

TWENTY-SEVENTH DAY

St. Paul, Minnesota, Monday, March 29, 1993

The Senate met at 10:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. R. Rudolf.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

Adkins	Dille	Krentz	Murphy	Runbeck
Anderson	Finn	Kroening	Neuville	Sams
Beckman	Flynn	Laidig	Novak	Samuelson
Belanger	Frederickson	Langseth	Oliver	Solon
Benson, D.D.	Hanson	Larson	Olson	Spear
Benson, J.E.	Hottinger	Lesewski	Pappas	Stevens
Berg	Janezich	Lessard	Pariseau	Stumpf
Berglin	Johnson, D.E.	Luther	Piper	Terwilliger
Bertram	Johnson, D.J.	Marty	Pogemiller	Vickerman
Betzold	Johnson, J.B.	McGowan	Price	Wiener
Chandler	Johnston	Merriam	Ranum	
Chmielewski	Kelly	Metzen	Reichgott	
Cohen	Kiscaden	Mondale	Riveness	
Day	Knutson	Morse	Robertson	

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committee indicated.

March 15, 1993

The Honorable Allan H. Spear
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF THE MINNESOTA CENTER FOR ARTS EDUCATION

John C. Kim, 9350 Collegeview Rd., Bloomington, Hennepin County, has been appointed by me, effective March 20, 1993, for a term expiring on the first Monday in January, 1997.

Barbara J. Sykora, 4835 Highcrest Dr., Excelsior, Hennepin County, has been appointed by me, effective March 20, 1993, for a term expiring on the first Monday in January, 1997.

(Referred to the Committee on Education.)

March 23, 1993

The Honorable Allan H. Spear
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Earl Herring, Rt. 1, Box 230C, Detroit Lakes, Otter Tail County, has been appointed by me, effective March 27, 1993, for a term expiring on the first Monday in January, 1997.

(Referred to the Committee on Education.)

Warmest regards,
Arne H. Carlson, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 300: A bill for an act relating to local government; permitting sheriff civil service commissions to expand eligible lists in certain circumstances; amending Minnesota Statutes 1992, section 387.36.

Senate File No. 300 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 25, 1993

CONCURRENCE AND REPASSAGE

Mr. Hottinger moved that the Senate concur in the amendments by the

House to S.F. No. 300 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 300 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Knutson	Morse	Riveness
Anderson	Day	Krentz	Neuville	Robertson
Beckman	Flynn	Laidig	Novak	Runbeck
Belanger	Frederickson	Langseth	Oliver	Sams
Benson, D.D.	Hanson	Larson	Olson	Samuelson
Benson, J.E.	Hottinger	Lesewski	Pappas	Solon
Berg	Johnson, D.E.	Lessard	Pariseau	Spear
Berglin	Johnson, D.J.	Luther	Piper	Stevens
Bertram	Johnson, J.B.	Marty	Pogemiller	Stumpf
Betzold	Johnston	McGowan	Price	Terwilliger
Chandler	Kelly	Merriam	Ranum	Vickerman
Chmielewski	Kiscaden	Metzen	Reichgott	Wiener

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE – CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 585:

H.F. No. 585: A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1, 2, 4, and by adding a subdivision; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

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

Clark, Orenstein and Bishop have been appointed as such committee on the part of the House.

House File No. 585 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 25, 1993

Mr. Luther, for Mr. Spear, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 585, 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 the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 111, 469, 827, 74, 385, 443, 576, 57, 95, 251, 552, 584 and 430.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 25, 1993

FIRST READING OF HOUSE BILLS

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

H.F. No. 111: A bill for an act relating to highways; designating the B. E. Grotum memorial highway in Jackson county; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 128, now on General Orders.

H.F. No. 469: A bill for an act relating to drivers' licenses; providing that physical requirements to obtain school bus endorsement for driver's license are satisfied by possession of medical examiner's certificate required for commercial vehicle drivers; amending Minnesota Statutes 1992, section 171.321, subdivision 2.

Referred to the Committee on Transportation and Public Transit.

H.F. No. 827: A bill for an act relating to highways; designating route as Wally Nelson Highway; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation and Public Transit.

H.F. No. 74: A bill for an act relating to local government; authorizing the city of Minneapolis, special school district No. 1, the city library board, and the city park and recreation board to impose residency requirements.

Referred to the Committee on Metropolitan and Local Government.

H.F. No. 385: A bill for an act relating to agriculture; providing a time limit for certain actions related to right of first refusal; amending Minnesota Statutes 1992, section 500.24, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 346.

H.F. No. 443: A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 88.04, subdivision 3; 103B.635, subdivision 2; 103B.691, subdivision 2; 103G.625, subdivision 3; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivision 7; 469.188; 471.191,

subdivision 2; 471.24; 471.57, subdivision 1; 471.61, subdivisions 1 and 2a; and 473.711, subdivision 2; Laws 1933, chapter 423, section 2; Laws 1943, chapters 196, section 6, as amended; 367, section 1, as amended; 510, section 1; Laws 1947, chapters 224, section 1; 340, section 4; Laws 1949, chapters 215, section 2; 252, section 1; and 668, section 1; Laws 1953, chapters 154, section 3; and 545, section 2; Laws 1957, chapters 213, section 1; and 629, section 1; Laws 1959, chapters 298, section 2; 520, section 1; and 556, section 1, as amended; Laws 1961, chapters 80, section 1; 81, section 1; 82, section 1; 151, section 1; 209, section 4; 317, section 1; 352, section 1, as amended; 616, section 1, subdivision 1; and 643, section 1; Laws 1961, extra session chapter 33, section 3; Laws 1963, chapters 29, section 1; 56, section 1; 103, section 1; and 603, section 1; Laws 1965, chapters 6, section 2, as amended; 442, section 1; 451, section 2; 512, section 1, subdivision 1; 527, section 1; and 617, section 1; Laws 1967, chapters 501, section 1; 526, section 1, subdivision 3; 542, section 1, subdivision 3; 611, section 1; 660, section 2, subdivision 2; and 758, section 1; Laws 1969, chapters 192, section 1, as amended; 534, section 2; 538, section 6, as amended; 602, section 1, subdivision 2; 652, section 1; 659, section 3; and 730, section 1; Laws 1971, chapters 404, section 1; 424, section 1; 573, sections 1 and 2, as amended; and 876, section 3; Laws 1973, chapter 81, section 1; Laws 1977, chapter 61, section 8; Laws 1979, chapters 1, section 3; 303, article 10, section 15, subdivision 2, as amended; and 253, section 3; Laws 1981, chapter 281, section 1; Laws 1983, chapter 326, section 17, subdivision 1; Laws 1984, chapters 380, section 1; and 502, article 13, section 8; Laws 1985, chapters 181, section 1; 289, sections 1, 3, 5, subdivision 1, and 6, subdivision 1; Laws 1986, chapters 392, section 1; and 399, article 1, section 1, as amended; Laws 1988, chapters 517, section 1; and 640, section 3; Laws 1990, chapter 604, article 3, sections 59, subdivision 1, and 60; repealing Minnesota Statutes 1992, sections 373.40, subdivision 6; 469.053, subdivision 6; 469.107, subdivision 1; 471.1921; and 471.63, subdivision 2; Laws 1915, chapter 316, section 1, as amended; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1961, chapters 30, section 1; 119, section 1; 276, section 1; and 439, section 1; Laws 1963, chapter 228, section 1; Laws 1971, chapters 168; 356, section 2; 515, section 1; and 770; Laws 1973, chapter 445, section 1; Laws 1974, chapter 209; Laws 1977, chapter 246; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990, chapter 604, article 3, sections 50 and 55; and Laws 1991, chapters 3, section 2, subdivision 3; and 291, article 4, section 21.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 607.

H.F. No. 576: A bill for an act relating to state government; providing for appointments to advisory task forces, councils, and committees, administrative boards, and agencies; clarifying reporting requirements and term limits; amending Minnesota Statutes 1992, sections 15.014, subdivision 2; 15.0575, subdivision 2; 15.059, subdivision 2; 15.0597, subdivisions 2, 4, 5, and 7; and 214.09, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 570, now on General Orders.

H.F. No. 57: A bill for an act relating to traffic regulations; making technical corrections; clarifying situations when certain school bus signals

should not be used; providing evidentiary presumption regarding school buses; clarifying definition of special transportation as not including transportation of children by school bus; limiting weight of vehicles that may be towed by holder of class B driver's license; providing for revocation of school bus driver endorsement; amending Minnesota Statutes 1992, sections 169.443, subdivision 3; 169.444, subdivision 7; 171.01, subdivision 24; 171.02, subdivision 2; and 171.17, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 497, now on General Orders.

H.F. No. 95: A bill for an act relating to public lands; authorizing independent school district No. 577 of Willow River to sell certain lands to correct an erroneous boundary assumption.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 251: A bill for an act relating to child abuse reporting; expanding the definition of "neglect" to include failure to provide a child with necessary education; amending Minnesota Statutes 1992, section 626.556, subdivision 2.

Referred to the Committee on Crime Prevention.

H.F. No. 552: A bill for an act relating to real estate; modifying provisions for voluntary foreclosure of mortgages; amending Minnesota Statutes 1992, sections 580.23, subdivision 1; and 582.32, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; repealing Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 440, now on General Orders.

H.F. No. 584: A bill for an act relating to utilities; regulating telephone services to communication-impaired persons; amending Minnesota Statutes 1992, sections 237.49; 237.50, subdivision 3; 237.51, subdivision 2; and 237.52, subdivision 2; repealing Laws 1987, chapter 308, section 8.

Referred to the Committee on Family Services.

H.F. No. 430: A bill for an act relating to human services; requiring the department of health and human services to develop plans to reduce duplication and paperwork in reviews conducted.

Referred to the Committee on Health Care.

REPORTS OF COMMITTEES

Mr. Luther moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 993. The motion prevailed.

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 617: A bill for an act relating to retirement; Minnesota state retirement system; authorizing a purchase of service credit by a former grain inspector.

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

Page 1, line 8, delete "(a)"

Page 1, line 16, delete the semicolon and insert a comma

Page 1, delete lines 17 to 21

Page 1, line 22, delete everything before "must"

Page 1, line 23, after "annuity" insert ", upon reaching normal retirement age,"

Page 1, line 25, after "system" insert ", notwithstanding the length of service vesting requirement in effect on the date of termination of state service by the person"

Page 2, delete lines 1 to 36

Page 3, delete lines 1 to 19

Page 3, line 20, delete "3" and insert "2"

Page 3, line 21, delete "purchasing" and insert "described in"

Page 3, line 22, delete "service credit under"

Page 3, delete lines 28 to 30

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was re-referred

S.F. No. 377: A bill for an act relating to health care; creating the children's mental health integrated fund; establishing an integrated service system for delivering mental health services to children; creating local children's mental health collaboratives; extending the statewide task force; appropriating money; amending Minnesota Statutes 1992, sections 245.4873, subdivision 2; and 256B.0625, by adding subdivisions; Laws 1991, chapter 292, article 6, section 57, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 245.

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

Page 4, after line 9, insert:

"Subd. 4a. [FAMILY COMMUNITY SUPPORT SERVICES.] *"Family community support services" has the definition provided in section 245.4871, subdivision 17.*"

Page 7, after line 15, insert:

"Subd. 20a. [THERAPEUTIC SUPPORT OF FOSTER CARE.] *"Therapeutic support of foster care" has the definition provided in section 245.4871, subdivision 34.*"

Page 9, after line 36, insert:

"Sec. 5. [245.4932] [PROVIDER RESPONSIBILITIES; PAYMENTS; REVENUE ENHANCEMENT.]

Subdivision 1. [PROVIDER RESPONSIBILITIES.] (a) Notwithstanding section 256B.19, subdivision 1, and except for family community support services and therapeutic support of foster care, when a local children's mental health collaborative seeks reimbursement under section 256B.0625, subdivision 34, for wraparound services and other services not eligible as of January 1, 1993, for reimbursement under medical assistance, the nonfederal share of costs shall be provided by the collaborative or by the service provider from sources other than federal funds or funds used to match other federal funds.

(b) Provider expenditures eligible for federal reimbursement under sections 245.493 to 245.496 must not be made from federal funds or funds used to match other federal funds.

(c) The commissioner may suspend, reduce, or terminate the federal reimbursement to a provider that does not meet the requirements of sections 245.493 to 245.496.

Subd. 2. [PAYMENTS.] Notwithstanding section 256.025, subdivision 2, payments under sections 245.493 to 245.496 to providers for wraparound service expenditures and expenditures for other services not eligible for reimbursement under medical assistance shall only be made of federal earnings from services provided under sections 245.493 to 245.496.

Subd. 3. [CENTRALIZED DISBURSEMENT OF MEDICAL ASSISTANCE PAYMENTS.] Notwithstanding section 256B.041, and except for family community support services and therapeutic support of foster care, county payments for the cost of wraparound services and other services not eligible on January 1, 1993, for reimbursement under medical assistance shall not be made to the state treasurer. For the purposes of wraparound services under sections 245.493 to 245.496, the centralized disbursement of payments to providers under section 256B.041 consists only of federal earnings from services provided under sections 245.493 to 245.496."

Page 13, line 29, after "assistance" insert " , including expenses for administration,"

Page 14, line 6, after "for" insert "family community support services and therapeutic support of foster care and for"

Page 14, line 7, after "treatment" insert "and" and delete everything after "services"

Page 14, line 8, delete everything before "when"

Page 16, line 22, delete "this chapter" and insert "section 245.492, subdivision 21, that are provided through a local children's mental health collaborative, as that entity is defined in section 245.492, subdivision 11"

Page 18, line 15, delete "5" and insert "6"

Page 18, line 35, delete "8 and 9" and insert "9 to 11"

Renumber the sections in sequence

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

Mr. Chmielewski from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 921: A bill for an act relating to public safety; abolishing expiration date for pipeline safety advisory council; amending Minnesota Statutes 1992, section 299J.06, subdivision 4.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 116I.07, subdivision 2, is amended to read:

Subd. 2. [NOTICE REQUIREMENT.] ~~An owner or lessee of any real property, or A person acting with the authority of an owner or lessee, who installs or repairs agricultural drainage tile on that property shall be relieved of liability as provided in subdivision 1 only if that owner, lessee or other person acting with authority notifies the designated agent of the owner or operator of the pipeline of the intention to install or repair drainage tile on the property at least seven days before that work commences. An owner or operator of a pipeline shall provide to the county auditor of each county in which that pipeline is located the name, address and phone number of the individual to whom notice shall be given as provided in this subdivision. Notice is effective if made in writing by certified mail to this designated agent of the owner or operator of the pipeline person gives oral or written notice to the One Call Excavation Notice System in compliance with section 216D.04.~~

Sec. 2. Minnesota Statutes 1992, section 216D.01, subdivision 5, is amended to read:

Subd. 5. [EXCAVATION.] "Excavation" means an activity that moves, removes, or otherwise disturbs the soil by use of a motor, engine, hydraulic or pneumatically powered tool, or machine-powered equipment of any kind, or by explosives. Excavation does not include:

(1) ~~the repair or installation of agricultural drainage tile for which notice has been given as provided by section 116I.07, subdivision 2;~~

(2) the extraction of minerals;

(3) (2) the opening of a grave in a cemetery;

(4) (3) normal maintenance of roads and streets if the maintenance does not change the original grade and does not involve the road ditch;

(5) (4) plowing, cultivating, planting, harvesting, and similar operations in connection with growing crops, trees, and shrubs, unless any of these activities disturbs the soil to a depth of 18 inches or more;

(6) ~~landscaping~~ or (5) gardening unless ~~one of the activities it~~ disturbs the soil to a depth of 12 inches or more; or

(7) (6) planting of windbreaks, shelterbelts, and tree plantations, unless any of these activities disturbs the soil to a depth of 18 inches or more.

Sec. 3. Minnesota Statutes 1992, section 216D.04, subdivision 1, is amended to read:

Subdivision 1. [NOTICE OF EXCAVATION REQUIRED; CONTENTS.]

(a) Except in an emergency, an excavator ~~or land surveyor~~ shall ~~and a land surveyor may~~ contact the notification center and provide an excavation or location notice at least 48 hours before beginning any excavation or boundary survey, excluding Saturdays, Sundays, and holidays. An excavation or boundary survey begins, for purposes of this requirement, the first time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in an excavation or boundary survey notice.

(b) The excavation or boundary survey notice may be oral or written, and must contain the following information:

(1) the name of the individual providing the excavation or boundary survey notice;

(2) the precise location of the proposed area of excavation or boundary survey;

(3) the name, address, and telephone number of the excavator or land surveyor or excavator's or land surveyor's company;

(4) the excavator's or land surveyor's field telephone number, if one is available;

(5) the type and the extent of the proposed excavation or boundary survey work;

(6) whether or not the discharge of explosives is anticipated; and

(7) the date and time when excavation or boundary survey is to commence."

Page 1, line 7, delete "Section 1" and insert "Sec. 4"

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "modifying excavation notice requirement and definition;"

Page 1, line 4, delete "section" and insert "sections 116I.07, subdivision 2; 216D.01, subdivision 5; 216D.04, subdivision 1; and"

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

Mr. Chmielewski from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 563: A bill for an act relating to transportation; requiring handicapped individual desiring to use paratransit services to obtain physician's statement certifying disability; imposing a penalty; amending Minnesota Statutes 1992, sections 174.255, by adding a subdivision; and 473.384, subdivision 8.

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

Delete everything after the enacting clause and insert:

"Section 1. [174.295] [ELIGIBILITY CERTIFICATION; PENALTY FOR FRAUDULENT STATEMENTS.]

Subdivision 1. [NOTICE.] A provider of special transportation service, as defined in section 174.29, receiving financial assistance under section 174.24, shall include on the application form for special transportation service, and on the eligibility certification form if different from the application form, a notice of the penalty for fraudulent certification under subdivision 4.

Subd. 2. [CERTIFIER STATEMENT.] A provider shall include on the application or eligibility certification form a place for the person certifying the applicant as eligible for special transportation service to sign, and the person certifying the applicant shall sign, stating that the certifier understands the penalty for fraudulent certification and that the certifier believes the applicant to be eligible.

Subd. 3. [APPLICANT STATEMENT.] A provider shall include on the application form a place for the applicant to sign, and the applicant shall sign, stating that the applicant understands the penalty for fraudulent certification and that the information on the application is true.

Subd. 4. [PENALTY.] A person is guilty of a misdemeanor if:

(1) the person fraudulently certifies to the special transportation service provider that the applicant is eligible for special transportation service; or

(2) the person obtains certification for special transportation service by misrepresentation or fraud.

Sec. 2. Minnesota Statutes 1992, section 473.386, is amended by adding a subdivision to read:

Subd. 2a. [ELIGIBILITY CERTIFICATION.] The board shall include the notice of penalty for fraudulent certification, and require the person certifying the applicant to sign the eligibility certification form and the applicant to sign the application form, as provided in section 174.295.

Sec. 3. [APPLICATION.]

Section 2 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to transportation; requiring notice of and imposing a penalty for fraudulent certification of eligibility for special transportation service; amending Minnesota Statutes 1992, section 473.386, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 174."

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

Mr. Chmielewski from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 653: A bill for an act relating to town roads; permitting cartways to be established on alternative routes; amending Minnesota Statutes 1992, section 164.08, subdivision 2.

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

Page 2, after line 22, insert:

“Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.”

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

Mr. Chmielewski from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 993: A bill for an act relating to public safety; allowing social security numbers of commercial drivers to be provided to the federal commercial driver license information system; allowing person whose vehicle license plates are impounded to designate a licensed driver for the purpose of obtaining special series license plates; prohibiting person whose license plates are impounded from purchasing a motor vehicle under certain conditions; clarifying driver's license classification provisions; imposing fee for duplicate identification card; requiring application for duplicate identification card when certain information changes; including certain traffic offenses as being serious violations when committed by commercial vehicle drivers; providing for driver's license reinstatement fees; amending Minnesota Statutes 1992, sections 13.69, subdivision 1; 168.042, subdivision 12, and by adding a subdivision; 171.02, subdivision 2; 171.06, subdivision 2; 171.11; 171.165, subdivision 4; and 171.29, subdivision 2.

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

Page 2, line 17, strike “valid”

Page 5, line 20, after “169.18” insert “, subdivision 8”

Page 5, line 21, after “169.18” insert “, subdivisions 3 and 7,” and after “169.19” insert “, subdivision 8”

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. Chmielewski from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 737: A bill for an act relating to motor vehicles; requiring vehicle owner to transfer certificate of title upon gaining ownership to motor vehicle; allowing registrar to research records before responding to phone request; amending Minnesota Statutes 1992, sections 168.10, subdivision 1; 168.34; and 168A.30, subdivision 2.

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

Page 1, line 14, strike “registered”

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

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

S.F. No. 908: A bill for an act relating to agriculture; changing eligibility and participation requirements for certain rural finance authority programs; authorizing an application fee; appropriating money; amending Minnesota Statutes 1992, sections 41B.03, subdivision 1, and by adding a subdivision; 41B.039, subdivision 2; and 41B.042, subdivision 4.

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

Page 1, lines 14 to 17, delete the new language

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

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

S.F. No. 809: A bill for an act relating to commerce; making technical changes in the department's enforcement powers; regulating cosmetology; prescribing powers and duties; setting fees; amending Minnesota Statutes 1992, sections 45.011, subdivision 1, and by adding a subdivision; 45.027, subdivisions 1, 2, 5, 6, and 8; 155A.03, subdivision 1; 155A.05; 155A.06; 155A.07, subdivisions 2, 4, 7, and 8; 155A.08, subdivisions 2, 3, and 5; 155A.09, subdivisions 2, 5, 6, and 9; 155A.10; 155A.14; 155A.15; and 155A.16; proposing coding for new law in Minnesota Statutes, chapter 155A; repealing Minnesota Statutes 1992, sections 155A.06; 155A.09, subdivision 7; 155A.11; 155A.12; 155A.13; and 155A.18; Minnesota Rules, parts 2642.0310, subparts 3, 4, and 5; 2642.0330, subparts 3 and 4; 2642.0800; 2642.0810; 2644.0310, subparts 2, 3, and 4; 2644.0800; and 2644.0810.

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

Ms. Reichgott from the Committee on Judiciary, to which was re-referred

S.F. No. 425: A bill for an act relating to agriculture; board of animal health; regulating the imposition and collection of civil penalties; appropriating money; amending Minnesota Statutes 1992, section 35.95, subdivisions 1 and 5.

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

Ms. Reichgott from the Committee on Judiciary, to which was re-referred

S.F. No. 207: A bill for an act relating to occupations and professions; boards of social work and marriage and family therapy; clarifying data classifications and providing certain immunities for supervisors and persons reporting violations; changing board membership; adding certain licensing

requirements to the board of social work; amending Minnesota Statutes 1992, sections 13.99, subdivision 49; 148B.04, by adding subdivisions; 148B.08, subdivision 1, and by adding a subdivision; 148B.18, subdivisions 8 and 10; 148B.19, subdivisions 1 and 2; 148B.21, subdivisions 3, 4, 5, 6, and by adding a subdivision; 148B.26, subdivision 1; 148B.27, by adding a subdivision; and 148B.28, subdivision 2.

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

Page 1, line 21, delete "Licensing" and insert "Certain licensing data"

Page 1, line 22, delete "reporting" and insert "data in reports" and delete "data"

Page 1, delete lines 26 to 29 and insert:

"Subd. 6. [CLASSIFICATION OF CERTAIN RESIDENCE ADDRESSES AND TELEPHONE NUMBERS.] *Notwithstanding section 13.41, subdivision 2 or 4, the residence address and telephone number of an applicant or licensee are private data on individuals as defined in section 13.02, subdivision 12, if the applicant or licensee provides an alternative address and telephone number.*"

Pages 1 and 2, delete section 3

Page 2, line 14, strike "All"

Page 2, line 24, delete "All of"

Page 8, after line 10, insert:

"Sec. 17. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "clarifying" and insert "providing for"

Page 1, line 9, delete "subdivisions" and insert "a subdivision"

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

Ms. Reichgott from the Committee on Judiciary, to which was re-referred

S.F. No. 502: A bill for an act relating to health; asbestos abatement; modifying provisions relating to asbestos-related work, licenses, and fees; providing penalties; amending Minnesota Statutes 1992, sections 326.71, subdivisions 3, 4, 5, 6, 8, and by adding subdivisions; 326.72; 326.73; 326.74; 326.75; 326.76; 326.78; 326.785; 326.79; 326.80; and 326.81; repealing Minnesota Statutes 1992, sections 326.71, subdivision 7.

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

Page 2, line 6, after the period, insert "This provision excludes asbestos-containing vinyl floor tiles and sheeting under 160 square feet."

Page 2, line 7, delete the first comma and insert a semicolon

Page 2, line 8, delete the third comma and insert a semicolon

Page 2, line 9, delete "by" and insert "in"

Page 7, line 3, delete "Five calendar days" and insert "One calendar day"

Page 7, line 7, after the comma, insert "*of greater than ten but less than 260 linear feet of asbestos-containing material on pipes, or greater than six but less than 160 square feet of asbestos-containing material on other facility components,*"

Page 12, line 17, before "violations" insert "same or similar"

Page 12, line 18, after the period, insert "*The history of past violations shall include previous violations received by the person licensed as a different entity.*"

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

Ms. Reichgott from the Committee on Judiciary, to which was re-referred

S.F. No. 346: A bill for an act relating to agriculture; providing a time limit for certain actions related to right of first refusal; amending Minnesota Statutes 1992, section 500.24, by adding a subdivision.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 500.24, subdivision 7, is amended to read:

Subd. 7. [NOTICE OF OFFER.] (a) The state, a federal agency, limited partnership, or a corporation subject to subdivision 6 must provide a notice of an offer to sell or lease agricultural land substantially as follows, after inserting the appropriate terms within the parentheses:

"NOTICE OF OFFER TO (LEASE, BUY) AGRICULTURAL LAND

TO: (...Immediately preceding former owner...)

FROM: (...The state, federal agency, limited partnership, or corporation subject to subdivision 6...)

DATE: (...date notice is mailed or personally delivered...)

HAS ACQUIRED THE AGRICULTURAL LAND DESCRIBED BELOW AND HAS RECEIVED AN ACCEPTABLE OFFER TO (LEASE, SELL) THE AGRICULTURAL LAND FROM ANOTHER PARTY. UNDER MINNESOTA STATUTES, SECTION 500.24, SUBDIVISION 6, AN OFFER FROM (...the state, federal agency, limited partnership, or corporation...) MUST BE MADE TO YOU AT A PRICE NO HIGHER THAN THE HIGHEST OFFER MADE BY ANOTHER PARTY.

THE AGRICULTURAL LAND BEING OFFERED CONTAINS APPROXIMATELY (...approximate number of acres...) ACRES AND IS INFORMALLY DESCRIBED AS FOLLOWS:

(Informal description of the agricultural land being offered that reasonably describes the land. This description does not need to be a legal description.)

(...The state, federal agency, limited partnership, or corporation...) OFFERS TO (SELL, LEASE) THE AGRICULTURAL LAND DESCRIBED ABOVE FOR A CASH PRICE OF \$(...cash price or equivalent cash price for lease and lease period, or cash price or equivalent cash price for sale of land...), WHICH IS NOT HIGHER THAN THE PRICE OFFERED BY ANOTHER PARTY. THE PRICE IS OFFERED ON THE FOLLOWING TERMS:

(Terms, if any, of acceptable offer)

IF YOU WANT TO ACCEPT THIS OFFER YOU MUST NOTIFY (...the state, federal agency, limited partnership, or corporation...) IN WRITING THAT YOU ACCEPT THE OFFER OR SIGN UNDERNEATH THE FOLLOWING PARAGRAPH AND RETURN A COPY OF THIS NOTICE BY (15 for a lease, 65 for a sale) DAYS AFTER THIS NOTICE IS PERSONALLY DELIVERED OR MAILED TO YOU. THIS OFFER IN THIS NOTICE TERMINATES ON (...date of termination - 15 days for lease and 65 days for sale after date of mailing or personal delivery...)

I ACCEPT THE OFFER TO (BUY, LEASE) THE AGRICULTURAL LAND DESCRIBED ABOVE AT THE PRICE OFFERED TO ME IN THIS NOTICE. AS PART OF ACCEPTING THIS OFFER I WILL PERFORM ACCORDING TO THE TERMS OF THE OFFER, INCLUDING MAKING PAYMENTS DUE UNDER THE OFFER, WITHIN TEN DAYS AFTER THE DATE I ACCEPT THIS OFFER. I UNDERSTAND THAT NEGOTIATING OR AGREEING TO AN ARRANGEMENT TO SELL THE AGRICULTURAL LAND TO ANOTHER PERSON PRIOR TO ACCEPTING THIS OFFER MAY BE A VIOLATION OF LAW AND I MAY BE LIABLE TO A PERSON DAMAGED BY THE SALE.

.....
Signature of Former Owner Accepting Offer

.....
Date"

IMPORTANT NOTICE

ANY ACTION FOR THE RECOVERY OF THE AGRICULTURAL LAND DESCRIBED ABOVE OR ANY CLAIM FOR DAMAGES REGARDING THIS OFFER MUST BE COMMENCED BY A LAWSUIT BEFORE THE EXPIRATION OF TWO YEARS AFTER THIS LAND IS SOLD TO ANOTHER PARTY. UPON FILING A LAWSUIT, YOU MUST ALSO FILE A NOTICE OF LIS PENDENS WITH THE COUNTY RECORDER OR REGISTRAR OF TITLES IN THE COUNTY WHERE THE LAND IS LOCATED.

(b) For an offer to sell, a copy of the purchase agreement containing the price and terms of the highest offer made by a third party that is acceptable to the seller and a signed affidavit by the seller affirming that the purchase agreement is true, accurate, and made in good faith must be included with the

notice under this subdivision. At the seller's discretion, reference to the third party's identity may be deleted from the copy of the purchase agreement.

(c) For an offer to lease, a copy of the lease containing the price and terms of the highest offer made by a third party that is acceptable to the lessor and a signed affidavit by the lessor affirming that the lease is true, accurate, and made in good faith must be included with the notice under this subdivision. At the lessor's discretion, reference to the third party's identity may be deleted from the copy of the lease agreement.

(d) The affidavit under paragraphs (b) and (c) is subject to section 609.48."

Page 1, lines 19 and 20, delete "1" and insert "2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "500.24," insert "subdivision 7, and"

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 826: A bill for an act relating to counties; allowing counties to impose fees or interest on late payments; amending Minnesota Statutes 1992, section 373.41.

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

Page 1, line 18, delete "overdue"

Page 1, line 19, before the period, insert "that are more than 90 days overdue"

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 874: A bill for an act relating to the city of Floodwood and the towns of Floodwood, Van Buren, Halden, Cedar Valley, Ness, Arrowhead, Fine Lakes, and Prairie Lake, and unorganized territory 52-21; authorizing establishment of a joint ambulance district and imposition of a tax to finance the district.

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

Mr. Chmielewski from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 551: A bill for an act relating to traffic regulations; implements of husbandry; defining implements of husbandry; reducing maximum speed limit to 25 miles per hour for implements of husbandry and for towing certain farm trailers; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and

weight restrictions; making towed implements of husbandry subject to requirements for towing chains; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 169.01, subdivision 55; 169.145; 169.47; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; 171.13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

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 1992, section 169.01, subdivision 55, is amended to read:

Subd. 55. [IMPLEMENT OF HUSBANDRY.] (a) "Implement of husbandry" means every vehicle, *including a farm tractor and farm wagon*, designed ~~and~~ or adapted exclusively for agricultural, horticultural, or live-stock-raising operations or for lifting or carrying an implement of husbandry ~~and in either case not subject to registration if used upon the highways~~.

(b) A towed vehicle meeting the description in paragraph (a) ~~that is not required to be registered~~ is an implement of husbandry without regard to whether the vehicle is towed by an implement of husbandry or by a registered motor vehicle.

Sec. 2. Minnesota Statutes 1992, section 169.145, is amended to read:

169.145 [IMPLEMENTS OF HUSBANDRY; SPEED; PENALTY.]

No person ~~shall~~ may:

(1) ~~drive a self-propelled or tow an implement of husbandry, nor shall any person tow a self-propelled implement of husbandry, nor shall any person that exceeds 6,000 pounds registered gross weight or gross vehicle weight and is not equipped with brakes or~~ (2) ~~tow a vehicle registered as a farm trailer that exceeds 6,000 pounds registered gross weight or gross vehicle weight and is not equipped with brakes and exceeding 6,000 pounds, at a speed in excess of 30 25 miles per hour. Violation of this section is a misdemeanor.~~

Sec. 3. Minnesota Statutes 1992, section 169.18, subdivision 5, is amended to read:

Subd. 5. [DRIVING LEFT OF ROADWAY CENTER.] (a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction;

(b) Except on a one-way roadway *or as provided in paragraph (c)*, no vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left half of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of 700 feet;

(2) When approaching within 100 feet of any underpass or tunnel, or railroad grade crossing, or when approaching within 100 feet of or traversing any intersection within a city or without if so posted;

(3) Where official signs are in place prohibiting passing, or a distinctive center line is marked, which distinctive line also so prohibits passing, as declared in the manual of traffic-control devices adopted by the commissioner.

(c) Paragraph (b) does not apply to a self-propelled implement of husbandry that (1) is escorted at the front by a registered motor vehicle that is displaying vehicular hazard warning lights visible to the front and rear in normal sunlight; and (2) does not extend into the left half of the roadway to any greater extent than made necessary by the total width of the right half of the roadway together with any adjacent shoulder that is suitable for travel.

Sec. 4. Minnesota Statutes 1992, section 169.47, is amended to read:

169.47. [UNSAFE EQUIPMENT.]

Subdivision 1. [MISDEMEANOR.] (a) It is unlawful and punishable as hereinafter provided for any person to drive or for the owner to cause or knowingly permit to be driven on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

(b) The provisions of this chapter with respect to equipment on vehicles shall do not apply to implements of husbandry, road machinery, or road rollers, or farm tractors, except as herein made applicable otherwise provided in this chapter.

(c) For purposes of this section, a specialized vehicle resembling a low-slung two-wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry, provided, however, that no such vehicle shall operate on the highway before sunrise or after sunset unless proper lighting is affixed to the implement being drawn.

Sec. 5. Minnesota Statutes 1992, section 169.55, subdivision 2, is amended to read:

Subd. 2. [FARM VEHICLES IMPLEMENTS OF HUSBANDRY.] At the times when lighted lamps on vehicles are required;

(1) every farm tractor and self-propelled unit of farm equipment shall implement of husbandry must be equipped with at least one lamp displaying a white or amber light to the front, and at least one lamp displaying a red light to the rear;

(2) every self-propelled unit of farm equipment shall implement of husbandry must also display two red reflectors visible to the rear;

(3) every combination of a self-propelled and towed ~~unit of farm equipment~~ *shall implement of husbandry must* be equipped with at least one lamp mounted to indicate as nearly as practicable the extreme left projection of the combination and displaying a white or amber light to the front and a red or amber light to the rear of the self-propelled implement of husbandry; and

(4) the last unit of every combination of ~~farm equipment~~ *shall implements of husbandry must* display two red reflectors visible to the rear.

The reflectors ~~shall must~~ be of the type approved for use upon commercial vehicles. The reflectors ~~shall must~~ be mounted as close as practicable to the extreme edges of the ~~unit of farm equipment and implement of husbandry~~. The reflectors ~~shall must~~ be reflex reflectors that ~~shall be~~ *are* visible at night from all distances within 600 feet to 100 feet when directly in front of lawful lower beams of headlamps.

Sec. 6. Minnesota Statutes 1992, section 169.55, is amended by adding a subdivision to read:

Subd. 3. [IMPLEMENTS OF HUSBANDRY; HAZARD WARNING LIGHTS.] No person may operate a self-propelled implement of husbandry manufactured after January 1, 1970, on a highway unless the implement of husbandry displays vehicular hazard warning lights visible to the front and rear in normal sunlight.

Sec. 7. Minnesota Statutes 1992, section 169.64, subdivision 6, is amended to read:

Subd. 6. [FLASHING AMBER LIGHT ON SERVICE VEHICLE, SNOW REMOVAL EQUIPMENT.] (a) Any service vehicle or self-propelled unit of farm equipment except a farm tractor may be equipped with a flashing amber lamp of a type approved by the commissioner of public safety.

(1) (b) A service vehicle shall not display the lighted lamp authorized under paragraph (a) when traveling upon the highway or at any other time except at the scene of a disabled vehicle or while engaged in snow removal or road maintenance.

(2) (c) A self-propelled unit of farm equipment implement of husbandry may display the lighted lamp authorized under paragraph (a) at any time.

Sec. 8. Minnesota Statutes 1992, section 169.67, subdivision 3, is amended to read:

Subd. 3. [TRAILERS, SEMITRAILERS, TANK TRAILERS.] Every trailer, semitrailer, or other vehicle with a gross weight that is 3,000 pounds or more or exceeds the empty weight of the towing vehicle, when drawn or pulled upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, and so designed as to be applied by the driver of a towing motor vehicle from its cab, except (a) trailers owned by farmers when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, (b) custom service vehicles drawn by motor vehicles equipped with brakes capable of stopping both vehicles within the distance required by law for vehicles with four-wheel brakes and contractors' custom service vehicles not exceeding 30,000 pounds gross weight and 45 miles per hour when drawn by a motor vehicle capable of stopping the combination within the performance standards of subdivision 5; (c) trailers or semitrailers when used by retail

dealers delivering implements of husbandry, (d) motor vehicles drawn by motor vehicles equipped with brakes capable of stopping the combination of vehicles within the performance requirements of this section; (e) tank trailers not exceeding 8,500 pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding 8,500 pounds gross weight used solely for transporting and distributing dry fertilizer, when hauled by a truck capable of stopping with loaded trailer attached in the distance specified by subdivision 5 for vehicles equipped with four-wheel brakes, providing the gross weight of such trailer or semitrailer other than those described in this clause when drawn by a pleasure vehicle shall not exceed 3,000 pounds, or when drawn by a truck or tractor shall not exceed 6,000 pounds, or may exceed 6,000 pounds but not exceed 15,000 pounds for a trailer described in clause (a) when drawn by a truck or tractor at a speed not exceeding 30 miles per hour, and except disabled vehicles towed to a place of repair. (a) No trailer or semitrailer with a gross weight of 3,000 or more pounds, or a gross weight that exceeds the empty weight of the towing vehicle, may be drawn on a highway unless it is equipped with brakes that are adequate to control the movement of and to stop and hold the trailer or semitrailer.

(b) No trailer or semitrailer with a gross weight of more than 6,000 pounds may be drawn on a highway unless it is equipped with brakes that are so constructed that they are adequate to stop and hold the trailer or semitrailer whenever it becomes detached from the towing vehicle.

(c) Except as provided in paragraph (d), paragraph (a) does not apply to:

(1) a trailer owned by a farmer while transporting farm products produced on the owner's farm, or supplies back to the farm of the trailer's owner;

(2) a towed custom service vehicle drawn by a motor vehicle that is equipped with brakes that meet the standards of subdivision 5, provided that such a towed custom service vehicle that exceeds 30,000 pounds gross weight may not be drawn at a speed of more than 45 miles per hour;

(3) a trailer or semitrailer operated or used by retail dealers of implements of husbandry while engaged exclusively in the delivery of implements of husbandry;

(4) a motor vehicle drawn by another motor vehicle that is equipped with brakes that meet the standards of subdivision 5;

(5) a tank trailer of not more than 12,000 pounds gross weight owned by a distributor of liquid fertilizer while engaged exclusively in transporting liquid fertilizer, or gaseous fertilizer under pressure;

(6) a trailer of not more than 12,000 pounds gross weight owned by a distributor of dry fertilizer while engaged exclusively in the transportation of dry fertilizer; and

(7) a disabled vehicle while being towed to a place of repair.

(d) Trailers and semitrailers described in paragraph (c), clauses (1), (3), and (4), may be operated without complying with paragraph (a) only if the trailer or semitrailer does not exceed the following gross weights:

(1) 3,000 pounds while being drawn by a vehicle registered as a passenger automobile, other than a pickup truck as defined in section 168.011, subdivision 29;

(2) 12,000 pounds while being drawn by any other motor vehicle except a self-propelled implement of husbandry.

Sec. 9. Minnesota Statutes 1992, section 169.67, subdivision 4, is amended to read:

Subd. 4. [SERVICE BRAKES ON WHEELS; EXCEPTIONS.] Every motor vehicle, trailer, or semitrailer, manufactured after June 30, 1988, and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except mobile cranes not exceeding 45 miles per hour and capable of stopping within the performance standards of subdivision 5, and except that any motorcycle, any trailer or semitrailer of less than 3,000 pounds gross weight, a third wheel, of a swivel type, on a travel trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxiliary axle and the axle to be relieved do not exceed the combined gross weight of 18,000 pounds, and the vehicle to which such temporary axle is attached meets the brake requirements of this section, need not be equipped with brakes; and except, further, that brakes are not required on the front wheels of vehicles manufactured before July 1, 1988, having three or more axles or upon more than one wheel of a motorcycle provided the brakes on the other wheels are adequate to stop the vehicle in accordance with the braking performance requirements of subdivision 5. (a) All motor vehicles, trailers, and semitrailers, manufactured after June 30, 1988, must be equipped with foot brakes on all wheels.

(b) Paragraph (a) does not apply to:

(1) a mobile crane that is not operated at a speed of more than 45 miles per hour and is capable of stopping within the performance standards of subdivision 5;

(2) a motorcycle;

(3) a trailer or semitrailer with a gross weight of less than 3,000 pounds;

(4) a swivel-type third wheel on a travel trailer;

(5) a temporary auxiliary axle attached to a motor vehicle during a period of vehicle weight restrictions for the purpose of relieving the weight on another axle, if the combined gross weight on the temporary axle and the axle being relieved does not exceed 18,000 pounds and the motor vehicle meets all brake requirements under this section.

(c) Paragraph (a) does not require brakes on the front wheels of a vehicle having three or more axles and manufactured before July 1, 1988, if the brakes on the other wheels of the vehicle meet the standards of subdivision 5.

Sec. 10. Minnesota Statutes 1992, section 169.67, is amended by adding a subdivision to read:

Subd. 6. [IMPLEMENTS OF HUSBANDRY.] An implement of husbandry that (1) is not self-propelled, (2) has a manufacturer's recommended capacity of more than 24,000 pounds, and (3) is manufactured and sold after January 1, 1994, must be equipped with brakes adequate to control the movement of and to stop and hold the towed vehicle.

Sec. 11. Minnesota Statutes 1992, section 169.72, subdivision 1, is amended to read:

Subdivision 1. [SOLID RUBBER, METAL, AND STUDDED TIRES; EXCEPTIONS; PERMITS.] Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer, having any metal tire in contact with the roadway, except in case of emergency.

Except as provided in this section, no tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire. It shall be permissible to use any of the following on highways: *Farm machinery implements of husbandry* with tires having protuberances which will not injure the highway, and tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

The commissioner and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this chapter.

Sec. 12. Minnesota Statutes 1992, section 169.80, subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS.] It is a misdemeanor for a person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on a highway a vehicle or vehicles of a size or weight exceeding the limitations stated in sections 169.80 to 169.88, or otherwise in violation of sections 169.80 to 169.88, other than section 169.81, subdivision 5a, and the maximum size and weight of vehicles as prescribed in sections 169.80 to 169.88 shall be lawful throughout this state, and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in sections 169.80 to 169.88.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in the group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus, or to ~~implements of husbandry temporarily moved upon a highway, or to loads of loose hay or corn stalks if transported by a horse-drawn vehicle or drawn by a farm tractor, or to a~~

vehicle operated under the terms of a special permit issued as provided by law. For purposes of sections 169.80 to 169.88, a specialized vehicle resembling a low-slung two-wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when the vehicle is used exclusively to transport implements of husbandry; and the term "temporarily moved upon a highway" shall mean a movement not to exceed 50 miles.

In addition to any other special permits authorized, an annual permit may be issued authorizing movements on interstate highways and movements exceeding 50 miles on noninterstate highways of oversize vehicles and loads when the vehicles or combination of vehicles are used exclusively to transport implements of husbandry. Annual permits are issued in accordance with the applicable provisions of section 169.86, except that the transporting vehicle or combination of vehicles may be moved at the discretion of the permittee without prior route approval from the permit issuing office of the department of transportation if:

(a) The overall width of the transporting vehicle, including load, does not exceed 14 feet;

(b) The transporting vehicle otherwise complies with equipment requirements and length, height and weight limitations prescribed by this chapter;

(c) The movement is made after the hour of sunrise and not later than 30 minutes after sunset;

(d) The movement is not made when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Sundays after 12 o'clock noon, and holidays;

(e) The transporting vehicle shall display at the front and rear end of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds ten feet, six inches; and

(f) The movement, if made on a trunk highway, is made on a trunk highway with a surfaced roadway width of not less than 24 feet.

The fee for an annual permit is \$24.

Sec. 13. Minnesota Statutes 1992, section 169.80, subdivision 2, is amended to read:

Subd. 2. [OUTSIDE WIDTH.] The total outside width of a vehicle exclusive of rear view mirrors or load securement devices which are not an integral part of the vehicle and not exceeding three inches on each side, or the load may not exceed 102 inches except that the outside width of a farm tractor, or a vehicle owned by a political subdivision and used exclusively for the purpose of handling sewage sludge from sewage treatment facilities to farm fields or disposal sites, may not exceed 12 feet, and except as otherwise provided in this section.

A vehicle exceeding 102 inches in total outside width, owned by a political subdivision and used for the purpose of transporting or applying sewage sludge to farm fields or disposal sites may not transport sludge for distances greater than 15 miles, nor may it be used for transportation of sewage sludge or return travel between the hours of sunset and sunrise, or at any other time when visibility is impaired by weather, smoke, fog, or other conditions

rendering persons and vehicles not clearly discernible on the highway at a distance of 500 feet.

The total outside width of a low bed trailer or equipment dolly, and the load, used exclusively for transporting farm machinery and construction equipment may not exceed nine feet in width except that a low bed trailer or equipment dolly with a total outside width, including the load, in excess of 102 inches may not be operated on any interstate highway without first having obtained a permit for the operation under section 169.86. The vehicle must display 12-inch square red flags as markers at the front and rear of the left side of the vehicle.

The total outside width of a trackless trolley car or passenger motor bus, operated exclusively in a city or contiguous cities in this state, may not exceed nine feet.

Sec. 14. [169.801] [IMPLEMENTS OF HUSBANDRY.]

Subdivision 1. [EXEMPTION FROM SIZE, WEIGHT, LOAD PROVISIONS.] Except as provided in this section and section 169.82, the provisions of sections 169.80 to 169.88 that govern size, weight, and load do not apply to:

- (1) a horse-drawn wagon while carrying a load of loose straw or hay;*
- (2) a specialized vehicle resembling a low-slung trailer having a short bed or platform, while transporting one or more implements of husbandry; or*
- (3) an implement of husbandry while being driven or towed at a speed of not more than 25 miles per hour; provided that this exemption applies to an implement of husbandry owned, leased, or under the control of a farmer only while the implement of husbandry is being operated on non-interstate within 75 miles of any farmland: (1) owned, leased, or operated by the farmer and (2) on which the farmer regularly uses the implement of husbandry.*

Subd. 2. [WEIGHT PER INCH OF TIRE WIDTH.] An implement of husbandry that is not self-propelled and is equipped with pneumatic tires may not be operated on a public highway with a maximum wheel load that exceeds 600 pounds per inch of tire width before August 1, 1996, and 500 pounds per inch of tire width on and after August 1, 1996.

Subd. 3. [HITCHES.] A towed implement of husbandry must be equipped with (1) safety chains that meet the requirements of section 169.82, subdivision 3, paragraph (b), (2) a regulation fifth wheel and kingpin assembly approved by the commissioner of public safety, or (3) a hitch pin or other hitching device with a retainer that prevents accidental unhitching.

Sec. 15. Minnesota Statutes 1992, section 169.82, is amended to read:

169.82 [TRAILER EQUIPMENT.]

Except as provided in section 169.67, any trailer exceeding a gross weight of 6,000 pounds shall be equipped with brakes adequate to stop and hold such trailer, and which are so constructed that they will so operate whenever such trailer becomes detached from the towing vehicle.

Subdivision 1. [CONNECTION TO TOWING VEHICLE.] (a) When one vehicle is towing another the drawbar or other connection shall must be of sufficient strength to pull all the weight being towed thereby, and said.

(b) The drawbar or other connection ~~shall~~ may not exceed 15 feet from one vehicle to the other ~~except~~. This paragraph does not apply to the connection between any two vehicles transporting poles, pipe, machinery or other objects of structural nature which cannot readily be dismembered.

Subd. 2. [MARKING.] When one vehicle is towing another and the connection consists of a chain, rope, or cable, ~~there shall be displayed upon such~~ the connection *must display* a white, red, yellow, or orange flag or cloth not less than 12 inches square.

Subd. 3. [HITCHES; CHAINS.] (a) Every trailer or semitrailer ~~shall must~~ be hitched to the *towing* motor vehicles ~~furnishing the tractive power for it~~ vehicle by a device approved by the commissioner of public safety as *safe and in addition shall*.

(b) Every trailer and semitrailer *must* be equipped with safety chains permanently attached to the trailer ~~except that in cases where the coupling device is a regulation fifth wheel and kingpin assembly approved by the commissioner of public safety such safety chains shall not be required~~. In towing, ~~such the chains shall must~~ be carried through a ring on the towbar and attached to the towing vehicle, and ~~shall must~~ be of sufficient strength to control the trailer in the event of failure of the towing device.

Sec. 16. Minnesota Statutes 1992, 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) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

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

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

(4) special pulpwood vehicles described in section 169.863.

(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) mobile cranes;

(2) construction equipment, machinery, and supplies;

(3) manufactured homes;

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

(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).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(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.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.825, subdivision 14, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved at the discretion of the permit holder without prior route approval by the commissioner if:

(1) the total width of the transporting vehicle, including load, does not exceed 14 feet;

(2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12 noon on Sundays or holidays;

(3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;

(4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and

(5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes (1) movements of the permitted vehicle on an interstate highway, and (2) movements of 75 miles or more on other highways.

Sec. 17. Minnesota Statutes 1992, section 171.13, subdivision 1, is amended to read:

Subdivision 1. [APPLICANTS.] Except as otherwise provided in this section, the commissioner shall examine each applicant for a driver's license by such agency as the commissioner directs. This examination must include a test of applicant's eyesight; ability to read and understand highway signs regulating, warning, and directing traffic; knowledge of traffic laws; knowledge of the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally; knowledge of railroad grade crossing safety; knowledge of slow-moving vehicle safety; an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and other physical and mental examinations as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways, provided, further however, no driver's license shall be denied an applicant on the exclusive grounds that the applicant's eyesight is deficient in color perception. Provided, however, that war veterans operating motor vehicles especially equipped for handicapped persons, shall, if other-

wise entitled to a license, be granted such license. The commissioner shall make provision for giving these examinations either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant.

Sec. 18. Minnesota Statutes 1992, section 171.13, is amended by adding a subdivision to read:

Subd. 1e. [SLOW-MOVING VEHICLES.] The commissioner shall include in each examination under subdivision 1 an examination of the applicant's knowledge of highway safety with respect to approaching, following, and passing slow-moving vehicles and the significance of the slow-moving vehicle emblem.

Sec. 19. [PUBLICATION.]

The commissioner of public safety shall at the earliest practicable date prepare and publish a compilation of all laws that govern the operation of implements of husbandry on public highways. The commissioner shall, within the department budget, make the publication available to agricultural and other organizations for the purpose of achieving the widest feasible distribution of the publication among farmers, farm implement dealers, and other persons directly affected by these laws.

Sec. 20. [DRIVER EDUCATION.]

The commissioner of public safety and the commissioner of education shall take such actions as are necessary to increase significantly the amount of instruction provided in driver education courses in public schools and private driver education schools in highway safety with regard to approaching, following, and passing slow-moving vehicles and the significance of the slow-moving vehicle emblem."

Delete the title and insert:

"A bill for an act relating to highway traffic regulations; implements of husbandry; defining implements of husbandry; reducing the maximum speed limit for implements of husbandry to 25 miles per hour; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and weight restrictions; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 169.01, subdivision 55; 169.145; 169.18, subdivision 5; 169.47; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; and 171.13, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169."

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 580: A bill for an act relating to local government; providing for the preparation and review of accounts; providing for duties of the state

auditor; providing for the costs of examinations; defining the limits to various types of compensation; providing procedures for the satisfaction of claims; providing procedures for the removal of city managers; limiting certain high risk investments; amending Minnesota Statutes 1992, sections 6.56; 16B.06, subdivision 4; 43A.17, subdivision 9; 340A.602; 375.162, subdivision 2; 375.18, by adding subdivisions; 412.271, subdivision 1, and by adding subdivisions; 412.641, subdivision 1; and 475.66, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 6; 465; and 471.

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

Page 6, line 21, delete "reasonable" and insert "employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, including"

Page 7, line 11, after "loss" insert "prior to interfund transfers"

Page 9, line 3, after the period, insert "This subdivision does not apply to a home rule charter county for which the county charter provides an alternative method for paying claims made against the county."

Page 9, line 21, after "treasurer," insert "senior fiscal officer,"

Page 11, line 35, after the period, insert "Except as provided in subdivision 3,"

Page 12, after line 1, insert:

"Subd. 3. [EXCEPTIONS TO MAXIMUM ALLOWABLE SEVERANCE PAY FOR A HIGHLY COMPENSATED EMPLOYEE.] *Severance pay for a highly compensated employee may exceed an amount equivalent to six months of pay if:*

(1) *the severance pay benefit is included in an employment contract between the employee and the local unit of government that is in effect on the effective date of this section, and the termination of employment occurs before the expiration date of said contract; or*

(2) *the severance pay is part of an early retirement incentive offer approved by the governing body of the local unit of government and the same early retirement incentive offer is also made available to all other employees of the local unit of government who meet generally defined criteria relative to age or length of service.*

Nothing in this subdivision shall be deemed to allow total severance payments for a highly compensated employee that exceed the limits established in section 465.72."

Page 12, line 2, delete "3" and insert "4"

Page 12, line 14, delete "and" and insert "or"

Page 16, delete lines 16 to 22 and insert:

"Subd. 5. (a) *For the purpose of this subdivision the term "broker" means a broker-dealer, broker, or agent of a municipality, who transfers, purchases, sells, or obtains securities for, or on behalf of, a municipality.*

(b) Prior to completing an initial transaction with a broker, a municipality shall provide to the broker a written statement of investment restrictions which shall include a provision that all future investments are to be made in accordance with Minnesota Statutes governing the investment of public funds.

A broker must acknowledge receipt of the statement of investment restrictions in writing and agree to handle the municipality's account in accordance with these restrictions. A municipality may not enter into a transaction with a broker until the broker has provided this written agreement to the municipality.

Sec. 20. [EFFECTIVE DATE.]

Section 19 is effective January 1, 1994."

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

Ms. Piper from the Committee on Family Services, to which was referred

S.F. No. 399: A bill for an act relating to human services; modifying the STRIDE program; requiring a work component; modifying the aid to families with dependent children program; amending Minnesota Statutes 1992, sections 256.73, subdivisions 2, 3a, and 5; 256.736, subdivisions 10, 10a, 14, and 16; 256.737, subdivisions 1, 1a, 2, and by adding subdivisions; and 256.74, 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 1992, section 13.46, subdivision 2, is amended to read:

Subd. 2. [GENERAL.] (a) Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used, or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

- (1) pursuant to section 13.05;
- (2) pursuant to court order;
- (3) pursuant to a statute specifically authorizing access to the private data;
- (4) to an agent of the welfare system, including a law enforcement person, attorney, or investigator acting for it in the investigation or prosecution of a criminal or civil proceeding relating to the administration of a program;
- (5) to personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;
- (6) to administer federal funds or programs;
- (7) between personnel of the welfare system working in the same program;
- (8) the amounts of cash public assistance and relief paid to welfare recipients in this state, including their names and social security numbers,

upon request by the department of revenue to administer the property tax refund law, supplemental housing allowance, and the income tax;

(9) to the Minnesota department of jobs and training for the purpose of monitoring the eligibility of the data subject for unemployment compensation, for any employment or training program administered, supervised, or certified by that agency, or for the purpose of administering any rehabilitation program, whether alone or in conjunction with the welfare system, and to verify receipt of energy assistance for the telephone assistance plan;

(10) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons;

(11) data maintained by residential facilities as defined in section 245A.02 may be disclosed to the protection and advocacy system established in this state pursuant to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities for these persons if the protection and advocacy system receives a complaint by or on behalf of that person and the person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person;

(12) to the county medical examiner or the county coroner for identifying or locating relatives or friends of a deceased person; or

(13) data on a child support obligor who makes payments to the public agency may be disclosed to the higher education coordinating board to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5); or

(14) data collected by the telephone assistance plan may be disclosed to the department of revenue to conduct an electronic data match to the extent necessary to determine eligibility under section 237.70, subdivision 4a.

(b) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but is not subject to the access provisions of subdivision 10, paragraph (b).

Sec. 2. Minnesota Statutes 1992, section 256.73, subdivision 2, is amended to read:

Subd. 2. [ALLOWANCE BARRED BY OWNERSHIP OF PROPERTY.] Ownership by an assistance unit of property as follows is a bar to any allowance under sections 256.72 to 256.87:

(1) The value of real property other than the homestead, which when combined with other assets exceeds the limits of paragraph (2), unless the assistance unit is making a good faith effort to sell the nonexcludable real property. The time period for disposal must not exceed nine consecutive months and. The assistance unit ~~shall execute~~ must sign an agreement to dispose of the property and to repay assistance received during the nine months ~~up to that would not have been paid had the property been sold at the beginning of such period, but not to exceed the amount of the net sale proceeds. The payment must be made when the property is sold. family has five working days from the date it realizes cash from the sale of the property to repay the overpayment.~~ If the property is not sold within the required time or the assistance unit becomes ineligible for any reason the entire amount received during the nine months is an overpayment and subject to recovery

during the nine-month period, the amount payable under the agreement will not be determined and recovery will not begin until the property is in fact sold. If the property is intentionally sold at less than fair market value or if a good faith effort to sell the property is not being made, the overpayment amount shall be computed using the fair market value determined at the beginning of the nine-month period. For the purposes of this section, "homestead" means the home that is owned by, and is the usual residence of, the child, relative, or other member of the assistance unit together with the surrounding property which is not separated from the home by intervening property owned by others. "Usual residence" includes the home from which the child, relative, or other members of the assistance unit is temporarily absent due to an employability development plan approved by the local human service agency, which includes education, training, or job search within the state but outside of the immediate geographic area. Public rights-of-way, such as roads which run through the surrounding property and separate it from the home, will not affect the exemption of the property; or

(2) Personal property of an equity value in excess of \$1,000 for the entire assistance unit, exclusive of personal property used as the home, one motor vehicle of an equity value not exceeding \$1,500 or the entire equity value of a motor vehicle determined to be necessary for the operation of a self-employment business, one burial plot for each member of the assistance unit, one prepaid burial contract with an equity value of no more than \$1,000 for each member of the assistance unit, clothing and necessary household furniture and equipment and other basic maintenance items essential for daily living, in accordance with rules promulgated by and standards established by the commissioner of human services.

Sec. 3. Minnesota Statutes 1992, section 256.73, subdivision 3a, is amended to read:

Subd. 3a. [PERSONS INELIGIBLE.] No assistance shall be given under sections 256.72 to 256.87:

(1) on behalf of any person who is receiving supplemental security income under title XVI of the Social Security Act unless permitted by federal regulations;

(2) for any month in which the assistance unit's gross income, without application of deductions or disregards, exceeds 185 percent of the standard of need for a family of the same size and composition; except that the earnings of a dependent child who is a full-time student may be disregarded for six calendar months per calendar year and the earnings of a dependent child who is a full-time student that are derived from the jobs training and partnership act (JTPA) may be disregarded for six calendar months per calendar year. *These two earnings disregards cannot be combined to allow more than a total of six months per calendar year when the earned income of a full-time student is derived from participation in a program under the JTPA.* If a stepparent's income is taken into account in determining need, the disregards specified in section 256.74, subdivision 1a, shall be applied to determine income available to the assistance unit before calculating the unit's gross income for purposes of this paragraph;

(3) to any assistance unit for any month in which any caretaker relative with whom the child is living is, on the last day of that month, participating in a strike;

(4) on behalf of any other individual in the assistance unit, nor shall the individual's needs be taken into account for any month in which, on the last day of the month, the individual is participating in a strike;

(5) on behalf of any individual who is the principal earner in an assistance unit whose eligibility is based on the unemployment of a parent when the principal earner, without good cause, fails or refuses to accept employment, or to register with a public employment office, unless the principal earner is exempt from these work requirements:

Sec. 4. Minnesota Statutes 1992, section 256.73, subdivision 5, is amended to read:

Subd. 5. [AID FOR UNBORN CHILDREN PREGNANT WOMEN.] (a) For the purposes of sections 256.72 to 256.87, assistance payments shall be made ~~during the final three months of pregnancy~~ to a pregnant woman who has with no other children but who otherwise qualifies for assistance except for medical assistance payments which shall be made at the time that pregnancy is confirmed by a physician if the pregnant woman has no other children and otherwise qualifies for assistance as provided in sections 256B.055 and 256B.056 receiving assistance when it is medically verified that the unborn child is expected to be born in the month the payment is made or within the three-month period following the month of payment. Eligibility must be determined as if the unborn child had been born and was living with her, considering the needs, income, and resources of all individuals in the filing unit. If eligibility exists for this fictional unit, the pregnant woman is eligible and her payment amount is determined based solely on her needs, income, including deemed income, and resources. No payments shall be made for the needs of the unborn or for any special needs occasioned by the pregnancy except as provided in ~~clause paragraph~~ (b). The commissioner of human services shall promulgate, pursuant to the administrative procedures act, rules to implement this subdivision.

(b) The commissioner may, according to rules, make payments for the purpose of meeting special needs occasioned by or resulting from pregnancy both for a pregnant woman with no other children receiving assistance as well as for a pregnant woman receiving assistance as provided in sections 256.72 to 256.87. The special needs payments shall be dependent upon the needs of the pregnant woman and the resources allocated to the county by the commissioner and shall be limited to payments for medically recognized special or supplemental diet needs and the purchase of a crib and necessary clothing for the future needs of the unborn child at birth. ~~The commissioner shall, according to rules, make payments for medically necessary prenatal care of the pregnant woman and the unborn child.~~

Sec. 5. Minnesota Statutes 1992, section 256.736, subdivision 10, is amended to read:

Subd. 10. [COUNTY DUTIES.] (a) To the extent of available state appropriations, county boards shall:

(1) refer all mandatory and eligible volunteer caretakers ~~required to register permitted to participate~~ under subdivision 3 3a to an employment and training service provider for participation in employment and training services;

(2) identify to the employment and training service provider ~~caretakers who~~

fall into the targeted groups the target group of which the referred caretaker is a member;

(3) provide all caretakers with an orientation which meets the requirements in subdivisions 10a and 10b;

(4) work with the employment and training service provider to encourage voluntary participation by caretakers in the targeted target groups;

(5) work with the employment and training service provider to collect data as required by the commissioner;

(6) to the extent permissible under federal law, require all caretakers coming into the AFDC program to attend orientation;

(7) encourage ~~nontargeted~~ nontarget caretakers to develop a plan to obtain self-sufficiency;

(8) notify the commissioner of the caretakers required to participate in employment and training services;

(9) inform appropriate caretakers of opportunities available through the head start program and encourage caretakers to have their children screened for enrollment in the program where appropriate;

(10) provide transportation assistance using available funds to caretakers who participate in employment and training programs;

(11) ensure that orientation, job search, services to custodial parents under the age of 20, educational activities and work experience for AFDC-UP families, and case management services are made available to appropriate caretakers under this section, except that payment for case management services is governed by subdivision 13;

(12) explain in its local service unit plan under section 268.88 how it will ensure that targeted target caretakers determined to be in need of social services are provided with such social services. The plan must specify how the case manager and the county social service workers will ensure delivery of needed services;

(13) to the extent allowed by federal laws and regulations, provide a job search program as defined in subdivision 14 and at least one of the following employment and training services: community work experience program (CWEP) as defined in section 256.737, a community work experience program as defined in section 256.737, grant diversion as defined in section 256.739, and on-the-job training as defined in section 256.738; or. A county may also provide another work and training program approved by the commissioner and the secretary of the United States Department of Health and Human Services. Planning and approval for employment and training services listed in this clause must be obtained through submission of the local service unit plan as specified under section 268.88. Each county is urged to adopt grant diversion as the second program required under this clause. A county is not required to provide a community work experience program if the county agency is successful in placing at least 40 percent of the monthly average of all caretakers who are subject to the job search requirements of subdivision 14 in a grant diversion or on-the-job training program;

(14) prior to participation, provide an assessment of each AFDC recipient who is required or volunteers to participate in an approved employment and

training service. The assessment must include an evaluation of the participant's (i) educational, child care, and other supportive service needs; (ii) skills and prior work experience; and (iii) ability to secure and retain a job which, when wages are added to child support, will support the participant's family. The assessment must also include a review of the results of the early and periodic screening, diagnosis and treatment (EPSDT) screening and preschool screening under chapter 123, if available; the participant's family circumstances; and, in the case of a custodial parent under the age of 18, a review of the effect of a child's development and educational needs on the parent's ability to participate in the program;

(15) develop an employability development plan for each recipient for whom an assessment is required under clause (14) which: (i) reflects the assessment required by clause (14); (ii) takes into consideration the recipient's physical capacity, skills, experience, health and safety, family responsibilities, place of residence, proficiency, child care and other supportive service needs; (iii) is based on available resources and local employment opportunities; (iv) specifies the services to be provided by the employment and training service provider; (v) specifies the activities the recipient will participate in, *including the worksite to which the caretaker will be assigned, if the caretaker is subject to the requirements of section 256.737, subdivision 2*; (vi) specifies necessary supportive services such as child care; (vii) to the extent possible, reflects the preferences of the participant; and (viii) specifies the recipient's long-term employment goal which shall lead to self-sufficiency; and

(16) *obtain the written or oral concurrence of the appropriate exclusive bargaining representatives with respect to job duties covered under collective bargaining agreements to assure that no work assignment under this section or sections 256.737, 256.738, and 256.739 results in: (i) termination, layoff, or reduction of the work hours of an employee for the purpose of hiring an individual under this section or sections 256.737, 256.738, and 256.739; (ii) the hiring of an individual if any other person is on layoff from the same or a substantially equivalent job; (iii) any infringement of the promotional opportunities of any currently employed individual; (iv) the impairment of existing contracts for services or collective bargaining agreements; or (v) except for on-the-job training under section 256.738, a participant filling an established unfilled position vacancy; and*

(17) *assess each caretaker in an AFDC-UP family who is under age 25, has not completed high school or a high school equivalency program, and who would otherwise be required to participate in a work experience placement under section 256.737 to determine if an appropriate secondary education option is available for the caretaker. If an appropriate secondary education option is determined to be available for the caretaker, the caretaker must, in lieu of participating in work experience, enroll in and meet the educational program's participation and attendance requirements: "Secondary education" for this paragraph means high school education or education designed to prepare a person to qualify for a high school equivalency certificate, basic and remedial education, and English as a second language education. A caretaker required to participate in secondary education who, without good cause, fails to participate shall be subject to the provisions of subdivision 4a and the sanction provisions of subdivision 4, clause (6). For purposes of this clause, good cause means the inability to obtain licensed or legal nonlicensed child care services needed to enable the caretaker to attend, inability to obtain transportation needed to attend, illness or incapacity of the caretaker or*

another member of the household which requires the caretaker to be present in the home, or being employed for more than 30 hours per week.

(b) Funds available under this subdivision may not be used to assist, promote, or deter union organizing.

(c) A county board may provide other employment and training services that it considers necessary to help caretakers obtain self-sufficiency.

(d) Notwithstanding section 256G.07, when a ~~targeted~~ *target* caretaker relocates to another county to implement the provisions of the caretaker's case management contract or other written employability development plan approved by the county human service agency, its case manager or employment and training service provider, the county that approved the plan is responsible for the costs of case management and other services required to carry out the plan, including employment and training services. The county agency's responsibility for the costs ends when all plan obligations have been met, when the caretaker loses AFDC eligibility for at least 30 days, or when approval of the plan is withdrawn for a reason stated in the plan, whichever occurs first. Responsibility for the costs of child care must be determined under chapter 256H. A county human service agency may pay for the costs of case management, child care, and other services required in an approved employability development plan when the ~~nontargeted~~ *nontarget* caretaker relocates to another county or when a ~~targeted~~ *target* caretaker again becomes eligible for AFDC after having been ineligible for at least 30 days.

Sec. 6. Minnesota Statutes 1992, section 256.736, subdivision 10a, is amended to read:

Subd. 10a. [ORIENTATION.] (a) Each county agency must provide an orientation to all caretakers within its jurisdiction ~~who are determined eligible for AFDC on or after July 1, 1989, and who are required to attend an orientation. The county agency shall require attendance at orientation of all caretakers except in the time limits described in this paragraph:~~

(1) ~~caretakers who are exempt from registration under subdivision 3 within 60 days of being determined eligible for AFDC for caretakers with a continued absence or incapacitated parent basis of eligibility; and or~~

(2) ~~caretakers who are not within 30 days of being determined eligible for AFDC for caretakers with an unemployed parent basis of eligibility.~~

(b) ~~Caretakers are required to attend an in-person orientation if the caretaker is a member of one of the groups listed in subdivision 3a, paragraph (a), and who are either responsible for the care of an incapacitated person or a dependent child under the age of six or enrolled at least half time in any recognized school, training program, or institution of higher learning unless the caretaker is exempt from registration under subdivision 3 and the caretaker's exemption basis will not expire within 60 days of being determined eligible for AFDC, or the caretaker is enrolled at least half time in any recognized school, training program, or institution of higher learning and the in-person orientation cannot be scheduled at a time that does not interfere with the caretaker's school or training schedule. The county agency shall require attendance at orientation of caretakers described in subdivision 3a, paragraph (b) or (c), if they become the commissioner determines that the groups are eligible for participation in employment and training services.~~

(b) ~~Except as provided in paragraph (e);~~ (c) The orientation must consist of a presentation that informs caretakers of:

(1) the identity, location, and phone numbers of employment and training and support services available in the county;

(2) the types and locations of child care services available through the county agency that are accessible to enable a caretaker to participate in educational programs or employment and training services;

(3) the child care resource and referral program designated by the commissioner providing education and assistance to select child care services and a referral to the child care resource and referral when assistance is requested;

(4) the obligations of the county agency and service providers under contract to the county agency;

(5) the rights, responsibilities, and obligations of participants;

(6) the grounds for exemption from mandatory employment and training services or educational requirements;

(7) the consequences for failure to participate in mandatory services or requirements;

(8) the method of entering educational programs or employment and training services available through the county;

(9) the availability and the benefits of the early and periodic, screening, diagnosis and treatment (EPSDT) program and preschool screening under chapter 123;

(10) their eligibility for transition year child care assistance when they lose eligibility for AFDC due to their earnings; ~~and~~

(11) their eligibility for extended medical assistance when they lose eligibility for AFDC due to their earnings; *and*

(12) *the availability and benefits of the Head Start program.*

(e) (d) Orientation must encourage recipients to view AFDC as a temporary program providing grants and services to individuals who set goals and develop strategies for supporting their families without AFDC assistance. The content of the orientation must not imply that a recipient's eligibility for AFDC is time limited. Orientation may be provided through audio-visual methods, but the caretaker must be given an opportunity for face-to-face interaction with staff of the county agency or the entity providing the orientation, and an opportunity to express the desire to participate in educational programs and employment and training services offered through the county agency.

(d) (e) County agencies shall not require caretakers to attend orientation for more than three hours during any period of 12 continuous months. The county agency shall also arrange for or provide needed transportation and child care to enable caretakers to attend.

(e) Orientation for caretakers not eligible for participation in employment and training services under the provisions of subdivision 3a, paragraphs (a) and (b), shall present information only on those employment, training, and

support services available to those caretakers; and information on clauses (2), (3), (9), (10), and (11) of paragraph (a) and all of paragraph (e); and may not last more than two hours. The county or, under contract, the county's employment and training service provider shall mail written orientation materials containing the information specified in clause (c), paragraphs (1) to (3) and (8) to (12), to each caretaker exempt from attending an in-person orientation or who has good cause for failure to attend after at least two dates for their orientation have been scheduled. The county or the county's employment and training service provider shall follow up with a phone call, or in writing, within two weeks after mailing the material.

(f) Persons required to attend orientation must be informed of the penalties for failure to attend orientation, support services to enable the person to attend, what constitutes good cause for failure to attend, and rights to appeal. Persons required to attend orientation must be offered a choice of at least two dates for their first scheduled orientation. No person may be sanctioned for failure to attend orientation until after a second failure to attend.

(g) Good cause for failure to attend an in-person orientation exists when a caretaker cannot attend because of:

(1) temporary illness or injury of the caretaker or of a member of the caretaker's family that prevents the caretaker from attending an orientation during the hours when the orientation is offered;

(2) a judicial proceeding that requires the caretaker's presence in court during the hours when orientation is scheduled; or

(3) a nonmedical emergency that prevents the caretaker from attending an orientation during the hours when orientation is offered. "Emergency" for the purposes of this paragraph means a sudden, unexpected occurrence or situation of a serious or urgent nature that requires immediate action.

(h) Caretakers must receive a second orientation only when:

(1) there has been a 30-day break in AFDC eligibility; and

(2) the caretaker has not attended an orientation within the previous 12-month period, excluding the month of reapplication for AFDC.

Sec. 7. Minnesota Statutes 1992, section 256.736, subdivision 14, is amended to read:

Subd. 14. [JOB SEARCH.] (a) The commissioner of human services shall. Each county agency must establish and operate a job search program as provided under Public Law Number 100-485 this section. Unless exempt, the principal wage earner in an AFDC-UP assistance unit must be referred to and begin participation in the job search program within 30 days of being determined eligible for AFDC; and must begin participation within four months of being determined eligible. If the principal wage earner is exempt from participation in job search, the other caretaker must be referred to and begin participation in the job search program within 30 days of being determined eligible for AFDC. The principal wage earner or the other caretaker is exempt from job search participation if:

(1) the caretaker is already participating in another approved employment and training service;

(2) the caretaker's employability plan specifies other activities;

(3) the caretaker is exempt from registration under subdivision 3; or

(4) the caretaker is unable to secure employment due to inability to communicate in the English language, is participating in an English as a second language course, and is making satisfactory progress towards completion of the course. If an English as a second language course is not available to the caretaker, the caretaker is exempt from participation until a course becomes available (2) the caretaker is under age 25, has not completed a high school diploma or an equivalent program, and is participating in a secondary education program as defined in subdivision 10, paragraph (a), clause (17), which is approved by the employment and training service provider in the employability development plan.

(b) The job search program must provide the following services:

(1) an initial period of up to four consecutive weeks of job search activities for no less than 20 hours per week but not more than 32 hours per week. The employment and training service provider shall specify for each participating caretaker the number of weeks and hours of job search to be conducted and shall report to the county board agency if the caretaker fails to cooperate with the job search requirement; and

(2) an additional period of job search following the first period at the discretion of the employment and training service provider. The total of these two periods of job search may not exceed eight weeks for any 12 consecutive month period beginning with the month of application.

(c) The job search program may provide services to non-AFDC-UP caretakers.

(d) After completion of job search requirements in this section, nonexempt caretakers shall be placed in and must participate in and cooperate with the work experience program under section 256.737, the on-the-job training program under section 256.738, or the grant diversion program under section 256.739. Caretakers must be offered placement in a grant diversion or on-the-job training program, if either such employment is available, before being required to participate in a community work experience program under section 256.737.

Sec. 8. Minnesota Statutes 1992, section 256.736, subdivision 16, is amended to read:

Subd. 16. [ALLOCATION AND USE OF MONEY.] (a) State money appropriated for employment and training services under this section must be allocated to counties as specified in paragraphs (b) to (j).

(b) For purposes of this section subdivision, "targeted caretaker" means a recipient who:

(1) is a custodial parent under the age of 24 who: (i) has not completed a high school education and at the time of application for AFDC is not enrolled in high school or in a high school equivalency program; or (ii) had little or no work experience in the preceding year;

(2) is a member of a family in which the youngest child is within two years of being ineligible for AFDC due to age; or

(3) has received 36 months or more of AFDC over the last 60 months.

(c) One hundred percent of the money appropriated for case management services as described in subdivision 11 must be allocated to counties based on the average number of cases in each county described in clause (1). Money appropriated for employment and training services as described in subdivision 1a, paragraph (d), other than case management services, must be allocated to counties as follows:

(1) Forty percent of the state money must be allocated based on the average number of cases receiving AFDC in the county which either have been open for 36 or more consecutive months or have a caretaker who is under age 24 and who has no high school or general equivalency diploma. The average number of cases must be based on counts of these cases as of March 31, June 30, September 30, and December 31 of the previous year.

(2) Twenty percent of the state money must be allocated based on the average number of cases receiving AFDC in the county which are not counted under clause (1). The average number of cases must be based on counts of cases as of March 31, June 30, September 30, and December 31 of the previous year.

(3) Twenty-five percent of the state money must be allocated based on the average monthly number of assistance units in the county receiving AFDC-UP for the period ending December 31 of the previous year.

(4) Fifteen percent of the state money must be allocated at the discretion of the commissioner based on participation levels for ~~targeted~~ target group members in each county.

(d) No more than 15 percent of the money allocated under paragraph (b) and no more than 15 percent of the money allocated under paragraph (c) may be used for administrative activities.

(e) At least 55 percent of the money allocated to counties under paragraph (c) must be used for employment and training services for caretakers in the ~~targeted~~ target groups, and up to 45 percent of the money may be used for employment and training services for ~~nontargeted~~ nontarget caretakers. One hundred percent of the money allocated to counties for case management services must be used to provide those services to caretakers in the ~~targeted~~ target groups.

(f) Money appropriated to cover the nonfederal share of costs for bilingual case management services to refugees for the employment and training programs under this section are allocated to counties based on each county's proportion of the total statewide number of AFDC refugee cases. However, counties with less than one percent of the statewide number of AFDC refugee cases do not receive an allocation.

(g) Counties and, the department of jobs and training, and entities under contract with either the department of jobs and training or the department of human services for provision of Project STRIDE-related services shall bill the commissioner of human services for any expenditures incurred by the county, the county's employment and training service provider, or the department of jobs and training that may be reimbursed by federal money. The commissioner of human services shall bill the United States Department of Health and Human Services and the United States Department of Agriculture for the reimbursement and appropriate the reimbursed money to the county, the department of jobs and training, or employment and training service provider

that submitted the original bill. The reimbursed money must be used to expand employment and training services.

(h) The commissioner of human services shall review county expenditures of case management and employment and training block grant money at the end of the ~~fourth~~ ^{third} quarter of the biennium and each quarter after that, and may reallocate unencumbered or unexpended money allocated under this section to those counties that can demonstrate a need for additional money. Reallocation of funds must be based on the formula set forth in paragraph (a), excluding the counties that have not demonstrated a need for additional funds.

(i) The county agency may continue to provide case management and supportive services to a participant for up to 90 days after the participant loses AFDC eligibility and may continue providing a specific employment and training service for the duration of that service to a participant if funds for the service are obligated or expended prior to the participant losing AFDC eligibility.

(j) *One hundred percent of the money appropriated for an unemployed parent work experience program under section 256.737 must be allocated to counties based on the average monthly number of assistance units in the county receiving AFDC-UP for the period ending December 31 of the previous year.*

Sec. 9. Minnesota Statutes 1992, section 256.736, is amended by adding a subdivision to read:

Subd. 19. [EVALUATION.] In order to evaluate the services provided under this section, the commissioner may randomly assign no more than 2,500 families to a control group. Families assigned to the control group shall not participate in services under this section, except that families participating in services under this section at the time they are assigned to the control group may continue such participation. Recipients assigned to the control group who are included under subdivision 3a, paragraph (a), shall be guaranteed child care assistance under chapter 256H for an educational plan authorized by the county. Once assigned to the control group, a family must remain in that group for the duration of the evaluation period. The evaluation period shall coincide with the demonstration authorized in section 256.031, subdivision 3.

Sec. 10. [256.7365] [FEDERAL WAIVER.]

The commissioner of human services shall make changes in the state plan and seek waivers or demonstration authority needed to minimize the barriers to effective and efficient use of grant diversion under section 256.739 as a method of placing AFDC recipients in suitable employment. The commissioner shall implement the federally approved changes as soon as possible.

Sec. 11. Minnesota Statutes 1992, section 256.737, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT AND PURPOSE.] In order that persons receiving aid under this chapter may be assisted in achieving self-sufficiency by enhancing their employability through meaningful work experience and training and the development of job search skills, the commissioner of human services shall continue the pilot community work experience demonstration programs that were approved by January 1, 1984. The commissioner may establish additional community work experience

programs in as many counties as necessary to comply with the participation requirements of the Family Support Act of 1988, Public Law Number 100-485. Programs established on or after July 1, 1989, must be operated on a volunteer basis and must be operated according to the Family Support Act of 1988, Public Law Number 100-485. To the degree required by federal law or regulation, each county agency must establish and operate a community work experience program to assist nonexempt caretakers in AFDC-UP households achieve self-sufficiency by enhancing their employability through participation in meaningful work experience and training, the development of job search skills, and the development of marketable job skills. This subdivision does not apply to AFDC recipients participating in the Minnesota family investment program under sections 256.031 to 256.0361.

Sec. 12. Minnesota Statutes 1992, section 256.737, subdivision 1a, is amended to read:

Subd. 1a. [COMMISSIONER'S DUTIES.] The commissioner shall: (a) assist counties in the design and implementation of these programs; (b) promulgate, in accordance with chapter 14, emergency rules necessary for the implementation of this section, except that the time restrictions of section 14.35 shall not apply and the rules may be in effect until June 30, 1993, unless superseded by permanent rules; (c) seek any federal waivers necessary for proper implementation of this section in accordance with federal law; and (d) prohibit the use of participants in the programs to do work that was part or all of the duties or responsibilities of an authorized public employee bargaining unit position established as of January 1, 1989 1993. The exclusive bargaining representative shall be notified no less than 14 days in advance of any placement by the community work experience program. Written or oral concurrence with respect to job duties of persons placed under the community work experience program shall be obtained from the appropriate exclusive bargaining representative *within seven days*. The appropriate oversight committee shall be given monthly lists of all job placements under a community work experience program.

Sec. 13. Minnesota Statutes 1992, section 256.737, subdivision 2, is amended to read:

Subd. 2. [PROGRAM REQUIREMENTS.] (a) ~~Programs~~ *Worksites developed* under this section are limited to projects that serve a useful public service such as: health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, *community service, services to aged or disabled citizens, and child care*. To the extent possible, the prior training, skills, and experience of a recipient must be used in making appropriate work experience assignments.

(b) As a condition to placing a person receiving aid to families with dependent children in a program under this subdivision, the county agency shall first provide the recipient the opportunity to ~~participate in the following services:~~

(1) *for placement in suitable subsidized or unsubsidized employment through participation in job search under section 256.736, subdivision 14; or*

(2) *basic educational or vocational or occupational training for an identifiable job opportunity for placement in suitable employment through partic-*

ipation in on-the-job training under section 256.738 or grant diversion under section 256.739, if such employment is available.

(c) A recipient who has completed a caretaker referred to job search under section 256.736, subdivision 14, and who is unable has failed to secure suitable employment, and who is not enrolled in an approved training program may must participate in a community work experience program.

(d) The county agency shall limit the maximum number of hours any participant under this section may work in any month to:

(1) for counties operating an approved mandatory community work experience program as of January 1, 1993, who elect this method for countywide operations, a number equal to the amount of the aid to families with dependent children payable to the family divided by the greater of the federal minimum wage or the applicable state minimum wage; or

(2) for all other counties, a caretaker must participate in any week 20 hours with no less than 16 hours spent participating in a work experience placement and no more than four of the hours spent in alternate activities as described in the caretaker's employability development plan. Placement in a work experience worksite must be based on the assessment required under section 256.736 and the caretaker's employability development plan. Caretakers participating under this clause may be allowed excused absences from the assigned job site of up to eight hours per month. For the purposes of this clause, "excused absence" means absence due to temporary illness or injury of the caretaker or a member of the caretaker's family, the unavailability of licensed child care or transportation needed to participate in the work experience placement, a job interview, or a nonmedical emergency. For purposes of this clause, "emergency" has the meaning given it in section 256.736, subdivision 10a, paragraph (g).

(e) After a participant has been assigned to a position under this section paragraph (d), clause (1), for nine months, the participant may not continue in that assignment unless the maximum number of hours a participant works is no greater than the amount of the aid to families with dependent children payable with respect to the family divided by the higher of (1) the federal minimum wage or the applicable state minimum wage, whichever is greater, or (2) the rate of pay for individuals employed in the same or similar occupations by the same employer at the same site.

(f) After each six months of a recipient's participation in an assignment, and at the conclusion of each assignment under this section, the county agency shall reassess and revise, as appropriate, each participant's employability development plan.

(g) Structured, supervised volunteer work with an agency or organization which is monitored by the county service provider may, with the approval of the commissioner of jobs and training, be used as a work experience placement.

Sec. 14. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 3. [EXEMPTIONS.] A caretaker is exempt from participation in a work experience placement under this section if the caretaker is exempt from participation in job search under section 256.736, subdivision 14, or the caretaker is suitably employed in a grant diversion or an on-the-job training

placement. Caretakers who, as of October 1, 1993, are participating in an education or training activity approved under a Project STRIDE employability development plan are exempt from participation in a work experience placement until July 1, 1994.

Sec. 15. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 4. [GOOD CAUSE.] A caretaker shall have good cause for failure to cooperate if:

(1) the worksite participation adversely affects the caretaker's physical or mental health as verified by a physician, licensed or certified psychologist, physical therapist, vocational expert, or by other sound medical evidence; or

(2) the caretaker does not possess the skill or knowledge required for the work.

Sec. 16. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 5. [FAILURE TO COMPLY.] A caretaker required to participate under this section who has failed without good cause to participate shall be provided with notices, appeal opportunities, and offered a conciliation conference under the provisions of section 256.736, subdivision 4a, and shall be subject to the sanction provisions of section 256.736, subdivision 4, clause (6).

Sec. 17. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 6. [FEDERAL REQUIREMENTS.] If the Family Support Act of 1988, Public Law Number 100-485, is revised or if federal implementation of that law is revised so that Minnesota is no longer obligated to operate a mandatory work experience program for AFDC-UP families, the commissioner shall operate the work experience program under this section as a volunteer program, and shall utilize the funding authorized for work experience to improve and expand the availability of other employment and training services authorized under this section.

Sec. 18. Minnesota Statutes 1992, section 256.74, subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] The amount of assistance which shall be granted to or on behalf of any dependent child and mother or other needy eligible relative caring for the dependent child shall be determined by the county agency in accordance with rules promulgated by the commissioner and shall be sufficient, when added to all other income and support available to the child, to provide the child with a reasonable subsistence compatible with decency and health. The amount shall be based on the method of budgeting required in Public Law Number 97-35, section 2315, United States Code, title 42, section 602, as amended and federal regulations at Code of Federal Regulations, title 45, section 233. Nonrecurring lump sum income received by an assistance unit AFDC family must be budgeted in the normal retrospective cycle. The number of months of ineligibility is determined by dividing the amount of the lump sum income and all other income, after application of the applicable disregards, by the standard of need standard for the assistance unit family because of receipt of earned or

unearned lump sum income, the family will be ineligible for the full number of months derived by dividing the sum of the lump sum income and other income by the monthly need standard for a family of that size. An amount Any income remaining after from this calculation is income in the first month following the period of eligibility ineligibility. If the total monthly income including the lump sum income is larger than the standard of need for a single month. The first month of ineligibility is the payment month that corresponds with the budget month in which the lump sum income was received. For purposes of applying the lump sum provision, family includes those persons defined in the Code of Federal Regulations, title 45, section 233.20(a)(3)(ii)(F). A period of ineligibility must be shortened when the standard of need increases and the amount the family would have received also changes, an amount is documented as stolen, an amount is unavailable because a member of the family left the household with that amount and has not returned, an amount is paid by the family during the period of ineligibility to cover a cost that would otherwise qualify for emergency assistance, or the family incurs and pays for medical expenses which would have been covered by medical assistance if eligibility existed. In making its determination the county agency shall disregard the following from family income:

(1) all the earned income of each dependent child applying for AFDC if the child is a full-time student and all of the earned income of each dependent child receiving aid to families with dependent children AFDC who is a full-time student or is a part-time student, and who is not a full-time employee; A student is one who is attending a school, college, or university, or a course of vocational or technical training designed to fit students for gainful employment as well as and includes a participant in the job corps program under the job training and partnership act (JTPA). Also, disregard all the earned income derived from the job training and partnership act (JTPA) for a of each dependent child for applying for or receiving AFDC when the income is derived from a program carried out under JTPA, except that disregard of earned income may not exceed six calendar months per calendar year, together with unearned income derived from the job training and partnership act;

(2) all educational grants and loans;

(3) the first \$90 of each individual's earned income. For self-employed persons, the expenses directly related to producing goods and services and without which the goods and services could not be produced shall be disregarded pursuant to rules promulgated by the commissioner;

(4) thirty dollars plus one-third of each individual's earned income for individuals found otherwise eligible to receive aid or who have received aid in one of the four months before the month of application. With respect to any month, the county welfare agency shall not disregard under this clause any earned income of any person who has: (a) reduced earned income without good cause within 30 days preceding any month in which an assistance payment is made; (b) refused without good cause to accept an offer of suitable employment; (c) left employment or reduced earnings without good cause and applied for assistance so as to be able later to return to employment with the advantage of the income disregard; or (d) failed without good cause to make a timely report of earned income in accordance with rules promulgated by the commissioner of human services. Persons who are already employed and who apply for assistance shall have their needs computed with full account taken of their earned and other income. If earned and other income of the family is

less than need, as determined on the basis of public assistance standards, the county agency shall determine the amount of the grant by applying the disregard of income provisions. The county agency shall not disregard earned income for persons in a family if the total monthly earned and other income exceeds their needs, unless for any one of the four preceding months their needs were met in whole or in part by a grant payment. The disregard of \$30 and one-third of earned income in this clause shall be applied to the individual's income for a period not to exceed four consecutive months. Any month in which the individual loses this disregard because of the provisions of subclauses (a) to (d) shall be considered as one of the four months. An additional \$30 work incentive must be available for an eight-month period beginning in the month following the last month of the combined \$30 and one-third work incentive. This period must be in effect whether or not the person has earned income or is eligible for AFDC. To again qualify for the earned income disregards under this clause, the individual must not be a recipient of aid for a period of 12 consecutive months. When an assistance unit becomes ineligible for aid due to the fact that these disregards are no longer applied to income, the assistance unit shall be eligible for medical assistance benefits for a 12-month period beginning with the first month of AFDC ineligibility;

(5) an amount equal to the actual expenditures for the care of each dependent child or incapacitated individual living in the same home and receiving aid, not to exceed: (a) \$175 for each individual age two and older, and \$200 for each individual under the age of two, when the family member whose needs are included in the eligibility determination is employed for 30 or more hours per week; or (b) \$174 for each individual age two or older, and \$199 for each individual under the age of two, when the family member whose needs are included in the eligibility determination is not employed throughout the month or when employment is less than 30 hours per week. The dependent care disregard must be applied after all other disregards under this subdivision have been applied;

(6) the first \$50 per assistance unit of the monthly support obligation collected by the support and recovery (IV-D) unit. The first \$50 of periodic support payments collected by the public authority responsible for child support enforcement from a person with a legal obligation to pay support for a member of the assistance unit must be paid to the assistance unit within 15 days after the end of the month in which the collection of the periodic support payments occurred and must be disregarded when determining the amount of assistance. A review of a payment decision under this clause must be requested within 30 days after receiving the notice of collection of assigned support or within 90 days after receiving the notice if good cause can be shown for not making the request within the 30-day limit;

(7) that portion of an insurance settlement earmarked and used to pay medical expenses, funeral and burial costs, or to repair or replace insured property; and

(8) all earned income tax credit payments received by the family as a refund of federal income taxes or made as advance payments by an employer.

Sec. 19. Minnesota Statutes 1992, section 256.78, is amended to read:

256.78 [ASSISTANCE GRANTS RECONSIDERED.]

All assistance granted under sections 256.72 to 256.87 shall be reconsidered as frequently as may be required by the rules of the state agency. After such further investigation as the county agency may deem necessary or the state agency may require, the amount of assistance may be changed or assistance may be entirely withdrawn if the state or county agency find that the child's circumstances have altered sufficiently to warrant such action. The period of ineligibility for AFDC which results when an assistance unit receives lump sum income must be reduced when:

(1) the assistance unit's standard of need increases due to changes in state law or due to changes in the size or composition of the assistance unit, so that the amount of aid the assistance unit would have received would have increased had it not become ineligible;

(2) the lump sum income, or a portion of it becomes unavailable to the assistance unit due to expenditures to avoid a life-threatening circumstance, theft, or dissipation which is beyond the family's control by a member of the family who is no longer part of the assistance unit when the lump sum income is not used to meet the needs of members of the assistance unit; or

(3) the assistance unit incurs and pays medical expenses for care and services specified in sections 256B.02, subdivision 8, and 256B.0625.

The county agency may for cause at any time revoke, modify, or suspend any order for assistance previously made. When assistance is thus revoked, modified, or suspended the county agency shall at once report to the state agency such decision together with supporting evidence required by the rules of the state agency. All such decisions shall be subject to appeal and review by the state agency as provided in section 256.045.

Sec. 20. Minnesota Statutes 1992, section 270B.14, subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE TO COMMISSIONER OF HUMAN SERVICES.] (a) On the request of the commissioner of human services, the commissioner shall disclose return information regarding taxes imposed by chapter 290, and claims for refunds under chapter 290A, to the extent provided in paragraph (b) and for the purposes set forth in paragraph (c).

(b) Data that may be disclosed are limited to data relating to the identity, whereabouts, employment, income, and property of a person owing or alleged to be owing an obligation of child support.

(c) The commissioner of human services may request data only for the purposes of carrying out the child support enforcement program and to assist in the location of parents who have, or appear to have, deserted their children. Data received may be used only as set forth in section 256.978.

(d) The commissioner shall provide the records and information necessary to administer the supplemental housing allowance to the commissioner of human services.

(e) *On the request of the commissioner of human services, the commissioner shall disclose property tax refund information to the extent necessary to determine eligibility for the telephone assistance plan under section 237.70, subdivision 4a.*

Sec. 21. [EFFECTIVE DATE.]

Sections 1 to 4, 16, and 17 are effective July 1, 1993.

Sections 5 to 15 are effective October 1, 1993."

Delete the title and insert:

"A bill for an act relating to human services; modifying the STRIDE program; requiring a work component; modifying the aid to families with dependent children program; amending Minnesota Statutes 1992, sections 13.46, subdivision 2; 256.73, subdivisions 2, 3a, and 5; 256.736, subdivisions 10, 10a, 14, 16, and by adding a subdivision; 256.737, subdivisions 1, 1a, 2, and by adding subdivisions; 256.74, subdivision 1; 256.78; and 270B.14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256."

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 Crime Prevention, to which was referred

S.F. No. 1161: A bill for an act relating to crime; expanding definition of domestic abuse to include terroristic threats; allowing child abuse interviews to be conducted at a designated location; amending Minnesota Statutes 1992, sections 518B.01, subdivision 2; and 626.556, subdivision 10.

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

Page 5, after line 24, insert:

"Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

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

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

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

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

Page 1, lines 12 and 19, after "609.2231" insert ", 609.342 to 609.345,"

Page 2, line 9, after "609.2231" insert ", 609.342 to 609.345,"

Page 2, line 18, delete "Sec. 3." and insert "Sec. 3."

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

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

S.F. No. 75: A bill for an act relating to crime; providing criminal penalties for a parent, guardian, or caretaker who abandons a child under ten years of

age; amending Minnesota Statutes 1992, section 609.38; proposing coding for new law in Minnesota Statutes, chapter 609.

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 1992, section 609.378, subdivision 1, is amended to read:

Subdivision 1. [PERSONS GUILTY OF NEGLECT OR ENDANGERMENT.] ~~The following people are guilty of neglect or endangerment of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both:~~ (a) [NEGLECT.] (1) A parent, legal guardian, or caretaker who willfully deprives a child of necessary food, clothing, shelter, health care, or supervision appropriate to the child's age, when the parent, guardian, or caretaker is reasonably able to make the necessary provisions and the deprivation substantially harms or is likely to substantially harm the child's physical, mental, or emotional health is guilty of neglect of a child and ~~may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.~~ *If the deprivation results in substantial harm to the child's physical, mental, or emotional health, the person 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.* If a parent, guardian, or caretaker responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child, this treatment or care is "health care," for purposes of this clause.

(2) A parent, legal guardian, or caretaker who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child ~~and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.~~

(b) [ENDANGERMENT.] A parent, legal guardian, or caretaker who ~~endangers the child's person or health by:~~

(1) ~~intentionally causing causes or permitting permits~~ a child to be placed in a situation likely to substantially harm the child's physical or, mental, or emotional health or cause the child's death; or

(2) ~~knowingly causing causes or permitting permits~~ the child to be present where any person is selling or possessing a controlled substance, as defined in section 152.01, subdivision 4, in violation of section 152.021, 152.022, 152.023, or 152.024; ~~is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.~~ *If the endangerment results in substantial harm to the child's physical, mental, or emotional health, the person 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.*

~~This paragraph~~ Clause (1) does not prevent a parent, legal guardian, or caretaker from causing or permitting a child to engage in activities that are appropriate to the child's age, stage of development, and experience, or from selecting health care as defined in subdivision 1, paragraph (a).

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1993, and applies to crimes occurring on or after that date."

Delete the title and insert:

"A bill for an act relating to crime; eliminating need to show a child was substantially harmed by neglect; imposing a felony for neglect or endangerment that substantially harms a child's physical, mental, or emotional health; amending Minnesota Statutes 1992, section 609.378, subdivision 1."

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

Ms. Berglin from the Committee on Health Care, to which was referred

S.F. No. 781: A bill for an act relating to human services; mental health; extending an exemption for case manager qualifications; changing a definition of mental illness; changing requirements for specialized residential treatment services; allowing additional flexibility in use of community residential treatment funding; delaying required rules revision; amending Minnesota Statutes 1992, sections 245.462, subdivisions 4 and 20; 245.484; 245.4871, subdivision 4; 245.4882, subdivision 5; 245.73, subdivisions 2, 3, and by adding a subdivision; and Laws 1991, chapter 292, article 6, section 54; repealing Minnesota Statutes 1992, sections 245.711; and 245.712.

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

Page 7, line 30, before the period, insert "*if the county requests such a transfer and if the commissioner determines the transfer will help adults with mental illness to remain and function in their own communities*"

Page 8, after line 4, insert:

"Sec. 10. [INTEGRATED ADULT MENTAL HEALTH FUND.]

Subdivision 1. [STATEWIDE TASK FORCE.] The commissioner of human services shall convene a task force to study the establishment of an integrated adult mental health fund. The task force shall consist of the commissioners of health, jobs and training, corrections, and commerce, the director of the housing finance agency, two members of the house of representatives, and two members of the senate. The task force shall also include persons diagnosed with mental illness, family members of persons diagnosed with mental illness, mental health professionals, county social services personnel, public and private service providers, advocates for the mentally ill, and representatives of the state advisory council established under Minnesota Statutes, section 245.697, and of the local advisory council established under Minnesota Statutes, section 245.466, subdivision 5. The task force shall examine all possible county, state, and federal sources of funds for adult mental health with a view to designing an integrated adult mental health fund, improving methods of coordinating services and maximizing all funding sources and community support services, and increasing federal funding. Programs to be examined shall include, but not be limited to, the following: medical assistance, title XX social services programs, jobs and training programs, corrections programs, and housing programs. The task force may consult with experts in the field, as necessary. The task force shall make a preliminary report and recommendations on coordination of funding sources by January 1, 1994, to facilitate the development of local protocols and procedures under

subdivision 2. The task force shall submit a final report to the legislature by January 1, 1995, with its findings and recommendations. Once this report has been submitted, the task force will expire.

Subd. 2. [DEVELOPMENT OF LOCAL PROTOCOLS AND PROCEDURES.] (a) By January 1, 1994, each local adult mental health advisory council established under Minnesota Statutes, section 245.466, subdivision 5, may establish a task force to develop recommended protocols and procedures that will ensure that the planning, case management, and delivery of services for adults with severe mental illness are coordinated and make the most efficient and cost-effective use of available funding. The task force must include, at a minimum, representatives of county medical assistance and mental health staff. The protocols and procedures must be designed to:

(1) ensure that services to adults are driven by the adult's needs, rather than by the availability or source of funding for services;

(2) ensure that planning for services, case management, service delivery, and payment for services involves coordination of all affected agencies, providers, and funding sources; and

(3) maximize available funding by making full use of all available funding, including medical assistance.

(b) By June 1, 1994, each council may make recommendations to the statewide task force established under subdivision 1 regarding the feasibility and desirability of methods of consolidating or pooling funding sources to ensure that services are tailored to the specific needs of each adult and to allow greater flexibility in paying for services.

(c) By June 1, 1994, each local advisory council may report to the commissioner of human services the council's findings and the recommended protocols and procedures. The council may also recommend legislative changes or rule changes that will improve local coordination and further maximize available funding.

Subd. 3. [FINAL REPORT.] By February 15, 1995, the commissioner of human services shall provide a report to the legislature that describes the reports and recommendations of the statewide task force under subdivision 1 and of the local advisory councils under subdivision 2, and provides the commissioner's recommendations for legislation or other needed changes."

Page 8, line 5, delete "10" and insert "11"

Page 8, line 8, delete "11" and insert "12"

Page 8, line 9, delete "Section 5 is" and insert "Sections 5 and 10 are"

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "creating a task force to study the establishment of an integrated adult mental health fund;"

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

Ms. Berglin from the Committee on Health Care, to which was re-referred

S.F. No. 1102: A bill for an act relating to health; modifying provisions relating to infectious waste; amending Minnesota Statutes 1992, sections

116.76, subdivision 14; 116.78, subdivisions 4 and 7; 116.79, subdivisions 1 and 4; 116.80, subdivisions 1 and 2; 116.81, subdivision 1; 116.82, subdivision 3; and 116.83, subdivisions 1 and 3; repealing Minnesota Statutes 1992, sections 116.76, subdivision 7; 116.79, subdivision 3; 116.81, subdivision 2; and 116.83, subdivision 2; Minnesota Rules, parts 4622.0100; 4622.0300; 4622.0400; 4622.0600; 4622.0700, subparts 10 and 12; 4622.1000; 4622.1050; 4622.1100; 4622.1150; and 4622.1200.

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

Page 5, lines 31 to 33, delete the new language

Page 6, line 27, after "12;" insert "4622.0900;"

Amend the title as follows:

Page 1, line 12, after "12;" insert "4622.0900;"

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 1141: A bill for an act relating to cities; allowing the use of self-insurance funds or pools to satisfy statutory bond requirements; amending Minnesota Statutes 1992, section 471.981, by adding a subdivision.

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 1159: A bill for an act relating to redevelopment; expanding eminent domain powers for cities of the first class; clarifying tax increment and neighborhood revitalization expenditure limitations; amending Minnesota statutes 1992, sections 469.012, subdivision 1; and 469.1831, subdivision 4.

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 726: A bill for an act relating to metropolitan government; exempting regional park properties from taxation; providing for metropolitan council review of special assessments on regional park properties; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 612: A bill for an act relating to consumers; requiring certain disclosures when consumer reports are used for employment purposes; providing for access to consumer reports; amending Minnesota Statutes 1992, section 13C.01, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13C; repealing Minnesota Statutes 1992, section 13C.01, subdivision 2.

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

Page 1, line 19, after "for" insert ":

(1)"

Page 1, line 21, delete the colon

Page 1, line 22, delete everything before "credit"

Page 2, line 21, delete "employment" and insert "hiring, compensation"

Page 2, line 22, delete "or" and delete "as an employee" and insert " , or with respect to other terms and conditions of employment"

Page 3, lines 26 and 27, delete "made or requested" and insert "obtained or caused to be prepared"

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

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was re-referred

S.F. No. 439: A bill for an act relating to economic and social development; establishing a board of invention; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Page 3, line 3, delete "technical assistance and"

Page 3, lines 4 and 5, delete "state agencies, local governments, private organizations, and"

Page 3, line 6, delete "shall" and insert "may"

Page 3, line 7, delete the third "and" and insert a period

Page 3, delete lines 8 to 10

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

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 225: A bill for an act relating to worker's compensation; regulating eligibility for assigned risk plan coverage; amending Minnesota Statutes 1992, section 79.252, subdivision 1.

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 924: A bill for an act relating to taxation; sales and use; clarifying the exemption for certain capital equipment; amending Minnesota Statutes 1992, section 297A.01, subdivision 16.

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

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

H.F. No. 233 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
233	331				

and that the above 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. Report adopted:

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

H.F. No. 399 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.
399	578				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 399 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 399 and insert the language after the enacting clause of S.F. No. 578, the first engrossment; further, delete the title of H.F. No. 399 and insert the title of S.F. No. 578, the first engrossment.

And when so amended H.F. No. 399 will be identical to S.F. No. 578, and further recommends that H.F. No. 399 be given its second reading and substituted for S.F. No. 578, 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.

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 820: A bill for an act relating to tax increment financing; providing for manufacturing districts; exempting manufacturing districts from certain reductions in aid; changing procedures for determination of tax capacity; providing an option for receiving increment; providing for consultation with the county commissioner of the proposed district; amending Minnesota Statutes 1992, sections 273.1399, subdivision 1; 469.174, subdivisions 4, 9, and by adding subdivisions; 469.175, subdivisions 1, 3, and by adding a subdivision; 469.176, subdivision 1; 469.1763, by adding a subdivision; and 469.177, subdivisions 1 and 2.

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

Page 6, delete line 19 and insert "*district to the county board of the county in which*"

Page 6, line 20, before the period, insert "*is located*"

Page 6, line 25, delete "*commissioner*" and insert "*board*"

Page 6, line 26, delete "*commissioner's*" and insert "*board's*"

Page 8, after line 8, insert:

"(6) in the case of a manufacturing district, that the use of tax increment financing is necessary either to retain a business that will expand within the municipality or to induce a business to relocate to the municipality from another state."

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 1111: A bill for an act relating to tax increment financing; exempting redevelopment districts from certain reductions in aid; changing procedures for determination of tax capacity; providing an option for receiving first increment; changing certain limits on expenditures for redevelopment and renewal and renovation districts; changing the maximum duration of redevelopment districts; providing for consultation with the county commissioner of the proposed district; amending Minnesota Statutes 1992, sections 273.1399, subdivision 1; 469.174, subdivision 4; 469.175, subdivision 1, and by adding a subdivision; 469.176, subdivision 1; 469.1763, by adding a subdivision; and 469.177, subdivisions 1 and 2.

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

Page 3, line 24, delete "*, exceeds*" and insert "*is less than*"

Page 3, line 31, strike "*amount by which*" and insert "*sum of the positive differences for all parcels where*" and delete "*sum of*"

Page 3, line 32, reinstate the stricken "capacity" and delete the new language and after "a" insert "*parcel in a*"

Page 3, line 33, delete "*sum of the*" and reinstate the stricken "capacity"

Page 3, line 34, delete "*capacities of each*" and insert "*of a*"

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

Mrs. Adkins from the Committee on Metropolitan and Local Government, to which was referred

S.F. No. 453: A bill for an act relating to local government; establishing a county option for sales of tax-forfeited lands; requiring reimbursement to county for administrative expenses of special assessments; modifying date for submission of rental statements by housing and redevelopment authority; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; 429.061, by adding a subdivision; and 469.040, subdivision 3.

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

Page 1, line 19, delete "*may select another means of sale*" and insert "*public auction*"

Page 1, delete line 23 and insert "*and thereafter. The county auditor shall sell any remaining parcels to anyone*"

Page 1, line 24, reinstate the stricken language and delete the period

Page 2, line 25, before "A" insert "*Notwithstanding any general or special law to the contrary,*"

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

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

S.F. No. 321: A bill for an act relating to crime victims; providing priority for payment of restitution obligations under the revenue recapture act; authorizing collection of restitution from inmate wages when the restitution is court ordered as a sanction for the conviction of an offense which is not the offense of commitment; authorizing the use of forfeited bail to pay delinquent restitution obligations; amending Minnesota Statutes 1992, sections 270A.10; 243.23, subdivision 3; 485.018, subdivision 5; and 611A.04, by adding a subdivision.

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

Page 2, line 15; delete "*court*" and after "*ordered*" insert "*by the court*"

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

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

S.F. No. 1060: A bill for an act relating to crime; defining prior conviction for the purpose of sentencing penalty enhancement for assault in the fifth degree; amending Minnesota Statutes 1992, section 609.224, 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 1992, section 609.13, is amended by adding a subdivision to read:

Subd. 3. [MISDEMEANORS.] If a defendant is convicted of a misdemeanor and is sentenced, or if the imposition of sentence is stayed, and the defendant is thereafter discharged without sentence, the conviction is deemed to be for a misdemeanor for purposes of determining the penalty for a subsequent offense."

Delete the title and insert:

"A bill for an act relating to crime; sentencing; clarifying that a misdemeanor conviction in which the court stays imposition of sentence is nevertheless counted as a misdemeanor for purposes of determining the penalty for a subsequent offense; amending Minnesota Statutes 1992, section 609.13, by adding a subdivision."

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

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

S.F. No. 1171: A bill for an act relating to crime; creating a commission on nonfelony enforcement to review the proportionality and enforcement of petty misdemeanor, misdemeanor, and gross misdemeanor offenses; requiring a report.

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

Page 2, delete lines 5 to 23 and insert:

"*Subd. 3. [MEMBERSHIP.] The commission consists of:*

(1) three senators, no more than two of whom are from the same political party, appointed by the senate subcommittee on committees of the committee on rules and administration and three members of the house of representatives, no more than two of whom are from the same political party, appointed by the speaker;

(2) two representatives from each of the following groups appointed by the chairs of the senate committee on crime prevention and the house judiciary committee:

(i) crime victim advocates;

(ii) county attorneys;

(iii) city attorneys;

(iv) professors of law with expertise in criminal justice;

(v) district court judges;

(vi) criminal defense attorneys; and

(vii) probation officers;

(3) four law enforcement officials, including one municipal law enforcement official, one county law enforcement official, one conservation officer, and one member of the state patrol, appointed by the chairs of the senate committee on crime prevention and the house judiciary committee; and

(4) the state court administrator, who shall chair the commission."

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was re-referred

S.F. No. 693: A bill for an act relating to natural resources; clarifying, modifying, and expanding rulemaking authority and other powers and duties of the commissioner of natural resources relating to game and fish, wild rice, stromatolites, and cross-country ski passes; clarifying, modifying, and expanding provisions relating to the taking, purchase, sale, possession, and transportation of wild animals; regulating entry and uses on certain public lands and waters; providing for the expiration of certain commissioner's orders; providing an exemption from rulemaking requirements; authorizing emergency rules; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 84.14, subdivision 3; 84.1525, subdivision 2; 85.41, subdivision 2; 85.45; 97A.045, subdivision 4, and by adding a subdivision; 97A.055, by adding a subdivision; 97A.091, subdivisions 1 and 2; 97A.095, subdivision 2; 97A.105, subdivision 1, and by adding a subdivision; 97A.137; 97A.255, subdivision 2; 97A.401, subdivision 4; 97A.415, subdivision 2; 97A.431, subdivisions 1 and 4; 97A.433, subdivisions 1 and 4; 97A.435, subdivision 4; 97A.441, by adding a subdivision; 97A.475, by adding a subdivision; 97A.485, subdivision 6, and by adding a subdivision; 97A.505, subdivision 5, and by adding a subdivision; 97A.535, subdivision 2; 97A.545, subdivisions 1, 2, 4, and by adding a subdivision; 97A.551, by adding a subdivision; 97B.425; 97B.671, subdivisions 1 and 2; 97B.711, subdivision 2, and by adding a subdivision; 97B.721; 97B.811, by adding a subdivision; 97C.025; 97C.051, subdivision 1; 97C.081, subdivisions 2, 3, and by adding a subdivision; 97C.205; 97C.311; 97C.331; 97C.345, subdivision 4, and by adding a subdivision; 97C.391, subdivision 1; 97C.405; 97C.505, subdivision 1; 97C.601, subdivision 6; 97C.805, subdivisions 1, 2, and 4; and 97C.865; Laws 1991, chapter 259, section 24; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; and 97C.

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

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

S.F. No. 742: A bill for an act relating to insurance; no-fault auto; excluding

certain vehicles from the right of indemnity granted by the no-fault act; amending Minnesota Statutes 1992, section 65B.53, subdivision 1.

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

Page 1, after line 6, insert:

“Section 1. Minnesota Statutes 1992, section 65B.47, subdivision 1a, is amended to read:

Subd. 1a. [EXEMPTIONS.] Subdivision 1 does not apply to:

- (1) a commuter van;
- (2) a vehicle being used to transport children as part of a family or group family day care program;
- (3) a vehicle being used to transport children to school or to a school-sponsored activity; or
- (4) a bus while it is in operation within the state of Minnesota as to any Minnesota resident who is an insured as defined in section 65B.43, subdivision 5; or
- (5) a motor vehicle used in the for-hire transportation of passengers.”

Page 1, delete lines 22 and 23 and insert “*listed in section 65B.47, subdivision 1a.*”

Page 1, line 25, delete “*Section 1 is*” and insert “*Sections 1 and 2 are*” and delete “*applies*” and insert “*apply*”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete “*section*” and insert “*sections 65B.47, subdivision 1a; and*”

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

Mr. Solon from the Committee on Commerce and Consumer Protection, to which was re-referred

S.F. No. 867: A bill for an act relating to motor vehicles; establishing automobile theft prevention program and creating board; increasing penalty for falsely reporting crime; amending Minnesota Statutes 1992, section 609.505; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

Page 1, after line 8, insert:

“Section 1. [168A.39] [DEFINITIONS.]

For the purposes of this act “motor vehicle” is defined under section 65B.43, subdivision 2.”

Page 1, line 19, after the period, insert “*Four of the initial appointments by*

the governor to the board shall be for two-year terms. Three of the initial appointments shall be for one-year terms. After the initial appointments are completed, further appointments to the board shall be for two years."

Page 1, after line 21, insert:

"(1) develop and sponsor the implementation of statewide plans, programs, and strategies to combat automobile theft, improve the administration of the automobile theft laws, and provide a forum for identification of critical problems for those persons dealing with automobile theft;

(2) coordinate the development, adoption, and implementation of plans, programs, and strategies relating to interagency and intergovernmental cooperation with respect to automobile theft enforcement;

(3) audit at its own discretion the plans and programs that it has funded in whole or in part in order to evaluate the effectiveness of the plans and programs, and withdraw funding should the authority determine that a plan or program is ineffective or is no longer in need of further financial support from the fund;"

Page 1, line 22, delete "(1)" and insert "(4)"

Page 2, line 3, delete "(2)" and insert "(5)"

Page 2, line 32, after "per" insert "motor"

Page 2, line 34, after "insurance" insert "providing comprehensive insurance coverage"

Page 3, lines 23 and 26, delete "Section 1" and insert "Section 2"

Page 3, line 25, delete "2" and insert "3"

Renumber the sections in sequence

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

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

S.F. No. 1129: A bill for an act relating to financial institutions; regulating institutions, deposits, rates and charges, enforcement provisions; modifying the definition of insurance premium finance licensee; amending Minnesota Statutes 1992, sections 45.025, by adding a subdivision; 46.044; 46.048, subdivision 1; 46.09; 47.0156; 47.096; 47.20, subdivision 4a; 47.52; 47.54, subdivision 4; 47.55, subdivision 1; 47.56; 48.04; 48.05; 48.09; 48.194; 48.24, subdivisions 1, 7, and 8; 48.61, subdivisions 2 and 4; 49.35; 49.36, subdivisions 1 and 4; 51A.02, subdivision 43; 52.04, subdivision 1, and by adding a subdivision; 52.12; 53.03, subdivision 5; 53.04, by adding a subdivision; 53.09, by adding a subdivision; 56.10; 56.131, subdivision 1; 56.155, subdivision 1; 59A.02, subdivision 3; 82B.03, subdivision 2; 300.20, subdivision 2; 300.21; 336.4-104; proposing coding for new law in Minnesota Statutes, chapter 56; repealing Minnesota Statutes 1992, sections 46.048, subdivision 2; and 48.24, subdivision 4.

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

Page 6, after line 25, insert:

“(c) The maximum interest rate that can be charged on a conventional loan or a contract for deed, with a duration of ten years or less, for the purchase of real estate defined in section 83.20, subdivision 13, shall be three percentage points above the index provided in paragraph (a) or 15.75 percent per year, whichever is less. This paragraph is effective August 1, 1992.”

Page 6, line 26, delete “(c)” and insert “(d)”

Page 7, line 29, delete “(d)” and insert “(e)”

Page 29, delete section 35 and insert:

“Sec. 35. Minnesota Statutes 1992, section 59A.06, subdivision 3, is amended to read:

Subd. 3. The commissioner may at any time make an examination of the affairs, business, office, and records of each licensee. Each licensee shall pay to the commissioner the actual costs of examination as well as amounts required under section 46.131, and the commissioner may maintain an action for the recovery of such costs in any court of competent jurisdiction. *This section shall not apply to a licensee in the business of insurance premium financing exclusively financing premiums for business, agricultural, or corporate purposes.*”

Page 33, line 24, delete “32” and insert “35”

Amend the title as follows:

Page 1, line 16, delete “59A.02” and insert “59A.06”

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

Mr. Solon from the Committee on Commerce and Consumer Protection, to which was re-referred

S.F. No. 900: A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for voluntary public commitments by health plans and providers to limit the rate of growth in total revenues; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.09, subdivisions 2, 5, 8, and by adding a subdivision; 62J.15, subdivisions 1 and 2; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, and 7; 62J.33; 62J.34, subdivision 2; 62L.02, subdivisions 16, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 4 and 6; 62L.09, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2 and 5; 136A.1357, subdivisions 1 and 4; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.1484,

subdivisions 1 and 2; 214.16, subdivision 3; 256.9351, subdivision 3; 256.9353; 256.9354, subdivisions 1 and 4; 256.9356, subdivisions 1 and 2; 256.9357, subdivision 1; 256.9657, subdivision 3; 256B.057, subdivision 1; 295.50, subdivisions 3, 4, 7, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivision 1; 295.55, subdivision 4; 295.58; and 295.59; proposing coding for new law in Minnesota Statutes, chapters 16B; 62J; 256; and 295; proposing coding for new law as Minnesota Statutes, chapters 62N; and 62O; repealing Minnesota Statutes 1992, sections 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; and Laws 1992, chapter 549, article 9, section 19, subdivision 2.

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

Page 10, line 2, delete "STANDARD BENEFIT SET" and insert "PURPOSE"

Page 10, delete lines 3 to 28 and insert:

"The legislature finds that previous cost containment efforts have focused on reducing benefits and services, eliminating access to certain provider groups, and otherwise reducing the level of care available. Under a system of overall spending controls, these cost containment approaches will, in the absence of controls on cost shifting, shift costs from the payor to the consumer, to government programs, and to providers in the form of uncompensated care. The legislature further finds that the integrated service network benefit package should be designed to promote coordinated, cost-effective delivery of all health services an enrollee needs without cost shifting. The legislature further finds that affordability of health coverage is a high priority and that lower cost coverage options should be made available through the use of copayments, coinsurance, and deductibles to reduce premium costs rather than through the exclusion of services or providers.

Sec. 9. [62N.075] [COVERED SERVICES.]

(a) An integrated service network must provide to each person enrolled a comprehensive set of appropriate and necessary health services. For purposes of this chapter, "appropriate and necessary" means services needed to maintain the enrollee in good health including as a minimum, but not limited to, emergency care, inpatient hospital and physician care, outpatient health services, and preventative health services. The commissioner may modify this definition to reflect changes in community standards, development of practice parameters, new technology assessments, and other medical innovations. These services must be delivered by authorized practitioners acting within their scope of practice. An integrated service network is not responsible for health services that are not appropriate and necessary.

(b) A network may define benefit levels through the use of consumer cost sharing but remains financially accountable for costs of the full set of comprehensive health services required.

(c) A network may offer any Medicare supplement, Medicare select, or other Medicare-related product otherwise permitted for any type of health plan in this state. Each Medicare-related product may be offered only in full compliance with the requirements in chapters 62A, 62D, and 62E that apply to that category of product.

(d) Networks must comply with all continuation and conversion of coverage requirements applicable to health maintenance organizations under state or federal law.

(e) Networks must comply with sections 62A.047, 62A.27, and any other coverage of newborn infants, dependent children who do not reside with a covered person, handicapped children and dependents, and adopted children. A network providing dependent coverage must comply with section 62A.302.

(f) Networks must comply with the equal access requirements of section 62A.15, subdivision 2."

Page 10, line 31, delete "needed" and insert "comprehensive health"

Page 10, line 33, delete everything after the period

Page 10, delete lines 34 to 36

Page 11, delete line 1

Page 11, line 3, delete "needed" and insert "appropriate and necessary health"

Page 11, delete section 10 and insert:

"Sec. 11. [62N.085] [ESTABLISHMENT OF STANDARDIZED BENEFIT PLANS.]

The commissioner of health shall adopt emergency and permanent rules to establish not more than five standardized benefit plans which must be offered by integrated service networks. The plans must comply with the requirements of sections 62N.07 to 62N.08 and the other requirements of this chapter. The plans must encompass a range of cost sharing options from (1) lower premium costs combined with higher enrollee cost sharing, to (2) higher premium costs combined with lower enrollee cost sharing.

Sec. 12. [62N.086] [ADDITIONAL BENEFIT OPTIONS.]

The commissioner of health shall adopt emergency and permanent rules to establish not more than three standardized benefit riders which may be offered by integrated service networks. An integrated service network may not provide benefit options other than the standard benefit package and one or more of the standardized riders.

Sec. 13. [62N.087] [COST SHARING.]

(a) A network may define benefit levels through the use of consumer cost sharing. For the purposes of this chapter, "consumer cost sharing" means copayments, deductibles, coinsurance, and other out-of-pocket expenses paid by the individual consumer of health care services.

(b) The following principles apply to cost sharing in an integrated service network:

(1) consumers must have a voice in decisions regarding cost sharing, and the process for establishing consumer cost sharing should have consumer representation and input;

(2) consumer cost sharing must be administratively feasible and consistent with efforts to reduce the overall administrative burden of the health care system;

(3) cost sharing must be based on income and an enrollee's ability to pay for services and should not create a barrier to access to appropriate and effective services;

(4) cost sharing must be capped at a predetermined annual limit to protect individuals and families from financial catastrophe and to protect individuals with substantial health care needs;

(5) child health supervision services, immunizations, prenatal care, and other prevention services must not be subjected to cost sharing; and

(6) additional requirements for networks should be established to assist enrollees for whom an inducement in addition to the elimination of cost sharing is necessary in order to encourage them to use cost-effective preventive services. These requirements may include the provision of educational information, assistance or guidance, and opportunities for responsible decision making by enrollees that minimize potential out-of-pocket costs."

Page 28, line 2, delete "26" and insert "29"

Renumber the sections of article 1 in sequence

Page 28, line 24, delete "RULES" and insert "IMPLEMENTATION"

Page 28, line 25, after "(a)" insert "By January 1, 1994,"

Page 28, line 26, delete everything after "shall"

Page 28, delete lines 27 and 28

Page 28, line 29, delete everything before the period and insert "report to the legislature recommendations for the design and implementation of the all-payor system. The commissioner may use a consultant or other technical assistance to develop a design for the all-payor system" and delete "commissioner" and insert "commissioner's recommendations" and delete "in"

Page 28, line 30, delete "the rules"

Page 29, delete lines 24 to 28 and insert:

"(b) On July 1, 1994, the regulated all-payor system shall begin to be phased in with full implementation by July 1, 1996. During the transition period, all premium rates and provider fees shall be set in accordance with sections 3 and 4."

Page 29, delete section 3 and insert:

"Sec. 3. [62O.04] [PROVIDER PRICE RESTRAINTS.]

Subdivision 1. [RESTRAINT.] No health care provider, as defined in section 62J.03, subdivision 8, shall on or after March 3, 1993, increase the price or other charge that it charges for any health care service provided to a Minnesota resident except as permitted under this section. This section does not apply to health care services provided through integrated service networks.

Subd. 2. [CERTAIN INCREASES PERMITTED.] (a) On and after January 1, 1994, a health care provider as defined in section 62J.03, subdivision 8, may increase any price or other charge by no more than a percentage determined by adding five percentage points to the percentage change in the regional consumer price index for urban consumers for the most

recent 12-month period for which that index is available as of November 1, 1993. The commissioner of health shall determine, announce, and publish in the State Register, no later than December 1, 1993, the percentage increase permitted under this paragraph. To determine the amount of the maximum permitted increase in a price or charge, the percentage determined under this paragraph is applied to the price or charge used as of January 1, 1993.

(b) On or after January 1, 1995, an increase in a price or charge is permitted in addition to the increase permitted under paragraph (a). The permitted maximum increase is determined as under paragraph (a), except that the percentage is multiplied by .9 and is applied to the price or charge used as of January 1, 1994.

Sec. 4. [62O.05] [HEALTH CARRIER PRICE RESTRAINTS.]

Subdivision 1. [RESTRAINT.] No health carrier, as defined in section 62A.011, shall increase the premiums, subscriber charges, enrollee fees, or similar charges for its health plans on or after March 3, 1993, so as to increase its total revenues per Minnesota resident covered by its health plans, except as permitted under this section. This subdivision does not prohibit an increase in the charge for a particular health plan, so long as the health carrier's aggregate revenues per covered Minnesota resident for all of its health plans do not increase. This section does not apply to integrated service networks.

Subd. 2. [CERTAIN INCREASES PERMITTED.] A health carrier may increase its charges on and after January 1, 1994, and on and after January 1, 1995, so as to increase its revenues per covered Minnesota resident, to the extent permitted under subdivision 4.

Subd. 3. [ENFORCEMENT.] The commissioners of health and commerce shall enforce this section with respect to the health carriers that each commissioner respectively regulates. Each commissioner has under this section all enforcement and rulemaking authority that the commissioner otherwise has with respect to the health carrier.

Subd. 4. [CERTAIN INCREASES PERMITTED.] Any increased charges under subdivision 2 must be approved in advance by the relevant commissioner under subdivision 3. The relevant commissioner shall disapprove any requested increase in revenues per covered person, unless the health carrier provides actuarial analysis establishing, to the satisfaction of the commissioner, that the health carrier is fully passing on to its customers the health care provider price restraints provided under section 3. An increase in revenues permitted under subdivision 2 and this subdivision must not exceed the percentages provided under section 3 for health care providers. The commissioner may consider and take into account substantial changes in a health carrier's types of health plans and types of persons covered if necessary to prevent evasion of this section.

Subd. 5. [NEW PRODUCTS.] No health carrier may offer or issue a new health plan form or certificate form unless the health carrier has provided the relevant commissioner with actuarial analysis establishing, to the satisfaction of the commissioner, that the proposed charges or method of determining charges takes account of the price restraints on health care providers under section 3. This subdivision applies, without limitation, to products sold in the small employer market under chapter 62L."

Page 30, line 8, delete "4" and insert "5"

Renumber the sections of article 2 in sequence

Page 41, line 15, before "The" insert "By January 1, 1995,"

Page 41, delete lines 16 to 18 and insert "the legislature and make recommendations on adjustments to that cost containment plan that should be made due to cost shifting."

Page 42, line 1, delete "costs and prices by at least ten percent per year" and insert "revenues"

Page 42, line 2, delete "they would otherwise expect to experience" and insert "limits established in this act"

Page 42, lines 16 and 26, delete "costs and prices" and insert "revenues"

Page 42, after line 33, insert:

"Subd. 2. [FALSE ADVERTISING.] A group purchaser or provider who makes a commitment under subdivision 1 and uses that commitment in any advertisement or in any other way makes that information available to the public is subject to section 325F.67 if the group purchaser or provider knowingly violates the commitment."

Page 42, line 34, delete "2" and insert "3"

Page 43, line 2, delete "3" and insert "4"

Page 43, line 3, delete "information on participation by" and insert "a list of the"

Page 43, line 4, after "providers" insert "who agree to participate" and after the period, insert "The commissioner may audit a group purchaser or provider or take other means necessary to determine whether or not that group purchaser or provider met, exceeded, or failed to meet a commitment made under subdivision 1."

Page 43, line 15, delete "4" and insert "5"

Page 43, line 18, delete "1994" and insert "1995"

Page 49, line 17, delete the new language

Page 50, line 3, delete "or the practice parameter advisory committee"

Pages 50 and 51, delete section 2

Renumber the sections of article 6 in sequence

Page 58, after line 4, insert:

"Sec. 4. Minnesota Statutes 1992, section 62J.05, is amended by adding a subdivision to read:

Subd. 9. [REPEALER.] This section is repealed effective July 1, 1996."

Page 80, after line 25, insert:

"Sec. 24. [UNIVERSAL COVERAGE PLAN.]

The health care commission shall develop and submit to the legislature and the governor by December 15, 1993, a comprehensive plan that will lead to

universal health coverage for all Minnesotans by January 1, 1997. The plan must include an implementation plan and time schedule for the coordinated phasing in of health insurance reforms, changes or expansions in government programs, and other actions recommended by the commission. The plan must also include annual targets for expanding coverage to uninsured persons and populations and periodic evaluations of the progress being made toward achieving annual targets and universal coverage."

Page 80, line 30, delete "23" and insert "25"

Page 80, line 31, delete "7 to 10" and insert "8 to 11"

Renumber the sections of article 7 in sequence

Page 84, line 29, delete everything after the period

Page 84, delete lines 30 to 35

Page 86, line 3, after "physician" insert ", chiropractor,"

Page 92, line 26, after "sold," insert "or" and strike ", or renewed"

Page 92, line 29, after "62L" insert "*provided that underwriting restrictions may be retained on individual contracts that are issued without evidence of insurability as a replacement for prior individual coverage*"

Page 93, line 5, delete everything after the period

Page 93, delete lines 6 to 12

Page 96, line 36, strike "October" and insert "July"

Page 97, line 1, strike "1992" and insert "1993"

Page 97, line 4, delete the new language and strike "Two"

Page 97, strike lines 5 and 6

Page 97, line 25, delete "excluding" and insert "including"

Page 97, line 26, after "services" insert "*and inpatient chemical dependency treatment*"

Page 113, after line 12, insert:

"Sec. 4. Minnesota Statutes 1992, section 62J.30, subdivision 8, is amended to read:

Subd. 8. [DATA COLLECTION ADVISORY COMMITTEE PANEL.] The commissioner ~~shall~~ may convene a 15-member data collection advisory committee consisting of health service researchers, health care providers, health carrier representatives, representatives of businesses that purchase health coverage, and consumers. Six members of this committee must be health care providers. The advisory committee shall panel as needed to evaluate methods of data collection and shall recommend to the commissioner methods of data collection that minimize administrative burdens, address data privacy concerns, and meet the needs of health service researchers. The advisory ~~committee~~ panel is governed by section ~~15.059~~ 15.014.

Sec. 5. Minnesota Statutes 1992, section 62J.32, subdivision 4, is amended to read:

Subd. 4. [PRACTICE PARAMETER ADVISORY COMMITTEE PANEL.] The commissioner ~~shall~~ *may* convene a ~~15-member practice parameter~~ *an* advisory committee comprised of eight health care professionals, and representatives of the research community and the medical technology industry. ~~The committee shall present panel as needed to make recommendations on the adoption of practice parameters to the commissioner and the Minnesota health care commission and provide technical assistance as needed to the commissioner and the commission. The advisory committee is governed by section 15.059, but does not expire. The advisory panel is governed by section 15.014."~~

Renumber the sections of article 13 in sequence

Page 117, line 10, delete "year;" and insert "year;"

Amend the title as follows:

Page 1, lines 13 and 14, delete "60A.02, subdivision 1a;"

Page 1, line 18, after the semicolon, insert "62J.05, by adding a subdivision;"

Page 1, line 22, delete "and" and after "7" insert ", and 8" and after the second semicolon, insert "62J.32, subdivision 4;"

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

Ms. Berglin from the Committee on Health Care, to which was re-referred

S.F. No. 241: A bill for an act relating to human services; modifying reimbursement procedures for group residential housing; amending Minnesota Statutes 1992, section 256I.05, by adding a subdivision.

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

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 1992, section 256I.06, is amended to read:
256I.06 [PAYMENT METHODS.]

~~When a group residential housing rate is used to pay the room and board costs of a person eligible under sections 256D.01 to 256D.21, the Monthly payment may~~ Subdivision 1. [MONTHLY PAYMENT.] Monthly payments made on an individual's behalf for group residential housing must be issued as a voucher or vendor payment. ~~When a group residential housing rate is used to pay the room and board costs of a person eligible under sections 256D.33 to 256D.54, payments must be made to the recipient. If a recipient is not able to manage the recipient's finances, a representative payee must be appointed.~~

Subd. 2. [TIME OF PAYMENT.] A county agency may make payments to a group residence in advance for an individual whose stay in the group residence is expected to last beyond the calendar month for which the payment is made and who does not expect to receive countable earned income during the month for which the payment is made. Group residential housing payments made by a county agency on behalf of an individual who is not expected to remain in the group residence beyond the month for which

payment is made must be made subsequent to the individual's departure from the group residence. Group residential housing payments made by a county agency on behalf of an individual with earned income must be made subsequent to receipt of a monthly household report form."

Amend the title as follows:

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

Page 1, line 5, after "subdivision" insert "; and 256I.06"

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

Ms. Berglin from the Committee on Health Care, to which was referred

S.F. No. 1101: A bill for an act relating to health-related occupations; requiring hearing instrument dispensers to be certified by the commissioner of health; requiring holders of temporary hearing instrument dispensing permits to be supervised by certified hearing instrument dispensers; authorizing cease and desist orders; providing for penalties; amending Minnesota Statutes 1992, sections 153A.13, subdivisions 4 and 5; 153A.14; 153A.15; and 153A.17; proposing coding for new law in Minnesota Statutes, chapter 214.

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

Page 4, line 13, delete "all"

Page 6, line 26, after the first comma, insert "*the amount paid for services of the office of the attorney general,*"

Page 6, line 27, delete "reports" and insert "reporters"

Page 8, line 16, delete the first "\$....." and insert "\$200" and delete "and" and delete the second "\$....." and insert "\$200, and the trainee application fee is \$100." and after "both" insert "certification and examination"

Page 8, line 17, after the stricken "necessary" insert "of \$60" and reinstate the stricken "to recover,"

Page 8, line 18, reinstate the stricken language and after the reinstated "commissioner's" insert "accumulated"

Page 8, line 19, reinstate the stricken "for" and delete "of \$....." and insert "administering the requirements of this chapter, but not registration of hearing instrument dispensers under section 214.13, before November 1, 1994."

Page 10, line 32, before "Between" insert "Notwithstanding section 3, subdivision 2, a person who; by exam or reciprocity, is a registered hearing instrument dispenser on the effective date of this act is entitled to certification without examination or payment of a fee."

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

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

S.F. No. 876: A bill for an act relating to the environment; conditioning the use of state funds by the attorney general for investigation of environmental violations; allowing courts to dismiss proceedings against first-time violators of certain environmental provisions after a successful probationary period is completed; amending Minnesota Statutes 1992, section 609.671, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 8.

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

Page 1, line 16, delete "*entered into*" and insert "*developed*"

Page 1, line 17, delete "*agreement*" and insert "*policy in consultation*"

Page 1, line 20, delete "*agreement*" and insert "*policy*"

Page 1, delete line 24 and insert "*charged with a first*"

Page 1, delete line 27

Page 1, line 28, delete the first "*the person*" and insert "*at any time*"

Page 3, line 13, delete "*August 1, 1993,*" and insert "*the day following final enactment*" and after "*to*" insert "*prosecution pending on and*"

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

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

S.F. No. 712: A bill for an act relating to outdoor recreation; creating the Lake Superior water trail; proposing coding for new law in Minnesota Statutes, chapter 85.

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

Page 1, line 8, delete "*coastline*" and insert "*shoreline*"

Page 1, line 9, delete "*shall*" and insert "*must*"

Page 1, line 15, after "*agencies*" insert "*and private resorts*"

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. 872: A bill for an act relating to game and fish; abolishing the nonresident bear guide license; repealing Minnesota Statutes 1992, section 97A.475, subdivision 17.

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. 639: A bill for an act relating to the environment; providing for the disposal of ash from incinerators operated by the Western Lake Superior Sanitary District; amending Minnesota Statutes 1992, section 458D.07, subdivision 3.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 617, 921, 563, 653, 737, 809, 207, 346, 1161, 175, 75, 781, 1141, 225, 924, 1060, 742, 1129, 241, 712, 872 and 639 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 233 and 399 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Vickerman moved that the name of Mr. Frederickson be added as a co-author to S.F. No. 128. The motion prevailed.

Mr. Benson, D.D. moved that his name be stricken as a co-author to S.F. No. 220. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 719. The motion prevailed.

Mr. Kelly moved that the names of Messrs. McGowan, Spear and Merriam be added as co-authors to S.F. No. 958. The motion prevailed.

Mr. Morse moved that the name of Mr. Finn be added as a co-author to S.F. No. 1257. The motion prevailed.

Ms. Krentz moved that the name of Mr. Finn be added as a co-author to S.F. No. 1291. The motion prevailed.

Ms. Ranum moved that the names of Mr. Hottinger and Ms. Johnson, J.B. be added as co-authors to S.F. No. 1361. The motion prevailed.

Mr. Merriam moved that S.F. No. 305 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Stumpf moved that S.F. No. 1363 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Agriculture and Rural Development. The motion prevailed.

RECESS

Mr. Luther 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. 585: Mr. Spear, Ms. Reichgott and Mr. Belanger.

Mr. Luther moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS – CONTINUED

Ms. Piper moved that H.F. No. 203, No. 1 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

Mr. Cohen moved that S.F. No. 1036 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Crime Prevention. The motion prevailed.

Ms. Berglin moved that S.F. No. 781, on General Orders, be stricken and re-referred to the Committee on Governmental Operations and Reform. The motion prevailed.

CALENDAR

H.F. No. 298: A bill for an act relating to local government; creating the office of Anoka county coroner; appointing a physician as county coroner; appointing assistant coroners; designating deputy coroners; establishing the duties of the coroner.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Dille	Krentz	Murphy	Robertson
Anderson	Finn	Kroening	Neuville	Runbeck
Beckman	Flynn	Laidig	Novak	Sams
Belanger	Frederickson	Langseth	Oliver	Samuelson
Benson, D.D.	Hottinger	Larson	Olson	Solon
Benson, J.E.	Janezich	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Luther	Piper	Stumpf
Bertram	Johnson, J.B.	McGowan	Pogemiller	Terwilliger
Betzold	Johnston	Merriam	Price	Vickerman
Chandler	Kelly	Metzen	Ranum	Wiener
Cohen	Kiscaden	Mondale	Reichgott	
Day	Knutson	Morse	Riveness	

So the bill passed and its title was agreed to.

S.F. No. 306: A bill for an act relating to state government; appointments of department heads and members of administrative boards and agencies; clarifying procedures and requirements; amending Minnesota Statutes 1992, sections 15.0575, subdivision 4; 15.06, subdivision 5; and 15.066, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Day	Kiscaden	Metzen	Reichgott
Anderson	Dille	Knutson	Mondale	Riveness
Beckman	Finn	Krentz	Morse	Robertson
Belanger	Flynn	Kroening	Murphy	Runbeck
Benson, D.D.	Frederickson	Laidig	Neuville	Sams
Benson, J.E.	Hanson	Langseth	Novak	Samuelson
Berg	Hottinger	Larson	Olson	Solon
Berglin	Janezich	Lesewski	Pappas	Spear
Bertram	Johnson, D.E.	Lessard	Pariseau	Stevens
Betzold	Johnson, D.J.	Luther	Piper	Stumpf
Chandler	Johnson, J.B.	Marty	Pogemiller	Terwilliger
Chmielewski	Johnston	McGowan	Price	Vickerman
Cohen	Kelly	Merriam	Ranum	Wiener

So the bill passed and its title was agreed to.

H.F. No. 341: A bill for an act relating to business corporations; making various technical changes; amending Minnesota Statutes 1992, sections 302A.011, subdivisions 26, 38, 53, and by adding a subdivision; 302A.105; 302A.111, subdivisions 3 and 4; 302A.115, subdivision 1; 302A.117, subdivision 1; 302A.123, subdivision 3; 302A.133; 302A.135, subdivisions 1 and 3; 302A.137; 302A.153; 302A.171, subdivision 2; 302A.231, subdivision 3; 302A.233; 302A.237; 302A.241, subdivision 1; 302A.255, subdivision 2; 302A.401, subdivisions 1 and 3; 302A.402, subdivisions 1, 2, and by adding a subdivision; 302A.403, subdivisions 2 and 4; 302A.413, subdivisions 4 and 9; 302A.423, subdivision 2; 302A.435, subdivisions 1 and 3; 302A.437, subdivision 2; 302A.447, subdivisions 2 and 3; 302A.449, subdivision 1; 302A.461, subdivision 4; 302A.463; 302A.471, subdivision 3; 302A.473, subdivisions 4 and 7; 302A.501, subdivision 1; 302A.521, subdivision 6; 302A.551, subdivision 1; 302A.553, subdivision 1; 302A.559, subdivision 1; 302A.613, subdivisions 2 and 3; 302A.621, subdivision 6; 302A.641, subdivision 1; 302A.671, subdivision 3; 302A.673, subdivisions 1 and 3; 302A.711, subdivisions 1 and 2; and 302A.901, 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 65 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Day	Kiscaden	Mondale	Reichgott
Anderson	Dille	Knutson	Morse	Riveness
Beckman	Finn	Krentz	Murphy	Robertson
Belanger	Flynn	Laidig	Neuville	Runbeck
Benson, D.D.	Frederickson	Langseth	Novak	Sams
Benson, J.E.	Hanson	Larson	Oliver	Samuelson
Berg	Hottinger	Lesewski	Olson	Solon
Berglin	Janezich	Lessard	Pappas	Spear
Bertram	Johnson, D.E.	Luther	Pariseau	Stevens
Betzold	Johnson, D.J.	Marty	Piper	Stumpf
Chandler	Johnson, J.B.	McGowan	Pogemiller	Terwilliger
Chmielewski	Johnston	Merriam	Price	Vickerman
Cohen	Kelly	Metzen	Ranum	Wiener

Mr. Kroening voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 262: A bill for an act relating to the city of Saint Paul; authorizing the city by ordinance to prepare, adopt, and amend design districts and design framework, to establish a design advisory committee, and to establish design review procedures to preserve and enhance the city's appearance and environmental quality.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Day	Kiscaden	Mondale	Reichgott
Anderson	Dille	Knutson	Morse	Riveness
Beckman	Finn	Krentz	Murphy	Robertson
Belanger	Flynn	Kroening	Neuville	Runbeck
Benson, D.D.	Frederickson	Laidig	Novak	Sams
Benson, J.E.	Hanson	Larson	Oliver	Samuelson
Berg	Hottinger	Lesewski	Olson	Solon
Berglin	Janezich	Lessard	Pappas	Spear
Bertram	Johnson, D.E.	Luther	Pariseau	Stevens
Betzold	Johnson, D.J.	Marty	Piper	Stumpf
Chandler	Johnson, J.B.	McGowan	Pogemiller	Terwilliger
Chmielewski	Johnston	Merriam	Price	Vickerman
Cohen	Kelly	Metzen	Ranum	Wiener

So the bill passed and its title was agreed to.

S.F. No. 50: A bill for an act relating to traffic regulations; authorizing operation of recreational vehicle combinations with certain restrictions; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; and 169.81, 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 65 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Day	Knutson	Mondale	Reichgott
Anderson	Dille	Krentz	Morse	Riveness
Beckman	Finn	Kroening	Murphy	Robertson
Belanger	Flynn	Laidig	Neuville	Runbeck
Benson, D.D.	Frederickson	Langseth	Novak	Sams
Benson, J.E.	Hanson	Larson	Oliver	Samuelson
Berg	Hottinger	Lesewski	Olson	Solon
Berglin	Janezich	Lessard	Pappas	Spear
Bertram	Johnson, D.E.	Luther	Pariseau	Stevens
Betzold	Johnson, D.J.	Marty	Piper	Stumpf
Chandler	Johnson, J.B.	McGowan	Pogemiller	Terwilliger
Chmielewski	Kelly	Merriam	Price	Vickerman
Cohen	Kiscaden	Metzen	Ranum	Wiener

Ms. Johnston voted in the negative.

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 903: A bill for an act relating to public employees; authorizing a

local police civil service commission to adopt rules allowing the striking of a name on the civil service eligible register after a one-year period; amending Minnesota Statutes 1992, section 419.06.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Krentz	Murphy	Runbeck
Anderson	Finn	Kroening	Neuville	Sams
Beckman	Flynn	Laidig	Novak	Samuelson
Belanger	Frederickson	Langseth	Oliver	Solon
Benson, D.D.	Hanson	Larson	Olson	Spear
Benson, J.E.	Hottinger	Lesewski	Pappas	Stevens
Berg	Janezich	Lessard	Pariseau	Stumpf
Berglin	Johnson, D.E.	Luther	Piper	Tervilliger
Bertram	Johnson, D.J.	Marty	Pogemiller	Vickerman
Betzold	Johnson, J.B.	McGowan	Price	Wiener
Chandler	Johnston	Merriam	Ranum	
Chmielewski	Kelly	Metzen	Reichgott	
Cohen	Kiscaden	Mondale	Riveness	
Day	Knutson	Morse	Robertson	

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

H.F. No. 203, which the committee recommends to pass, subject to the following motion:

Ms. Piper moved that the amendment made to H.F. No. 203 by the Committee on Rules and Administration in the report adopted March 22, 1993, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 296, which the committee recommends to pass, after the following motion:

Mr. Larson moved to amend H.F. No. 296, as amended pursuant to Rule 49, adopted by the Senate March 22, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 276.)

Page 13, after line 30, insert:

"Sec. 8. [52.041] [USE OF PUBLIC FUNDS.]

Subdivision 1. [REQUIREMENT.] A credit union's power to accept deposits or investments of public funds under section 52.04, subdivision 1, clause (18), is conditional upon compliance with the following requirements:

(a) The credit union's board of directors must adopt and not repeal a resolution requiring the credit union to lend or otherwise invest deposits or investments of public funds only within this state.

(b) *The board of directors must, no later than April 1 of each year, certify the credit union's compliance with the resolution for the preceding calendar year.*

(c) *The credit union must, no later than May 1 of each year, file with the commissioner documents proving compliance with paragraphs (a) and (b), together with an explanation supporting the credit union's determination that any deposits or investments of public funds resulted in increased lending or other investment in this state and no increased lending or other investment in other states. The explanation must include a list of all deposits of public funds held for the state or any of its subdivisions, agencies, or instrumentalities.*

(d) *The credit union shall promptly provide any additional information requested by the commissioner.*

(e) *The credit union shall, no later than May 1 of each year:*

(1) *provide to each public body for whom it holds deposits or investments of public funds copies of all documents required to be filed with the commissioner of commerce under this section;*

(2) *permit the public to view those documents upon request at its principal place of business; and*

(3) *provide copies of them at a price not to exceed the cost of copying.*

Subd. 2. [ACCESS TO DOCUMENTS; COMMISSIONER.] The commissioner shall permit any person to review all documents required to be filed with the commissioner under this section and shall provide copies of any of those documents at the price that the commissioner otherwise charges for copies.

Subd. 3. [PUBLIC DEPOSITS REGULATED.] Notwithstanding any law to the contrary, the state and its subdivisions, agencies, and instrumentalities shall not deposit or invest public funds in a state or federal credit union, unless the credit union has provided to the public body the copies of documents required to be provided under subdivision 1, paragraph (e)."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Laidig	Neuville	Runbeck
Beckman	Frederickson	Larson	Oliver	Stevens
Benson, D.D.	Johnson, D.E.	Lesewski	Olson	Terwilliger
Benson, J.E.	Johnston	McGowan	Pariseau	Vickerman
Berg	Kiscaden	Metzen	Riveness	
Day	Knutson	Morse	Robertson	

Those who voted in the negative were:

Anderson	Finn	Langseth	Novak	Sams
Belanger	Flynn	Lessard	Pappas	Samuelson
Berglin	Hanson	Luther	Piper	Solon
Bertram	Hottinger	Marty	Pogemiller	Spear
Betzold	Johnson, D.J.	Merriam	Price	Stumpf
Chandler	Johnson, J.B.	Mondale	Ranum	Wiener
Cohen	Krentz	Murphy	Reichgott	

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

The question was taken on the recommendation to pass H.F. No. 296.

The roll was called, and there were yeas 38 and nays 25, as follows:

Those who voted in the affirmative were:

Adkins	Finn	Kroening	Novak	Sams
Anderson	Flynn	Langseth	Pappas	Samuelson
Belanger	Hanson	Lessard	Piper	Solon
Berglin	Hottinger	Luther	Pogemiller	Spear
Bertram	Janezich	Marty	Price	Stumpf
Betzold	Johnson, D.J.	Merriam	Ranum	Wiener
Chandler	Johnson, J.B.	Mondale	Reichgott	
Cohen	Krentz	Murphy	Riveness	

Those who voted in the negative were:

Beckman	Dille	Knutson	Metzen	Robertson
Benson, D.D.	Frederickson	Laidig	Neuville	Runbeck
Benson, J.E.	Johnson, D.E.	Larson	Oliver	Stevens
Berg	Johnston	Lesevski	Olson	Terwilliger
Day	Kiscaden	McGowan	Pariseau	Vickerman

The motion prevailed. So H.F. No. 296 was recommended to pass.

S.F. No. 33, which the committee reports progress, subject to the following motions:

Mr. Pogemiller moved to amend S.F. No. 33 as follows:

Page 3, line 8, delete "4a" and insert "4"

Page 13, line 7, delete "board" and insert "council"

The motion prevailed. So the amendment was adopted.

Mr. McGowan moved to amend S.F. No. 33 as follows:

Page 2, line 33, delete "or"

Page 2, line 36, reinstate the stricken language

Page 3, line 1, reinstate the stricken language

Page 3, delete line 2 and insert "~~harass, abuse, disturb, or cause distress~~ in or threaten another, after being told to leave"

Page 3, lines 3 to 5, reinstate the stricken language

Page 4, line 3, after the second comma, insert "section 609.605, subdivision 1, paragraph (a), clause (7)."

Page 4, line 4, delete the second "or" and after "609.79" insert "; or section 609.795"

Page 6, line 27, delete "or"

Page 6; line 28, before the period, insert ";

(6) section 609.605, subdivision 1, paragraph (a), clause (7);

(7) section 609.79; or

(8) section 609.795"

Page 7, lines 31 and 32, reinstate the stricken language and delete the new language

Page 7, lines 34 to 36, reinstate the stricken language

Page 8, line 1, reinstate the stricken "conversation ensues, with intent to abuse," and after the stricken "harass," insert "*disturb, or cause distress,*"

Page 8, line 2, reinstate the stricken language

Page 8, line 3, reinstate the stricken "continuously to ring, with intent to" and after the stricken "harass" insert "*abuse, disturb, or cause distress in*" and reinstate the stricken "any person at the"

Page 8, line 4, reinstate the stricken language and delete the new language

Page 8, lines 6 and 7, reinstate the stricken language

Page 8, line 10, reinstate the stricken language and delete the new language

Page 8, lines 17 and 18, reinstate the stricken language

Page 8, line 19, reinstate the stricken "(3) with the intent to" and reinstate the stricken "abuse," and after the stricken "threaten," insert "*disturb, or cause distress,*"

Page 8, lines 20 and 21, reinstate the stricken language

Page 11, line 34, after the first "section" insert "*609.605, subdivision 1,*" and delete "*or a violation of section*" and insert a comma

Page 11, line 35, before the period, insert "*, 609.79, subdivision 1a, or 609.795*"

The motion prevailed. So the amendment was adopted.

Ms. Ranum moved to amend S.F. No. 33 as follows:

Page 14, line 28, before "Sections" insert "*Sections 2, 3, 7, 8, 9, 14, and 18 are effective June 1, 1993, and apply to crimes committed on or after that date.*" and delete "*1 to 18*" and insert "*4, 5, 6, 10, 12, and 16*" and delete everything after "1993" and insert "*. Sections 1, 11, 13, 15, and 17 are effective the day following final enactment.*"

Page 14, delete line 29

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 33 as follows:

Page 1, after line 26, insert:

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

Subd. 105a. [DATA FOR ASSESSMENT OF OFFENDERS.] Access to data for the purpose of a mental health assessment of a convicted harassment offender is governed by section 8, subdivision 6."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend S.F. No. 33 as follows:

Page 3, line 12, after "*that*" insert "*would cause a reasonable person*

under the circumstances to feel threatened and it caused that reaction in the person."

Page 3, delete line 13

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend S.F. No. 33 as follows:

Page 4, line 31, delete everything after *"that"* and insert *"the actor knew or reasonably should have known would cause the victim"*

Page 4, line 32, delete *"under the circumstances"*

Page 6, line 15, delete everything after *"that"* and insert *"the actor knew or reasonably should have known would cause the victim"*

Page 6, line 16, delete *"under the circumstances"*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 32, as follows:

Those who voted in the affirmative were:

Adkins	Day	Laidig	Neuville	Stumpf
Anderson	Dille	Langseth	Oliver	Terwilliger
Beckman	Frederickson	Larson	Olson	Vickerman
Benson, J.E.	Hanson	Lesevski	Pariseau	
Berg	Johnston	Lessard	Rünbeck	
Bertram	Knutson	Metzen	Samuelson	
Chmielewski	Kroening	Murphy	Stevens	

Those who voted in the negative were:

Belanger	Hottinger	Krentz	Novak	Sams
Berglin	Janezich	Luther	Pappas	Solon
Betzold	Johnson, D.E.	Marty	Piper	Spear
Chandler	Johnson, D.J.	McGowan	Pogemiller	Wiener
Cohen	Johnson, J.B.	Merriam	Ranum	
Finn	Kelly	Mondale	Reichgott	
Flynn	Kiscaden	Morse	Robertson	

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

Mr. Neuville then moved to amend S.F. No. 33 as follows:

Page 3, line 13, delete *"explicitly or implicitly"* and insert *"indirectly or directly"*

Page 5, line 2, delete *"implicitly or explicitly expresses"* and insert *"directly or indirectly manifests"*

Page 6, line 22, after *"acts"* insert *"within a three-year period"*

The motion prevailed. So the amendment was adopted.

Mr. Neuville then moved to amend S.F. No. 33 as follows:

Page 7, line 26, delete everything after *"if"* and insert a colon

Page 7, delete lines 27 and 28 and insert:

"(1) they are authorized by the provisions of section 7 of the National Labor Relations Act, United States Code, title 29, section 157, as amended; or

(2) they are an expression of political or religious exercise of free speech or assembly."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 35, as follows:

Those who voted in the affirmative were:

Adkins	Day	Kroening	Neuville	Stevens
Beckman	Dille	Laidig	Olson	Stumpf
Benson, J.E.	Frederickson	Langseth	Pariseau	Terwilliger
Berg	Hanson	Larson	Runbeck	Vickerman
Bertram	Johnston	Lesewski	Sams	
Chmielewski	Knutson	Lessard	Samuelson	

Those who voted in the negative were:

Anderson	Flynn	Kiscaden	Mondale	Pogemiller
Belanger	Hottinger	Krentz	Morse	Ranum
Berglin	Janezich	Luther	Murphy	Reichgott
Betzold	Johnson, D.E.	Marty	Novak	Robertson
Chandler	Johnson, D.J.	McGowan	Oliver	Solon
Cohen	Johnson, J.B.	Merriam	Pappas	Spear
Finn	Kelly	Metzen	Piper	Wiener

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

Mr. Neuville then moved to amend S.F. No. 33 as follows:

Page 7, line 24, delete everything after the period

Page 7, delete lines 25 to 28

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 38 and nays 25, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Johnston	McGowan	Runbeck
Beckman	Day	Kiscaden	Merriam	Spear
Belanger	Dille	Knutson	Neuville	Stevens
Benson, J.E.	Finn	Laidig	Oliver	Stumpf
Berg	Frederickson	Langseth	Olson	Terwilliger
Bertram	Hanson	Larson	Pariseau	Vickerman
Betzold	Hottinger	Lesewski	Ranum	
Chandler	Johnson, D.E.	Marty	Robertson	

Those who voted in the negative were:

Anderson	Johnson, D.J.	Lessard	Murphy	Reichgott
Berglin	Johnson, J.B.	Luther	Novak	Sams
Cohen	Kelly	Metzen	Pappas	Samuelson
Flynn	Krentz	Mondale	Piper	Solon
Janezich	Kroening	Morse	Pogemiller	Wiener

The motion prevailed. So the amendment was adopted.

S.F. No. 33 was then progressed.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Lessard introduced—

S.F. No. 1372: A bill for an act relating to health; adding a licensed pharmacist to the Minnesota health care commission; amending Minnesota Statutes 1992, section 62J.05, subdivision 2.

Referred to the Committee on Health Care.

Ms. Johnson, J.B. introduced—

S.F. No. 1373: A bill for an act relating to liquor; authorizing an on-sale liquor license in Dalbo township of Isanti county.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Langseth, Stumpf and Sams introduced—

S.F. No. 1374: A bill for an act relating to education; authorizing an operating debt levy; amending Minnesota Statutes 1992, section 124.914, by adding a subdivision.

Referred to the Committee on Education.

Mr. Stumpf introduced—

S.F. No. 1375: A bill for an act relating to retirement; establishing an effective retirement date for a retired teachers retirement association member.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Stumpf and Sams introduced—

S.F. No. 1376: A bill for an act relating to education; allowing school districts with an interdistrict cooperation plan to receive four years of combination revenue; amending Minnesota Statutes, section 124.2725, subdivisions 4, 5, and 6.

Referred to the Committee on Education.

Mr. Lessard introduced—

S.F. No. 1377: A bill for an act relating to game and fish; allowing the baiting of deer under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 97B.

Referred to the Committee on Environment and Natural Resources.

Mr. Bertram introduced—

S.F. No. 1378: A bill for an act relating to auctioneers; prohibiting certain cities and towns from requiring additional licenses of persons licensed as auctioneers by a county; proposing coding for new law in Minnesota Statutes, chapter 330.

Referred to the Committee on Commerce and Consumer Protection.

Ms. Johnson, J.B.; Messrs. Stevens and Chmielewski introduced—

S.F. No. 1379: A bill for an act relating to the environment; appropriating money for grants to the east central solid waste commission for payments on bonds issued for a composting facility.

Referred to the Committee on Environment and Natural Resources.

Messrs. Janezich and Metzen introduced—

S.F. No. 1380: A bill for an act relating to commerce; regulating heavy and utility equipment dealership agreements; including truck parts within the scope of coverage; defining terms; amending Minnesota Statutes 1992, section 325E.068, subdivision 2, and by adding subdivisions.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Metzen introduced—

S.F. No. 1381: A bill for an act relating to taxation; allowing the commissioner of revenue to waive time limits for payment of refunds; amending Minnesota Statutes 1992, section 289A.40, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Vickerman, Solon, Knutson, Mses. Pappas and Hanson introduced—

S.F. No. 1382: A bill for an act relating to transportation; regulating the sign franchise program; amending Minnesota Statutes 1992, section 160.80, subdivision 1.

Referred to the Committee on Transportation and Public Transit.

Ms. Piper, Messrs. Hottinger, Finn, Ms. Berglin and Mr. Vickerman introduced—

S.F. No. 1383: A bill for an act relating to public defense; authorizing grants to fund Indian child welfare defense corporations; amending Minnesota Statutes 1992, section 611.216, by adding a subdivision.

Referred to the Committee on Crime Prevention.

Mr. Berg introduced—

S.F. No. 1384: A bill for an act relating to corrections; authorizing the issuance of state bonds to purchase the Prairie correctional facility in Appleton; appropriating money.

Referred to the Committee on Crime Prevention.

Mr. Solon introduced—

S.F. No. 1385: A bill for an act relating to human services; requiring the commissioner of human services to set uniform payment rates for alternative care services; amending Minnesota Statutes 1992, section 256B.0913, subdivision 14.

Referred to the Committee on Health Care.

Messrs. Terwilliger, Beckman, Larson and Ms. Pappas introduced—

S.F. No. 1386: A bill for an act relating to education; requiring additional information in a school district's capital expenditures program; requiring the department of education to design a format for reporting the capital expenditures program; allowing the county facilities group to develop alternative proposals for meeting districts' facilities needs; providing a process for the development of statewide coordination and planning for education facilities; appropriating money; amending Minnesota Statutes 1992, sections 124.243, subdivision 1, and by adding a subdivision; and 373.42, subdivision 4.

Referred to the Committee on Education.

Messrs. Johnson, D.E.; Pogemiller; Ms. Lesewski and Mr. Dille introduced—

S.F. No. 1387: A bill for an act relating to housing; modifying the definition of dwelling for smoke detection devices; amending Minnesota Statutes 1992, section 299F.362, subdivision 1.

Referred to the Committee on Jobs, Energy and Community Development.

Messrs. Frederickson, Lessard, Berg, Vickerman and Laidig introduced—

S.F. No. 1388: A bill for an act relating to natural resources; appropriating money to the commissioner of natural resources for the Swan Lake and Heron Lake projects; land acquisition and development.

Referred to the Committee on Environment and Natural Resources.

Ms. Johnston, Mrs. Benson, J.E.; Ms. Hanson, Messrs. Vickerman and Laidig introduced—

S.F. No. 1389: A bill for an act relating to drivers' licenses; providing that physical requirements to obtain school bus endorsement for driver's license are satisfied by possession of medical examiner's certificate required for commercial vehicle drivers; amending Minnesota Statutes 1992, section 171.321, subdivision 2.

Referred to the Committee on Transportation and Public Transit.

Mr. Benson, D.D. introduced—

S.F. No. 1390: A bill for an act relating to state government; restructuring the executive branch to improve efficiency; providing for the grouping of related functions under secretaries; authorizing the consolidation of functions; providing for the termination of advisory councils, task forces, and boards; consolidating the administrative functions related to certain boards; transferring certain powers and duties; abolishing certain departments and agencies; appropriating money; amending Minnesota Statutes 1992, sections 8.06; 15.01; 15.059, subdivision 5; 15.06, subdivisions 1 and 8; 15A.081, subdivision 1; 16B.37, subdivision 2; 84.01, subdivisions 1 and 3; 84.027, by adding a subdivision; 116.01; 116.02, subdivision 5; 116.03, subdivisions 1 and 2; 214.001, subdivision 1; 214.04, subdivision 1, and by adding subdivisions; 216A.01; 216A.03, subdivision 1, and by adding a subdivision; 349.12, subdivision 6; and 349.151, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 4;

and 15; repealing Minnesota Statutes 1992, sections 103B.101, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 10, and 11; 116.02, subdivisions 1, 2, 3, and 4; 116.03, subdivision 6; 116.04; 214.04, subdivision 3; 216A.06; and 240.02.

Referred to the Committee on Governmental Operations and Reform.

Mr. Dille introduced—

S.F. No. 1391: A bill for an act relating to the city of Hutchinson; permitting the city to erect certain signs.

Referred to the Committee on Metropolitan and Local Government.

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

S.F. No. 1392: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Meeker county.

Referred to the Committee on Environment and Natural Resources.

Mses. Runbeck, Olson, Messrs. Neuville and Oliver introduced—

S.F. No. 1393: A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV; providing for initiative and referendum.

Referred to the Committee on Ethics and Campaign Reform.

Mr. Benson, D.D.; Mses. Olson and Kiscaden introduced—

S.F. No. 1394: A bill for an act relating to education; modifying the system for funding K-12 education and realigning responsibilities for governing schools between the state and local school boards; reducing funding for certain aids; reducing the general education tax rate; amending Minnesota Statutes 1992, sections 124A.03, subdivision 1c; 124A.04, subdivision 2; and 124A.23, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 477A; repealing Minnesota Statutes 1992, section 124A.03, subdivision 1d.

Referred to the Committee on Education.

Mr. Berg introduced—

S.F. No. 1395: A bill for an act relating to state parks; camping facilities adjacent to wildlife management areas; proposing coding for new law in Minnesota Statutes, chapter 85.

Referred to the Committee on Environment and Natural Resources.

Mr. Berg introduced—

S.F. No. 1396: A bill for an act relating to industrial development; authorizing a grant to a nonprofit organization to promote expanding flexible collaborative manufacturing networks statewide; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

Mr. Vickerman introduced—

S.F. No. 1397: A bill for an act relating to utilities; requiring public service corporations to notify owners of real property subject to easements held by the corporations of the location of and restrictions on the easements; proposing coding for new law in Minnesota Statutes, chapter 300.

Referred to the Committee on Jobs, Energy and Community Development.

Mr. Metzen introduced—

S.F. No. 1398: A bill for an act relating to taxation; property; decreasing the class rate on residential nonhomestead and apartment property; amending Minnesota Statutes 1992, sections 273.13, subdivision 25; and 273.1398, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kroening, Kelly, Meses. Pappas, Berglin and Mr. Johnson, D.J. introduced—

S.F. No. 1399: A bill for an act relating to taxation; income; providing an income tax credit for improvements made to certain residential property; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 290 and 462C.

Referred to the Committee on Taxes and Tax Laws.

Mr. Vickerman introduced—

S.F. No. 1400: A bill for an act relating to Nobles county; permitting the consolidation of the offices of auditor and treasurer.

Referred to the Committee on Metropolitan and Local Government.

Messrs. Metzen, Morse, Berg, Dille and Mrs. Pariseau introduced—

S.F. No. 1401: A bill for an act relating to health; water wells; requiring that well inspectors be qualified as licensed well contractors; amending Minnesota Statutes 1992, section 103I.101, subdivision 4.

Referred to the Committee on Governmental Operations and Reform.

Mr. Stumpf, Ms. Runbeck, Messrs. Neuville and Langseth introduced—

S.F. No. 1402: A bill for an act relating to workers' compensation; establishing individual security accounts; requiring certain information; imposing an individual security account assessment; establishing a revolving fund; determining reimbursable expenses; proposing coding for new law in Minnesota Statutes, chapter 79.

Referred to the Committee on Jobs, Energy and Community Development.

Messrs. Terwilliger, Merriam, Benson, D.D.; Metzen and Belanger introduced—

S.F. No. 1403: A bill for an act relating to utilities; expanding duties of chair of public utilities commission; amending Minnesota Statutes 1992, section 216A.03, subdivision 3a.

Referred to the Committee on Jobs, Energy and Community Development.

Mr. Pogemiller introduced—

S.F. No. 1404: A bill for an act relating to education; providing for the assignment of nonlicensed employees affected by school district consolidation to the newly created district; amending Minnesota Statutes 1992, section 122.23, subdivision 18, and by adding a subdivision.

Referred to the Committee on Education.

Messrs. Chmielewski, Pogemiller and Stumpf introduced—

S.F. No. 1405: A bill for an act relating to transportation and transit; providing for transit system throughout Minnesota; amending Minnesota Statutes 1992, section 123.39, subdivision 8b.

Referred to the Committee on Transportation and Public Transit.

Mr. Stumpf introduced—

S.F. No. 1406: A bill for an act relating to education; creating a levy for the purchase of computers; amending Minnesota Statutes 1992, section 124.91, by adding a subdivision.

Referred to the Committee on Education.

Mr. Stumpf introduced—

S.F. No. 1407: A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, higher education board, and the Mayo medical foundation, with certain conditions; proposing coding for new law in Minnesota Statutes, chapters 136A; and 137.

Referred to the Committee on Education.

Messrs. Betzold and Luther introduced—

S.F. No. 1408: A bill for an act relating to highways; appropriating money to the commissioner of transportation for payment of a loan to the city of Brooklyn Park from the metropolitan council's right-of-way acquisition loan fund for costs related to proposed trunk highway No. 610.

Referred to the Committee on Transportation and Public Transit.

Mses. Pappas and Flynn introduced—

S.F. No. 1409: A bill for an act relating to occupations and professions; establishing the office of midwifery practice; providing for a midwife practitioner advisory council; establishing reporting obligations; providing for disciplinary actions; providing for rulemaking; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1992, sections 148.30; 148.31; and 148.32.

Referred to the Committee on Health Care.

Mr. Berg introduced—

S.F. No. 1410: A bill for an act relating to education; providing for part of a reorganized school district to attach to another district in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 122.

Referred to the Committee on Education.

Ms. Ranum, Mr. Solon, Ms. Pappas and Mr. Knutson introduced—

S.F. No. 1411: A bill for an act relating to education; requiring school districts to adopt racial harassment and violence policies; amending Minnesota Statutes 1992, sections 127.455; and 127.46.

Referred to the Committee on Education.

Mr. Marty, Ms. Berglin and Wiener introduced—

S.F. No. 1412: A bill for an act relating to health care; allowing family planning special project grants to be used for family planning education in schools; modifying restrictions on funds allocated to a grantee within a region; appropriating money; amending Minnesota Statutes 1992, section 145.925, subdivisions 1a, 3, 5, and 9.

Referred to the Committee on Health Care.

Mr. Chandler introduced—

S.F. No. 1413: A bill for an act relating to workers' compensation; modifying provisions relating to charges by certain nursing homes; amending Minnesota Statutes 1992, section 176.136, subdivision 1b.

Referred to the Committee on Jobs, Energy and Community Development.

Ms. Berglin introduced—

S.F. No. 1414: A bill for an act relating to taxation; changing income tax rates and brackets; providing a personal credit in lieu of personal exemptions; increasing the working family credit; amending Minnesota Statutes 1992, sections 290.01, subdivision 19a; 290.06, subdivisions 2c and 2d; 290.0671, subdivision 1; 290.091, subdivisions 1, 2, and 6; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knutson introduced—

S.F. No. 1415: A bill for an act relating to playground safety; requiring the department of labor and industry to adopt rules governing playground safety; proposing coding for new law as Minnesota Statutes, chapter 184C.

Referred to the Committee on Jobs, Energy and Community Development.

Messrs. Vickerman and Benson, D.D. introduced—

S.F. No. 1416: A bill for an act relating to human services; establishing a pilot project to downsize an intermediate care facility for persons with mental retardation and related conditions; appropriating money.

Referred to the Committee on Health Care.

Messrs. Langseth, Larson, Sams, Murphy and Dille introduced—

S.F. No. 1417: A bill for an act relating to transportation; allowing provision and funding of regional transportation planning and related services in regions not served by a regional development commission; proposing coding for new law in Minnesota Statutes, chapter 462.

Referred to the Committee on Transportation and Public Transit.

Messrs. Moe, R.D.; Hottinger; Janezich; Pogemiller and Ms. Flynn introduced—

S.F. No. 1418: A bill for an act relating to state government; public employment; establishing a pilot project in certain entities; permitting the waiver of rules governing the classified and unclassified service of the state by joint committees.

Referred to the Committee on Governmental Operations and Reform.

Mr. Pogemiller introduced—

S.F. No. 1419: A bill for an act relating to taxation; providing conditions and requirements for the issuance of public debt and for the financial obligations of authorities; exempting certain securities from registration requirements; amending certain property tax imposition disclosure provisions; providing an exemption from the mortgage registration tax; amending Minnesota Statutes 1992, sections 80A.15, subdivision 1; 275.065, subdivision 7; 275.60; 275.61; 287.04; 447.45, subdivision 2; and 501B.25.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Price, Riveness and Novak introduced—

S.F. No. 1420: A bill for an act relating to taxation; sales and use; repealing the tax on motor vehicle rentals; repealing Minnesota Statutes 1992, section 297A.135.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hottinger, Metzen, Ms. Runbeck, Mr. Benson, D.D. and Ms. Wiener introduced—

S.F. No. 1421: A bill for an act relating to state government; correcting erroneous, ambiguous, obsolete, and omitted text and obsolete references; eliminating redundant, conflicting, and superseded provisions in Minnesota Rules; making technical corrections; correcting Minnesota Rules, parts 1200.0300; 1400.0500; 3530.0200; 3530.0300; 3530.1500; 3530.2614; 3530.2642; 4685.0100; 4685.3000; 4685.3200; 4692.0020; 5000.0400; 6105.0400; 6105.0410; 6105.0510; 6105.0630; 6105.0850; 6105.0870; 6105.1440; 6105.1460; 6105.1670; 7045.0075; 7411.7100; 7411.7400; 7411.7700; 7640.0140; 7856.2020; 7883.0100; 8130.3500; 8130.6500; 8800.1200; 8800.1400; 8800.3100; 8820.0600; 8820.2300; 9050.0040; 9050.0300; 9050.0500; 9050.0520; 9050.1070; 9505.0323; and 9505.2175; repealing Minnesota Rules, parts 1300.0100; 1300.0200; 1300.0300; 1300.0400; 1300.0500; 1300.0600; 1300.0700; 1300.0800; 1300.0900;

1300.0940; 1300.0942; 1300.0944; 1300.0946; 1300.0948; 1300.1000;
1300.1100; 1300.1150; 1300.1200; 1300.1300; 1300.1400; 1300.1500;
1300.1600; 1300.1700; 1300.1800; 1300.1900; 1300.2000; 4685.2600;
4692.0020; subpart 2; 4692.0045; 7856.0100; subpart 5; 8017.5000;
8115.0200; 8115.0300; 8115.0400; 8115.0500; 8115.0600; 8115.1000;
8115.1100; 8115.1200; 8115.1300; 8115.1400; 8115.1500; 8115.1600;
8115.1700; 8115.1800; 8115.1900; 8115.2000; 8115.2100; 8115.2200;
8115.2300; 8115.2400; 8115.2500; 8115.2600; 8115.2700; 8115.2800;
8115.2900; 8115.3000; 8115.4000; 8115.4100; 8115.4200; 8115.4300;
8115.4400; 8115.4500; 8115.4600; 8115.4700; 8115.4800; 8115.4900;
8115.5000; 8115.5100; 8115.5200; 8115.5300; 8115.5400; 8115.5500;
8115.5600; 8115.5700; 8115.5800; 8115.5900; 8115.6000; 8115.6100;
8115.6200; 8115.6300; 8115.6400; 8115.9900; 8120.0800; 8120.1400;
8120.1700; 8120.2800; subpart 1; 8120.5100, subpart 1; 8130.9500, subpart
6; 8130.9912; 8130.9913; 8130.9916; 8130.9920; 8130.9930; 8130.9956;
8130.9958; 8130.9968; 8130.9972; 8130.9980; 8130.9992; 8130.9996;
8150.0190; 8150.0200; 8150.0400; 8150.0500; 8150.0600; 8150.0700;
8150.1405; 8150.1410; 8150.1415; 8150.1420; 8150.1425; 8150.1430;
8150.1435; 8150.1440; 8150.1445; 8150.1505; 8150.1510; 8150.1515;
8150.1520; 8150.1525; 8150.1540; 8150.1545; 8150.1600; 8150.1800;
8150.1900; 8150.2000; 8150.2100; 8150.2205; 8150.2210; 8150.2300; and
8150.2400.

Referred to the Committee on Governmental Operations and Reform.

Mses. Anderson and Ranum introduced—

S.F. No. 1422: A bill for an act relating to corrections; requiring a survey of inmates in correctional system.

Referred to the Committee on Crime Prevention.

Ms. Johnson, J.B.; Messrs. Price, Chandler and Novak introduced—

S.F. No. 1423: A bill for an act relating to energy; providing for renewable energy production incentives; providing for low-income consideration in setting certain utility rates; authorizing rulemaking; appropriating money; amending Minnesota Statutes 1992, section 216B.16, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216C.

Referred to the Committee on Jobs, Energy and Community Development.

Mses. Johnson, J.B.; Krentz and Reichgott introduced—

S.F. No. 1424: A bill for an act relating to education; establishing a community participation school pilot program in the North Branch school district; appropriating money.

Referred to the Committee on Education.

Mses. Olson, Runbeck, Krentz and Mr. Knutson introduced—

S.F. No. 1425: A bill for an act relating to education; directing school districts to provide challenging instructional activities and experiences to students; amending Minnesota Statutes 1992, section 124A.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Education.

Mses. Krentz, Reichgott, Ranum, Robertson and Olson introduced—

S.F. No. 1426: A bill for an act relating to education; restructuring educational finance; appropriating money; amending Minnesota Statutes 1992, sections 124A.70; and 124A.72; proposing coding for new law in Minnesota Statutes, chapter 124A; repealing Minnesota Statutes 1992, sections 124A.70, subdivisions 3 and 4; 124A.71; and chapters 124; 124A; 124B; 124C; and 124D.

Referred to the Committee on Education.

Ms. Johnston introduced—

S.F. No. 1427: A bill for an act relating to metropolitan government; providing for the discharge of transportation related duties; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Metropolitan and Local Government.

Ms. Kiscaden, Messrs. Benson, D.D.; Larson and Ms. Lesewski introduced—

S.F. No. 1428: A bill for an act relating to insurance; small employer health insurance coverage; modifying the definition of small employer; amending Minnesota Statutes 1992, section 62L.02, subdivision 26.

Referred to the Committee on Commerce and Consumer Protection.

Ms. Lesewski, Messrs. Vickerman, Dille, Bertram and Sams introduced—

S.F. No. 1429: A bill for an act relating to capital improvements; appropriating money for the southern Minnesota rivers basin area II program; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

Ms. Olson, Mrs. Pariseau, Ms. Johnson, J.B. and Mr. Price introduced—

S.F. No. 1430: A bill for an act relating to insect control; abolishing the metropolitan mosquito control district and commission; authorizing the commissioner of natural resources to conduct mosquito and other insect control programs in the metropolitan area; creating an advisory council to the commissioner; authorizing the commissioner to employ former employees of the district; making transfers of property, funds, and other interests; continuing certain taxes during the transitional period; providing instructions to the revisor of statutes; appropriating money; amending Minnesota Statutes 1992, sections 473.702; 473.704, subdivisions 17 and 18; 473.706; 473.715; and 473.716; repealing Minnesota Statutes 1992, sections 473.701; 473.703; 473.704, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, and 20; 473.705; 473.711; 473.712; and 473.714.

Referred to the Committee on Environment and Natural Resources.

Mses. Lesewski and Olson introduced—

S.F. No. 1431: A bill for an act relating to education; providing for school district elections in independent school district Nos. 404, 408, and 583.

Referred to the Committee on Education.

Mr. Pogemiller introduced—

S.F. No. 1432: A bill for an act relating to taxation; sales and use; exempting and providing for a refund for building materials used in construction or rehabilitation of affordable housing; appropriating money; amending Minnesota Statutes 1992, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Finn introduced—

S.F. No. 1433: A bill for an act relating to health; consolidating and modifying enforcement remedies; providing penalties; amending Minnesota Statutes 1992, sections 103I.345, subdivision 1; 116.75; 116.76, subdivision 1; 116.77; 116.82, subdivision 3; 144.71, subdivision 1; 145A.07, subdivision 1; 326.37, subdivision 1; 327.16, subdivision 6; 327.20, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1992, sections 103I.701; 103I.705; 116.83; 144.1211; 144.386, subdivision 4; 144.73, subdivisions 2, 3, and 4; 144.76; 157.081; 326.43; 326.53, subdivision 2; 326.63; 326.78, subdivisions 4, 6, 7, and 8; 326.79; 326.80; 327.18; and 327.24, subdivisions 1 and 2.

Referred to the Committee on Health Care.

Ms. Johnson, J.B. introduced—

S.F. No. 1434: A bill for an act relating to emergency services; mandating provision of emergency poison information services through the 911 telephone system; providing for funding; amending Minnesota Statutes 1992, sections 237.52, subdivision 3; 403.02, subdivision 4; 403.03; and 403.11, subdivision 1.

Referred to the Committee on Jobs, Energy and Community Development.

Messrs. Murphy and Benson, D.D. introduced—

S.F. No. 1435: A bill for an act relating to outdoor recreation; prohibiting motor sports areas within the Dorer Memorial Hardwood Forest.

Referred to the Committee on Environment and Natural Resources.

MEMBERS EXCUSED

Mr. Moe, R.D. was excused from the Session of today. Mr. Riveness was excused from the Session of today at 12:05 p.m. Mr. Benson, D.D. was excused from the Session of today at 12:25 p.m.

ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 11:45 a.m., Wednesday, March 31, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate