

FORTY-NINTH DAY

St. Paul, Minnesota, Monday, May 3, 1993

The Senate met at 8:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Moe, R.D. 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. Leo J. Tibesar.

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 487.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1993

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. 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.

Senate File No. 50 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1993

CONCURRENCE AND REPASSAGE

Mr. Vickerman moved that the Senate concur in the amendments by the House to S.F. No. 50 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 50 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Chandler	Knutson	Moe, R.D.	Robertson
Anderson	Cohen	Krentz	Mondale	Runbeck
Beckman	Day	Kroening	Morse	Sams
Belanger	Finn	Laidig	Murphy	Samuelson
Benson, D.D.	Flynn	Larson	Oliver	Spear
Benson, J.E.	Hanson	Lesewski	Pappas	Stevens
Berg	Hottinger	Lessard	Pariseau	Stumpf
Berglin	Janezich	Luther	Piper	Terwilliger
Bertram	Johnson, D.E.	Marty	Price	Vickerman
Betzold	Johnston	Metzen	Ranum	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 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. 236: A bill for an act relating to domestic abuse; requiring a report on victims of domestic abuse and eligibility for unemployment compensation benefits.

Senate File No. 236 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1993

Ms. Anderson moved that S.F. No. 236 be laid on the table. The motion prevailed.

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. 485: A bill for an act relating to the city of Faribault; providing for the civil service status of certain officers.

Senate File No. 485 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1993

CONCURRENCE AND REPASSAGE

Mr. Neuville moved that the Senate concur in the amendments by the House to S.F. No. 485 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 485: A bill for an act relating to the city of Faribault; providing for the civil service status of certain officers; providing postretirement adjustments payable from the Faribault fire consolidation account.

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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

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 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. 848: A bill for an act relating to natural resources; mineral leasing; environmental research and protection; exploratory mineral borings and data; lean ore stockpile removal; amending Minnesota Statutes 1992, sections 92.50, subdivision 1; 93.001; 93.002, subdivisions 1 and 3; 93.25; 93.46, by adding a subdivision; 93.481, subdivisions 1 and 2; 103I.113; 103I.601, subdivision 1; 103I.605, subdivision 4; and 282.04, subdivision 1.

Senate File No. 848 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1993

CONCURRENCE AND REPASSAGE

Mr. Janezich moved that the Senate concur in the amendments by the House to S.F. No. 848 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 848: A bill for an act relating to natural resources; mineral leasing; environmental research and protection; exploratory mineral borings and data; lean ore stockpile removal; oil and gas well spacing, pooling, and utilization; amending Minnesota Statutes 1992, sections 92.50, subdivision 1; 93.001; 93.002, subdivisions 1 and 3; 93.25; 93.46, by adding a subdivision; 93.481, subdivisions 1 and 2; 103I.113; 103I.601, subdivision 1; 103I.605, subdivision 4; and 282.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 93.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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 the passage by the House of the following

House Files, herewith transmitted: H.F. Nos. 1579, 931, 978, 1060, 962, 87, 1151, 574, 1094, 514, 735, 988, 1524, 1058, 1107 and 1402.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 1, 1993

FIRST READING OF HOUSE BILLS

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

H.F. No. 1579: A bill for an act relating to public finance; changing procedures for allocating tax credits; changing procedures for allocating bonding authority; amending Minnesota Statutes 1992, sections 462A.221, by adding subdivisions; 462A.222, subdivision 3; 474A.047, subdivision 1; and 474A.061, subdivision 2a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1487, now on General Orders.

H.F. No. 931: A bill for an act relating to motor fuels; increasing minimum oxygen content in certain areas at certain times; amending Minnesota Statutes 1992, section 239.791, subdivisions 1 and 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 771, now on General Orders.

H.F. No. 978: A bill for an act relating to motor carriers; defining exempt carriers to include certain tow trucks; amending Minnesota Statutes 1992, sections 169.01, subdivision 52; and 221.025.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 910, now on General Orders.

H.F. No. 1060: A bill for an act relating to agriculture; making technical changes in eligibility for certain rural finance authority loan programs; authorizing an ethanol development program; appropriating money; amending Minnesota Statutes 1992, sections 41B.02, subdivisions 7, 12, 14, 15, and by adding subdivisions; 41B.03, subdivision 3; 41B.04, subdivision 9, and by adding a subdivision; and 41C.05, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 41B.

Referred to the Committee on Finance.

H.F. No. 962: A bill for an act relating to metropolitan government; requiring a classroom noise study.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 814, now on General Orders.

H.F. No. 87: A bill for an act relating to utilities; allowing provision of telephone caller identification service; providing that certain unauthorized service charges by a telephone company are void; proposing coding for new law in Minnesota Statutes, chapter 237.

Referred to the Committee on Jobs, Energy and Community Development.

H.F. No. 1151: A bill for an act relating to employment; requiring wage payments at certain times; amending Minnesota Statutes 1992, section 181.101.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1193, now on General Orders.

H.F. No. 574: A bill for an act relating to retirement; administrative changes, age discrimination act compliance, death-while-active surviving spouse benefit improvements by the Minnesota state retirement system, the public employees retirement association, and teachers retirement association; amending Minnesota Statutes 1992, sections 3A.02, subdivision 1, and by adding a subdivision; 352.01, subdivisions 2b, and by adding a subdivision; 352.03, subdivisions 4, 4a, and 6; 352.04, subdivision 9; 352.113, subdivisions 2, 4, and 7; 352.115, subdivision 8; 352.12, subdivisions 1, 2, 3, 4, 7, 10, and 13; 352.15, subdivision 1a, and by adding subdivisions; 352.22, subdivisions 1 and 2; 352.23; 352.85, subdivision 4; 352.93, subdivision 2a; 352.94; 352.95, subdivisions 1, 2, 3, and 5; 352.951; 352.96, subdivisions 3 and 4; 352B.01, subdivisions 3 and 11; 352B.08, subdivisions 1 and 2a; 352B.10, subdivisions 1, 2, and 5; 352B.101; 352B.105; 352B.11, subdivision 2; 352C.01; 352C.021; 352C.031; 352C.033; 352C.04; 352C.051; 352C.09; 352D.015, subdivision 4; 352D.02, subdivision 3, and by adding a subdivision; 352D.04, subdivision 1; 352D.05, subdivisions 1, 3, and 4; 352D.09, subdivision 5, and by adding subdivisions; 353.01, subdivisions 2, 2a, 2b, 6, 7, 10, 11a, 12, 16, 28, 31, 32, and by adding subdivisions; 353.017; 353.27, subdivision 7; 353.29, subdivision 1; 353.32, subdivision 1a; 353.33, subdivisions 1, 2, 3, 4, 6, 8, 11, and by adding a subdivision; 353.34, subdivisions 1 and 3; 353.35; 353.37; 353.64, subdivisions 1 and 5a; 353.656, subdivisions 1, 1a, 3, 5, and by adding subdivisions; 353A.08, subdivisions 1, 3, and 5; 353A.10, subdivision 4; 353B.11, subdivision 6; 353C.08, subdivisions 1 and 2; 353D.02; 353D.04; 353D.05, subdivision 3; 353D.07, subdivision 2; 354.35; 354.46, subdivisions 1 and 2; 354.48, subdivisions 3 and 10; 356.302, subdivisions 4 and 6; 356.453; 356.61; and 490.124, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 3A; repealing Minnesota Statutes 1992, sections 3A.06; 352.01, subdivision 7; 352.12, subdivision 5; 352.22, subdivision 9; 352.73; 352B.01, subdivision 2a; 352B.131; 352B.14; 352B.261; 352B.262; 352B.28; 352D.05, subdivision 5; and 353.656, subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 519, now on General Orders.

H.F. No. 1094: A bill for an act relating to insurance; regulating fees, data collection, coverages, notice provisions, enforcement provisions, the Minnesota joint underwriting association, and the liquor liability assigned risk plan; enacting the NAIC model regulation relating to reporting requirements for licensees seeking to do business with certain unauthorized multiple employer welfare arrangements; making various technical changes; appropriating money; amending Minnesota Statutes 1992, sections 13.71, by adding subdivisions; 45.024, subdivision 2; 59A.12, by adding a subdivision; 60A.02, by adding a subdivision; 60A.03, subdivisions 5 and 6; 60A.052, subdivision 2; 60A.082; 60A.085; 60A.14, subdivision 1; 60A.19, subdivision 4; 60A.206, subdivision 3; 60A.21, subdivision 2; 60A.36, by adding a subdivision; 60C.22; 60K.06; 60K.14, subdivision 4; 60K.19, subdivision 5; 61A.02, subdivision 2; 61A.031; 61A.04; 61A.07; 61A.071; 61A.073; 61A.074, subdivision 1; 61A.08; 61A.09, subdivision 1; 61A.092, by adding

a subdivision; 61A.12, subdivision 1; 61A.282, subdivision 2; 62A.047; 62A.148; 62A.153; 62A.43, subdivision 4; 62E.19, subdivision 1; 62H.01; 62I.02; 62I.03; 62I.07; 62I.13, subdivisions 1 and 2; 62I.20; 65A.01, subdivision 1; 65A.29; subdivision 7; 65B.49, subdivision 3; 72A.20, subdivision 29, and by adding a subdivision; 72A.201, subdivision 9; 72A.41, subdivision 1; 72B.03, subdivision 1; 72B.04, subdivision 2; 176.181, subdivision 2; and 340A.409, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapters 45; 61A; 62A; and 62H; repealing Minnesota Statutes 1992, sections 70A.06, subdivision 5; 72A.45; and 72B.07; Minnesota Rules, parts 2780.4800; 2783.0010; 2783.0020; 2783.0030; 2783.0040; 2783.0050; 2783.0060; 2783.0070; 2783.0080; 2783.0090; and 2783.0100.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1134, now on General Orders.

H.F. No. 514: A bill for an act relating to the environment; providing for passive bioremediation; providing for review of agency employee decisions; increasing membership of petroleum tank release compensation board; establishing a fee schedule of costs or criteria for evaluating reasonableness of costs submitted for reimbursement; modifying petroleum tank release cleanup fee; modifying reimbursements; modifying consultant and contractor registration requirements; authorizing board to delegate its reimbursement powers and duties to the commissioner of commerce; requiring a report; authorizing rulemaking; appropriating money; amending Minnesota Statutes 1992, sections 115C.02, subdivisions 10 and 14; 115C.03, by adding subdivisions; 115C.07, subdivisions 1, 2, and 3; 115C.08, subdivisions 1, 2, 3, and 4; 115C.09, subdivisions 1, 3, 3a, 3c, and by adding a subdivision; and 115C.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115C; repealing Minnesota Statutes 1992, sections 115C.01; 115C.02; 115C.021; 115C.03; 115C.04; 115C.045; 115C.05; 115C.06; 115C.065; 115C.07; 115C.08; 115C.09; 115C.10; 115C.11; and 115C.12.

Referred to the Committee on Finance.

H.F. No. 735: A bill for an act relating to highway traffic regulations; implements of husbandry; defining implements of husbandry; exempting trailers that carry dry fertilizer from vehicle registration tax; 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 168.012, subdivision 2b; 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; 169.781, subdivision 3; 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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 551, now on General Orders.

H.F. No. 988: A bill for an act relating to game and fish; allowing the taking of two deer in designated counties; amending Minnesota Statutes 1992, section 97B.301, subdivisions 2, 4, and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 878, now on General Orders.

H.F. No. 1524: 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; providing an exemption from the mortgage registration tax; providing an exemption from an ad valorem taxation for certain lease purchase property; providing a property tax exemption for certain property devoted to public use; amending Minnesota Statutes 1992, sections 80A.12, by adding a subdivision; 275.065, subdivision 7; 287.04; 447.45, subdivision 2; 475.67, subdivisions 3 and 13; and 501B.25; repealing Minnesota Rules, part 2875.3532.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1419, now on General Orders.

H.F. No. 1058: A bill for an act relating to landlord and tenant; modifying action to recover leased premises; providing for actions for destruction of leased residential rental property; allowing expedited proceedings; amending Minnesota Statutes 1992, sections 504.02, subdivision 1; and 566.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 504; and 566.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1532, now on General Orders.

H.F. No. 1107: A bill for an act relating to waters; establishing a small craft harbors program for Lake Superior; stating powers and duties of the commissioner of natural resources and local authorities in respect thereto; proposing coding for new law in Minnesota Statutes, chapter 86A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1467, now on General Orders.

H.F. No. 1402: A bill for an act relating to natural resources; amending requirements relating to replacement of wetlands; modifying exemptions; amending Minnesota Statutes 1992, sections 103E.701, subdivision 1; 103G.222; 103G.2241; 103G.2242, subdivision 2; 103G.2369, subdivision 2; and Laws 1991, chapter 354, article 7, section 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1363, now on General Orders.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H.F. No. 980 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.
980		734			

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 980 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 980 and insert the language after the enacting clause of S.F. No. 734, the third engrossment; further, delete the title of H.F. No. 980 and insert the title of S.F. No. 734, the third engrossment.

And when so amended H.F. No. 980 will be identical to S.F. No. 734, and further recommends that H.F. No. 980 be given its second reading and substituted for S.F. No. 734, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1178 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.
1178		900			

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1178 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1178 and insert the language after the enacting clause of S.F. No. 900, the sixth engrossment; further, delete the title of H.F. No. 1178 and insert the title of S.F. No. 900, the sixth engrossment.

And when so amended H.F. No. 1178 will be identical to S.F. No. 900, and further recommends that H.F. No. 1178 be given its second reading and substituted for S.F. No. 900, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 238 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.
238	421				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 238 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 238 and insert the language after the enacting clause of S.F. No. 421, the first engrossment; further, delete the title of H.F. No. 238 and insert the title of S.F. No. 421, the first engrossment.

And when so amended H.F. No. 238 will be identical to S.F. No. 421, and further recommends that H.F. No. 238 be given its second reading and substituted for S.F. No. 421, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 608 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.
608	708				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 608 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 608 and insert the language after the enacting clause of S.F. No. 708, the first engrossment; further, delete the title of H.F. No. 608 and insert the title of S.F. No. 708, the first engrossment.

And when so amended H.F. No. 608 will be identical to S.F. No. 708, and further recommends that H.F. No. 608 be given its second reading and substituted for S.F. No. 708, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 874 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.
874	837				

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.

SECOND READING OF HOUSE BILLS

H.F. Nos. 980, 1178, 238, 608 and 874 were read the second time.

MOTIONS AND RESOLUTIONS

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1749 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 1749: A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonding; appropriating money; amending Minnesota Statutes, section 16B.24, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124C; and 137.

Mr. Merriam moved to amend H.F. No. 1749, the unofficial engrossment, as follows:

Page 2, lines 16 and 35, delete "1,000,000" and insert "2,000,000"

Page 2, line 19, before the first comma, insert "including water mains"

Page 3, line 2, delete "1,000,000" and insert "2,000,000"

Page 3, line 6, before the third comma, insert "including planning for a new boiler at St. Cloud"

Page 3, line 21, delete "2,000,000" and insert "3,000,000"

Correct the section totals, the summary of appropriations, and the bond sale authorization accordingly

The motion prevailed. So the amendment was adopted.

Mr. Benson, D.D. moved to amend H.F. No. 1749, the unofficial engrossment, as follows:

Page 7, line 1, before the period, insert ", except that no local match is required"

The motion prevailed. So the amendment was adopted.

Mr. Berg moved to amend H.F. No. 1749, the unofficial engrossment, as follows:

Page 10, after line 28, insert:

“Sec. 23. [REPEALER.]

Minnesota Statutes 1992, sections 116R.01; 116R.02; 116R.03; 116R.04; 116R.05; 116R.06; 116R.07; 116R.08; 116R.09; 116R.10; 116R.11; 116R.12; 116R.13; 116R.14; 116R.15; and 116R.16, are repealed.”

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Johnson, D.J. questioned whether the amendment was germane.

The President ruled that the amendment was germane.

Mr. Oliver moved to amend the Berg amendment to H.F. No. 1749 as follows:

Page 1, line 5, delete “sections 116R.01;” and insert “section” and delete the second semicolon and insert “, subdivision 1,”

Page 1, delete lines 6 and 7

Page 1, line 8, delete “116R.16, are” and insert “is”

CALL OF THE SENATE

Mr. Johnson, D.J. imposed a call of the Senate for the balance of the proceedings on H.F. No. 1749. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Oliver amendment to the Berg amendment.

The roll was called, and there were yeas 35 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Day	Kroening	Murphy	Pogemiller
Benson, D.D.	Dille	Larson	Neuville	Ranum
Benson, J.E.	Flynn	Lesewski	Oliver	Reichgott
Berg	Frederickson	Marty	Olson	Robertson
Berglin	Kelly	McGowan	Pappas	Sams
Betzold	Kiscaden	Merriam	Pariseau	Spear
Cohen	Knutson	Morse	Piper	Stevens

Those who voted in the negative were:

Adkins	Hanson	Krentz	Mondale	Stumpf
Beckman	Hottinger	Laidig	Novak	Terwilliger
Belanger	Janezich	Langseth	Price	Vickerman
Bertram	Johnson, D.E.	Lessard	Riveness	Wiener
Chandler	Johnson, D.J.	Luther	Runbeck	
Chmielewski	Johnson, J.B.	Metzen	Samuelson	
Finn	Johnston	Moe, R.D.	Solon	

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Berg amendment, as amended.

The roll was called, and there were yeas 12 and nays 55, as follows:

Those who voted in the affirmative were:

Benson, D.D.	Flynn	Neuville	Pariseau	Robertson
Berg	Frederickson	Oliver	Ranum	Stevens
Cohen	McGowan			

Those who voted in the negative were:

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

The motion did not prevail. So the Berg amendment, as amended, was not adopted.

Mr. Metzen moved to amend H.F. No. 1749, the unofficial engrossment, as follows:

Page 2, after line 29, insert:

"Subd. 3. Decision Driving Course 600,000

To the state board of technical colleges for completion of the decision driving course at Dakota county technical college. The remaining cost of the project shall be paid from local sources."

Correct the section totals, the summary of appropriations, and the bond sale authorization accordingly

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

Mrs. Benson, J.E. moved to amend H.F. No. 1749, the unofficial engrossment, as follows:

Page 3, after line 15, insert:

"Subd. 4. Library Design and Development 370,000

For planning through design development of a library facility at St. Cloud state university."

Correct the section totals, the summary of appropriations, and the bond sale authorization accordingly

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

H.F. No. 1749 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS – CONTINUED

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1178 and that the rules of the Senate be so far suspended as to give H.F. No. 1178, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

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

295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivisions 1, 3, and by adding a subdivision; 295.54; 295.55, subdivision 4; 295.57; 295.58; 295.59; Laws 1990, chapter 591, article 4, section 9; proposing coding for new law in Minnesota Statutes, chapters 16B; 43A; 62A; 62J; 136A; 144; 151; 256; and 295; proposing coding for new law as Minnesota Statutes, chapters 62N; and 62O; repealing Minnesota Statutes 1992, sections 62J.15, subdivision 2; 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; Laws 1992, chapter 549, article 9, section 19, subdivision 2.

Ms. Berglin moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 9, delete lines 30 to 36 and insert:

"In an effort to achieve the stated purposes of sections 62N.01 to 62N.22; in order to safeguard the underlying nonprofit status of integrated service networks; and to ensure that payment of integrated service network money to any person or organization results in a corresponding benefit to the integrated service network and its enrollees; when determining whether an integrated service network has incurred an unreasonable expense in relation to payments made to a person or organization, due consideration shall be given to, in addition to any other appropriate factors, whether the officers and trustees of the integrated service network have acted with good faith and in the best interests of the integrated service network in entering into, and performing under, a contract under which the integrated service network has incurred an expense. In addition to the compliance powers under subdivision 3, the commissioner has standing to sue, on behalf of an integrated service network, officers or trustees of the integrated service network who have breached their fiduciary duty in entering into and performing such contracts.

Subd. 2. [DATA ON CONTRACTS.] Integrated service networks shall keep on file in the offices of the integrated service network copies of all contracts regulated under subdivision 1, and data on the payments, salaries, and other remuneration paid to for-profit firms, affiliates, or to persons for administrative expenses, service contracts, and management of the integrated service network, and shall make these records available to the commissioner upon request."

Page 10, delete lines 1 to 10 and insert:

"Subd. 3. [COMPLIANCE AUTHORITY.] The commissioner may review any contract, arrangement, or agreement to determine whether it complies with the provisions contained in subdivision 1. The commissioner may suspend any provision that does not comply with subdivision 1 and may require the integrated service network to replace those provisions with provisions that do comply."

Page 17, after line 29, insert:

"Section 1. Minnesota Statutes 1992, section 62D.042, subdivision 2, is amended to read:

Subd. 2. [BEGINNING ORGANIZATIONS.] (a) Beginning organizations shall maintain net worth of at least 8-1/3 percent of the sum of all expenses

expected to be incurred in the 12 months following the date the certificate of authority is granted, or \$1,500,000, whichever is greater.

(b) After the first full calendar year of operation, organizations shall maintain net worth of at least 8-1/3 percent and at most 16-2/3 percent of the sum of all expenses incurred during the most recent calendar year, ~~or \$1,000,000, whichever is greater but in no case shall net worth fall below \$1,000,000.~~"

Page 19, line 24, delete "plus"

Page 19, line 25, before the period, insert "*charitable contributions, and all other payments made by health carriers out of premium revenues, except taxes and assessments, and payments or allocations made to establish or maintain reserves. Total expenditures are equivalent to the amount of total revenues minus taxes and assessments. Taxes and assessments means payments for taxes, contributions to the Minnesota comprehensive health association, the provider's surcharge under section 256.9657, the MinnesotaCare provider tax under section 295.52, assessments by the health coverage reinsurance association, assessments by the Minnesota life and health insurance guaranty association, and any new assessments imposed by federal or state law*"

Page 19, delete lines 27 to 31 and insert "*establish limits on the increase in total expenditures by each health carrier for calendar years 1994 and 1995. The limits must be the same as the annual rate of growth in health care spending established under section 62J.04, subdivision 1, paragraph (b).*"

Page 20, line 9, delete "Health carriers" and insert "The commissioner"

Page 20, line 17, before "The" insert "(a)"

Page 20, line 18, after "reserves" insert "*and net worth as established under chapters 60A, 62C, and 62D*"

Page 20, delete lines 21 to 36

Page 21, line 1, delete "(c)" and insert "(b)" and delete "chapter 60A" and insert "*chapters 60A, 62C, and 62D*"

Page 21, line 2, delete "chapter 62A" and insert "*chapters 62A, 62C, and 62D*"

Page 21, line 36, delete everything after "commissioner" and insert "*may adopt rules necessary to enforce this section*"

Page 22, delete line 1

Page 22, line 2, delete everything before the period

Page 23, line 20, after the period, insert "*The commissioner may adopt rules in order to enforce this section.*"

Renumber the sections of article 2 in sequence and correct the internal references

Page 27, line 32, after "received" insert "*under this section or under section 62J.37, 62J.38, or 62J.41*"

Page 27, line 34, delete everything after "applicable"

Page 27, line 35, delete everything before the period

Pages 34 to 37, delete section 15 and insert:

“Sec. 15. [62J.45] [DATA INSTITUTE.]

Subdivision 1. [STATEMENT OF PURPOSE.] It is the intention of the legislature to create a public-private mechanism for the collection of health care costs, quality, and outcome data, to the extent administratively efficient and effective. This integrated data system will provide clear, usable information on the cost, quality, and structure of health care services in Minnesota.

The health reform initiatives being implemented rely heavily on the availability of valid, objective data that currently are collected in many forms within the health care industry. Data collection needs cannot be efficiently met by undertaking separate data collection efforts.

The data institute created in this section will be a partnership between the commissioner of health and a board of directors representing health carriers and other group purchasers, health care providers, and consumers. These entities will work together to establish a centralized cost and quality data system that will be used by the public and private sectors. The data collection advisory committee and the practice parameter advisory committee shall provide assistance to the institute through the commissioner of health.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following definitions apply.

(a) “Board” means the board of directors of the data institute.

(b) “Encounter level data” means data related to the provision of health care services to individual patients, enrollees, or insureds, including claims data, abstracts of medical records, and data from patient interviews and patient surveys.

(c) “Health carrier” has the definition provided in section 62A.011, subdivision 2.

Subd. 3. [OBJECTIVES OF THE DATA INSTITUTE.] The data institute shall:

(1) provide direction and coordination for public and private sector data collection efforts;

(2) establish a data system that electronically transmits, collects, archives, and provides users of data with the data necessary for their specific interests, in order to promote a high quality, cost-effective, consumer-responsive health care system;

(3) use and build upon existing data sources and quality measurement efforts, and improve upon these existing data sources and measurement efforts through the integration of data systems and the standardization of concepts, to the greatest extent possible;

(4) ensure that each segment of the health care industry can obtain data for appropriate purposes in a useful format and timely fashion;

(5) protect the privacy of individuals and minimize administrative costs; and

(6) develop a public/private information system to:

(i) make health care claims processing and financial settlement transactions more efficient;

(ii) provide an efficient, unobtrusive method for meeting the shared data needs of the state, consumers, employers, providers, and group purchasers;

(iii) provide the state, consumers, employers, providers, and group purchasers with information on the cost, appropriateness and effectiveness of health care, and wellness and cost containment strategies;

(iv) provide employers with the capacity to analyze benefit plans and work place health; and

(v) provide researchers and providers with the capacity to analyze clinical effectiveness.

The institute shall carry out these activities in accordance with the recommendations of the data collection plan developed by the data collection advisory committee, the Minnesota health care commission, and the commissioner of health, under subdivision 4.

Subd. 4. [DATA COLLECTION PLAN.] The commissioner, in consultation with the board of the institute and the data collection advisory committee, shall develop and implement a plan that:

(1) provides data collection objectives, strategies, priorities, cost estimates, administrative and operational guidelines, and implementation timelines for the data institute; and

(2) identifies the encounter level data needed for the commissioner to carry out the duties assigned in this chapter.

The plan must take into consideration existing data sources and data sources that can easily be made uniform for linkages to other data sets.

This plan shall be prepared by October 31, 1993.

Subd. 5. [COMMISSIONER'S DUTIES.] (a) The commissioner shall establish a public/private data institute in conjunction with health care providers, health carriers and other group purchasers, and consumers, to collect and process encounter level data that are required to be submitted to the commissioner under this chapter. The commissioner shall establish a board of directors comprised of members of the public and private sector to provide oversight for the administration and operation of the institute.

(b) Until the data institute is operational, the commissioner may collect encounter level data required to be submitted under this chapter.

(c) The commissioner, with the advice of the board, shall establish policies for the disclosure of data to consumers, purchasers, providers, integrated service networks, and plans for their use in analysis to meet the goals of this chapter, as well as for the public disclosure of data to other interested parties. The disclosure policies shall ensure that consumers, purchasers, providers, integrated service networks, and plans have access to institute data for use in analysis to meet the goals of this chapter at the same time that data is provided to the data analysis unit in the department of health.

(d) The commissioner, with the advice of the board, may require those requesting data from the institute to contribute toward the cost of data

collection through the payments of fees. Entities supplying data to the institute shall not be charged more than the actual transaction cost of providing the data requested.

(e) The commissioner may intervene in the direct operation of the institute, if this is necessary in the judgment of the commissioner to accomplish the institute's duties. If the commissioner intends to depart from the advice and recommendations of the board, the commissioner shall inform the board of the intended departure, provide the board with a written explanation of the reasons for the departure, and give the board the opportunity to comment on the departure.

Subd. 6. [BOARD OF DIRECTORS.] The institute is governed by a 14 member board of directors. The commissioner shall appoint all board members and designate a chair after considering the board's recommendation. The board consists of the following members:

- (1) three representatives of health care providers;
- (2) two representatives of health carriers;
- (3) two consumer members;
- (4) two employer representatives, one representing an employer with under 30 employees, and the other representing an employer with more than 30 employees;
- (5) two researchers experienced in the collection and processing of encounter level data; and
- (6) three representatives of state agencies, one member representing the department of employee relations, one member representing the department of human services, and one member representing the department of health.

Subd. 7. [TERMS; COMPENSATION; REMOVAL; AND VACANCIES.] The board is governed by section 15.0575.

Subd. 8. [STAFF.] The board may hire an executive director. The executive director is not a state employee but is covered by section 3.736. The executive director may participate in the following plans for employees in the unclassified service: the state retirement plan, the state deferred compensation plan, and the health insurance and life insurance plans. The attorney general shall provide legal services to the board.

Subd. 9. [DUTIES.] The board shall provide assistance to the commissioner in developing and implementing a plan for the public/private information system. In addition, the board shall make recommendations to the commissioner on:

- (1) the purpose of initiating a data collection initiatives;
- (2) the expected benefit to the state from the initiatives;
- (3) the methodology needed to ensure the validity of the initiative without creating an undue burden to providers and payors;
- (4) the most appropriate method of collecting the necessary data; and
- (5) the projected cost to the state, health care providers, health carriers, and other group purchasers to complete the initiative.

Subd. 10. [DATA COLLECTION.] The commissioner, in consultation with the data institute board, may select a vendor to:

(1) collect the encounter level data required to be submitted by group purchasers under sections 62J.38 and 62J.42, state agencies under section 62J.40, and health care providers under sections 62J.41 and 62J.42, using, to the greatest extent possible, standardized forms and procedures;

(2) collect the encounter level data required for the initiatives of the health care analysis unit, under sections 62J.30 to 62J.34, using, to the greatest extent possible, standardized forms and procedures;

(3) process the data collected to ensure validity, consistency, accuracy, and completeness, and as appropriate, merge data collected from different sources;

(4) provide unaggregated, encounter level data to the health care analysis unit within the department of health; and

(5) carry out other duties assigned in this section.

Subd. 11. [USE OF DATA.] (a) The board of the data institute, with the advice of the data collection advisory committee and the practice parameter advisory committee through the commissioner, is responsible for establishing the methodology for the collection of the state and is responsible for providing direction on what data would be useful to the plans, providers, consumers, and purchasers.

(b) The health care analysis unit is responsible for the analysis of the data and the development and dissemination of reports.

(c) The commissioner, in consultation with the board, shall determine when and under what conditions data disclosure to group purchasers, health care providers, consumers, researchers, and other appropriate parties may occur to meet the state's goals. The commissioner may require users of data to contribute toward the cost of data collection through the payment of fees. The commissioner shall require users of data to maintain the data according to the data privacy provisions applicable to the data.

Subd. 12. [CONTRACTING.] The commissioner, in consultation with the board, may contract with private sector entities to carry out the duties assigned in this section. The commissioner shall diligently seek to enter into contracts with private sector entities. Any contract must list the specific data to be collected and the methods to be used to collect and validate the data. Any contract must require the private sector entity to maintain the data collected according to the data privacy provisions applicable to the data.

Subd. 13. [DATA PRIVACY.] The board and the institute are subject to chapter 13.

Subd. 14. [STANDARDS FOR DATA RELEASE.] The data institute shall adopt standards for the collection, analysis, and dissemination of data collected on costs, spending, quality, outcomes, and utilization. These standards must be consistent with data privacy requirements.

Subd. 15. [INFORMATION CLEARINGHOUSE.] The commissioner shall coordinate the activities of the data institute with the activities of the information clearinghouse established in section 62J.33, subdivision 2.

Subd. 16. [FEDERAL AND OTHER GRANTS.] The commissioner, in collaboration with the board, shall seek federal funding and funding from private and other nonstate sources for the initiatives required by the board."

Pages 38 to 40, delete article 4

Page 40, delete section 1

Page 40, line 18, after "recommendations" insert "to the commissioner" and strike "the use and"

Page 40, delete line 19 and insert "distribution of new and existing health care technologies and"

Page 40, line 20, strike everything before the period and insert "to be evaluated"

Page 40, line 26, before "Health" insert "Possible" and after the stricken "procedures" insert "to be evaluated"

Pages 40 and 41, delete section 3

Page 41, delete lines 24 to 35 and insert:

"Sec. 3. Minnesota Statutes 1992, section 62J.15, is amended by adding a subdivision to read:

Subd. 2a. [HEALTH PLANNING ADVISORY PANEL.] Upon recommendation by the health planning advisory committee, the commissioner may convene a health planning advisory panel as needed to evaluate the assessments of a specific technology.

Sec. 4. Minnesota Statutes 1992, section 62J.15, is amended by adding a subdivision to read:"

Page 41, line 36, delete "2" and insert "3" and delete "DESIGNATING" and insert "RECOMMENDING"

Page 42, line 1, delete "ASSESSMENT" and insert "EVALUATION"

Page 42, line 2, delete "designating" and insert "recommending specific"

Page 42, after line 20, insert:

"Sec. 5. Minnesota Statutes 1992, section 62J.15, is amended by adding a subdivision to read:"

Page 42, line 21, delete "3" and insert "4"

Page 42, after line 28, insert:

"Sec. 6. Minnesota Statutes 1992, section 62J.15, is amended by adding a subdivision to read:"

Page 42, line 29, delete "4" and insert "5"

Page 42, line 31, delete "committee" and insert "panel"

Page 43, line 2, delete from "The" through page 43, line 24, to "used:" and insert:

"(b) When the evaluation process on a specific technology has been completed, the health planning advisory panel shall submit a report to the

commissioner. The report should include a complete assessment of the literature, research, and studies of the specific technology evaluated including both the positive and negative aspects of the technology.

(c) The commissioner shall then make findings on the specific technology including recommendations for the distribution and use of the specific technology.

Sec. 7. Minnesota Statutes 1992, section 62J.15, is amended by adding a subdivision to read:

Subd. 6. [USE OF TECHNOLOGY EVALUATION.] The commissioner's findings and recommendations on a specific technology may be used as follows:"

Page 44, delete lines 7 to 32

Pages 44 and 45, delete sections 6 and 7

Renumber the sections of article 5 in sequence and correct the internal references

Pages 46 and 47, delete section 2

Page 49, delete lines 32 to 36

Page 50, delete lines 1 to 10

Page 50, line 11, delete "Subd. 3. [REGIONAL PURCHASING POOLS.]"

Page 50, line 12, delete "sponsor" and insert "facilitate"

Page 50, line 14, delete everything after the period and insert "Regional coordinating boards may request assistance from the department of employee relations."

Page 50, delete lines 15 and 16

Renumber the sections of article 6 in sequence and correct the internal references

Page 54, line 34, strike "of the commissioner"

Page 54, line 36, after "The" insert "notice of" and delete "brought" and insert "served on the commissioner"

Page 55, line 1, delete "commissioner's" and after the period, insert "The commissioner shall decide the contested case."

Page 59, line 33, after "means" insert "an expenditure in excess of \$500,000 for"

Page 61, line 11, delete "that is in excess of \$500,000"

Page 88, line 13, delete "INCREASE" and insert "ADJUSTMENTS" and after "increase" insert "or decrease"

Page 88, line 15, delete "the" and insert "this subdivision."

Page 88, delete line 16

Page 88, line 17, delete everything before "A"

Page 88, line 18, delete everything after "coverage"

Page 88, line 19, delete everything before "as"

Page 88, lines 20 and 22, after "increase" insert "or decrease"

Page 91, after line 34, insert:

"Sec. 2. [62A.095] [DISCLOSURE OF METHODS USED BY HEALTH PLANS TO DETERMINE USUAL AND CUSTOMARY FEES.]

(a) A health carrier or health plan which bases reimbursement to health care providers upon a usual and customary fee must maintain in its offices a copy of a description of the methodology used to calculate fees including at least the following:

(1) the frequency of the determination of usual and customary fees;

(2) a general description of the methodology used to determine usual and customary fees; and

(3) the percentile of usual and customary fees that determines the maximum allowable reimbursement.

(b) A health carrier or health plan must provide a copy of the information described in paragraph (a) to a provider, group purchaser, or enrollee upon request.

(c) At the request of a provider, group purchaser, or enrollee, the commissioners of health and commerce may require health carriers and health plans to provide the information required under this section and may use any powers granted under other laws relating to the regulation of health carriers and health plans to enforce compliance.

(d) For purposes of this section, "health carrier" and "health plan" have the meanings given in section 62A.011, and "group purchaser" has the meaning given in section 62J.03."

Page 96, line 30, delete "INCREASE" and insert "ADJUSTMENTS" and after "increase" insert "or decrease"

Page 96, line 33, after "in" insert "this" and delete "3"

Page 96, line 34, delete everything before "A"

Page 96, line 35, delete everything after "I"

Page 96, line 36, delete everything before "as"

Page 97, lines 1 and 3, after "increase" insert "or decrease"

Renumber the sections of article 9 in sequence and correct the internal references

Page 98, lines 3 to 6, delete the new language

Page 113, line 11, delete "14" and insert "11"

Page 126, line 36, delete "from which the patient cannot be identified"

Page 127, line 2, delete everything after the period and insert "The data analysis unit must"

Page 127, line 3, delete "coded" and insert "code patient identifiers to prevent identification and"

Page 128, delete lines 11 to 22 and insert:

"Subd. 8. [DATA COLLECTION ADVISORY COMMITTEE.] (a) The commissioner shall 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 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 is governed by section 15.059.

(b) *The data collection advisory committee shall develop a timeline to complete all responsibilities and transfer any ongoing responsibilities to the data institute. The timeline must specify the data on which ongoing responsibilities will be transferred. This transfer must be completed by July 1, 1994.*"

Page 128, delete lines 25 to 35 and insert:

"Subd. 4. [PRACTICE PARAMETER ADVISORY COMMITTEE.] (a) The commissioner shall convene a 15-member practice parameter advisory committee comprised of eight health care professionals, and representatives of the research community and the medical technology industry. The committee shall present 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.

(b) *The commissioner, upon the advice and recommendation of the practice parameter advisory committee, may convene expert review panels to assess practice parameters and outcome research associated with practice parameters.*"

Page 129, line 21, delete everything after "the" and insert "commissioner encrypts the patient identifier upon receipt of the data."

Page 129, delete line 22

Renumber the articles in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Ms. Berglin then moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 81, line 17, strike "may" and insert "shall"

Page 81, line 18, after the comma, insert "with respect to those employers in the association that employ no fewer than two nor more than 29 eligible employees,"

Page 81, line 19, strike everything after "to"

Page 81, lines 20 to 26, strike the old language and delete the new language

Page 81, line 27, strike everything before the period and insert *"its members that do not qualify as small employers. An association in existence prior to July 1, 1993, is exempt from this chapter with respect to small employers that are members as of that date. However, in providing coverage to new groups after July 1, 1993, the existing association must comply with all requirements of chapter 62L. Existing associations must register with the commissioner of commerce prior to July 1, 1993"*

Page 88, after line 8, insert:

"Sec. 10. Minnesota Statutes 1992, section 62L.11, subdivision 1, is amended to read:

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

Renumber the sections of article 8 in sequence and correct the internal references

Page 93, line 35, after "paragraph" insert *"must be a qualified plan and"*

Page 94, line 4, after the period, insert *"In no event shall the premium rate exceed 90 percent of the premium charged for comparable individual coverage by the Minnesota comprehensive health association."*

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Larson moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 46, after line 16, insert:

"Sec. 2. Minnesota Statutes 1992, section 60A.08, is amended by adding a subdivision to read:

Subd. 15. [NONSMOKER DISCOUNT.] All health carriers, as defined in section 62A.011, shall provide a nonsmoker's discount for all individual health plans offered in this state."

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Larson then moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 9, delete lines 9 to 12 and insert:

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

Subd. 2. [ENROLLEE ADVOCACY COUNCIL.] Any entity that operates an integrated service network shall create, maintain, and consult with an advocacy council, the membership of which is comprised of at least 40 percent enrollees of the integrated service network. This subdivision does not apply to a nonprofit health service plan corporation operating under chapter 62C, a health maintenance organization operating under chapter 62D, or a fraternal benefit society operating under chapter 64B."

Page 9, line 13, delete "2" and insert "3"

Page 9, line 19, delete "3" and insert "4"

CALL OF THE SENATE

Ms. Berglin imposed a call of the Senate for the balance of the proceedings on H.F. No. 1178. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Larson amendment.

The roll was called, and there were yeas 22 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Dille	McGowan	Pariseau	Solon
Benson, J.E.	Johnson, D.E.	Merriam	Riveness	Stevens
Berg	Johnston	Metzen	Robertson	
Bertram	Larson	Oliver	Runbeck	
Day	Lesewski	Olson	Samuelson	

Those who voted in the negative were:

Adkins	Finn	Kiscaden	Morse	Spear
Anderson	Flynn	Knutson	Neuville	Stumpf
Beckman	Frederickson	Krentz	Pappas	Terwilliger
Benson, D.D.	Hanson	Kroening	Piper	Vickerman
Berglin	Hottinger	Luther	Pogemiller	Wiener
Betzold	Janezich	Marty	Price	
Chandler	Johnson, D.J.	Moe, R.D.	Ranum	
Cohen	Johnson, J.B.	Mondale	Reichgott	

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

Mr. Finn moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 16, after line 32, insert:

"Sec. 23. [DISCLOSURE OF COMMISSIONS.]

Before selling, or offering to sell, any coverage or enrollment in an integrated service network, a person selling the coverage or enrollment shall disclose to the prospective purchaser the amount of any commission or other compensation the person will receive as a direct result of the sale. The disclosure may be expressed in dollars or as a percentage of the premium. The amount disclosed need not include any anticipated renewal commissions."

Renumber the sections of article 1 in sequence and correct the internal references

Page 46, after line 16, insert:

"Sec. 2. Minnesota Statutes 1992, section 60K.14, is amended by adding a subdivision to read:

Subd. 7. Before selling, or offering to sell, any health insurance or a health plan as defined in section 62A.011, subdivision 3, an agent shall disclose to the prospective purchaser the amount of any commission or other compensation the agent will receive as a direct result of the sale. The disclosure may be expressed in dollars or as a percentage of the premium. The amount disclosed need not include any anticipated renewal commissions.

Sec. 3. Minnesota Statutes 1992, section 62D.12, is amended by adding a subdivision to read:

Subd. 17. [DISCLOSURE OF COMMISSIONS.] Any person receiving commissions for the sale of coverage or enrollment in a health maintenance organization shall, before selling or offering to sell coverage or enrollment, disclose to the prospective purchaser the amount of any commission or other compensation the person will receive as a direct result of the sale. The disclosure may be expressed in dollars or as a percentage of the premium. The amount disclosed need not include any anticipated renewal commissions."

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Finn then moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 53, after line 33, insert:

"Sec. 13. [STUDY ON NONPROFIT HEALTH CARRIERS.]

The commissioners of health and commerce shall study and report to the legislature no later than January 15, 1994, the amount of money spent by nonprofit health insurance companies on compensation, salaries, bonuses, incentive clauses, and contracts for management and consulting services for calendar year 1992 or 1993."

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Hottinger moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 53, after line 33, insert:

"Sec. 13. [PRESCRIPTION DRUG STUDY.]

The commissioner of health shall prepare and submit to the legislature by February 15, 1994, a study of the manufacturer, wholesale, and retail prescription drug market in Minnesota. In conducting the study, the commissioner of health shall consult with the commissioners of administration, employee relations, and human services, the Minnesota health care commission, and the University of Minnesota pharmaceutical research, management, and economics programs. The commissioner shall also consult with representatives of retail and other pharmacists, drug manufacturers, consumers, senior citizen organizations, hospitals, nursing homes, physicians, health maintenance organizations, and other stakeholders and persons with relevant expertise.

The study shall examine:

(1) how distinctions based on volume purchased or class of purchaser affect manufacturer, wholesale, and retail pricing;

(2) how manufacturer and wholesale pricing are affected by other industry practices, by federal and state law, and by other factors such as marketing, promotion, and research and development;

(3) how manufacturer and wholesale pricing affect retail pricing;

(4) other factors affecting retail pricing; and

(5) methods of reducing manufacturer, wholesale, and retail prices, including but not limited to:

(i) mandatory prescription drug contracting programs operated by the state;

(ii) voluntary prescription drug contracting programs operated by the state;

(iii) legislation to facilitate the development of manufacturer and wholesale purchasing programs in the private sector;

(iv) most favored purchaser legislation;

(v) legislation limiting manufacturer and wholesale price increases;

(vi) legislation providing for preferential treatment for underserved or disadvantaged retail purchasers;

(vii) legislation providing for the use of a state formulary or other formularies;

(viii) legislation providing for price disclosure; and

(ix) limitations on drug promotion and marketing.

The study must include recommendations and draft legislation for reducing the cost of prescription drugs for wholesale purchasers, consumers, retail pharmacies, and third-party payors. The recommendations must ensure that

parties benefiting from price savings at the manufacturer or wholesale level pass these savings on to consumers. The recommendations must not reduce costs through methods that would adversely affect access to prescription drugs, reduce the quality of prescription drugs, or cause a significant increase in manufacturer, wholesale, or retail prices for certain market segments."

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. McGowan moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 53, after line 33, insert:

"Sec. 13. [LEAVE DONATION PROGRAM.]

Subdivision 1. [DONATION OF SICK TIME.] A state employee may donate up to 50 hours of accrued vacation leave or sick leave time, or any combination of these, for the benefit of a state employee in Morrison county whose child was attacked by a dog in 1993. The number of hours donated must be credited to the sick leave account of the receiving state employee.

Subd. 2. [PROCESS FOR CREDITING.] The donating employee must notify the employee's agency head of the amount of accrued sick or vacation time the employee wishes to donate. The agency head shall transfer that amount to the sick leave account of the recipient. A donation of accrued sick or vacation leave time is irrevocable once it has been transferred to the account."

Page 54, line 5, delete "13" and insert "12 and 14"

Page 54, after line 6, insert:

"Section 13 is effective the day following final enactment and applies retroactively to January 1, 1993."

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Beckman moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 98, line 33, after "inpatient" insert "hospital and residential"

The motion prevailed. So the amendment was adopted.

Mr. Beckman then moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 13, line 17, after "health" insert "and outpatient chemical dependency" and after "services" insert "except for persons placed in chemical dependency services under Minnesota Rules, parts 9530.6600 to 9530.6660."

Page 13, line 22, after "health" insert "and inpatient hospital and residential chemical dependency" and after "services" insert "except for persons placed in chemical dependency services under Minnesota Rules, parts 9530.6600 to 9530.6660."

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

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

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Adkins	Day	Knutson	Metzen	Samuelson
Beckman	Dille	Kroening	Neuville	Stevens
Benson, J.E.	Frederickson	Larson	Olson	Stumpf
Berg	Hanson	Lesewski	Pariseau	Vickerman
Bertram	Johnson, D.J.	Lessard	Runbeck	
Chmielewski	Johnston	McGowan	Sams	

Those who voted in the negative were:

Anderson	Flynn	Luther	Oliver	Robertson
Belanger	Hottinger	Marty	Pappas	Solon
Benson, D.D.	Janezich	Merriam	Piper	Spear
Berglin	Johnson, D.E.	Moe, R.D.	Pogemiller	Terwilliger
Betzold	Johnson, J.B.	Mondale	Price	Wiener
Chandler	Kelly	Morse	Ranum	
Cohen	Kiscaden	Murphy	Reichgott	
Finn	Krentz	Novak	Riveness	

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

Mr. Johnson, D.E. moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 51, after line 15, insert:

"Sec. 9. Minnesota Statutes 1992, section 144.581, is amended by adding a subdivision to read:

Subd. 6. [HOSPITAL MANAGEMENT.] The provisions of section 43A.17, subdivision 9, shall not apply to the chief executive officer of a hospital of the type described in subdivision 1."

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

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

Ms. Pappas moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 53, after line 33, insert:

“Sec. 13. [SINGLE-PAYOR STUDY.]

The Minnesota health care commission shall study the administrative cost of paying Minnesota health care providers through the multiple payors that currently reimburse Minnesota providers. The commission shall also analyze the administrative cost of paying Minnesota health care providers through one state government agency and through one private sector health carrier. Administrative cost includes (1) the difference between all revenues received and all claims paid out by all publicly financed health programs and all private sector health plans; and (2) billing costs for Minnesota providers. The report should, to the extent possible, rely solely on data collected from Minnesota providers, health carriers, and other group purchasers. The commission shall report its findings to the legislature by January 15, 1994.”

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

Mr. Mondale moved to amend the Pappas amendment to H.F. No. 1178 as follows:

Page 1, line 17, after the period, insert “*The commission shall study the different types of administrative expenses and differentiate between administrative costs that relate solely to the operation of the claims paying entity and those costs that relate toward expansion of access and enhancement of the quality of care.*”

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Pappas amendment, as amended. The motion did not prevail. So the amendment, as amended, was not adopted.

Mr. Price moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 52, line 15, reinstate the stricken “A peace officer may not issue a citation for a”

Page 52, lines 16 to 18, reinstate the stricken language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

Berg	Janezich	Lessard	Pariseau	Stevens
Bertram	Johnson, D.E.	Metzen	Price	Stumpf
Chmielewski	Johnson, J.B.	Moe, R.D.	Riveness	Vickerman
Day	Kroening	Morse	Runbeck	
Finn	Larson	Neuville	Samuelson	
Frederickson	Lesewski	Novak	Solon	

Those who voted in the negative were:

Adkins	Cohen	Kiscaden	Mondale	Reichgott
Anderson	Dille	Knutson	Murphy	Robertson
Belanger	Flynn	Krentz	Oliver	Spear
Benson, D.D.	Hanson	Langseth	Olson	Terwilliger
Benson, J.E.	Hottinger	Luther	Pappas	Wiener
Berglin	Johnson, D.J.	Marty	Piper	
Betzold	Johnston	McGowan	Pogemiller	
Chandler	Kelly	Merriam	Ranum	

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

Mr. Mondale moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 7, line 8, delete "and"

Page 7, after line 8, insert:

"(24) rules prescribing standard measures and methods by which integrated service networks shall determine and disclose their prices, copayments, deductibles, out-of-pocket limits, enrollee satisfaction levels, and anticipated loss ratios; and"

Page 7, line 9, delete "(24)" and insert "(25)"

The motion prevailed. So the amendment was adopted.

Mr. Mondale then moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 37, after line 26, insert:

"Sec. 17. [STUDY OF POSSIBLE FEE DISCLOSURES.]

By January 1, 1994, the commissioner of health, in consultation with the Minnesota health care commission, other interested parties, and the public, shall report to the legislature concerning the most effective mechanisms by which providers performing health care services outside of an integrated service network could be required to disclose directly to consumers the providers' usual charges for common services and procedures. The report shall address, but need not be limited to:

(1) methods by which providers could post or otherwise disclose their usual charges for common services or procedures, in light of the fact that a provider's charge may vary, depending upon the payment source;

(2) the feasibility of requiring some or all providers to make available to members of a health plan a specific listing of the fees the provider charges members of that health plan for common procedures and services;

(3) the feasibility of using benchmarks or comparison charges, such as Medicare reimbursement rates, as a reference point to assist consumers in evaluating a provider's charges; and

(4) the feasibility of requiring anticipated or usual charges to be disclosed in consent forms signed by patients prior to surgical procedures."

Renumber the sections of article 3 in sequence and correct the internal references

Amend the title accordingly

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

Mr. Stumpf moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 46, after line 16, insert:

"Sec. 2. Minnesota Statutes 1992, section 60A.08, is amended by adding a subdivision to read:

Subd. 15. [RATE DISCLOSURE.] All health carriers as defined in section 62A.011 must disclose to all covered persons the specific amount of each rate increase that has resulted from statutory changes in Laws 1992, chapter 549, and from statutory changes resulting from Laws 1993. This disclosure must not include rate increases from medical inflation and must specifically include any statutory changes in chapters 62A, 62C, 62D, 62E, 62J, 62L, and 64B."

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Finn moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 85, line 21, before the semicolon, insert "*The health care services required to be covered under this clause must also be covered if rendered in a nonhospital environment, on the same basis as coverage provided for those same treatments or services if rendered in a hospital, provided, however, that this sentence must not be interpreted as expanding the types or extent of services covered*"

The motion prevailed. So the amendment was adopted.

Mr. Frederickson moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 109, line 25, before the period, insert "*subdivisions 1a, 2, 3, 4, 5, 6, 7, and 8*"

The motion prevailed. So the amendment was adopted.

Mr. Chandler moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 51, after line 15, insert:

“Sec. 9. [151.461] [GIFTS TO PRACTITIONERS PROHIBITED.]

It is unlawful for any manufacturer or wholesale drug distributor, or any agent thereof, to offer or give any gift of value to a practitioner. As used in this section, “gift” does not include:

(1) professional samples of a drug provided to a prescriber for free distribution to patients;

(2) items with a total combined retail value, in any calendar year, of not more than \$25;

(3) a payment to the sponsor of a medical conference, professional meeting, or other educational program, provided the payment is not made directly to a practitioner and is used solely for bona fide educational purposes;

(4) reasonable honoraria and payment of the reasonable expenses of a practitioner who serves on the faculty at a professional or educational conference or meeting;

(5) compensation for the substantial professional or consulting services of a practitioner in connection with a genuine research project; or

(6) salaries or other benefits paid to employees.

Sec. 10. Minnesota Statutes 1992, section 151.47, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] All wholesale drug distributors are subject to the requirements in paragraphs (a) to (e) (f).

(a) No person or distribution outlet shall act as a wholesale drug distributor without first obtaining a license from the board and paying the required fee.

(b) No license shall be issued or renewed for a wholesale drug distributor to operate unless the applicant agrees to operate in a manner prescribed by federal and state law and according to the rules adopted by the board.

(c) The board may require a separate license for each facility directly or indirectly owned or operated by the same business entity within the state, or for a parent entity with divisions, subsidiaries, or affiliate companies within the state, when operations are conducted at more than one location and joint ownership and control exists among all the entities.

(d) As a condition for receiving and retaining a wholesale drug distributor license issued under sections 151.42 to 151.51, an applicant shall satisfy the board that it has and will continuously maintain:

(1) adequate storage conditions and facilities;

(2) minimum liability and other insurance as may be required under any applicable federal or state law;

(3) a viable security system that includes an after hours central alarm, or comparable entry detection capability; restricted access to the premises; comprehensive employment applicant screening; and safeguards against all forms of employee theft;

(4) a system of records describing all wholesale drug distributor activities set forth in section 151.44 for at least the most recent two-year period, which shall be reasonably accessible as defined by board regulations in any inspection authorized by the board;

(5) principals and persons, including officers, directors, primary shareholders, and key management executives, who must at all times demonstrate and maintain their capability of conducting business in conformity with sound financial practices as well as state and federal law;

(6) complete, updated information, to be provided to the board as a condition for obtaining and retaining a license, about each wholesale drug distributor to be licensed, including all pertinent corporate licensee information, if applicable, or other ownership, principal, key personnel, and facilities information found to be necessary by the board;

(7) written policies and procedures that assure reasonable wholesale drug distributor preparation for, protection against, and handling of any facility security or operation problems, including, but not limited to, those caused by natural disaster or government emergency, inventory inaccuracies or product shipping and receiving, outdated product or other unauthorized product control, appropriate disposition of returned goods, and product recalls;

(8) sufficient inspection procedures for all incoming and outgoing product shipments; and

(9) operations in compliance with all federal requirements applicable to wholesale drug distribution.

(e) An agent or employee of any licensed wholesale drug distributor need not seek licensure under this section.

(f) A wholesale drug distributor shall file an annual report with the board, in a form prescribed by the board, identifying all payment, honoraria, reimbursement, or other compensation authorized under section 151.461, clauses (3), (4), and (5), paid to practitioners in Minnesota during the preceding calendar year. The report shall identify the nature and value of any payments totaling \$100 or more to a particular practitioner during the year, and shall identify the practitioner. Reports filed under this provision are public data."

Renumber the sections of article 6 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 39 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Morse	Reichgott
Bertram	Hanson	Kroening	Murphy	Riveness
Betzold	Hottinger	Larson	Neuville	Sams
Chandler	Johnson, D.E.	Lessard	Novak	Samuelson
Chmielewski	Johnson, D.J.	Luther	Pappas	Solon
Cohen	Johnson, J.B.	Marty	Pogemiller	Spear
Finn	Johnston	Metzen	Price	Stumpf
Flynn	Kelly	Mondale	Ranum	

Those who voted in the negative were:

Adkins	Berglin	Langseth	Olson	Stevens
Belanger	Day	Lesewski	Pariseau	Terwilliger
Benson, D.D.	Dille	McGowan	Piper	Wiener
Benson, J.E.	Kiscaden	Merriam	Robertson	
Berg	Knutson	Oliver	Runbeck	

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 53, after line 33, insert:

“Sec. 13. [REVIEW.]

The commissioner of commerce shall review the health care policies currently in use in the state, and prepare no more than ten but no less than five standardized health care policy forms to be used by all insurers, health service plans, or others subject to the jurisdiction of Minnesota Statutes, chapter 62A, 62C, 62E, or 62H. The commissioner shall recommend the legislative changes necessary to adopt the policy forms to the chairs of the senate commerce and consumer protection committee and the house of representatives financial institutions and insurance committee by February 1, 1994.”

Renumber the sections of article 6 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Finn moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 89, lines 25 and 30, strike “one” and insert “2-1/2” and strike “point” and insert “points”

Page 89, lines 28 and 31, delete “1999” and insert “1996”

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

Mr. Finn then moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 89, line 9, strike “65” and insert “75”

Page 89, line 30, strike “70” and insert “80”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 43, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Johnson, D.J.	Luther	Murphy
Beckman	Finn	Johnson, J.B.	Marty	Pappas
Betzold	Flynn	Kelly	Mondale	Pogemiller
Chandler	Janezich	Krentz	Morse	Samuelson

Those who voted in the negative were:

Adkins	Dille	Larson	Olson	Solon
Belanger	Frederickson	Lesewski	Pariseau	Spear
Benson, D.D.	Hanson	Lessard	Piper	Stevens
Benson, J.E.	Hottinger	McGowan	Price	Stumpf
Berg	Johnson, D.E.	Merriam	Ranum	Terwilliger
Berglin	Johnston	Metzen	Reichgott	Vickerman
Bertram	Kiscaden	Moe, R.D.	Robertson	Wiener
Cohen	Knutson	Novak	Runbeck	
Day	Langseth	Oliver	Sams	

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

Mr. Luther moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 51, after line 15, insert:

"Sec. 9. Minnesota Statutes 1992, section 151.21, is amended to read:

151.21 [SUBSTITUTION.]

Subdivision 1. Except as provided in ~~subdivision 2~~ *this section*, it shall be unlawful for any pharmacist, assistant pharmacist, or pharmacist intern who dispenses prescriptions, drugs, and medicines to substitute an article different from the one ordered, or deviate in any manner from the requirements of an order or prescription without the approval of the prescriber.

Subd. 2. When a pharmacist receives a written prescription on which the prescriber has personally written in handwriting "dispense as written" or "D.A.W.," or an oral prescription in which the prescriber has expressly indicated that the prescription is to be dispensed as communicated, the pharmacist shall dispense the brand name legend drug as prescribed.

Subd. 2 3. A pharmacist who receives a prescription for a brand name legend drug may, with the written or verbal consent of the purchaser, dispense any drug having the same generic name as the brand name drug prescribed if the prescriber has not personally written in handwriting "dispense as written" or "D.A.W." on the prescription or, when an oral prescription is given, has not expressly indicated the prescription is to be dispensed as communicated. A pharmacist who receives a prescription marked "D.A.W." or "dispense as written", or an oral prescription indicating that the prescription is to be dispensed as communicated, may substitute for the prescribed brand name drug a generically equivalent drug product which is manufactured in the same finished dosage form having the same active ingredients and strength by the same manufacturer as the prescribed brand name drug. When a pharmacist receives a written prescription on which the prescriber has not personally written in handwriting "dispense as written" or "D.A.W.," or an oral prescription in which the prescriber has not expressly indicated that the

prescription is to be dispensed as communicated, and there is available in the pharmacist's stock a less expensive generically equivalent drug that, in the pharmacist's professional judgement, is safely interchangeable with the prescribed drug, then the pharmacist shall, after disclosing the substitution to the purchaser, dispense the generic drug, unless the purchaser objects. A pharmacist may also substitute pursuant to the oral instructions of the prescriber. A pharmacist may not substitute a generically equivalent drug product unless, in the pharmacist's professional judgment, the substituted drug is therapeutically equivalent and interchangeable to the prescribed drug. A pharmacist shall notify the purchaser if the pharmacist is dispensing a drug other than the brand name drug prescribed.

Subd. 3 4. A pharmacist dispensing a drug under the provisions of subdivision 2 3 shall not dispense a drug of a higher retail price than that of the brand name drug prescribed. If more than one safely interchangeable generic drug is available in a pharmacist's stock, then the pharmacist shall dispense the least expensive alternative. Any difference between acquisition cost to the pharmacist of the drug dispensed and the brand name drug prescribed shall be passed on to the purchaser.

Subd. 5. Nothing in this section requires a pharmacist to substitute a generic drug if the substitution will make the transaction ineligible for third-party reimbursement.

Subd. 6. A pharmacist who dispenses a generically equivalent drug pursuant to this section has no greater liability for selecting the dispensed drug than would be incurred if the prescription had been written in the generic name of the drug prescribed.

Subd. 7. When a pharmacist dispenses a brand name legend drug and, at that time, a less expensive generically equivalent drug is also available in the pharmacist's stock, the pharmacist shall disclose to the purchaser that a generic drug is available."

Renumber the sections of article 6 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 39 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Lessard	Murphy	Riveness
Beckman	Janezich	Luther	Novak	Sams
Betzold	Johnson, D.J.	Marty	Olson	Samuelson
Chandler	Johnson, J.B.	Merriam	Pappas	Solon
Chmielewski	Kelly	Metzen	Pogemiller	Spear
Cohen	Krentz	Moe, R.D.	Price	Stumpf
Dille	Kroening	Mondale	Ranum	Vickerman
Finn	Larson	Morse	Reichgott	

Those who voted in the negative were:

Adkins	Bertram	Kiscaden	Oliver	Terwilliger
Belanger	Day	Knutson	Pariseau	Wiener
Benson, D.D.	Flynn	Langseth	Piper	
Benson, J.E.	Frederickson	Lesewski	Robertson	
Berg	Johnson, D.E.	McGowan	Runbeck	
Berglin	Johnston	Neuville	Stevens	

The motion prevailed. So the amendment was adopted.

Mr. Finn moved to amend H.F. No. 1178, as amended pursuant to Rule 49, adopted by the Senate May 3, 1993, as follows:

(The text of the amended House File is identical to S.F. No. 900.)

Page 93, line 18, before the period, insert "*that was sold before June 1, 1993*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1178 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 52 and nays 14, as follows:

Those who voted in the affirmative were:

Adkins	Dille	Knutson	Morse	Robertson
Anderson	Finn	Krentz	Murphy	Sams
Beckman	Flynn	Kroening	Novak	Solon
Belanger	Hanson	Langseth	Oliver	Spear
Benson, D.D.	Hottinger	Lessard	Pappas	Stumpf
Benson, J.E.	Janezich	Luther	Piper	Terwilliger
Berglin	Johnson, D.E.	Marty	Pogemiller	Vickerman
Betzold	Johnson, D.J.	McGowan	Price	Wiener
Chandler	Johnson, J.B.	Metzen	Ranum	
Chmielewski	Kelly	Moe, R.D.	Reichgott	
Cohen	Kiscaden	Mondale	Riveness	

Those who voted in the negative were:

Berg	Frederickson	Lesewski	Olson	Samuelson
Bertram	Johnston	Merriam	Pariseau	Stevens
Day	Larson	Neuville	Runbeck	

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

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1749:

H.F. No. 1749: A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonding; appropriating money; amending Minnesota Statutes, section 16B.24, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124C; and 137.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Kalis, Solberg, Reding, Trimble and Bishop have been appointed as such committee on the part of the House.

House File No. 1749 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 May 3, 1993

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1749, and that a Conference Committee of 5 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.

RECESS

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

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

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS – CONTINUED

Ms. Anderson moved that S.F. No. 236 be taken from the table. The motion prevailed.

S.F. No. 236: A bill for an act relating to domestic abuse; requiring a report on victims of domestic abuse and eligibility for unemployment compensation benefits.

Ms. Anderson moved that the Senate do not concur in the amendments by the House to S.F. No. 236, 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 to be appointed on the part of the House. The motion prevailed.

RECESS

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

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

APPOINTMENTS

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

S.F. No. 236: Ms. Anderson, Mr. Frederickson and Ms. Pappas.

H.F. No. 1749: Messrs. Merriam, Vickerman, Larson, Riveness and Kelly.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Luther moved that Senate Resolution No. 34 be taken from the table. The motion prevailed.

Senate Resolution No. 34: A Senate resolution adopting permanent rules of the Senate.

Mr. Luther moved to amend Senate Resolution No. 34 as follows:

Page 1, line 15, strike the second "2"

Page 1, line 16, strike "o'clock p.m." and insert "8:30 a.m."

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend Senate Resolution No. 34 as follows:

Page 23, line 1, after "SUPPLIES" insert "AND SERVICES"

Page 23, lines 3 and 4, after "supplies" insert "and services"

Page 23, after line 4, insert:

"Long distance telephone services paid for by the Senate must be used only for Senate-related business."

By the 15th day of April, July, October, and January of each year, the Secretary of the Senate shall submit a detailed report of Senate expenditures during the previous quarter to the Committee on Rules and Administration."

The motion prevailed. So the amendment was adopted.

Ms. Wiener moved to amend Senate Resolution No. 34 as follows:

Page 1, lines 19 and 21, strike "He" and insert "The President"

Page 1, line 31, strike "his" and insert "the Chair's"

Page 2, line 33, strike "He" and insert "The Secretary"

Page 6, lines 5 and 6, strike "he" and insert "the member"

Page 11, line 10, strike "he" and insert "the President"

Page 12, line 4, strike ". He" and insert "and"

Page 16, line 21, strike "his" and insert "the"

Page 21, line 7, strike "him as" and insert "the" and strike "He" and insert "The Secretary"

Page 21, line 9, strike "his" and insert "the Secretary's"

Page 21, line 10, strike "his" and insert "the Secretary's" and strike "he" and insert "the Secretary"

Page 21, line 11, strike "He" and insert "The Secretary"

Page 22, line 18, strike "he" and insert "the Secretary"

Page 23, line 7, strike "duties assigned to him" and insert "*assigned duties*"

Page 23, line 14, strike "his" and insert "*the*" and after "office" insert "*of Sergeant*"

Page 25, line 8, strike "his" and insert "*the lobbyist's*" and strike "he" and insert "*the lobbyist*"

Page 25, line 12, strike "he" and insert "*the lobbyist*" and strike "his" and insert "*the lobbyist's*"

Page 25, line 16, strike "he" and insert "*the lobbyist*"

The motion prevailed. So the amendment was adopted.

Mr. Betzold moved to amend Senate Resolution No. 34 as follows:

Page 5, line 36, delete "*Madam*" and insert "*Ms.*"

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

Mr. Finn moved to amend Senate Resolution No. 34 as follows:

Page 19, lines 1 and 2, strike "Notwithstanding Minnesota Statutes, section 3.055,"

The motion prevailed. So the amendment was adopted.

Mr. Dille moved to amend Senate Resolution No. 34 as follows:

Page 26, after line 10, insert:

"Members shall adhere to the highest standard of ethical conduct as embodied in the Minnesota Constitution, state law, and these rules.

A member shall not publish or distribute written material if the member knows or has reason to know that the material includes any statement that is false or clearly misleading, concerning a public policy issue or concerning the member's or another member's voting record or position on a public policy issue."

The motion prevailed. So the amendment was adopted.

Mr. Dille then moved to amend Senate Resolution No. 34 as follows:

Page 17, line 9, after the period, insert "*Nothing prohibits a member of the minority group from serving as chair or vice chair of a committee, subcommittee, division, or commission.*"

The motion prevailed. So the amendment was adopted.

Mr. Dille then moved to amend Senate Resolution No. 34 as follows:

Page 22, after line 26, insert:

"Beginning January 2, 1997, the assignment of a member's seating position in the Senate Chamber shall be based solely on the member's seniority, without regard to whether the member is a member of the majority group or minority group."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Day	Kiscaden	Neuville	Robertson
Belanger	Dille	Knutson	Oliver	Runbeck
Benson, D.D.	Frederickson	Larson	Olson	Spear
Benson, J.E.	Johnson, D.E.	Lesewski	Pappas	Stevens
Berg	Johnston	Lessard	Pariseau	Terwilliger
Betzold	Kelly	McGowan	Riveness	Wiener

Those who voted in the negative were:

Adkins	Hanson	Luther	Novak	Samuelson
Berglin	Hottinger	Marty	Piper	Stumpf
Bertram	Janezich	Merriam	Pogemiller	Vickerman
Chandler	Johnson, J.B.	Metzen	Price	
Cohen	Krentz	Moe, R.D.	Ranum	
Finn	Kroening	Morse	Reichgott	
Flynn	Langseth	Murphy	Sams	

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

Mr. Dille then moved to amend Senate Resolution No. 34 as follows:

Page 17, after line 20, insert:

"A chair of any Senate standing committee, committee division, or committee subcommittee appointed after January 1, 1993, shall not serve in that position longer than three consecutive terms of office."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Dille	Larson	Neuville	Robertson
Benson, D.D.	Frederickson	Lesewski	Novak	Runbeck
Benson, J.E.	Johnson, D.E.	Lessard	Oliver	Sams
Berg	Johnston	Luther	Olson	Stevens
Betzold	Kiscaden	Marty	Pappas	Terwilliger
Day	Knutson	McGowan	Pariseau	

Those who voted in the negative were:

Adkins	Flynn	Kroening	Piper	Solon
Anderson	Hanson	Langseth	Pogemiller	Spear
Berglin	Hottinger	Merriam	Price	Stumpf
Bertram	Janezich	Metzen	Ranum	Vickerman
Chandler	Johnson, J.B.	Moe, R.D.	Reichgott	Wiener
Cohen	Kelly	Morse	Riveness	
Finn	Krentz	Murphy	Samuelson	

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

Mr. Dille then moved to amend Senate Resolution No. 34 as follows:

Page 24, strike lines 18 to 20 and insert "The Secretary of the Senate shall compile and distribute to the public a directory of reporters accredited to report from the Senate floor. The directory must include each reporter's picture and news organization and a brief biography. The Secretary must issue each accredited reporter an identification badge showing the reporter's name and news organization."

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend the second Luther amendment to Senate Resolution No. 34, adopted by the Senate May 3, 1993, as follows:

Page 1, after line 5, insert:

"Page 23, line 4, after the period, insert *"The Secretary shall adopt administrative controls to ensure that each member is accountable for the member's own long distance telephone calls and that Senate telephones are used only for Senate business."*

Page 1, delete lines 7 and 8

Page 1, line 9, delete "By" and insert "'By"

The motion prevailed. So the amendment to the amendment was adopted.

Ms. Runbeck moved to amend Senate Resolution No. 34 as follows:

Page 19, line 14, after the period, insert *"If the three-day notice requirement cannot be met, known proponents and opponents of the bill shall be given simultaneous notice of the meeting as soon as practicable."*

The motion prevailed. So the amendment was adopted.

Mr. Moe, R.D. moved the adoption of Senate Resolution No. 34, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Janezich voted in the negative.

The motion prevailed. So the resolution, as amended, was adopted.

Mr. Moe, R.D. moved that Senate Concurrent Resolution No. 4 be taken from the table. The motion prevailed.

Senate Concurrent Resolution No. 4: A Senate concurrent resolution adopting permanent joint rules of the Senate and House of Representatives.

Ms. Wiener moved to amend Senate Concurrent Resolution No. 4 as follows:

Page 10, line 11, strike "his"

Page 11, line 2, strike "his" and insert *"the Governor's"*

The motion prevailed. So the amendment was adopted.

Mr. Benson, D.D. moved to amend Senate Concurrent Resolution No. 4 as follows:

Page 4, after line 10, insert:

"A bill that grants new authority to adopt administrative rules or changes existing authority to adopt administrative rules shall be referred to the committees of the Senate and House of Representatives charged with responsibility for legislation that relates to administrative rulemaking. Each bill shall include a specific and detailed statement of the intent of each grant of rulemaking authority contained in the bill, including: (1) the outcome expected from the adoption of the rule; (2) the issues that should be addressed by the rules; and (3) a date by which the agency shall adopt the rules."

Mr. Benson, D.D. then moved to amend the Benson, D.D. amendment to Senate Concurrent Resolution No. 4 as follows:

Page 1, line 6, delete everything after "shall"

Page 1, delete lines 7 and 8

Page 1, line 9, delete "bill shall"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Benson, D.D. amendment, as amended.

The roll was called, and there were yeas 54 and nays 3, as follows:

Those who voted in the affirmative were:

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

Ms. Berglin, Mr. Johnson, D.J. and Ms. Piper voted in the negative.

The motion prevailed. So the Benson, D.D. amendment, as amended, was adopted.

Mr. Knutson moved to amend Senate Concurrent Resolution No. 4 as follows:

Page 11, line 26, after "committee" insert "and congressional district caucuses"

Page 11, after line 31, insert:

"The members of each congressional district caucus shall be the representatives and senators who have constituents in a congressional district with an open regent seat. Members shall determine the number of persons and the person or persons to be recommended for each open congressional district seat."

Page 11, line 33, after "open" insert "at-large"

Page 11, line 35, before the period, insert "in the joint committee and the congressional district caucuses"

Page 11, line 36, after "committee" insert "*or congressional district caucus*"

Page 12, lines 1 and 5, after "committee" insert "*or congressional district caucus*"

Page 12, line 6, after the period, insert "*Votes cast by members of a congressional district caucus shall be weighted to reflect the number of constituents each member represents within the congressional district.*"

Page 12, line 10, before "shall" insert "*and the congressional district caucus*"

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

Mr. Moe, R.D. moved the adoption of Senate Concurrent Resolution No. 4, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Janezich voted in the negative.

The motion prevailed. So the resolution, as amended, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Messrs. Langseth and Stumpf introduced—

S.F. No. 1625: A bill for an act relating to taxation; providing for sales tax rebates for retailers in border city enterprise zones; appropriating money; amending Minnesota Statutes 1992, section 469.171, subdivision 6, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

MEMBERS EXCUSED

Mr. Pogemiller was excused from the Session of today from 8:30 to 9:15 a.m. Mr. Novak was excused from the Session of today from 8:30 to 9:30 a.m. Mr. Kelly was excused from the Session of today from 8:30 to 10:00 a.m. Mr. Langseth and Ms. Olson were excused from the Session of today from 8:30 to 9:45 a.m. Ms. Reichgott was excused from the Session of today from 8:30

to 10:15 a.m. Mr. Laidig was excused from the Session of today at 1:00 p.m. Mr. Sams was excused from the Session of today from 2:00 to 2:50 p.m. Mr. Mondale was excused from the Session of today at 3:50 p.m. Mr. Beckman was excused from the Session of today at 4:55 p.m. Mr. Johnson, D.J. was excused from the Session of today at 5:10 p.m. Mr. Neuville was excused from the Session of today at 5:35 p.m. Mr. Solon was excused from the Session of today at 6:10 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:30 a.m., Tuesday, May 4, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate