned and leased buildings; appropriating money.

Referred to the Committee on Governmental Operations.

Ms. Berglin, Mrs. Lantry, Messrs. Frank, Samuelson and Knutson introduced—

S.F. No. 1190: A bill for an act relating to human services; authorizing the establishment of congregate housing service programs under the administration of the Minnesota board on aging, for elderly and handicapped persons living in subsidized housing developments; establishing a congregate services advisory committee; authorizing a congregate housing resource center; establishing a grant program for congregate housing services; authorizing demonstration projects; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services.

Messrs. Luther; Peterson, R.W. and Schmitz introduced—

S.F. No. 1191: A bill for an act relating to political subdivisions; permitting participation in risk retention groups; amending Minnesota Statutes 1988, section 471.981, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Merriam, Luther, Pehler, Morse and Bernhagen introduced—

S.F. No. 1192: A bill for an act relating to education; equalizing a portion of the referendum levy; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Messrs. Dicklich and Johnson, D.J. introduced—

S.F. No. 1193: A bill for an act relating to education; providing aid for certain international baccalaureate program costs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124.

Referred to the Committee on Education.

Ms. Berglin, Mr. Brandl, Ms. Piper, Mr. Ramstad and Mrs. Lantry introduced—

S.F. No. 1194: A bill for an act relating to human services; exempting certain nursing homes from other operating cost limits; amending Minnesota Statutes 1988, section 256B.431, subdivision 2b.

Referred to the Committee on Health and Human Services.

Messrs. Metzen, Schmitz, Mrs. Pariseau, Messrs. Purfeerst and Knutson introduced—

S.F. No. 1195: A bill for an act relating to counties; providing conditions for the disposition of county property; amending Minnesota Statutes 1988, section 373.01, subdivision 1.

Referred to the Committee on Local and Urban Government.

Mrs. Lantry introduced—

S.F. No. 1196: A bill for an act relating to nursing home admission agreements; prohibiting use of blanket waivers of liability by continuing care facilities and nursing homes; requiring nursing home admission agreements to be available to the public and clarifying that such agreements are consumer contracts; prohibiting nursing homes from requiring third party guarantors; requiring nursing homes to identify their status as medical assistance providers; prohibiting use of blanket consents for treatment; requiring written acknowledgment that residents have received a copy of the patients' bill of rights; providing penalties; amending Minnesota Statutes 1988, section 80D.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Messrs. Dahl; Moe, R.D.; Peterson, R.W.; Merriam and Knaak introduced—

S.F. No. 1197: A bill for an act relating to natural resources; establishing a task force to study and report on metropolitan water management issues; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Messrs. Stumpf, Langseth and DeCramer introduced—

S.F. No. 1198: A bill for an act relating to motor vehicles; setting fee for inspection of certain motor vehicles for which salvage certificate of title has been issued; amending Minnesota Statutes 1988, section 168A.152.

Referred to the Committee on Transportation.

Messrs. Stumpf, Langseth and DeCramer introduced—

S.F. No. 1199: A bill for an act relating to transportation; authorizing transportation regulation board, on petition by a city, to determine at which railroad crossings a train is not allowed to stop; amending Minnesota Statutes 1988, section 219.383, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. DeCramer and Purfeerst introduced—

S.F. No. 1200: A bill for an act relating to traffic regulations; defining terms; subjecting driver of commercial motor vehicle to stricter federal standard on alcohol-related driving; providing for and regulating category of commercial driver's license and commercial motor vehicle drivers; authorizing Minnesota to join driver license compact; allowing exchange of driver license information with other states; promoting consolidated, complete driver record; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 168.011, subdivision 9; 169.01, subdivision 50, and by adding a subdivision; 169.123, subdivisions 2, 4, 5, 5a, 5b, 5c, and 6; 171.01, subdivision 19, and by adding subdivisions: 171.02, subdivision 2; 171.03; 171.04; 171.06, subdivisions 2 and 3; 171.07, by adding a subdivision; 171.10, subdivision 2; 171.12, subdivision 2; 171.13, subdivision 5; 171.14; 171.16, subdivision 1; 171.18; 171.19; 171.20; 171.22, subdivision 1; 171.24; and 171.30, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 169 and 171.

Referred to the Committee on Transportation.

Messrs. Moe, D.M.; Pogemiller; Morse; Waldorf and Renneke introduced—

S.F. No. 1201: A bill for an act relating to retirement; teachers retirement association; making various administrative changes in the laws governing operation of the association; establishing an appeal procedure; amending Minnesota Statutes 1988, sections 136.81, subdivision 1; 136.82, subdivisions 1 and 2; 354.05, subdivisions 35 and 37; 354.06, by adding a subdivision; 354.07, subdivision 3; 354.091; 354.092; 354.10, subdivision 2; 354.35; 354.42, subdivision 7; 354.44, subdivisions 3, 5, and 8; 354.47, subdivision 2; 354.48, subdivisions 1 and 2; 354.65; 356.30, subdivision 2; 356.371, subdivision 3; and 356.80, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 354; repealing Minnesota Statutes 1988, sections 136.88, subdivision 3; 354.41, subdivision 3; 354.531; 354.532; 354.55, subdivision 5; and 354.56.

Referred to the Committee on Governmental Operations.

Messrs. Novak, Purfeerst, Mrs. Lantry, Mr. Langseth and Mrs. McQuaid introduced—

S.F. No. 1202: A bill for an act relating to metropolitan government; restructuring the regional transit board and the metropolitan transit commission; directing the board to plan and coordinate light rail transit systems in the metropolitan area; directing the commission to operate any light rail transit systems; transferring responsibility for distribution of the transit assistance fund and for receipt of federal grants to the board; amending

Minnesota Statutes 1988, sections 174.32, subdivision 2; 473.169, subdivisions 3, 4, 5, and by adding subdivisions; 473.373, by adding a subdivision; 473.375, subdivision 8, and by adding a subdivision; 473.404, subdivisions 2 and 3; and 473.4051; repealing Minnesota Statutes 1988, sections 473.1691; 473.17; 473.373, subdivision 4; and 473.398.

Referred to the Committee on Transportation.

Messrs. Hughes, Langseth and Larson introduced—

S.F. No. 1203: A bill for an act relating to education; providing for a computer technology access program for teachers; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 125 and 135A.

Referred to the Committee on Education.

Ms. Reichgott and Mr. Luther introduced—

S.F. No. 1204: A bill for an act relating to appropriations; providing funds for Twin Cities Regional Cable.

Referred to the Committee on Finance.

Messrs. Morse, Brandl, Schmitz, Mrs. Adkins and Mr. Benson introduced—

S.F. No. 1205: A bill for an act relating to local government; regulating the development, imposition, and management of state mandates upon local political subdivisions; amending Minnesota Statutes 1988, section 3.981, subdivision 2, 8, and by adding subdivisions; 3.982; 3.983, subdivision 3; 14.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3 and 14; repealing Minnesota Statutes 1988, section 3.981, subdivisions 4, 5, and 9.

Referred to the Committee on Local and Urban Government.

Mr. Frederickson, D.J. introduced—

S.F. No. 1206: A bill for an act relating to the city of Redwood Falls; exempting certain levies from a penalty.

Referred to the Committee on Taxes and Tax Laws.

Mr. Decker introduced—

S.F. No. 1207: A bill for an act relating to libraries; providing funds for library construction in Kitchigami Regional Library system; authorizing the sale of state bonds; appropriating money.

Referred to the Committee on Education.

Messrs. Larson and Decker introduced—

S.F. No. 1208: A bill for an act relating to retirement; adopting a rule of 90 for members of the teachers retirement association; amending Minnesota Statutes 1988, section 354.44, subdivision 6.

Referred to the Committee on Governmental Operations.

Messrs. Decker, Storm and Ms. Piper introduced—

S.F. No. 1209: A bill for an act relating to human services; requiring the commissioner to pay for a percentage of certain services for access to medically necessary services; amending Minnesota Statutes 1988, section 256B.19, subdivision 1.

Referred to the Committee on Health and Human Services.

Mr. Bernhagen introduced—

S.F. No. 1210: A bill for an act relating to human services; providing for the allocation of central, affiliated, or corporate office costs of long-term care facilities participating in the medical assistance program; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Human Services.

Messrs. Marty, Pogemiller, Purfeerst, Renneke and Spear introduced—

S.F. No. 1211: A bill for an act relating to human services; expanding the powers and duties of the council for the hearing impaired; amending Minnesota Statutes 1988, section 256C.28, subdivision 3, and by adding subdivisions.

Referred to the Committee on Health and Human Services.

Messrs. Beckman and Bertram introduced—

S.F. No. 1212: A bill for an act relating to taxation; providing an income tax credit for compensation paid for service in the National Guard; amending Minnesota Statutes 1988, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Beckman and Bertram introduced—

S.F. No. 1213: A bill for an act relating to taxation; income; providing an exclusion for national guard retirement payments; amending Minnesota Statutes 1988, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Beckman and Bertram introduced—

S.F. No. 1214: A bill for an act relating to taxation; income; providing an exclusion for military retirement payments; amending Minnesota Statutes 1988, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Decker, Larson and Anderson introduced—

S.F. No. 1215: A bill for an act relating to the English language; making it the official language of the state; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on Governmental Operations.

Messrs. Decker, Stumpf and Ms. Olson introduced—

S.F. No. 1216: A bill for an act relating to education; approving a maximum effort school loan program capital loan.

Referred to the Committee on Education.

Messrs. Decker and Stumpf introduced—

S.F. No. 1217: A bill for an act relating to retirement; allowing purchase of allowable service credit for sabbatical leave by certain teachers employed by the Bemidji school district.

Referred to the Committee on Governmental Operations.

Messrs. Decker, Renneke, Stumpf and Anderson introduced—

S.F. No. 1218: A bill for an act relating to water use; requiring the city of Minneapolis to develop alternative water supplies.

Referred to the Committee on Environment and Natural Resources.

Messrs. Decker, Anderson, Larson and Stumpf introduced—

S.F. No. 1219: A bill for an act relating to highways; naming a segment of state trunk highway No. 64 as the Leonard Dickinson Memorial Highway; amending Minnesota Statutes 1988, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Freeman introduced—

S.F. No. 1220: A bill for an act relating to public employment; equitable compensation relationships; clarifying the application of equitable compensation relationship requirements to balanced classes; amending Minnesota Statutes 1988, section 471.9981, by adding a subdivision.

Referred to the Committee on Local and Urban Government.

Mrs. McQuaid introduced—

S.F. No. 1221: A bill for an act relating to the city of Hopkins; authorizing the establishment of special service districts.

Referred to the Committee on Local and Urban Government.

Mrs. Pariseau, Messrs. Frederickson, D.R.; Davis and DeCramer introduced—

S.F. No. 1222: A bill for an act relating to motor fuels; abolishing requirement that labeling of gasoline-alcohol blends be placed on dispenser; amending Minnesota Statutes 1988, section 239.79, subdivision 2.

Referred to the Committee on Commerce.

Messrs. Davis; Bertram; Moe, R.D.; Benson and Morse introduced—

S.F. No. 1223: A bill for an act relating to agriculture; changing the dairy industry checkoff rate; amending Minnesota Statutes 1988, section 17.59, by adding a subdivision.

Referred to the Committee on Agriculture and Rural Development.

Mr. Dicklich introduced—

S.F. No. 1224: A bill for an act relating to retirement; authorizing increases in benefits payable by the Virginia police relief association; amending Laws 1982, chapter 574, section 5, as amended.

Referred to the Committee on Governmental Operations.

Mr. Novak introduced—

S.F. No. 1225: A bill for an act relating to taxation; liquor; changing the time limit for certain claims for refund; amending Minnesota Statutes 1988, section 297C.06, subdivisions 2 and 5.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Metzen, Solon, Frederick, Taylor and Freeman introduced—

S.F. No. 1226: A bill for an act relating to commerce; securities; exempting nonissuer sales of securities issued by the state, its subdivisions, or instrumentalities from regulation; amending Minnesota Statutes 1988, section 80A.15, subdivision 2.

Referred to the Committee on Commerce.

Messrs. Metzen, Solon, Frederick, Taylor and Freeman introduced—

S.F. No. 1227: A bill for an act relating to commerce; providing for the regulation of real estate closing agents; prescribing penalties; appropriating money; amending Minnesota Statutes 1988, sections 82.17, subdivisions 7, 9, and 10; 82.18; 82.19, subdivisions 1, 2, 3, and 4; 82.20, subdivisions 1, 2, 3, 4, 5, 8, and 12; 82.21, subdivision 1; 82.22, subdivisions 1, 5, 6, 10, and 11; 82.23, subdivisions 2 and 3; 82.24, subdivisions 1, 2, 3, 4, 5, 6, and 7; 82.27, subdivisions 1 and 2; 82.30, subdivision 1; 82.31, subdivision 1; 82.33, subdivision 1; 82.34, subdivisions 3, 4, 6, 7, 13, and 14; and 609.52, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1988, section 82.34, subdivision 12.

Referred to the Committee on Commerce.

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

S.F. No. 1228: A bill for an act relating to education; establishing revenue for cooperating districts to improve educational programs; establishing revenue for districts to cooperate for a certain time and combine; appropriating money; amending Minnesota Statutes 1988, sections 122.43, subdivision 1; 124A.22, subdivisions 5, 6, and by adding a subdivision; and 275.125, subdivision 8; proposing coding for new law in Minnesota Statutes, chapters 122; 124; and 129B.

Referred to the Committee on Education.

Messrs. DeCramer and Freeman introduced—

S.F. No. 1229: A bill for an act relating to education; requiring the state university board to study the feasibility of acquiring a site to broaden

services within the metropolitan area and additional, related issues; requiring a joint study with the state board for community colleges; appropriating money.

Referred to the Committee on Education.

Ms. Reichgott, Messrs. Frank, Diessner, Hughes and Freeman introduced—

S.F. No. 1230: A bill for an act relating to education; providing for cost of living differential revenue; appropriating money; amending Minnesota Statutes 1988, section 124A.22, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Messrs. Novak and Marty introduced—

S.F. No. 1231: A bill for an act relating to education; providing for cost of living differential revenue; appropriating money; amending Minnesota Statutes 1988, section 124A.22, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Mr. Dahl introduced—

S.F. No. 1232: A bill for an act relating to education; providing for cost of living differential revenue; appropriating money; amending Minnesota Statutes 1988, section 124A.22, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Ms. Berglin, Mrs. Lantry, Messrs. Solon and Storm introduced—

S.F. No. 1233: A bill for an act relating to human services; expanding the work readiness program; removing time limits on work readiness assistance; requiring participation in work readiness activities as a condition of receiving assistance; establishing notice and appeal requirements; establishing residency requirements; amending Minnesota Statutes 1988, sections 256D.01, subdivisions 1, 1a, 1b, and 1c; 256D.02, subdivisions 1, 4, and by adding a subdivision; 256D.03, subdivision 2; 256D.05, subdivision 1, and by adding a subdivision; 256D.051, subdivisions 1, 2, 3, 6, 8, 13, and by adding subdivisions; 256D.052, subdivisions 1, 2, 3, and 4; 256D.101; 2456D.111, subdivision 5; and 256G.03, subdivision 1; repealing Minnesota Statutes 1988, section 256D.052, subdivisions 5, 6, and 7.

Referred to the Committee on Health and Human Services.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 6:30 p.m., Tuesday, March 28, 1989. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate