

SIXTY-SIXTH DAY

St. Paul, Minnesota, Thursday, March 3, 1994

The Senate met at 8:00 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. Rod Anderson.

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

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

The President declared a quorum present.

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

REPORTS OF COMMITTEES

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

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

S.F. No. 1660: A bill for an act relating to statutes of limitations; enacting the uniform conflict of laws-limitations act; proposing coding for new law in Minnesota Statutes, chapter 541.

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

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

S.F. No. 1473: A bill for an act relating to civil commitment; eliminating the requirement that commitment notices and documents, including the prepetition screening report, be given to any interested person; amending Minnesota Statutes 1992, section 253B.07, subdivision 4.

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1992, section 253B.07, subdivision 1, is amended to read:

Subdivision 1. [PREPETITION SCREENING.] (a) Prior to filing a petition for commitment of a proposed patient, an interested person shall apply to the designated agency in the county of the proposed patient's residence or presence for conduct of a preliminary investigation, ~~except when the proposed patient has been acquitted of a crime under section 611.026 and the county attorney is required to file a petition for commitment pursuant to subdivision 2.~~ In any case coming within this exception, the county attorney shall apply to the designated county agency in the county in which the acquittal took place for a preliminary investigation unless substantially the same information relevant to the proposed patient's current mental condition as could be obtained by a preliminary investigation is part of the court record in the criminal proceeding or is contained in the report of a mental examination conducted in connection with the criminal proceeding. The designated agency shall appoint a screening team to conduct an investigation which shall include:

(i) a personal interview with the proposed patient and other individuals who appear to have knowledge of the condition of the proposed patient. If the proposed patient is not interviewed, reasons must be documented;

(ii) identification and investigation of specific alleged conduct which is the basis for application; and

(iii) identification, exploration, and listing of the reasons for rejecting or recommending alternatives to involuntary placement.

(b) In conducting the investigation required by this subdivision, the screening team shall have access to all relevant medical records of proposed patients currently in treatment facilities. Data collected pursuant to this clause shall be considered private data on individuals.

(c) When the prepetition screening team recommends commitment, a written report shall be sent to the county attorney for the county in which the petition is to be filed.

(d) The prepetition screening team shall refuse to support a petition if the investigation does not disclose evidence sufficient to support commitment. Notice of the prepetition screening team's decision shall be provided to the prospective petitioner.

(e) If the interested person wishes to proceed with a petition contrary to the recommendation of the prepetition screening team, application may be made directly to the county attorney, who may determine whether or not to proceed with the petition. Notice of the county attorney's determination shall be provided to the interested party.

(f) *When the proposed patient has been acquitted of a crime under section 611.026, the county attorney shall file a petition for commitment pursuant to subdivision 2. In any case coming within this exception, the county attorney shall apply to the designated county agency in the county in which the acquittal took place for a preliminary investigation unless substantially the same information relevant to the proposed patient's current mental condition as could be obtained by a preliminary investigation is part of the court record in the criminal proceeding or is contained in the report of a mental examination conducted in connection with the criminal proceeding. If a court petitions for commitment pursuant to the rules of criminal procedure or a county attorney petitions pursuant to acquittal of a criminal charge under section 611.026, the prepetition investigation, if required by this section, shall be completed within seven days after the filing of the petition.*

(g) *The prepetition screening report must be distributed to the proposed patient, patient's counsel, the county attorney, any person authorized by the patient, and any other person as the court directs.*

(h) *The prepetition screening report is not admissible in any court proceedings unrelated to the commitment proceedings. This paragraph does not affect the admissibility of the information contained in the report.*

Sec. 2. Minnesota Statutes 1992, section 253B.07, subdivision 2, is amended to read:

Subd. 2. [THE PETITION.] Any interested person may file a petition for commitment in the ~~probate~~ district court of the county of the proposed patient's residence or presence. *The county attorney has the sole discretion to present and pursue a petition for civil commitment.* Following an acquittal of a person of a criminal charge under section 611.026, the petition shall be filed by the county attorney of the county in which the acquittal took place and the petition shall be filed with the court in which the acquittal took place, and that court shall be the committing court for purposes of this chapter. The petition shall set forth the name and address of the proposed patient, the name and address of the patient's nearest relatives, and the reasons for the petition. The petition must contain factual descriptions of the proposed patient's recent behavior, including a description of the behavior, where it occurred, and over what period of time it occurred. Each factual allegation must be supported by observations of witnesses named in the petition. Petitions shall be stated in behavioral terms and shall not contain judgmental or conclusory statements. The petition shall be accompanied by a written statement by an examiner stating that the examiner has examined the proposed patient within the 15 days preceding the filing of the petition and is of the opinion that the proposed patient is suffering a designated disability and should be committed to a treatment facility. The statement shall include the reasons for the opinion. If a petitioner has been unable to secure a statement from an examiner, the petition shall include documentation that a reasonable effort has been made to secure the supporting statement.

Sec. 3. Minnesota Statutes 1992, section 253B.07, is amended by adding a subdivision to read:

Subd. 2b. [ORDER RESTRICTING ACCESS TO PETITION.] *For good cause, the county attorney may secure an ex parte order prior to the first court hearing to restrict dissemination of the petition and related information until the court hearing.*

Sec. 4. Minnesota Statutes 1992, section 253B.07, subdivision 4, is amended to read:

Subd. 4. [PREHEARING EXAMINATION; NOTICE AND SUMMONS PROCEDURE.] A summons to appear for a prehearing examination and the commitment hearing shall be served upon the proposed patient. A plain language notice of the proceedings and notice of the filing of the petition, a copy of the petition, a copy of the examiner's supporting statement, and the order for examination and a copy of the ~~petition screening report~~ shall be given to the proposed patient, patient's counsel, the petitioner, ~~any interested person~~, and any other persons as the court directs. All papers shall be served personally on the proposed patient. Unless otherwise ordered by the court, the notice shall be served on the proposed patient by a nonuniformed person.

Sec. 5. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall change the words "probate court" to "district court," where appropriate, in Minnesota Statutes 1994 and subsequent editions of the statutes."

Delete the title and insert:

"A bill for an act relating to civil commitment; modifying certain provisions concerning the petition and prepetition procedures; providing instructions to the revisor of statutes; amending Minnesota Statutes 1992, section 253B.07, subdivisions 1, 2, 4, and by adding a subdivision."

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

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

S.F. No. 1894: A bill for an act relating to administrative rules; repealing obsolete rules of the departments of agriculture, commerce, health, human services, public safety, public service, and revenue and the pollution control agency; removing internal references to repealed rules; amending Minnesota Rules, parts 1540.2140; 4400.4500, subpart 3; 7001.0140, subpart 2; 7001.0180; 7005.0100, subpart 8a; 7007.0100, subpart 7; 7009.0010, subpart 1; 7009.0030; 7009.0080; 7023.9050; 7035.2835, subpart 3; 7035.2835, subpart 6; 7035.2875, subpart 3; 7040.2800, subpart 1; 7045.0460, subpart 2; 8130.3500, subpart 3; and 8130.6500, subpart 5; repealing Minnesota Rules, parts 1540.0010, subparts 12, 18, 21, 22, and 24; 1540.0060; 1540.0070; 1540.0080; 1540.0100; 1540.0110; 1540.0120; 1540.0130; 1540.0140; 1540.0150; 1540.0160; 1540.0170; 1540.0180; 1540.0190; 1540.0200; 1540.0210; 1540.0220; 1540.0230; 1540.0240; 1540.0260; 1540.0320; 1540.0330; 1540.0340; 1540.0350; 1540.0370; 1540.0380; 1540.0390; 1540.0400; 1540.0410; 1540.0420; 1540.0440; 1540.0450; 1540.0460; 1540.0490; 1540.0500; 1540.0510; 1540.0520; 1540.0770; 1540.0780; 1540.0800; 1540.0810; 1540.0830; 1540.0880; 1540.0890; 1540.0900; 1540.0910; 1540.0920; 1540.0930; 1540.0940; 1540.0950; 1540.0960; 1540.0970; 1540.0980; 1540.0990; 1540.1000; 1540.1005; 1540.1010; 1540.1020; 1540.1030; 1540.1040; 1540.1050; 1540.1060; 1540.1070; 1540.1080; 1540.1090; 1540.1100; 1540.1110; 1540.1120; 1540.1130; 1540.1140; 1540.1150; 1540.1160; 1540.1170; 1540.1180; 1540.1190; 1540.1200; 1540.1210; 1540.1220; 1540.1230; 1540.1240; 1540.1250; 1540.1255; 1540.1260; 1540.1280; 1540.1290; 1540.1300; 1540.1310;

1540.1320;	1540.1330;	1540.1340;	1540.1350;	1540.1360;	1540.1380;
1540.1400;	1540.1410;	1540.1420;	1540.1430;	1540.1440;	1540.1450;
1540.1460;	1540.1470;	1540.1490;	1540.1500;	1540.1510;	1540.1520;
1540.1530;	1540.1540;	1540.1550;	1540.1560;	1549.1570;	1540.1580;
1540.1590;	1540.1600;	1540.1610;	1540.1620;	1540.1630;	1540.1640;
1540.1650;	1540.1660;	1540.1670;	1540.1680;	1540.1690;	1540.1700;
1540.1710;	1540.1720;	1540.1730;	1540.1740;	1540.1750;	1540.1760;
1540.1770;	1540.1780;	1540.1790;	1540.1800;	1540.1810;	1540.1820;
1540.1830;	1540.1840;	1540.1850;	1540.1860;	1540.1870;	1540.1880;
1540.1890;	1540.1900;	1540.1905;	1540.1910;	1540.1920;	1540.1930;
1540.1940;	1540.1950;	1540.1960;	1540.1970;	1540.1980;	1540.1990;
1540.2000;	1540.2010;	1540.2015;	1540.2020;	1540.2090;	1540.2100;
1540.2110;	1540.2120;	1540.2180;	1540.2190;	1540.2200;	1540.2210;
1540.2220;	1540.2230;	1540.2240;	1540.2250;	1540.2260;	1540.2270;
1540.2280;	1540.2290;	1540.2300;	1540.2310;	1540.2320;	1540.2325;
1540.2330;	1540.2340;	1540.2350;	1540.2360;	1540.2370;	1540.2380;
1540.2390;	1540.2400;	1540.2410;	1540.2420;	1540.2430;	1540.2440;
1540.2450;	1540.2490;	1540.2500;	1540.2510;	1540.2530;	1540.2540;
1540.2550;	1540.2560;	1540.2570;	1540.2580;	1540.2590;	1540.2610;
1540.2630;	1540.2640;	1540.2650;	1540.2660;	1540.2720;	1540.2730;
1540.2740;	1540.2760;	1540.2770;	1540.2780;	1540.2790;	1540.2800;
1540.2810;	1540.2820;	1540.2830;	1540.2840;	1540.3420;	1540.3430;
1540.3440;	1540.3450;	1540.3460;	1540.3470;	1540.3560;	1540.3600;
1540.3610;	1540.3620;	1540.3630;	1540.3700;	1540.3780;	1540.3960;
1540.3970;	1540.3980;	1540.3990;	1540.4000;	1540.4010;	1540.4020;
1540.4030;	1540.4040;	1540.4080;	1540.4190;	1540.4200;	1540.4210;
1540.4220;	1540.4320;	1540.4330;	1540.4340;	2642.0120;	subpart 1;
2650.0100;	2650.0200;	2650.0300;	2650.0400;	2650.0500;	2650.0600;
2650.1100;	2650.1200;	2650.1300;	2650.1400;	2650.1500;	2650.1600;
2650.1700;	2650.1800;	2650.1900;	2650.2000;	2650.2100;	2650.3100;
2650.3200;	2650.3300;	2650.3400;	2650.3500;	2650.3600;	2650.3700;
2650.3800;	2650.3900;	2650.4000;	2650.4100;	2655.1000;	2660.0070;
2770.7400;	4610.2210;	7002.0410;	7002.0420;	7002.0430;	7002.0440;
7002.0450;	7002.0460;	7002.0470;	7002.0480;	7002.0490;	7011.0300;
7011.0305;	7011.0310;	7011.0315;	7011.0320;	7011.0325;	7011.0330;
7011.0400;	7011.0405;	7011.0410;	7011.2220;	subpart 4;	7047.0010;
7047.0020;	7047.0030;	7047.0040;	7047.0050;	7047.0060;	7047.0070;
7100.0300;	7100.0310;	7100.0320;	7100.0330;	7100.0335;	7100.0340;
7100.0350;	7100.0360;	7510.6100;	7510.6200;	7510.6300;	7510.6350;
7510.6400;	7510.6500;	7510.6600;	7510.6700;	7510.6800;	7510.6900;
7510.6910;	7600.0100;	7600.0200;	7600.0300;	7600.0400;	7600.0500;
7600.0600;	7600.0700;	7600.0800;	7600.0900;	7600.1000;	7600.1100;
7600.1200;	7600.1300;	7600.1400;	7600.1500;	7600.1600;	7600.1700;
7600.1800;	7600.1900;	7600.2000;	7600.2100;	7600.2200;	7600.2300;
7600.2400;	7600.2500;	7600.2600;	7600.2700;	7600.2800;	7600.2900;
7600.3000;	7600.3100;	7600.3200;	7600.3300;	7600.3400;	7600.3500;
7600.3600;	7600.3700;	7600.3800;	7600.3900;	7600.4000;	7600.4100;
7600.4200;	7600.4300;	7600.4400;	7600.4500;	7600.4600;	7600.4700;
7600.4800;	7600.4900;	7600.5000;	7600.5100;	7600.5200;	7600.5300;
7600.5400;	7600.5500;	7600.5600;	7600.5700;	7600.5800;	7600.5900;
7600.6000;	7600.6100;	7600.6200;	7600.6300;	7600.6400;	7600.6500;
7600.6600;	7600.6700;	7600.6800;	7600.6900;	7600.7000;	7600.7100;
7600.7200;	7600.7210;	7600.7300;	7600.7400;	7600.7500;	7600.7600;
7600.7700;	7600.7750;	7600.7800;	7600.7900;	7600.8100;	7600.8200;

7600.8300; 7600.8400; 7600.8500; 7600.8600; 7600.8700; 7600.8800;
 7600.8900; 7600.9000; 7600.9100; 7600.9200; 7600.9300; 7600.9400;
 7600.9500; 7600.9600; 7600.9700; 7600.9800; 7600.9900; 7605.0100;
 7605.0110; 7605.0120; 7605.0130; 7605.0140; 7605.0150; 7605.0160;
 7625.0100; 7625.0110; 7625.0120; 7625.0200; 7625.0210; 7625.0220;
 7625.0230; 8120.1100, subpart 3; 8121.0500, subpart 2; 8130.9500, subpart 6;
 8130.9912; 8130.9913; 8130.9916; 8130.9920; 8130.9930; 8130.9956;
 8130.9958; 8130.9968; 8130.9972; 8130.9980; 8130.9992; 8130.9996;
 9540.0100; 9540.0200; 9540.0300; 9540.0400; 9540.0500; 9540.1000;
 9540.1100; 9540.1200; 9540.1300; 9540.1400; 9540.1500; 9540.2000;
 9540.2100; 9540.2200; 9540.2300; 9540.2400; 9540.2500; 9540.2600; and
 9540.2700.

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

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

S.F. No. 1734: A bill for an act relating to employment; establishing a
 disaster volunteer leave program in the state civil service; proposing coding
 for new law in Minnesota Statutes, chapter 43A.

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

Page 1, line 8, before "A" insert "*Subdivision 1. [LEAVE AUTHO-
 RIZED.]*"

Page 1, line 10, after "*with*" insert "*50 percent of*"

Page 1, line 12, delete "*shall*" and insert "*must*"

Page 1, line 16, after "*at*" insert "*50 percent of*"

Page 1, line 19, delete "*shall*" and insert "*may*"

Page 1, line 20, delete "*pay,*"

Page 1, after line 22, insert:

*"Subd. 2. [LIABILITY.] The state is not liable for workers' compensation
 claims arising from accident or injury while a state employee is on assignment
 as a certified disaster service volunteer for the American Red Cross. Duties
 performed while on disaster leave are not considered to be a work assignment
 by a state agency. The employee is granted leave based on the need for
 expertise in the employee's certified area. Job functions, although similar or
 related to the employee's state job functions, are performed on behalf of and
 for the benefit of the American Red Cross."*

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

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

S.F. No. 1798: A bill for an act relating to education; modifying county
 board and school district responsibilities for special education; modifying the
 interagency early childhood intervention system; amending Minnesota Stat-

utes 1993 Supplement, section 120.17, subdivisions 11b, 12, and 17; proposing coding for new law in Minnesota Statutes, chapter 120.

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

Page 2, line 5, after "nursing," insert "respite,"

Page 2, line 19, delete "human service"

Page 2, line 21, delete the second "and"

Page 2, line 22, after "nursing" insert ", respite,"

Page 8, after line 32, insert:

"(o) "Respite" means short term, temporary care provided to a child with a disability due to the temporary absence or need for relief of the family member or members or primary care giver, normally providing the care."

Page 8, line 33, delete "(o)" and insert "(p)"

Page 9, line 1, delete "(p)" and insert "(q)"

Page 11, after line 28, insert:

"Subd. 8a. [EARLY INTERVENTION RESPITE.] The provision of respite services for an eligible child and family shall be determined in the context of the IFSP development based on the individual needs of the child and family, and with consideration given to the following criteria:

(1) severity of the child's disability and needs;

(2) potential risk of out-of-home placement for the child if respite services are not provided;

(3) parental lack of access to informal support systems, including but not limited to extended family, supportive friends, and community supports;

(4) presence of factors known to increase family stress, including but not limited to family size, and presence of another child or family member with a disability;

(5) the availability of other public services provided to the family which assist the parent or primary caretaker in obtaining relief from caretaking responsibilities; and

(6) the perceived and expressed level of need for respite services by the parent.

Counties are encouraged to make a variety of respite service models available, which may include in- or out-of-home respite, family reimbursement programs, and parent-to-parent respite projects."

Page 12, line 17, after the comma, insert "and any increased cost over the base year 1993 to"

Page 12, line 18, delete "service agencies" and insert "services"

Page 13, line 4, delete "appropriated" and insert "available"

Page 13, delete line 5 and insert "Part H eligible children."

Page 15, line 28, delete everything after the period and insert "The commissioners shall provide a consistent process for reviewing these procedures. The commissioners' decision may be appealed to district court."

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

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

S.F. No. 1369: A bill for an act relating to acupuncture; requiring the commissioner of health to conduct a study and recommend a regulatory program; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. [148.631] [PURPOSE.]

Acupuncture practice is recognized as a clearly defined system of health care with its own specialized body of knowledge. The knowledge and skills of the acupuncture practitioner directly affect the quality and safety of treatment received by the practitioner's client. It is therefore in the public interest to ensure that acupuncture practitioners meet the generally accepted standards of competence in the profession. The purpose of sections 148.632 to 148.638 is to limit the practice of acupuncture to those persons who meet standards of competence.

Sec. 2. [148.632] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 148.631 to 148.638.

Subd. 2. [ACUPUNCTURE PRACTICE.] "Acupuncture practice" means a system of health care using Oriental medical theory and its unique methods of diagnosis and treatment. Its treatment techniques include the insertion of acupuncture needles through the skin, and the use of other biophysical methods of acupuncture point stimulation, including, but not limited to, the use of moxibustion, Oriental massage techniques, electrical stimulation, laser stimulation, herbal therapies, dietary guidelines, breathing techniques, and exercise on the basis of Oriental medical principles. The object of the system is to maintain or restore health, improve physiological function, and relieve pain.

Subd. 3. [ACUPUNCTURE NEEDLE.] "Acupuncture needle" means a needle designed exclusively for acupuncture purposes. It has a solid core, with a tapered point, and is approximately 28-36 gauge in thickness.

Subd. 4. [ACUPUNCTURE POINTS.] "Acupuncture points" means specific anatomically described locations as defined by the National Commission for the Certification of Acupuncturists (NCCA) recognized acupuncture reference texts. The locations are particularly effective in influencing the body's function and health when stimulated according to Oriental theory and practice.

Subd. 5. [ACUPUNCTURE PRACTITIONER.] "Acupuncture practitioner" means a person certified to practice acupuncture as set forth under section 148.633.

Subd. 6. [ADVISORY COUNCIL.] "Advisory council" means the advisory council for acupuncture, established in section 148.634.

Subd. 7. [COMMISSIONER.] "Commissioner" means the commissioner of health.

Subd. 8. [DIPLOMAT IN ACUPUNCTURE.] "Diplomat in acupuncture" means a person is certified by the NCCA as having met the standards of competence established by the NCCA, subscribes to the NCCA code of ethics, and has a current and active NCCA certification.

Current and active NCCA certification indicates successful completion of continued professional development and specified eligibility and academic requirements.

Subd. 9. [ELECTRICAL STIMULATION.] "Electrical stimulation" means a method of stimulating acupuncture points by the use of very low amperage electrical current. Electrical stimulation may be used by attachment of a device to an acupuncture needle or may be used transcutaneously without penetrating the skin.

Subd. 10. [MOXIBUSTION.] "Moxibustion" means the use of artemisia vulgaris alone or in combination with other herbs as a warming agent to affect acupuncture points.

Subd. 11. [ORIENTAL MEDICINE.] "Oriental medicine" means the system of healing arts that perceives the circulation and balance of energy in the body as being fundamental to the well-being of the individual. It implements the theory through specialized methods of analyzing the energy status of the body and treating the body with acupuncture and other related modalities for the purpose of strengthening the body, improving energy balance, maintaining or restoring health, improving physiological function, and reducing pain.

Sec. 3. [148.633] [CERTIFICATION.]

Subdivision 1. [CERTIFICATION REQUIRED.] Except as provided under subdivision 2, it is unlawful for any person to engage in the practice of acupuncture after September 1, 1995, without a valid certification. Each certified acupuncture practitioner shall conspicuously display the certification in the place of practice.

Subd. 2. [EXCEPTIONS.] (a) The following persons may practice acupuncture within the scope of their practice without certification:

- (1) physicians licensed under chapter 147;*
- (2) osteopaths licensed under chapter 147; and*
- (3) chiropractors licensed under chapter 148.*

(b) A person who is (1) studying in a formal course of study or tutorial intern program approved by the advisory council and the acupuncture practice is limited to studying and providing an intern program supervised by a certified acupuncturist; or (2) a visiting acupuncture expert practicing acupuncture within an instructional setting for the sole purpose of teaching at a school registered with the Minnesota higher education coordinating board, may practice without a certificate for a period of one year, with two one-year extensions permitted.

Subd. 3. [QUALIFICATIONS.] An applicant must:

(1) be at least 21 years of age;

(2) have current and active certification as a diplomat in acupuncture by the NCCA by passing the NCCA examination or being certified by the NCCA credential documentation review, or have within the first two years of enactment of this law qualified for certification by meeting the following criteria:

(i) have an equivalent status from another country established by documentation of graduation from an acupuncture program of at least 1,350 hours at a school on the California acupuncture committee's list of approved foreign schools; and

(ii) has engaged in acupuncture practice for at least two years within the four years prior to application at a rate of a minimum of 500 treatments per year;

(3) provide documentation of successful completion of an approved clean needle technique course; and

(4) meet any other requirements established by the commissioner.

Subd. 4. [CERTIFICATION EXPIRATION.] Certifications issued under this section shall expire:

(1) as determined by the commissioner; or

(2) when the certificant is decertified by the NCCA.

Subd. 5. [CERTIFICATION RENEWAL.] (a) [RENEWAL REQUIREMENTS.] To renew a certification an applicant must:

(1) annually complete a renewal application on a form provided by the commissioner;

(2) submit the annual renewal fee;

(3) provide documentation of current and active NCCA certification, or in the case of those certified under the criteria for foreign acupuncture school graduates, meet the then current NCCA requirements for recertification; and

(4) submit any additional information requested by the commissioner to clarify information presented in the renewal application. The information must be submitted within 30 days after the commissioner's request.

(b) [PENALTY FEE.] An application submitted after the renewal deadline date must be accompanied by a penalty fee as established under section 148.637, subdivision 3.

(c) [CERTIFICATION RENEWAL NOTICE.] Certification renewal shall be on an annual basis or as determined by the commissioner. At least 30 days before the certification renewal date, the commissioner shall send out a renewal notice to the last known address of the certificant. The notice shall include a renewal application and a notice of fees required for renewal. If the certificant does not receive the renewal notice, the certificant is still required to make the deadline for renewal to qualify for continuous certification status.

(d) [RENEWAL DEADLINE.] The renewal application and fee must be

postmarked on or before July 31 on the year of renewal or as determined by the commissioner.

Subd. 6. [CERTIFICATE BY RECIPROCITY.] The commissioner shall issue an acupuncture certification to a person who holds a current license or certificate as an acupuncturist from another jurisdiction if the commissioner determines that the standards for certification or licensure in the other jurisdiction meet or exceed the requirements for certification in Minnesota.

Subd. 7. [INACTIVE STATUS.] (a) A certification may be placed in inactive status upon application to the commissioner and upon payment of an inactive status fee.

(b) An inactive certification may be reactivated by the certification holder upon application to the commissioner. The application must include:

- (1) evidence of current active NCCA certification;*
- (2) evidence of the certificate holder's payment of an inactive status fee; and*
- (3) an annual renewal fee.*

Subd. 8. [APPLICATION FOR CERTIFICATION.] (a) An applicant for certification must:

(1) submit a completed application for certification on forms provided by the commissioner. The application must include the applicant's name, business address and phone number, home address and phone number, and a notarized copy of a current NCCA certification. The commissioner may ask the applicant to provide additional information necessary to clarify information submitted in the application;

(2) sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief;

(3) submit with the application all fees required; and

(4) sign a waiver authorizing the commissioner to obtain access to the applicant's records in this state or any state in which the applicant has engaged in the practice of acupuncture.

(b) The commissioner may investigate information provided by an applicant to determine whether the information is accurate and complete. The commissioner shall notify an applicant of action taken on the application and of the reasons for denying certification if certification is denied.

Subd. 9. [USE OF TITLE.] Only a person certified under this section shall use the title "acupuncturist" or the initials "C.A." and be allowed to advertise and represent themselves as such.

Sec. 4. [148.634] [ADVISORY COUNCIL.]

Subdivision 1. [CREATION.] An advisory council for acupuncture is created within the department of health. The advisory council shall consist of five members appointed by the commissioner. Each member shall serve a term of three years. Three members shall be certified acupuncture practitioners as defined under section 148.632; one member shall be a licensed physician or osteopath who also practices acupuncture; and one member shall be a

member of the public who has received acupuncture from a diplomat of acupuncture.

Subd. 2. [INITIAL ADVISORY COUNCIL APPOINTED.] (a) The four members of the advisory council required by subdivision 1 to be acupuncture practitioners, who are appointed to the initial advisory council, need not be certified under section 148.633 but must satisfy the qualifications for certification provided in section 148.633, subdivision 3, and must have been engaged in acupuncture practice a minimum of three years.

(b) One member of the initial advisory council appointed shall have an initial term of one year, two members an initial term of two years, and two members an initial term of three years.

Subd. 3. [ADMINISTRATION; COMPENSATION; REMOVAL; QUORUM.] The advisory council is established and administered under section 15.059. Notwithstanding section 15.059, subdivision 5, the council shall not expire.

Subd. 4. [DUTIES.] The advisory council shall:

(1) advise the commissioner on issuance, renewal, revocation for cause, or placement of probationary restrictions on certifications to practice acupuncture;

(2) advise the commissioner on issues related to receiving, investigating, conducting hearings, and imposing disciplinary action in relation to complaints against acupuncture practitioners;

(3) maintain a register of acupuncture practitioners certified under section 148.633;

(4) maintain a record of all advisory council actions; and

(5) perform other duties authorized for advisory councils under chapter 214, as directed by the commissioner.

Sec. 5. [148.635] [PROFESSIONAL CONDUCT.]

Subdivision 1. [PRACTICE STANDARDS.] (a) Before a treatment of a patient, an acupuncture practitioner certified under section 148.633 shall ask whether the patient has been examined by a licensed physician or other professional, as defined by section 145.61, subdivision 2, with regard to the patient's illness or injury, and shall review the diagnosis as reported.

(b) An acupuncture practitioner must use sterilized equipment that meets the standards of the national Centers for Disease Control.

(c) An acupuncture practitioner shall comply with all applicable state and municipal requirements regarding public health.

(d) Data maintained on an acupuncture patient by an acupuncture practitioner is subject to section 144.336.

Subd. 2. [GROUNDS FOR SANCTIONS OR DENIAL OF CERTIFICATION.] The commissioner may discipline an acupuncture practitioner or deny an application for certification under procedures in subdivision 3 upon evidence of conduct prohibited by one or more of the following:

(1) violates any provision of sections 148.632 to 148.638 or other statutes or rules that relate to the practice of acupuncture;

(2) intentionally furnishes false, misleading, or incompetent information to the commissioner, the advisory council, or to the public;

(3) refuses to allow the commissioner to conduct inspections at reasonable times or refuses to cooperate with any investigation conducted by the commissioner or a representative of the commissioner, or fails to provide information within 30 days in response to a written request of the commissioner or representative of the commissioner;

(4) engages in unethical conduct, which includes conduct likely to deceive, defraud, or harm the public;

(5) demonstrates a willful or careless disregard for the health, safety, or welfare of a patient;

(6) aids or abets persons practicing acupuncture without certification, except as allowed in section 148.633, subdivision 2;

(7) is habitually intemperate or addicted to the use of alcohol or habit-forming drugs that impair the ability to practice acupuncture safely;

(8) engages in sexual conduct with a patient or in conduct that may reasonably be interpreted by the patient as sexual, or in verbal behavior that is seductive or sexually demeaning to a patient; or

(9) decertification by NCCA.

Subd. 3. [PROCEDURE FOR SANCTIONS OR DENIAL OF CERTIFICATION.] The commissioner shall refuse to issue or renew a certificate to an acupuncture practitioner who fails to satisfy the requirements for certification under sections 148.632 to 148.638. The commissioner may suspend, revoke, or impose probationary conditions on the certification of an acupuncture practitioner whom the commissioner determines has violated the standards of subdivision 1 or 2 or the rules promulgated by the commissioner. The commissioner shall establish a procedure for reinstating a certificate after a period of suspension. As a condition of reinstatement the commissioner may impose disciplinary or corrective measures.

Subd. 4. [PENALTY.] (a) A person who knowingly violates sections 148.632 to 148.638 is guilty of a gross misdemeanor.

(b) The commissioner or a county attorney may bring an action in the district court where the violation occurred to restrain a person from violating sections 148.632 to 148.638.

(c) The remedies in this section are in addition to other remedies or penalties provided by law.

Sec. 6. [148.636] [NONDISCRIMINATION.]

Nothing in sections 148.632 to 148.638 shall be interpreted as discriminating against, nor shall the commissioner discriminate against any person by reason of nationality, language facility, race, religion, sex or sexual preference, physical disability, except where a disability might interfere with the competent practice of acupuncture, or age, except for the minimum requirement established in section 148.633.

Sec. 7. [148.637] [FEES.]

Subdivision 1. [FIRST-TIME CERTIFICATION AND APPLICANTS FOR CERTIFICATION RENEWAL.] The commissioner shall prorate the certification fee for first-time certificants and applicants for certification renewal according to the number of months that have elapsed between the date certification is issued and the date the certificate must be renewed.

Subd. 2. [ANNUAL REGISTRATION FEE.] The fee of initial certification and annual certification renewal shall be established by the commissioner.

Subd. 3. [PENALTY FEE FOR LATE RENEWALS.] The penalty fee for late submission for renewal application shall be ten percent of that annual registration fee.

Subd. 4. [SURCHARGE FEE.] A surcharge fee shall be established by the commissioner in an amount necessary to recover over a ten-year period the direct expenditures for adoption of the rules.

Sec. 8. [148.638] [RULES.]

The commissioner shall adopt rules under chapter 14 to implement sections 148.632 to 148.637. The rules must establish additional criteria for certification consistent with the standards of the NCCA or its equivalent.

Sec. 9. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to occupations and professions; establishing a system of licensure for acupuncture practitioners; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 148."

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

Mr. Berg from the Committee on Gaming Regulation, to which were referred the following appointments as reported in the Journal for February 18, 1993:

GAMBLING CONTROL BOARD

Clarence S. Carter
Mary K. McLeod

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

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

Mr. Berg from the Committee on Gaming Regulation, to which were referred the following appointments as reported in the Journal for February 22, 1994:

GAMBLING CONTROL BOARD

John Breon
Dennis Flaherty
Allan E. Fonfara
Laura Schupp

MINNESOTA RACING COMMISSION

Joseph Friedberg
Mary B. Magnuson
Camille J. McArdle

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1660, 1473, 1894 and 1734 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Riveness moved that the name of Mr. Larson be added as a co-author to S.F. No. 1784. The motion prevailed.

Mr. Terwilliger moved that the name of Mr. Neuville be added as a co-author to S.F. No. 1946. The motion prevailed.

Mr. Johnson, D.E. moved that the name of Mr. Neuville be added as a co-author to S.F. No. 1947. The motion prevailed.

Mr. Metzen moved that the name of Mr. McGowan be added as a co-author to S.F. No. 1950. The motion prevailed.

Mr. Terwilliger moved that the name of Mr. Stevens be added as a co-author to S.F. No. 2008. The motion prevailed.

Mr. Bertram moved that the name of Mr. Stevens be added as a co-author to S.F. No. 2030. The motion prevailed.

Mr. Murphy moved that S.F. No. 1988 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Mr. Murphy moved that S.F. No. 1989 be withdrawn from the Committee on Jobs, Energy and Community Development and re-referred to the Committee on Judiciary. The motion prevailed.

SUSPENSION OF RULES

Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

GENERAL ORDERS

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

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

S.F. Nos. 1806, 1744 and 1712, which the committee recommends to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Ms. Ranum, Messrs. Pogemiller, Beckman, Ms. Reichgott Junge and Mr. Knutson introduced—

S.F. No. 2044: A bill for an act relating to education; establishing a pilot program to provide free breakfasts to all children in participating elementary schools; appropriating money.

Referred to the Committee on Education.

Mr. Beckman introduced—

S.F. No. 2045: A bill for an act relating to utilities; changing interest rate paid on utility customer deposits; amending Minnesota Statutes 1992, section 325E.02.

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

Messrs. Vickerman, Berg, Stevens, Janezich and Bertram introduced—

S.F. No. 2046: A bill for an act relating to local government; requiring drainage authorities rather than road authorities to be responsible to maintain town road bridges and culverts constructed on a drainage system; amending Minnesota Statutes 1992, sections 103E.525, subdivision 2; and 103E.701, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

Messrs. Johnson, D.J.; Metzen; Kelly; Frederickson and Ms. Anderson introduced—

S.F. No. 2047: A bill for an act relating to taxation; exempting passenger restraint systems for children from the sales and use tax and the motor vehicle excise tax; amending Minnesota Statutes 1992, sections 297A.25, by adding a subdivision; and 297B.01, subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Mr. Berg, Mrs. Pariseau, Ms. Olson and Mr. Lessard introduced—

S.F. No. 2048: A bill for an act relating to the environment; providing that antifreeze may be disposed into a publicly owned wastewater treatment facility; amending Minnesota Statutes 1993 Supplement, section 115A.916.

Referred to the Committee on Environment and Natural Resources.

Mr. Finn, Mses. Piper, Kiscaden, Mr. Vickerman and Ms. Berglin introduced—

S.F. No. 2049: A bill for an act relating to the board on aging; creating a new position to develop a statewide service system for Indian elders, and also coordinate efforts with the National Indian Council on Aging; appropriating money; amending Minnesota Statutes 1992, section 256.976, by adding a subdivision.

Referred to the Committee on Family Services.

Ms. Johnson, J.B.; Mr. Frederickson, Mses. Wiener, Flynn and Mrs. Pariseau introduced—

S.F. No. 2050: A bill for an act relating to the environment; requiring a person who arranges for management of solid waste in an environmentally inferior manner to indemnify generators of the waste and, for a landfill, set aside a fund to pay for contamination from the landfill; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Natural Resources.

Mr. Larson introduced—

S.F. No. 2051: A bill for an act relating to education; preventing the prevailing wage law from applying to school district construction and debt service equalization; amending Minnesota Statutes 1992, section 124.95, subdivision 5.

Referred to the Committee on Education.

Mr. Janezich introduced—

S.F. No. 2052: A bill for an act relating to counties; St. Louis; assigned the former town of Payne to the 7th commissioner district.

Referred to the Committee on Metropolitan and Local Government.

Mr. Janezich introduced—

S.F. No. 2053: A bill for an act relating to game and fish; authorizing disabled hunters to take deer of either sex; amending Minnesota Statutes 1992, section 97B.055, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Messrs. Morse, Merriam, Lessard, Frederickson and Laidig introduced—

S.F. No. 2054: A bill for an act relating to natural resources; personnel working on certain projects; terms and conditions of certain 1993 appropriations; amending Minnesota Statutes 1992, section 116P.09, subdivision 4; Laws 1993, chapter 172, section 14, subdivisions 4, 11, and 12.

Referred to the Committee on Environment and Natural Resources.

Ms. Johnston and Mr. Chmielewski introduced—

S.F. No. 2055: A bill for an act relating to taxation; establishing indexing formula for calculating tax on gasoline; dedicating 17 percent of motor vehicle excise tax to transit assistance; removing obsolete language and making technical changes; amending Minnesota Statutes 1992, sections 296.02, subdivision 1b, and by adding a subdivision; and 297B.09, subdivision 1.

Referred to the Committee on Transportation and Public Transit.

Mr. Benson, D.D. introduced—

S.F. No. 2056: A bill for an act relating to local government; authorizing towns in Olmsted county to adopt and enforce the state building code.

Referred to the Committee on Governmental Operations and Reform.

Mr. Morse introduced—

S.F. No. 2057: A bill for an act relating to education; permitting bonds to be issued; permitting the city of Rollingstone to construct and lease space for educational purposes to independent school district No. 861, Winona; amending Laws 1993, chapter 224, article 5, section 43.

Referred to the Committee on Metropolitan and Local Government.

Messrs. Novak and Betzold introduced—

S.F. No. 2058: A bill for an act relating to housing; requiring a report to the legislature evaluating emergency weather procedures in manufactured home parks; appropriating money.

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

Messrs. Luther, Lessard, Ms. Olson, Messrs. Morse and Novak introduced—

S.F. No. 2059: A bill for an act relating to taxation; motor fuels; providing for the disposition of unrefunded gasoline tax attributable to off-road vehicle use; amending Minnesota Statutes 1992, section 296.16, subdivision 1; Minnesota Statutes 1993 Supplement, section 84.803, subdivision 1.

Referred to the Committee on Transportation and Public Transit.

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

S.F. No. 2060: A bill for an act relating to the city of Duluth; clarifying certain language relating to calculation of pension benefits contained in the bylaws of the Duluth firefighters relief association.

Referred to the Committee on Governmental Operations and Reform.

Mr. Neuville, Mrs. Pariseau, Messrs. Benson, D.D. and Berg introduced—

S.F. No. 2061: A bill for an act relating to the legislature; providing for the

composition of the legislative audit commission; amending Minnesota Statutes 1993 Supplement, section 3.97, subdivision 2.

Referred to the Committee on Governmental Operations and Reform.

Mr. Stevens introduced—

S.F. No. 2062: A bill for an act relating to state lands; authorizing the sale of certain lands in Mille Lacs county to resolve a trespass situation.

Referred to the Committee on Environment and Natural Resources.

Mr. Kelly introduced—

S.F. No. 2063: A bill for an act relating to recreation green space; requiring a certain public utility to relocate overhead power lines in Indian Mounds Park in Saint Paul.

Referred to the Committee on Environment and Natural Resources.

Mr. Kelly introduced—

S.F. No. 2064: A bill for an act relating to peace officers; changing the minimum standards required for licensing; amending Minnesota Statutes 1992, section 626.843, subdivision 1.

Referred to the Committee on Crime Prevention.

Mr. Kelly introduced—

S.F. No. 2065: A bill for an act relating to lotteries; authorizing the city of St. Paul to conduct lottery games for certain educational and recreational purposes; amending Minnesota Statutes 1993 Supplement, section 349A.10, subdivisions 3 and 5; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on Gaming Regulation.

Ms. Hanson, Messrs. Betzold and Novak introduced—

S.F. No. 2066: A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water or natural wetlands in Anoka county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Bertram, Janezich and Berg introduced—

S.F. No. 2067: A bill for an act relating to the lottery; authorizing and regulating the use of video lottery machines for the play of poker, keno, slots, and bingo; regulating video lottery manufacturers, distributors, operators, and licensed establishments; authorizing the use of pull-tab dispensing devices; prescribing penalties; establishing fees; providing rulemaking, including exempt rulemaking; amending Minnesota Statutes 1992, sections 349.12, subdivision 18; 349.13; 349.151, subdivision 4; and 349A.13; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on Gaming Regulation.

Ms. Berglin and Mr. Samuelson introduced—

S.F. No. 2068: A bill for an act relating to health; modifying provisions relating to the nursing home moratorium exceptions; amending Minnesota Statutes 1992, section 144A.073, subdivisions 1, 4, 8, and by adding a subdivision; Minnesota Statutes 1993 Supplement, section 144A.073, subdivisions 2 and 3.

Referred to the Committee on Health Care.

Mr. Kelly introduced—

S.F. No. 2069: A bill for an act relating to cities; Saint Paul; providing for a rental tax equity pilot project.

Referred to the Committee on Taxes and Tax Laws.

Ms. Robertson, Mr. McGowan and Ms. Olson introduced—

S.F. No. 2070: A bill for an act relating to cities; allowing home rule charter cities to apply law applicable to statutory cities in instances in which the charter is silent, with certain restrictions; proposing coding for new law in Minnesota Statutes, chapter 410.

Referred to the Committee on Metropolitan and Local Government.

Ms. Pappas and Mr. Kelly introduced—

S.F. No. 2071: A bill for an act relating to the department of revenue; providing for the coordination of sales tax schedules for the state and the city of Saint Paul.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Mondale, Solon, Belanger and Chandler introduced—

S.F. No. 2072: A bill for an act relating to commerce; adding labeling requirements for salvaged food; adding licensing requirements for salvaged food distributors; adding record keeping requirements; requiring salvaged food served for compensation to be identified; amending Minnesota Statutes 1992, section 31.495, subdivisions 1, 2, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 31.

Referred to the Committee on Commerce and Consumer Protection.

Ms. Pappas, Mr. Johnson, D.J.; Mses. Reichgott Junge, Flynn and Mr. Belanger introduced—

S.F. No. 2073: A bill for an act relating to taxation; making technical corrections and administrative changes; amending Minnesota Statutes 1992, sections 103B.245, subdivision 1; 103D.911, subdivision 2; 103D.915, subdivision 1; 115A.919, subdivision 3; 115A.921, subdivision 1; 115A.923, subdivision 1; 270.12, subdivision 2; 272.025, subdivision 3; 273.111, subdivision 6; 273.13, subdivision 22; 273.134; 273.1399, subdivision 3; 275.065, subdivision 1; 278.05, subdivision 5; 279.37, subdivision 8; 282.01, subdivision 1; 282.014; 282.04, subdivision 2; 282.301; 289A.08, subdivision 7; 289A.25, subdivision 5; 290.17, subdivision 2; 290.371, subdivision 2; 290A.03, subdivisions 5 and 14; 290A.05; 297.01, subdivision 14; 297.11,

subdivision 5; 297A.021, subdivision 4; 297B.11; 297C.01, subdivision 5; 357.18, subdivision 2; 398.16; 398A.04, subdivision 8; 447.34, subdivision 2; 462.396, subdivision 2; 469.060, subdivision 6; 469.102, subdivision 5; 469.177, subdivision 9; 473.167, subdivision 3; 473.249, subdivision 1; 473.446, subdivision 1; 473.661, subdivision 2; 473.711, subdivision 2; 477A.011, subdivision 1b; 477A.0121, subdivision 4; 477A.014, subdivision 1; 477A.15; and 580.23, subdivision 3; Minnesota Statutes 1993 Supplement, sections 124.2131, subdivision 1; 272.02, subdivision 1; 273.11, subdivision 13; 273.124, subdivisions 1 and 13; 273.13, subdivision 25; 273.1398, subdivisions 1 and 3; 273.166, subdivision 3; 275.065, subdivisions 3 and 6; 276.04, subdivision 2; 277.15; 278.04; 278.08; 290A.03, subdivisions 8 and 13; 290.091, subdivision 2; 297A.01, subdivision 3; 297A.07, subdivision 1; 469.033, subdivision 6; and 473.13, subdivision 1; Laws 1989, chapter 211, section 4, subdivision 2; Laws 1992, chapter 511, article 4, section 29; Laws 1993, chapter 375, article 2, section 37; proposing coding for new law in Minnesota Statutes, chapters 273 and 275; repealing Minnesota Statutes 1992, sections 115A.923, subdivision 6; and 273.22; Minnesota Statutes 1993 Supplement, section 273.1398, subdivision 2a; Laws 1993, First Special Session chapter 1, article 2, section 6.

Referred to the Committee on Taxes and Tax Laws.

Ms. Johnson, J.B. and Mr. Marty introduced—

S.F. No. 2074: A bill for an act relating to driving while intoxicated; establishing a pilot program to evaluate the effectiveness of electronic alcohol monitoring of DWI offenders; appropriating money.

Referred to the Committee on Crime Prevention.

Messrs. Sams, Pogemiller and Samuelson introduced—

S.F. No. 2075: A bill for an act relating to education; permitting independent school district No. ..., Motley-Staples, to recognize referendum levy revenue in the capital expenditure fund.

Referred to the Committee on Education.

Messrs. Cohen; Terwilliger; Benson, D.D. and Ms. Reichgott Junge introduced—

S.F. No. 2076: A bill for an act relating to establishing a debt collection entity; providing for the collection of debts owed the state or for whom the state acts as a fiduciary; imposing fees; appropriating money; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; 168A.05, subdivisions 2, 7, and by adding a subdivision; 508.25; and 542.07; Minnesota Statutes 1993 Supplement, section 168A.05, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 16C; repealing Minnesota Statutes 1992, sections 10.11; 10.12; 10.14; and 10.15.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Samuelson and Sams introduced—

S.F. No. 2077: A bill for an act relating to human services; increasing the efficiency incentive payment for residential facilities caring for the mentally

retarded; amending Minnesota Statutes 1993 Supplement, section 256B.501, subdivision 5a.

Referred to the Committee on Health Care.

Messrs. Sams and Samuelson introduced—

S.F. No. 2078: A bill for an act relating to human services; modifying provisions relating to the reimbursement of nursing homes operating costs; amending Minnesota Statutes 1992, sections 256B.431, subdivision 3c; Minnesota Statutes 1993 Supplement, sections 256B.431, subdivision 15.

Referred to the Committee on Health Care.

Messrs. Finn, Betzold and Ms. Ranum introduced—

S.F. No. 2079: A bill for an act relating to the collection and dissemination of data; proposing classifications of data as private, nonpublic and protected nonpublic; amending Minnesota Statutes 1992, sections 13.38, by adding a subdivision; and 13.71, by adding a subdivision; amending Minnesota Statutes 1993 Supplement, section 13.643, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

Ms. Pappas and Mr. Kelly introduced—

S.F. No. 2080: A bill for an act relating to local government; changing the date by which the joint property tax advisory committee must agree; amending Minnesota Statutes 1993 Supplement, section 383A.75, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Ms. Wiener, Messrs. Morse, Riveness and Metzen introduced—

S.F. No. 2081: A bill for an act relating to state agencies; providing that the open appointments act applies to certain appointments made by the governor and by legislators; authorizing the secretary of state to collect data regarding appointments to multimember agencies by electronic means; requiring multimember agencies to register with the secretary of state; requiring the secretary of state to publish information collected through registration; requiring the secretary of state to furnish copies of registration data to the legislative reference library; amending Minnesota Statutes 1992, section 15.0597, subdivisions 1 and 5; Minnesota Statutes 1993 Supplement, section 15.0597, subdivisions 2 and 4; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Moe, R.D.; Sams; Benson, D.D. and Ms. Kiscaden introduced—

S.F. No. 2082: A bill for an act relating to human services; establishing a rural dentist education loan program; authorizing, under the medical assistance plan, a dental service pilot program in certain areas; modifying reimbursement provisions for medical assistance dental service; appropriating money; amending Minnesota Statutes 1992, sections 256B.04, by adding a

subdivision; and 256B.76, as amended; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Health Care.

Messrs. Pogemiller, Stumpf and Ms. Krentz introduced—

S.F. No. 2083: A bill for an act relating to libraries; establishing an information resource grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 134.

Referred to the Committee on Education.

Ms. Pappas, Messrs. Pogemiller, Stumpf, Ms. Reichgott Junge and Mr. Langseth introduced—

S.F. No. 2084: A bill for an act relating to libraries; establishing a librarians of color program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 134.

Referred to the Committee on Education.

Messrs. Sams, Finn, Solon and Betzold introduced—

S.F. No. 2085: A bill for an act relating to health; establishing the Minnesota dental health board; transferring the regulation of dental insurance; exempting dental services from all-payer option reimbursement limits; excluding certain dental services from growth limits; allowing direct billing for upgrade dental services; proposing coding for new law in Minnesota Statutes, chapter 62J.

Referred to the Committee on Health Care.

Mses. Piper, Berglin, Messrs. Sams, Hottinger and Ms. Kiscaden introduced—

S.F. No. 2086: A bill for an act relating to health; extending dispensing authority to physician assistants and advanced practice nurses; amending Minnesota Statutes 1992, sections 147.34, subdivision 1; 149.235, by adding a subdivision; and 151.37, subdivisions 2 and 2a; Minnesota Statutes 1993 Supplement, section 151.01, subdivision 23.

Referred to the Committee on Health Care.

Mses. Anderson, Kiscaden, Ranum, Messrs. Spear and Betzold introduced—

S.F. No. 2087: A bill for an act relating to public safety; providing for judicial commitment of sexually violent predators to the custody of the commissioner of human services; providing a petitioning process and commitment procedures; amending Minnesota Statutes 1992, sections 609.1351; proposing coding for new law as Minnesota Statutes, chapter 253D; repealing Minnesota Statutes 1992, sections 526.09; 526.10; 526.11; and 526.115.

Referred to the Committee on Crime Prevention.

Messrs. Larson, Sams and Hottinger introduced—

S.F. No. 2088: A bill for an act relating to occupations and professions; requiring legal descriptions of land to be prepared by registered land surveyors or attorneys at law; amending Minnesota Statutes 1992, section 326.03, subdivision 3.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Spear introduced—

S.F. No. 2089: A bill for an act relating to courts; providing that only court-appointed counsel are eligible for reimbursement of investigative, expert, and other defense costs; amending Minnesota Statutes 1992, section 611.21.

Referred to the Committee on Crime Prevention.

Mr. Betzold introduced—

S.F. No. 2090: A bill for an act relating to human services; modifying provisions dealing with the administration and enforcement of child support; amending Minnesota Statutes 1993 Supplement, section 518.551, subdivision 10.

Referred to the Committee on Family Services.

Mr. Betzold introduced—

S.F. No. 2091: A bill for an act relating to health; MinnesotaCare; requiring an alternative dispute resolution pilot project for integrated service networks; requiring the commissioner of health to seek an exemption from certain federal reporting requirements; appropriating money.

Referred to the Committee on Health Care.

Messrs. Finn, Morse and Johnson, D.J. introduced—

S.F. No. 2092: A bill for an act relating to natural resources; imposing an assessment on wood acquired by wood mills; establishing the sustainable forestry account; providing for certification of loggers and foresters; authorizing rules; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 90.

Referred to the Committee on Environment and Natural Resources.

Mr. Morse, Ms. Hanson, Messrs. Murphy, Vickerman and Sams introduced—

S.F. No. 2093: A bill for an act relating to agriculture; establishing certification and labeling program to identify milk and milk products free of recombinant bovine growth hormone; amending regulations regarding use and clarification of recombinant bovine somatotropin; appropriating money; amending Minnesota Statutes 1992, sections 32.103; 151.01, subdivision 28; 151.15, subdivision 3; and 151.25; proposing coding for new law in Minnesota Statutes, chapter 32.

Referred to the Committee on Agriculture and Rural Development.

Ms. Krentz, Messrs. Knutson, Cohen, Ms. Kiscaden and Mr. Spear introduced—

S.F. No. 2094: A bill for an act relating to children; providing for guardians ad litem and attorneys for children; establishing a state board of child advocacy; providing for a state child advocate and district child advocates; appropriating money; amending Minnesota Statutes 1992, sections 257.071, subdivision 4; 260.155, subdivision 4; 518.165; and 518.17, subdivision 1; Minnesota Statutes 1993 Supplement, section 257.071, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 495.

Referred to the Committee on Judiciary.

Mr. Cohen introduced—

S.F. No. 2095: A bill for an act relating to employment; modifying provisions relating to the public employee vacation donation program; amending Minnesota Statutes 1992, section 43A.181, subdivision 3.

Referred to the Committee on Governmental Operations and Reform.

Mr. Cohen introduced—

S.F. No. 2096: A bill for an act relating to creditors' remedies; increasing the value of the homestead exemption; amending Minnesota Statutes 1993 Supplement, section 510.02.

Referred to the Committee on Judiciary.

Mr. Langseth, Ms. Johnston, Mr. Vickerman and Ms. Hanson introduced—

S.F. No. 2097: A bill for an act relating to transportation; modifying distribution of money in transit assistance fund; establishing annual gasoline excise tax rate adjustment; modifying amounts of motor vehicle excise tax money transferred to transit assistance fund; appropriating money; amending Minnesota Statutes 1992, sections 296.02, by adding a subdivision; and 297B.09, subdivision 1; Minnesota Statutes 1993 Supplement, section 174.32, subdivision 2.

Referred to the Committee on Transportation and Public Transit.

Messrs. Langseth, Vickerman, Meses. Hanson and Johnston introduced—

S.F. No. 2098: A bill for an act relating to transportation; modifying distribution of money in transit assistance fund; increasing gasoline excise tax; modifying amount of motor vehicle excise tax money transferred to transit assistance fund; appropriating money; amending Minnesota Statutes 1992, sections 296.02, subdivision 1b, and by adding a subdivision; and 297B.09, subdivision 1; Minnesota Statutes 1993 Supplement, section 174.32, subdivision 2.

Referred to the Committee on Transportation and Public Transit.

MEMBERS EXCUSED

Mrs. Adkins, Ms. Berglin, Messrs. Cohen, Lessard and Price were excused from the Session of today.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, March 7, 1994. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate