

## TWENTY-SIXTH DAY

St. Paul, Minnesota, Thursday, March 16, 1995

The Senate met at 9:00 a.m. and was called to order by the President.

### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Sister Margaret Belanger.

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

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

The President declared a quorum present.

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

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 17, 1995

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

#### METROPOLITAN COUNCIL

Barbara Butts Williams, 2222 Victory Memorial Pkwy., Minneapolis, Hennepin County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Charles W. Arnason, P.O. Box 274, 500 - 3rd St., Marine on St. Croix, Washington County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Terrence F. Flower, 13875 Mississippi Tr., Hastings, Dakota County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

David Hartley, 14633 Bowers Dr., Ramsey, Anoka County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Martha Head, 1616 W. 22nd St., Minneapolis, Hennepin County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Kevin Howe, 1763 Lansford Ln., Mendota Heights, Dakota County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Carol A. Kummer, 4818 - 30th Ave. S., Minneapolis, Hennepin County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Patrick Leung, 1598 - 23rd Ave. N.W., New Brighton, Ramsey County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Esther Newcome, 2374 Joy Ave., White Bear Lake, Ramsey County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Roger Scherer, 12001 Bass Lake Rd., Plymouth, Hennepin County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Bill Schreiber, 10001 Zane Ave. N., Brooklyn Park, Hennepin County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Julius Smith, 3200 Highpoint Dr., Chaska, Carver County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Mary Smith, 515 N. Ferndale, Wayzata, Hennepin County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Stephen B. Wellington, Jr., 2257 Gordon Ave., St. Paul, Ramsey County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

Diane Z. Wolfson, 1117 Goodrich Ave., St. Paul, Ramsey County, effective February 22, 1995, for a term expiring on the first Monday in January, 1999.

(Referred to the Committee on Metropolitan and Local Government.)

February 27, 1995

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

#### PUBLIC UTILITIES COMMISSION

Joel Jacobs, 2608 - 116th Ln. N.W., Coon Rapids, Anoka County, effective March 5, 1995, for a term expiring on the first Monday in January, 2001.

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

Warmest regards,  
Arne H. Carlson, Governor

March 13, 1995

The Honorable Irv Anderson  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1995 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1995	Date Filed 1995
	164	9	2:31 p.m. March 10	March 10

Sincerely,  
Joan Anderson Growe  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

**Senate Concurrent Resolution No. 7:** A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1995

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 64 and 323.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1995

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 321, 567, 654, 813, 413, 859, 595, 702, 715, 821, 866, 673, 778, 603, 323, 529, 544, 367 and 823.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 15, 1995

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 321:** A bill for an act relating to game and fish; continuing the authorization for residents under the age of 16 to take deer of either sex; amending Minnesota Statutes 1994, section 97B.301, subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 174, now on General Orders.

**H.F. No. 567:** A bill for an act relating to data practices; providing for disclosure of certain hospital and health care provider tax data to the commissioner of human services and the United States Department of Health and Human Services; amending Minnesota Statutes 1994, section 270B.14, subdivision 1.

Referred to the Committee on Judiciary.

**H.F. No. 654:** A bill for an act relating to towns; clarifying authority of town board to alter or vacate town roads dedicated by plat; clarifying procedures; amending Minnesota Statutes 1994, sections 164.06, subdivision 1; and 164.07, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 534.

**H.F. No. 813:** A bill for an act relating to human services; establishing a temporary payment rate for a recently purchased intermediate care facility for persons with mental retardation or related conditions; amending Minnesota Statutes 1994, section 256B.501, by adding a subdivision.

Referred to the Committee on Health Care.

**H.F. No. 413:** A bill for an act relating to highways; designating the Veterans Memorial Highway; amending Minnesota Statutes 1994, section 161.14, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 378, now on General Orders.

**H.F. No. 859:** A bill for an act relating to the city of Minneapolis; authorizing the city to determine the method for the sale of unclaimed property; repealing Laws 1919, chapter 396.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 833.

**H.F. No. 595:** A bill for an act relating to state government; giving the commissioner of finance certain authority over debts owed to the state; amending Minnesota Statutes 1994, section 16D.03, subdivision 2.

Referred to the Committee on Governmental Operations and Veterans.

**H.F. No. 702:** A bill for an act relating to traffic regulations; allowing school authorities to appoint nonpupil adults to school safety patrols; amending Minnesota Statutes 1994, section 126.15, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 522, now on General Orders.

**H.F. No. 715:** A bill for an act relating to towns; providing for damage award to affected property owner when town board adopts a recorded town road map; amending Minnesota Statutes 1994, section 164.35, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 453, now on General Orders.

**H.F. No. 821:** A resolution memorializing Congress to fund the Amtrak system to enable it to continue to serve Minnesota.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 700, now on General Orders.

**H.F. No. 866:** A bill for an act relating to local government; authorizing home rule charter and statutory cities to make grants to nonprofit community food shelves; proposing coding for new law in Minnesota Statutes, chapter 465.

Referred to the Committee on Metropolitan and Local Government.

**H.F. No. 673:** A bill for an act relating to insurance; regulating risk-based capital for insurers; enacting the model act of the National Association of Insurance Commissioners; amending Minnesota Statutes 1994, section 13.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Commerce and Consumer Protection.

**H.F. No. 778:** A bill for an act relating to human services; modifying certain asset and income

requirements for medical assistance; modifying the verification requirements for Minnesota supplemental aid; amending Minnesota Statutes 1994, sections 256B.056, by adding subdivisions; and 256D.405, by adding a subdivision; repealing Minnesota Statutes 1994, section 256D.425, subdivision 3.

Referred to the Committee on Health Care.

**H.F. No. 603:** A bill for an act relating to taxation; making technical and administrative changes, corrections, and clarifications; amending Minnesota Statutes 1994, sections 270.47; 270.48; 270.485; 270.494; 270.50; 270.52; 270.53; 270.69, subdivision 10; 270B.03, subdivision 1; 270B.12, subdivision 2; 270B.14, subdivision 11; 272.121, subdivision 2; 273.11, subdivision 16; 273.1398, by adding a subdivision; 273.17, subdivision 2; 275.065, subdivision 6; 276.04, subdivision 2; 284.28, subdivision 2; 289A.18, subdivision 4; 289A.50, subdivision 1; 290.032, subdivisions 1 and 2; 290A.04, subdivisions 2h and 6; 295.50, subdivisions 1 and 4; 295.53, subdivisions 1 and 5; 295.55, by adding a subdivision; 295.57; 296.01, subdivision 34; 296.025, subdivision 1; 296.12, subdivisions 3 and 4; 297A.01, subdivision 3; 297E.02, subdivisions 1, 6, and 11; 297E.031, subdivision 1; 297E.13, subdivision 5; 298.75, subdivision 2; 325D.33, subdivision 4; 349.163, subdivision 5; 428A.01, subdivision 5; 428A.03, by adding a subdivision; 428A.05; 473.446, subdivision 1; and 473.711, subdivision 2; Laws 1994, chapter 587, article 1, section 27; repealing Minnesota Statutes 1994, sections 60A.15, subdivision 7; 270.49; 270.493; and 290A.04, subdivision 2i; Laws 1988, chapter 698, section 5; and Laws 1989, First Special Session chapter 1, article 7, section 9.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 514, now on General Orders.

**H.F. No. 323:** A bill for an act relating to housing; making the landlord the bill payer and customer of record on utility accounts in single-metered multiunit residential buildings; amending Minnesota Statutes 1994, section 504.185, subdivision 1, and by adding a subdivision.

Referred to the Committee on Judiciary.

**H.F. No. 529:** A bill for an act relating to eminent domain proceedings; amending Minnesota Statutes 1994, sections 117.065; 117.115, subdivision 2; and 117.145.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 431.

**H.F. No. 544:** A bill for an act relating to courts; requiring the state court administrator to prepare a guide to informal probate.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 520.

**H.F. No. 367:** A bill for an act relating to debt; providing for prompt payment of subcontractors of municipal contractors; modifying certain provisions relating to liens and performance bonds; amending Minnesota Statutes 1994, sections 471.425, by adding a subdivision; 514.13; 574.28; 574.30; and 574.31, subdivisions 1 and 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 293, now on General Orders.

**H.F. No. 823:** A bill for an act relating to local government; authorizing Hennepin county to lease hospital or nursing home facilities under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 383B.

Referred to the Committee on Metropolitan and Local Government.

## REPORTS OF COMMITTEES

Ms. Flynn moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment. The motion prevailed.

**Ms. Flynn from the Committee on Judiciary, to which was referred**

**S.F. No. 431:** A bill for an act relating to eminent domain proceedings; amending Minnesota Statutes 1994, sections 117.065; 117.115, subdivision 2; and 117.145.

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

**Mr. Vickerman from the Committee on Metropolitan and Local Government, to which was referred**

**S.F. No. 657:** A bill for an act relating to public administration; clarifying the authority and procedures of the board of government innovation and cooperation; establishing application procedures for cooperation planning grants; appropriating money; amending Minnesota Statutes 1994, sections 465.798; 465.799; 465.801; 465.81, subdivisions 1 and 3; 465.82, subdivision 2; 465.84; 465.85; and 465.87.

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

Page 2, lines 15 to 17, delete the new language

Page 3, lines 12 to 14, delete the new language

Page 4, lines 12 to 14, delete the new language

Pages 4 and 5, delete section 5

Page 6, line 14, delete everything before the second "local"

Page 8, line 23, after "The" insert "annual amount of"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "subdivisions" and insert "subdivision" and delete "and 3"

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

**Mr. Merriam from the Committee on Finance, to which was referred**

**H.F. No. 5:** A bill for an act relating to health and human services; authorizing welfare reform; childhood immunization; social services programs; recovery of funds; requesting federal waivers for programs; employment, education, and training programs; allocation and use of funds; coverage of health services; child support; data collection and disclosure; tax credits; appropriating money; amending Minnesota Statutes 1994, sections 13.46, subdivision 2; 256.01, subdivision 11, and by adding subdivisions; 256.031, subdivision 3; 256.035, subdivision 6d; 256.73, subdivision 8, and by adding subdivisions; 256.736, subdivisions 3, 3a, 4a, 5, 10, 10a, 16, and by adding a subdivision; 256.737, subdivisions 1a and 2; 256.74, by adding a subdivision; 256.81; 256.87, subdivisions 1, 1a, and 5; 256.979, by adding a subdivision; 256.983, subdivision 1; 256B.0625, subdivision 13; 256D.03, subdivision 4; 256D.05, subdivisions 1 and 6; 256D.051, subdivisions 1, 1a, 2, 3, 3a, 3b, 6, 6b, 8, 9, 17, and by adding a subdivision; 256D.052, subdivision 3; 256D.09, subdivision 2a, and by adding subdivisions; and 518.575; proposing coding for new law in Minnesota Statutes, chapters 256; 256B; 256D; and 268; repealing Minnesota Statutes 1994, sections 256.734; 256D.051, subdivisions 10, 13, 14, and 15; 256D.052, subdivisions 1, 2, and 4; 256D.065; 256D.091; 256D.101; 256D.111; and 256D.113.

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 1994, section 256.035, subdivision 6d, is amended to read:

Subd. 6d. [LENGTH OF JOB SEARCH OBLIGATION TO SEEK AND OBTAIN FULL-TIME EMPLOYMENT.] (a) When the family support agreement specifies a date when job search should begin, the parental caregiver must participate in employment search activities. If, after three months of search, the parental caregiver does not find a job that is consistent with the parental caregiver's employment goal, the parent must accept any suitable employment. The search may be extended for up to three months if the parental caregiver seeks and needs additional job search assistance.

(b) When the family support agreement specifies job search consistent with the overall employment goal, the caregiver is expected to seek and accept full-time employment. For this purpose, full-time employment means 30 or more hours a week. Caregivers who are single parents with a child under six satisfy this requirement by working 20 or more hours a week.

(c) A caregiver currently enrolled in the Minnesota family investment plan who voluntarily quits suitable employment without good cause or without agreement of the case manager, or who is terminated for nonperformance, must notify the case manager or designee within ten calendar days of the date employment ended to schedule a meeting to revise the family support agreement. A caregiver who fails to notify the case manager or designee within the required time or fails to attend a scheduled meeting to revise the family support agreement is subject to sanction. If the revised family support agreement specifies job search, the caregiver must take any suitable employment. A caregiver who fails to comply is subject to sanction. A caregiver who voluntarily quits suitable employment with good cause or who is laid off must notify the case manager or designee within ten calendar days of the date employment ended to schedule a meeting to revise the family support agreement. A caregiver who fails to notify the case manager or designee within the required time or fails to attend a scheduled meeting to revise the family support agreement is subject to sanction. If the family support agreement specifies job search, the search is limited to three months to find a job related to the caregiver's overall employment goal. After three months, the caregiver must take any suitable employment. A caregiver who fails to comply is subject to sanction.

Sec. 2. [256.047] [EXPANSION OF MFIP TO RAMSEY COUNTY (MFIP-R).]

Subdivision 1. [MISSION STATEMENT.] The goal of MFIP-R employment and pre-employment services is to help caregivers increase their family income in a timely manner through paid employment.

Subd. 2. [SERVICE PROVIDING AGENCIES.] Employment and pre-employment services must be offered by providers certified by the commissioner of economic security who meet the standards in section 268.871, subdivision 1. County agencies must ensure that all services, including contracted services, meet the requirements of MFIP-R services according to section 256.048, subdivision 6.

Subd. 3. [STAFFING.] County agencies may hire MFIP-R staff, which includes employment specialists, job developers, and vocational counselors to provide pre-employment and employment services described in section 256.048, subdivision 6, and coordinate social and support services. County agencies are expected to ensure that staff providing employment and pre-employment services have the necessary training and experience to perform the specific services which they are assigned to do.

Sec. 3. [256.0475] [DEFINITIONS.]

Subdivision 1. [EMPLOYABILITY PLAN.] "Employability plan" means the plan developed by MFIP-R staff and the caregiver under section 256.048.

Subd. 2. [FAMILY SUPPORT AGREEMENT.] "Family support agreement" means the subsection of the employability plan which is limited to employment, education, employment and training services, and scheduled meetings with MFIP-R staff. For mandatory caregivers, noncompliance with the family support agreement may result in sanction.

Subd. 3. [MANDATORY CAREGIVER.] "Mandatory caregiver" means a caregiver who is required to develop a family support agreement under section 256.048, and is not exempt under that section.

Subd. 4. [MFIP-R.] "MFIP-R" means the pre-employment and employment program under section 256.048 provided to caregivers assigned to the Minnesota family investment plan in Ramsey county who receive financial assistance under sections 256.033, 256.034, and 256.036.

Sec. 4. [256.048] [INCOME SUPPORT AND TRANSITION.]

Subdivision 1. [EXPECTATIONS.] The requirement for a caregiver to develop a family support agreement is tied to the structure of the family and the length of time on assistance according to paragraphs (a) to (c).

(a) In a family headed by a single adult parental caregiver who has received AFDC, family general assistance, MFIP, or a combination of AFDC, family general assistance, and MFIP assistance for 12 or more months within the preceding 24 months, the parental caregiver must be developing and complying with the terms of the family support agreement commencing with the 13th month of assistance.

(b) For a family with a minor parental caregiver or a family whose parental caregiver is 18 or 19 years of age and does not have a high school diploma or its equivalent, the parental caregiver must be developing and complying with a family support agreement concurrent with the receipt of assistance. The terms of the family support agreement must include compliance with section 256.736, subdivision 3b. If the parental caregiver fails to comply with the terms of the family support agreement, the sanctions in subdivision 4 apply. When the requirements in section 256.736, subdivision 3b, have been met, a caregiver has fulfilled the caregiver's obligation. County agencies must continue to offer MFIP-R services if the caregiver wants to continue with an employability plan. Caregivers who fulfill the requirements of section 256.736, subdivision 3b, are subject to the expectations of paragraphs (a) and (c).

(c) In a family with two adult parental caregivers, at least one of whom has received AFDC, family general assistance, MFIP, or a combination of AFDC, family general assistance, and MFIP assistance for six or more months within the preceding 12 months, one parental caregiver must be developing and complying with the terms of the family support agreement commencing with the seventh month of assistance. The family and MFIP-R staff will designate the parental caregiver who will develop the family support agreement based on which parent has the greater potential to increase family income through immediate employment.

Subd. 2. [EXEMPTIONS.] A caregiver is exempt from expectations as provided in paragraphs (a) and (b).

(a) Except for clause (4), which applies only for a single-parent family, a caregiver in a single-parent or two-parent family is exempt from the expectations of MFIP-R if the caregiver is:

(1) ill, incapacitated, or 60 years of age or older;

(2) needed in the home because of the illness or incapacity of another family member;

(3) the parent of a child under one year of age and is personally providing care for the child. This exemption does not apply to the school attendance requirement for minor parents or 18- and 19-year old parents as provided in section 256.736, subdivision 3b, paragraphs (f) and (g);

(4) the parent of a child under six years of age and is employed or participating in education or employment and training services for 20 or more hours per week. This exemption does not apply to the school attendance requirement for minor parents or 18- and 19-year-old parents as provided in section 256.736, subdivision 3b, paragraph (f), clause (5);

(5) working 30 hours or more per week or, if the number of hours cannot be verified, earns weekly, at least the federal minimum hourly wage rate multiplied by 30;

(6) in the second or third trimester of pregnancy; or

(7) not the natural parent, adoptive parent, or stepparent of a minor child in the assistance unit.

(b) In a two-parent household, only one parent may be exempt under paragraph (a), clause (2) or (3). If paragraph (a), clause (5), applies to either parent in a two-parent family, the other parent

is exempt. In a two-parent household, if the parent designated to develop a family support agreement becomes exempt and the exemption is expected to last longer than six months, then the second parent is required to develop a family support agreement unless otherwise exempt under paragraph (a).

Subd. 3. [GOOD CAUSE FOR FAILURE TO COMPLY.] Caregivers may claim the following reasons as good cause for failure to comply with the expectations of MFIP-R employment and pre-employment services:

- (1) needed child care is not available;
- (2) the job does not meet the definition of suitable employment according to section 256.736, subdivision 1a, paragraph (h);
- (3) the parental caregiver is ill, incapacitated, or injured;
- (4) a family member is ill and needs care by the parental caregiver;
- (5) the parental caregiver is unable to secure the necessary transportation;
- (6) the parental caregiver is in an emergency situation;
- (7) the schedule of compliance with the family support agreement conflicts with judicial proceedings;
- (8) the parental caregiver is already participating in acceptable activities;
- (9) the family support agreement requires an educational program for a parent under the age of 20, but the educational program is not offered in the school district;
- (10) activities identified in the family support agreement are not available;
- (11) the parental caregiver is willing to accept suitable employment but employment is not available;
- (12) the parental caregiver documents other verifiable impediments to compliance with the family support agreement beyond the parental caregiver's control; or
- (13) the family support agreement requires an educational program for a parent under the age of 20, but the only available school program requires round trip commuting time from the custodial parent's residence of more than two hours by available means of transportation, excluding the time necessary to transport children to and from child care.

Subd. 4. [SANCTION.] The county agency must reduce an assistance unit's assistance payment by ten percent of the transitional standard for the applicable family size when a caregiver, who is not exempt from the expectations in this section, fails to attend a mandatory briefing, fails to attend scheduled meetings with MFIP-R staff, or fails to develop or comply with the terms of the caregiver's family support agreement. MFIP-R staff must send caregivers a notice of intent to sanction. For the purpose of this section, "notice of intent to sanction" means MFIP-R staff must provide written notification to the caregiver that the caregiver is not fulfilling the requirement to develop or comply with the family support agreement. This notification must inform the caregiver of the right to request a conciliation conference within ten days of the mailing of the notice of intent to sanction or the right to request a fair hearing under section 256.045. If a caregiver requests a conciliation conference, the county agency must postpone implementation of the sanction pending completion of the conciliation conference. If the caregiver does not request a conciliation conference within ten calendar days of the mailing of the notice of intent to sanction, the MFIP-R staff must notify the county agency that the assistance payment should be reduced.

Upon notification from MFIP-R staff that an assistance payment should be reduced, the county agency must send a notice of adverse action to the caregiver stating that the assistance payment will be reduced in the next month following the ten-day notice requirement and state the reason for the action. For the purpose of this section, "notice of adverse action" means the county agency must send a notice of sanction, reduction, suspension, denial, or termination of benefits before

taking any of those actions. The caregiver may request a fair hearing under section 256.045, upon notice of intent to sanction or notice of adverse action, but the conciliation conference is available only upon notice of intent to sanction.

Subd. 5. [ORIENTATION.] The county agency must provide a financial assistance orientation which supplies information to caregivers about the MFIP-R and must encourage parental caregivers to engage in activities to stabilize the family and lead to employment and self-support.

Subd. 6. [PRE-EMPLOYMENT AND EMPLOYMENT SERVICES.] The county agency must provide services identified in clauses (1) to (10). Services include:

(1) a required briefing for all nonmandatory caregivers assigned to MFIP-R, which includes a review of the information presented at an earlier MFIP-R orientation pursuant to subdivision 5, and an overview of services available under MFIP-R pre-employment and employment services, an overview of job search techniques, and the opportunity to volunteer for MFIP-R job search activities and basic education services;

(2) a briefing for all mandatory caregivers assigned to MFIP-R, which includes a review of the information presented at an earlier MFIP-R orientation pursuant to subdivision 5, and an overview of services available under MFIP-R pre-employment and employment services;

(3) an MFIP assessment that meets the requirements of section 256.736, subdivision 10, paragraph (a), clause (14), and addresses caregivers' skills, abilities, interests, and needs;

(4) development, together with the caregiver, of an employability plan and family support agreement according to subdivision 7;

(5) coordination of services including child care, transportation, education assistance, and social services necessary to enable caregivers to fulfill the terms of the employability plan and family support agreement;

(6) provision of full-time English as a second language (ESL) classes;

(7) provision of a broad range of employment and pre-employment services including basic skills testing, interest and aptitude testing, career exploration, job search activities, community work experience program under section 256.737, or on-the-job training under section 256.738;

(8) evaluation of the caregiver's compliance with the employability plan and family support agreement and support and recognition of progress toward employment goals;

(9) provision of postemployment follow-up for up to six months after caregivers become exempt or exit MFIP-R due to employment if requested by the caregiver; and

(10) approval of education and training program activities.

Subd. 7. [EMPLOYABILITY PLAN AND FAMILY SUPPORT AGREEMENT.] (a) The caregiver and MFIP-R staff will develop an employability plan and family support agreement. The employability plan includes the caregiver's overall employment goal, activities necessary to reach that goal, a timeline for each activity, and the support services provided by the agency. All activities in the employability plan must contribute to the caregiver's overall employment goal.

(b) The family support agreement is the enforceable section of an employability plan for mandatory caregivers. The family support agreement must be limited to employment, education, or employment and training services, and scheduled meetings with MFIP-R staff. The family support agreement must be signed by both an MFIP-R staff and the parental caregiver.

(1) In developing an employability plan and family support agreement, MFIP-R staff must discuss with the caregiver the economic benefits under MFIP of taking available employment. MFIP-R staff must provide examples of how different levels of earnings increase available income.

(2) Activities in the family support agreement must enhance the family's opportunities to increase its income in a timely manner through paid employment.

(3) Each step of the family support agreement shall build upon prior steps and facilitate progress toward the caregiver's overall employment goal.

(4) Social services, such as mental health or chemical dependency services, parenting education, or budget management, can be included in the employability plan but not in the family support agreement and are not subject to sanctions under subdivision 4.

(5) The family support agreement must state the parental caregiver's obligations and the standards for satisfactory compliance with the requirements of MFIP-R.

Subd. 8. [REQUIREMENT TO ATTEND BRIEFING.] All MFIP-R caregivers are required to attend a mandatory briefing which includes a review of the information presented at an earlier MFIP-R orientation pursuant to subdivision 5, and an overview of services available under MFIP-R pre-employment and employment services.

Subd. 9. [REQUIREMENT TO PARTICIPATE IN JOB SEARCH.] The family support agreement for mandatory caregivers will include 30 hours per week of job search activity. The family support agreement for single parental caregivers with a child under the age of six may require no more than 20 hours of job search activity. Job search requirements do not apply to minor parental caregivers and parental caregivers under the age of 20 who must meet the educational requirement under section 256.736, subdivision 3b.

Subd. 10. [LENGTH OF JOB SEARCH.] Caregivers participating in job search shall have eight weeks to find employment which is consistent with the employment goal in the family support agreement. If after eight weeks of job search the parental caregiver does not find employment consistent with the overall employment goal, the caregiver must accept any suitable employment.

Subd. 11. [LEVEL OF EMPLOYMENT.] Caregivers participating in job search are expected to seek and accept full-time employment. Any caregiver satisfies this requirement by working at least 30 hours per week. Single parents with a child under the age of six satisfy the requirement by working at least 20 hours per week.

Subd. 12. [CESSATION OF EMPLOYMENT.] Mandatory caregivers who quit a job, are laid off, or are terminated must contact MFIP-R staff within ten calendar days of the date the employment ended to schedule a meeting to revise the family support agreement to incorporate job search activities to obtain suitable employment. A caregiver who fails to contact MFIP-R staff within ten calendar days, fails to attend a scheduled meeting to revise the family support agreement, or fails to accept an offer of suitable employment is subject to sanctions under subdivision 4.

Subd. 13. [EDUCATION AND TRAINING ACTIVITIES; BASIC EDUCATION.] Basic education, including adult basic education, high school or general equivalency diploma, or ESL may be included in the family support agreement when a caregiver is actively participating in job search activities as specified in the family support agreement, or employed at least 12 hours per week. Six months of basic education activities may be included in the family support agreement, and extension of basic education activities is contingent upon review and approval by MFIP-R staff.

Non-English speaking caregivers have the option to participate in full-time ESL activities for up to six months prior to participation in job search with approval of MFIP-R staff.

Subd. 14. [EDUCATION AND TRAINING ACTIVITIES; POST-SECONDARY EDUCATION.] (a) Mandatory caregivers who become exempt, and caregivers converted from STRIDE or ACCESS may have post-secondary education included in the family support agreement. For individuals who are participating in an educational program under this paragraph on a full-time basis as determined by the institution, there is no work requirement. For individuals participating in an educational program on a part-time basis as determined by the institution, the minimum number of hours that a participant must work shall be increased in proportion to the number of credit hours being taken, up to a maximum of 12 hours weekly of work.

(b) Conditions for approval of a post-secondary education program include demonstration by the caregiver that:

(1) there is a market for full-time employees with this education or training where the caregiver will or is willing to reside upon completion of the program;

(2) the average wage level for employees with this education or training is significantly greater than the caregiver can earn without this education or training;

(3) the caregiver can meet the requirements for admission into the program; and

(4) there is a reasonable expectation that the caregiver will complete the training program based on such factors as the caregiver's current MFIP assessment; previous education, training, and work history; current motivation; and changes in previous circumstances.

(c) A comparison must be made between income foregone by delaying immediate entry into full-time paid employment while in pursuit of education or training and the probable income which will be earned following the education or training. The advantages and disadvantages to the family must be discussed with respect to both options.

(d) Activities under this subdivision are limited to the equivalent of two years of full-time education, with the following exceptions:

(1) caregivers in subdivision 15;

(2) caregivers who have already obtained a post-secondary degree. These caregivers are limited to course work necessary to upgrade skills, or obtain licensure or certification;

(3) extenuating circumstances that prohibit the caregiver from completing the program within the equivalent of two years.

(e) Caregivers in education or training programs must maintain satisfactory progress. "Satisfactory progress" in an education or training program means the caregiver remains in good standing as defined by the education or training institution and meets the requirements in the caregiver's MFIP-R employability plan. MFIP-R staff may withdraw approval of the caregiver's employability plan when the caregiver does not maintain satisfactory progress in the education or training program.

Subd. 15. [CONVERTED STRIDE AND ACCESS CASES.] Caregivers with an employability plan from STRIDE or ACCESS must develop an MFIP-R employability plan. With approval of the MFIP-R staff, the family support agreement for caregivers under this section may include continuation of educational activities, up to a baccalaureate degree, if initiated under STRIDE or ACCESS. Caregivers who continue these activities must also participate in job search or work at least 12 hours per week.

Subd. 16. [REVISIONS TO FAMILY SUPPORT AGREEMENT.] The caregiver may revise the family support agreement with approval of MFIP-R staff.

Subd. 17. [VOLUNTEERS FOR MFIP-R PRE-EMPLOYMENT AND EMPLOYMENT SERVICES.] (a) Upon request, local agencies must continue to offer MFIP-R services to:

(1) caregivers with a signed family support agreement who become exempt under subdivision 2; and

(2) caregivers randomly assigned to MFIP during the conversion period who have an active STRIDE or ACCESS plan.

(b) County agencies must also service the following caregivers, as funding allows:

(1) second parent in a two-parent family; and

(2) caregivers who have not reached the timing for mandatory participation.

(c) Volunteers under paragraph (a) may access all MFIP-R services. Volunteers under paragraph (b), clause (1), may access MFIP-R job search and basic education services only. Volunteers under paragraph (b), clause (2), may access only MFIP-R job search services.

(d) Caregivers identified in this subdivision are voluntary participants for MFIP-R pre-employment and employment services and may not be sanctioned for failure to cooperate unless they reach the timing of MFIP-R pre-employment and employment services under subdivision 6, or are no longer exempt under subdivision 2.

Subd. 18. [CONCILIATION.] The county agency must inform the mandatory parental caregiver of the option of a conciliation conference when the mandatory parental caregiver receives a notice of intent to sanction or cannot reach agreement with MFIP-R staff about the contents or interpretation of the family support agreement.

Conciliation procedures shall be available as provided in section 256.736, subdivision 11, paragraph (c). Upon receiving a notice of intent to sanction, a caregiver may request a hearing under section 256.045 without exercising the option of a conciliation conference.

Subd. 19. [CHILD CARE.] The commissioner shall ensure that each MFIP caregiver who is employed or is developing or is engaged in activities identified in an employability plan under subdivision 7, and who needs assistance with child care costs to be employed or to develop or comply with the terms for an employability plan, receives a child care subsidy through child care money appropriated for the MFIP. The subsidy must cover all actual child care costs for eligible hours up to the maximum rate allowed under section 256H.15. A caregiver who is in the assistance unit and leaves the program as a result of increased earnings from employment, and needs child care assistance to remain employed, is entitled to extended child care assistance as provided under United States Code, title 42, section 602(g)(1)(a)(ii), on a copayment basis.

Subd. 20. [HEALTH CARE.] A family leaving the program as a result of increased earnings from employment is eligible for extended medical assistance as provided under Public Law Number 100-485, section 303, as amended, and Public Law Number 101-239, section 8015(b)(7).

Sec. 5. [256.049] [APPLICABILITY.]

Section 256.035 will not apply to the expansion of MFIP into Ramsey county (MFIP-R). Sections 256.047 to 256.048 will substitute for section 256.035 for the purposes of MFIP-R. Sections 256.031 to 256.034, and 256.036, 256.0361, and 268.871 are applicable to MFIP-R insofar as they are not inconsistent with sections 256.047 to 256.048. Minnesota Rules, part 9500.4220, does not apply to MFIP-R. Minnesota Rules, parts 9500.4000 to 9500.4210, and 9500.4230 to 9500.4340, are applicable to the expansion of MFIP into Ramsey county insofar as they are not inconsistent with sections 256.047 to 256.048.

Sec. 6. Minnesota Statutes 1994, section 256.73, is amended by adding a subdivision to read:

Subd. 3b. [ELIGIBILITY NOT BARRED BY WORKING OVER 99 HOURS; PAST EMPLOYMENT HISTORY; 30-DAY WAITING PERIOD.] An individual receiving assistance may work over 99 hours per month and remain eligible for assistance, provided all other requirements of the aid to families with dependent children-unemployed parent program are met. The applicant is not required to demonstrate past employment history or 30 days of prior unemployment to be eligible for AFDC-unemployed parent. This subdivision is effective upon federal approval and implementation of the waiver under section 31, subdivision 4.

Sec. 7. Minnesota Statutes 1994, section 256.73, is amended by adding a subdivision to read:

Subd. 5a. [PARENTING OR PREGNANT MINORS; RESTRICTION ON ASSISTANCE WITH FEDERAL EXCEPTIONS.] (a) The definitions in this paragraph only apply to this subdivision.

(1) "Minor parent" means an individual who:

(i) is under the age of 18;

(ii) has never been married or otherwise legally emancipated; and

(iii) is either the natural parent of a dependent child living in the same household or eligible for assistance paid to a pregnant woman under subdivision 5.

(2) "Household of a parent, legal guardian, or other adult relative" means the place of residence of:

(i) a natural or adoptive parent;

(ii) a legal guardian pursuant to appointment or acceptance under section 260.242, 525.615, or 525.6165, and related laws; or

(iii) another individual who is age 18 or over and related to the minor parent as specified in Code of Federal Regulations, title 45, section 233.90(c)(1)(v), provided that the residence is maintained as a home for the minor parent and child under Code of Federal Regulations, title 45, section 233.90(c)(1)(v)(B).

(3) "Adult-supervised supportive living arrangement" means a private family setting which assumes responsibility for the care and control of the minor parent and dependent child, or other living arrangement, not including a public institution, licensed by the commissioner of human services which ensures that the minor parent receives adult supervision and supportive services, such as counseling, guidance, independent living skills training, or supervision in a family-like setting.

(b) A minor parent and the dependent child who is in the care of the minor parent must reside in the household of a parent, legal guardian, or other adult relative, or in an adult-supervised supportive living arrangement in order to receive AFDC unless:

(1) the minor parent has no living parent or legal guardian whose whereabouts is known;

(2) no living parent or legal guardian of the minor parent allows the minor parent to live in the parent's or legal guardian's home;

(3) the minor parent lived apart from the minor parent's own parent or legal guardian for a period of at least one year before either the birth of the dependent child or the minor parent's application for AFDC;

(4) the physical or emotional health or safety of the minor parent or dependent child would be jeopardized if the minor parent and the dependent child resided in the same residence with the minor parent's parent or legal guardian;

(5) the minor parent and dependent child have, on the effective date of this section, been living independently as part of an approved social services plan for less than one year; or

(6) an adult supervised supportive living arrangement is not available for the minor parent and the dependent child in the county in which the minor currently resides. If an adult supervised supportive living arrangement become available within the county, the minor parent and child must reside in that arrangement in order to continue receiving AFDC.

(c) Minor applicants must be informed orally and in writing about the eligibility requirements and their rights and obligations under the AFDC program. The county must advise the minor of the possible exemptions and specifically ask whether one or more of these exemptions is applicable. If the minor alleges one or more of these exemptions, then the county must assist the minor in obtaining the necessary verifications to determine whether or not these exemptions apply.

(d) If a minor parent alleges or the county worker suspects that paragraph (b), clause (4), applies, the county worker must make a referral to child protective services, and child protective services must determine that the home is not safe due to alleged maltreatment or that protective services are needed in order for the minor parent to fall under the exception in paragraph (b), clause (4). A new determination by the county worker is not necessary if one has been made within the last six months, unless there has been a significant change in circumstances which justifies a new referral and determination.

(e) If a minor parent is not living with a parent or legal guardian due to paragraph (b), clause (1), (2), or (4), the minor parent must reside in a living arrangement that meets the standards of paragraph (a), clause (3).

(f) AFDC must be paid in the form of a protective payment on behalf of the minor parent and dependent child to the minor parent's parent, legal guardian, or other adult relative, when the minor parent is living with the minor parent's parent, legal guardian, or other adult relative, in accordance with Code of Federal Regulations, title 45, section 234.60.

Sec. 8. Minnesota Statutes 1994, section 256.73, subdivision 8, is amended to read:

Subd. 8. [RECOVERY OF OVERPAYMENTS.] (a) Except as provided in subdivision 8a, if an amount of aid to families with dependent children assistance is paid to a recipient in excess of the payment due, it shall be recoverable by the county agency. The agency shall give written notice to the recipient of its intention to recover the overpayment.

(b) When an overpayment occurs, the county agency shall recover the overpayment from a current recipient by reducing the amount of aid payable to the assistance unit of which the recipient is a member for one or more monthly assistance payments until the overpayment is repaid. All county agencies in the state shall reduce the assistance payment by three percent of the assistance unit's standard of need or the amount of the monthly payment, whichever is less, for all overpayments whether or not the overpayment is due solely to agency error. If the overpayment is due solely to having wrongfully obtained assistance, whether based on a court order, the finding of an administrative fraud disqualification hearing or a waiver of such a hearing, or a confession of judgment containing an admission of an intentional program violation, the amount of this reduction shall be ten percent. In cases when there is both an overpayment and underpayment, the county agency shall offset one against the other in correcting the payment.

(c) Overpayments may also be voluntarily repaid, in part or in full, by the individual, in addition to the above aid reductions, until the total amount of the overpayment is repaid.

(d) The county agency shall make reasonable efforts to recover overpayments to persons no longer on assistance in accordance with standards adopted in rule by the commissioner of human services. The county agency need not attempt to recover overpayments of less than \$35 paid to an individual no longer on assistance if the individual does not receive assistance again within three years, unless the individual has been convicted of fraud under section 256.98.

Sec. 9. Minnesota Statutes 1994, section 256.73, is amended by adding a subdivision to read:

Subd. 8a. [START WORK OFFSET.] An overpayment resulting from earned income received in the first month of employment is not recoverable by the county agency provided the aid to families with dependent children assistance unit has not voluntarily quit employment, without good cause under section 268.09, subdivision 1, paragraph (a), in the past two years. A "start work offset" for purposes of this subdivision is the amount of the overpayment the assistance unit would otherwise be required to repay to the county under subdivision 8. This subdivision is effective upon federal approval and implementation of the waiver under section 31, subdivision 3.

Sec. 10. [256.7355] [TEMPORARY PUBLIC SERVICE OR COMMUNITY SERVICE JOBS.]

A participant working in a temporary public service or community service job for a public employer for more than 67 working days in a calendar year as part of a work program established under this chapter is a public employee under chapter 179A.

Sec. 11. Minnesota Statutes 1994, section 256.736, subdivision 3, is amended to read:

Subd. 3. [REGISTRATION.] (a) To the extent permissible under federal law, every caretaker or child is required to register for employment and training services, as a condition of receiving AFDC, unless the caretaker or child is:

(1) a child who is under age 16, a child age 16 or 17 who is attending elementary or secondary school or a secondary level vocational or technical school full time;

(2) ill, incapacitated, or age 60 or older;

(3) a person for whom participation in an employment and training service would require a round trip commuting time by available transportation of more than two hours;

(4) a person whose presence in the home is required because of illness or incapacity of another member of the household;

(5) a caretaker or other caretaker relative of a child under the age of three who personally provides full-time care for the child. In AFDC-UP cases, only one parent or other relative may qualify for this exemption;

(6) a caretaker or other caretaker relative personally providing care for a child under six years of age, except that when child care is arranged for or provided, the caretaker or caretaker relative may be required to register and participate in employment and training services up to a maximum of 20 hours per week. In AFDC-UP cases, only one parent or other relative may qualify for this exemption;

(7) a pregnant woman, if it has been medically verified that the child is expected to be born within the next six months; or

(8) employed at least 30 hours per week; or

(9) a person for whom lack of proficiency in English is a barrier to employment, provided the person is attending an available intensive program which lasts no longer than six months and is designed to remedy the language deficiency. Individuals who, because of advanced age and lack of ability, are incapable of gaining proficiency in English, as determined by the county social worker, shall continue to be exempt under this subdivision and are not subject to the requirement that they be participating in a language program.

(b) To the extent permissible by federal law, applicants for benefits under the AFDC program are registered for employment and training services by signing the application form. Applicants must be informed that they are registering for employment and training services by signing the form. Persons receiving benefits on or after July 1, 1987, shall register for employment and training services to the extent permissible by federal law. The caretaker has a right to a fair hearing under section 256.045 with respect to the appropriateness of the registration.

Sec. 12. Minnesota Statutes 1994, section 256.736, subdivision 3a, is amended to read:

Subd. 3a. [PARTICIPATION.] (a) Except as provided under paragraphs (b) and (c), participation in employment and training services under this section is limited to the following recipients:

(1) caretakers who are required to participate in a job search under subdivision 14;

(2) custodial parents who are subject to the school attendance or case management participation requirements under subdivision 3b;

(3) caretakers whose participation in employment and training services began prior to May 1, 1990, if the caretaker's AFDC eligibility has not been interrupted for 30 days or more and the caretaker's employability development plan has not been completed;

(4) recipients who are members of a family in which the youngest child is within two years of being ineligible for AFDC due to age;

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

(6) recipients who have received AFDC for 36 or more months out of the last 60 months;

(7) recipients who are participants in the self-employment investment demonstration project under section 268.95; and

(8) recipients who participate in the new chance research and demonstration project under contract with the department of human services.

(b) If the commissioner determines that participation of persons listed in paragraph (a) in employment and training services is insufficient either to meet federal performance targets or to

fully utilize funds appropriated under this section, the commissioner may, after notifying the chairs of the senate family services committee, the house health and human services committee, the family services division of the senate family services and health care committees, and the human services division of the house health and human services committee, permit additional groups of recipients to participate until the next meeting of the legislative advisory commission, after which the additional groups may continue to enroll for participation unless the legislative advisory commission disapproves the continued enrollment. The commissioner shall allow participation of additional groups in the following order only as needed to meet performance targets or fully utilize funding for employment and training services under this section:

(1) recipients who have received 24 or more months of AFDC out of the previous 48 months; and

(2) recipients who have not completed a high school education or a high school equivalency program.

(c) To the extent of money appropriated specifically for this paragraph, the commissioner may permit AFDC caretakers who are not eligible for participation in employment and training services under the provisions of paragraph (a) or (b) to participate. Money must be allocated to county agencies based on the county's percentage of participants statewide in services under this section in the prior calendar year. Caretakers must be selected on a first-come, first-served basis from a waiting list of caretakers who volunteer to participate. The commissioner may, on a quarterly basis, reallocate unused allocations to county agencies that have sufficient volunteers. If funding under this paragraph is discontinued in future fiscal years, caretakers who began participating under this paragraph must be deemed eligible under paragraph (a), clause (3).

(d) Participants who are eligible to enroll in the STRIDE program under one of the categories of this subdivision are required to cooperate with the assessment and employability plan development, and to meet the terms of their employability plan. Failure to comply, without good cause, shall result in the imposition of sanctions as specified in subdivision 4, clause (6).

Sec. 13. Minnesota Statutes 1994, section 256.736, subdivision 4a, is amended to read:

Subd. 4a. [NOTICE, CONCILIATION, AND RIGHT OF APPEAL.] If the employment and training service provider determines that the caretaker has failed or refused, without good cause, to cooperate or accept employment, the employment and training service provider shall issue to the caretaker a written notice of its determination of noncooperation or refusal to accept employment. The notice must include a detailed explanation of the reason for the determination and must specify the consequences for failure or refusal to cooperate or accept employment, the actions which the employment and training service provider believes are necessary for the caretaker to comply with the employment and training program, and the right to request, within ten days of ~~receipt of the date the notice was mailed or hand delivered,~~ a conciliation conference. The employment and training service provider or the county agency must conduct a conciliation conference within five days of a timely request. If the dispute between the employment and training service provider and the caretaker is not resolved in the conciliation conference or a request for a conciliation conference is not made within the required time, then the employment and training service provider shall notify the county board of a caretaker's failure without good cause to cooperate or accept employment. Unless the county agency has evidence to the contrary, the county agency shall implement the sanction provisions of subdivision 4. Any determination, action, or inaction on the part of the county board relating to a caretaker's participation under section 256.736 is subject to the notice and hearing procedures in section 256.045, and Code of Federal Regulations, title 45, section 205.10.

Sec. 14. Minnesota Statutes 1994, section 256.736, subdivision 5, is amended to read:

Subd. 5. [EXTENSION OF EMPLOYMENT AND TRAINING OPPORTUNITIES.] The commissioner of human services shall cooperate with the commissioner of economic security and the commissioner of trade and economic development to extend the availability of training and employment opportunities on a statewide basis and to assist local employment advisory groups convened under this subdivision. The county welfare agency may convene an employment advisory group which may consist of representatives from the local chamber of commerce, from major area employers, from private and public collective bargaining units, from secondary and

post-secondary educational institutions in the community, and from job services offices operated by the commissioner of economic security under chapter 268. The county welfare agency shall work with the local employment advisory group to maximize the job opportunities for welfare clients. In a county where a private industry council has been established, the county welfare agency may work with the council to maximize job opportunities in lieu of or in addition to convening an employment advisory group.

Sec. 15. Minnesota Statutes 1994, section 256.736, subdivision 10, is amended to read:

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

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

(2) identify to the employment and training service provider the target group of which the referred caretaker is a member;

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

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

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

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

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

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

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

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

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

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

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

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

(15) develop an employability development plan for each recipient for whom an assessment is required under clause (14) which: (i) reflects the assessment required by clause (14); (ii) takes into consideration the recipient's physical capacity, skills, experience, health and safety, family responsibilities, place of residence, proficiency, child care and other supportive service needs; (iii) is based on available resources and local employment opportunities; (iv) specifies the services to be provided by the employment and training service provider; (v) specifies the activities the recipient will participate in, including the worksite to which the caretaker will be assigned, if the caretaker is subject to the requirements of section 256.737, subdivision 2; (vi) specifies necessary supportive services such as child care; (vii) to the extent possible, reflects the preferences of the participant; and (viii) includes a written agreement between the county agency and the caretaker that outlines a reasonable schedule for completing the plan, including specific completion deadlines, and confirms that (A) there is a market for full-time employees with this education or training where the caretaker will or is willing to reside upon completion of the program; (B) the average wage level for employees with this education or training is greater than the caretaker can earn without this education or training; (C) the caretaker has the academic ability to successfully complete the program; and (D) there is a reasonable expectation that the caretaker will complete the training program based on such factors as the caretaker's previous education, training, work history, current motivation, and changes in previous circumstances; and (ix) specifies the recipient's long-term employment goal which shall lead to self-sufficiency;

(16) provide written notification to and obtain the written or oral concurrence of the appropriate exclusive bargaining representatives with respect to job duties covered under collective bargaining agreements to and assure that no work assignment under this section or sections 256.737, 256.738, and 256.739, or the Minnesota parents' fair share mandatory community work experience program results in: (i) termination, layoff, or reduction of the work hours of an employee for the purpose of hiring an individual under this section or sections 256.737, 256.738, and 256.739; (ii) the hiring of an individual if any other person is on layoff from the same or a substantially equivalent job; (iii) any infringement of the promotional opportunities of any currently employed individual; (iv) the impairment of existing contracts for services or collective bargaining agreements; or (v) except for on-the-job training under section 256.738, a participant filling an established unfilled position vacancy. If an exclusive bargaining representative and a county or public service employer disagree regarding whether job duties are covered under a collective bargaining agreement, the exclusive bargaining representative or the county or public service employer may petition the bureau of mediation services, and the bureau shall determine if the job duties are covered by a collective bargaining agreement; and

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

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

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

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

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

Sec. 16. Minnesota Statutes 1994, section 256.736, is amended by adding a subdivision to read:

Subd. 14a. [JOB SEARCH FOR AFDC RECIPIENTS.] (a) Each county may establish and operate a job search program as provided under this subdivision. Unless exempt, a caretaker who has received AFDC for at least 36 months or more out of the last 60 months must be referred to and begin participation in the job search program under this subdivision, but is not required to participate in the following programs under subdivision 14, paragraph (d): the work experience program under section 256.737, the on-the-job training program under section 256.738, or the grant diversion program under section 256.739.

The caretaker is exempt from job search participation if:

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

(2) the caretaker is under age 25, has not completed a high school diploma or an equivalent program, and is participating in a secondary education program as defined in subdivision 10, paragraph (a), clause (17), which is approved by the employment and training service provider in the employability development plan.

(b) The commissioners of human services and economic security shall develop a job search program which must include a maximum of 32 hours of training for participants in how to search for employment, develop a personal resume, use job banks and other employer identification methods, learn and practice effective interviewing skills, become familiar with appropriate work behaviors, find specific job openings, and apply for the openings. The employment and training service provider shall report to the county agency if the caretaker fails to cooperate with the job search requirement.

Sec. 17. Minnesota Statutes 1994, section 256.736, subdivision 16, is amended to read:

Subd. 16. [ALLOCATION AND USE OF MONEY.] (a) State money appropriated for employment and training services under this section must be allocated to counties as specified in paragraphs (b) to (j) (1).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) The county agency may continue to provide case management and supportive services to a

participant for up to 90 days after the participant loses AFDC eligibility and may continue providing a specific employment and training service for the duration of that service to a participant if funds for the service are obligated or expended prior to the participant losing AFDC eligibility.

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

(k) The commissioner may waive the requirement of paragraph (e) that case management funds be spent only on case management services in order to permit the development of a unified STRIDE funding allocation for each county agency. The unified allocation may be expended by the county agency for case management and employment and training activities in the proportion determined necessary to streamline administrative procedures and enhance program performance. The commissioner, in consultation with the commissioner of economic security, may also grant a waiver from program spending limits in paragraphs (d) and (e) to any county which can demonstrate increased program effectiveness through a written request to the department. Counties which request a waiver of the spending limits in paragraphs (d) and (e) shall amend their local service unit plans and receive approval of the plans prior to commencing the waiver. The commissioners of human services and economic security shall annually evaluate the effectiveness of all waivers approved under this subdivision.

(l) Effective July 1, 1995, the commissioner of human services shall begin developing a performance model for the purpose of analyzing each county's performance in the provision of STRIDE employment and training services. Beginning February 1, 1997, and each year thereafter, the commissioner of human services shall inform each county of the county's performance based upon the following measures:

- (1) employment rate at termination of STRIDE eligibility;
- (2) wage rate at termination of STRIDE eligibility;
- (3) average annual cost per placement calculated by dividing the total STRIDE expenditures by the number of participants placed in unsubsidized employment;
- (4) AFDC-UP participation rate;
- (5) percentage of 18- and 19-year-old custodial parents subject to secondary education requirements of subdivision 3b who complete secondary education or equivalent course of study; and
- (6) achievement of federally mandated JOBS participation rate.

Performance measures (1), (2), and (3) shall be adjusted to reflect local conditions.

County agencies must take the results of these performance measures into consideration when selecting employment and training service providers.

Sec. 18. Minnesota Statutes 1994, section 256.736, is amended by adding a subdivision to read:

Subd. 20. [SPECIAL PROVISIONS FOR PERSONS PARTICIPATING IN EDUCATIONAL PROGRAMS.] The provisions of this subdivision are applicable to all STRIDE participants, including those subject to subdivision 3b and section 256.737.

(a) When a high school equivalency program is selected as the appropriate educational option for any recipient eligible to participate under subdivision 3a, the recipient must participate in high school equivalency classroom instruction for at least six hours per week, meet the attendance and satisfactory progress requirements as defined by the employment and training service provider in consultation with the provider of the high school equivalency program, and concurrently work a monthly average of not less than 64 hours in employment paying at least minimum wage or in documented volunteer work for a public or nonprofit agency and agree to search for and accept any offer of suitable employment upon completion of the education. Hours spent assisting at a

licensed day care center shall count toward the weekly hours needed to fulfill the employment or volunteer requirement. "Volunteer work" shall include attendance at parenting skill classes. Failure to comply, without good cause, with this requirement shall result in the imposition of sanctions as specified in subdivision 4, clause (6).

(b) Concurrent with participation in post-secondary education or training approved in an employability development plan under subdivision 10, paragraph (a), clause (15), the participant must work at a minimum the number of hours per month prescribed by this subdivision in employment paying at least minimum wage or in documented volunteer work for a public or nonprofit agency and agree to search for and accept any offer of suitable employment upon completion of the education or training. For individuals who are participating in an educational program under this paragraph on a full-time basis as determined by the institution, there is no work requirement. For individuals participating in an educational program on a part-time basis as determined by the institution, the number of hours that a participant must work shall be increased or decreased in proportion to the number of credit hours being taken, with a maximum of eight hours weekly of work. Hours spent assisting at a licensed day care center shall count towards the weekly hours needed to fulfill the employment or volunteer requirement. "Volunteer work" shall include attendance at parenting skill classes.

Sec. 19. Minnesota Statutes 1994, section 256.737, subdivision 4, is amended to read:

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

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

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

(3) the caretaker's lack of proficiency in English is a barrier to employment, provided the caretaker is participating in an available intensive program which lasts no longer than six months and is designed to remedy the language deficiency. Individuals who, because of advanced age and lack of ability, are incapable of gaining proficiency in English, as determined by the county social worker, shall continue to be exempt under this subdivision and are not subject to the requirement that they be participating in a language program.

Sec. 20. Minnesota Statutes 1994, section 256.737, is amended by adding a subdivision to read:

Subd. 7. [INJURY PROTECTION FOR WORK EXPERIENCE PARTICIPANTS.] (a) Payment of any claims resulting from an alleged injury or death of a recipient participating in a community work experience program established and operated by a county pursuant to this section shall be determined in accordance with paragraph (b). This determination method applies to work experience programs established under aid to families with dependent children, work readiness, Minnesota parents' fair share, and to obligors participating in community services pursuant to section 518.551 in a county with an approved community investment program.

(b) Claims of \$1,000 or less that are subject to this section shall be investigated by the county agency responsible for supervising the work to determine if the claim is valid and if the loss is covered by the claimant's insurance.

The investigating county agency shall submit all valid claims to the department of human services. The department shall pay the portion of an approved claim that is not covered by the claimant's insurance within three months of the date of submission. On or before February 1 of each legislative session, the department shall submit to the appropriate committees of the senate and the house of representatives a list of claims paid during the preceding calendar year and shall be reimbursed by legislative appropriation for any claims that exceed the original appropriation provided to the department to operate this program. Any unspent money from this appropriation shall carry over to the second year of the biennium, and any unspent money remaining at the end of the second year shall be returned to the state general fund.

A claim in excess of \$1,000 and a claim that was not paid by the department may be presented to, heard, and determined by the appropriate committees of the senate and house of representatives and, if approved, shall be paid under the legislative claims procedure.

(c) Claims for permanent total disability, permanent partial disability, and death claims shall be referred to the commissioner of labor and industry for assessment. The commissioner of labor and industry shall verify the validity of the claim and recommend compensation. The compensation recommended must afford the same protection for on-site injuries at the same level and to the same extent as provided in chapter 176.

(d) Compensation paid under this section is limited to reimbursement for medical expenses and compensation for disability as impairment compensation or death. No compensation shall be paid under this section for pain and suffering or lost wages. Payments made under this section shall be reduced by any proceeds received by the claimant from any insurance policy covering the loss. For the purposes of this section, "insurance policy" does not include the medical assistance program authorized under chapter 256B or the general assistance medical care program authorized under chapter 256D.

(e) The procedure established by this section is exclusive of all other legal, equitable, and statutory remedies against the state, its political subdivisions, or employees of the state or its political subdivisions. The claimant shall not be entitled to seek damages from any state or county insurance policy or self-insurance program.

(f) A claim is not valid for purposes of this subdivision if the local agency responsible for supervising the work cannot verify:

(1) that appropriate safety training and information is provided to all persons being supervised by the agency under this subdivision; and

(2) that all programs involving work by those persons comply with federal Occupational Safety and Health Administration and state department of labor and industry safety standards. A claim that is not valid because of failure to verify safety training or compliance with safety standards will not be paid by the department of human services or through the legislative claims process and must be heard, decided, and paid, if appropriate, by the local government unit responsible for supervising the work of the claimant.

(g) This program is effective July 1, 1995. Claims may be submitted on or after November 1, 1995.

Sec. 21. Minnesota Statutes 1994, section 256.81, is amended to read:

256.81 [COUNTY AGENCY, DUTIES.]

(1) The county agency shall keep such records, accounts, and statistics in relation to aid to families with dependent children as the state agency shall prescribe.

(2) Each grant of aid to families with dependent children shall be paid to the recipient by the county agency unless paid by the state agency. Payment must be by check or electronic means except in those instances in which the county agency, subject to the rules of the state agency, determines that payments for care shall be made to an individual other than the parent or relative with whom the dependent child is living or to vendors of goods and services for the benefit of the child because such parent or relative is unable to properly manage the funds in the best interests and welfare of the child. There is a presumption of mismanagement of funds whenever a recipient is more than 30 days in arrears on payment of rent, except when the recipient has withheld rent to enforce the recipient's right to withhold the rent in accordance with federal, state, or local housing laws. In cases of mismanagement based solely on failure to pay rent, the county may vendor the rent payments to the landlord. At the request of a recipient, the state or county may make payments directly to vendors of goods and services, but only for goods and services appropriate to maintain the health and safety of the child, as determined by the county.

(3) The state or county may ask the recipient to give written consent authorizing the state or county to provide advance notice to a vendor before vendor payments of rent are reduced or terminated. Whenever possible under state and federal laws and regulations and if the recipient consents, the state or county shall provide at least 30 days notice to vendors before vendor payments of rent are reduced or terminated. If 30 days notice cannot be given, the state or county shall notify the vendor within three working days after the date the state or county becomes aware

that vendor payments of rent will be reduced or terminated. When the county notifies a vendor that vendor payments of rent will be reduced or terminated, the county shall include in the notice that it is illegal to discriminate on the grounds that a person is receiving public assistance and the penalties for violation. The county shall also notify the recipient that it is illegal to discriminate on the grounds that a person is receiving public assistance and the procedures for filing a complaint. The county agency may develop procedures, including using the MAXIS system, to implement vendor notice and may charge vendors a fee not exceeding \$5 to cover notification costs.

(4) A vendor payment arrangement is not a guarantee that a vendor will be paid by the state or county for rent, goods, or services furnished to a recipient, and the state and county are not liable for any damages claimed by a vendor due to failure of the state or county to pay or to notify the vendor on behalf of a recipient, except under a specific written agreement between the state or county and the vendor or when the state or county has provided a voucher guaranteeing payment under certain conditions.

(5) The county shall be paid from state and federal funds available therefor the amount provided for in section 256.82.

(6) Federal funds available for administrative purposes shall be distributed between the state and the counties in the same proportion that expenditures were made except as provided for in section 256.017.

(7) The affected county may require that assistance paid under the AFDC emergency assistance program in the form of a rental unit damage deposit, less any amount retained by the landlord to pay for property damage, be returned to the county when the assistance unit vacates the premises or paid to the recipient's new landlord as a vendor payment. The vendor payment of returned funds shall not be considered a new use of emergency assistance.

Sec. 22. Minnesota Statutes 1994, section 256.979, is amended by adding a subdivision to read:

Subd. 9. [ACCRUAL OF SUPPORT OBLIGATIONS.] The commissioner shall seek a waiver from the secretary of the Department of Health and Human Services to enable the agency to accrue child support payments received on behalf of both AFDC and non-AFDC clients until the sum total of the money owed by the state agency to the client is at least \$10. Obligors shall be assessed a processing fee of \$10 to be retained by the county agency in every instance when both of the following conditions exist:

(1) the obligor pays less than the required monthly support obligation; and

(2) that reduced payment would result in a child support payment to an AFDC or non-AFDC client of less than \$10 for that month.

Sec. 23. Minnesota Statutes 1994, section 256.983, subdivision 1, is amended to read:

Subdivision 1. [PROGRAMS ESTABLISHED.] Within the limits of available appropriations, and to the extent required or authorized by applicable federal regulations, the commissioner of human services shall require the establishment of fraud prevention investigation programs in the seven counties participating in the fraud prevention investigation pilot project established under section 256.983, and in 11 additional Minnesota counties with the largest aid to families with dependent children program caseloads as of July 1, 1991. If funds are sufficient, the commissioner may also extend fraud prevention investigation programs to: (1) other counties that have welfare fraud control programs already in place based on enhanced funding contracts covering the fraud investigation function; and (2) counties that have the largest AFDC caseloads as of July 1, 1994, and are not currently participating in the fraud prevention investigation pilot project. The pilot project may be expanded provided the expansion is budget neutral to the state.

Sec. 24. [256.986] [COUNTY COORDINATION OF FRAUD CONTROL ACTIVITIES.]

(a) The county agency shall prepare and submit to the commissioner of human services by January 1 of each year a plan to coordinate county duties related to the prevention, investigation, and prosecution of fraud in public assistance programs. Plans may be submitted on a voluntary basis prior to January 1, 1996. Each county must submit its first annual plan prior to January 1, 1997.

(b) Within the limits of appropriations specifically made available for this purpose, the commissioner may make grants to counties submitting plans under paragraph (a) to implement coordination activities.

Sec. 25. Minnesota Statutes 1994, section 256D.05, subdivision 6, is amended to read:

Subd. 6. [ASSISTANCE FOR PERSONS WITHOUT A VERIFIED RESIDENCE.] (a) For applicants or recipients of general assistance, emergency general assistance, or work readiness assistance who do not have a verified residence address, the county agency may provide assistance using one or more of the following methods:

(1) the county agency may provide assistance in the form of vouchers or vendor payments and provide separate vouchers or vendor payments for food, shelter, and other needs;

(2) the county agency may divide the monthly assistance standard into weekly payments, whether in cash or by voucher or vendor payment. Nothing in this clause prevents the county agency from issuing voucher or vendor payments for emergency general assistance in an amount less than the standards of assistance; and

(3) the county agency may determine eligibility and provide assistance on a weekly basis. Weekly assistance can be issued in cash or by voucher or vendor payment and can be determined either on the basis of actual need or by prorating the monthly assistance standard.

(b) An individual may verify a residence address by providing a driver's license; a state identification card; a statement by the landlord, apartment manager, or homeowner verifying that the individual is residing at the address; or other written documentation approved by the commissioner.

(c) Notwithstanding the provisions of section 256D.06, subdivision 1, if the county agency elects to provide assistance on a weekly payment basis, the agency may not provide assistance for a period during which no need is claimed by the individual unless the individual has good cause for failing to claim need. The individual must be notified, each time weekly assistance is provided, that subsequent weekly assistance will not be issued unless the individual claims need. The advance notice required under section 256D.10 does not apply to weekly assistance that is withheld because the individual failed to claim need without good cause.

(d) The county agency may not issue assistance on a weekly basis to an applicant or recipient who has professionally certified mental illness or mental retardation or a related condition, or to an assistance unit that includes minor children, unless requested by the assistance unit.

(e) For the purposes of paragraph (a), clauses (2) and (3), the county agency may divide the monthly assistance standard as follows: \$25 the first week, \$50 each of the second and third weeks, and the remainder the fourth week.

Sec. 26. Minnesota Statutes 1994, section 256D.051, subdivision 1, is amended to read:

Subdivision 1. [WORK REGISTRATION.] (a) Except as provided in this subdivision, persons who are residents of the state and whose income and resources are less than the standard of assistance established by the commissioner, but who are not categorically eligible under section 256D.05, subdivision 1, are eligible for the work readiness program for a maximum period of ~~six~~ one calendar month during any 12 consecutive calendar month period, subject to the provisions of paragraph (d), subdivision 3, and section 256D.052, subdivision 4. The person's eligibility period begins on the first day of the calendar month following the date of application for assistance or following the date all eligibility factors are met, whichever is later; however, the person may voluntarily continue to participate in work readiness services for up to three additional consecutive months immediately following the last month of benefits to complete the provisions of the person's employability development plan. After July 1, 1992, if orientation is available within three weeks after the date eligibility is determined, initial payment will not be made until the registrant attends orientation to the work readiness program. Prior to terminating work readiness assistance the county agency must provide advice on the person's eligibility for general assistance medical care and must assess the person's eligibility for general assistance under section 256D.05 to the extent possible using information in the case file, and determine the

person's eligibility for general assistance. A determination that the person is not eligible for general assistance must be stated in the notice of termination of work readiness benefits.

(b) Persons, families, and married couples who are not state residents but who are otherwise eligible for work readiness assistance may receive emergency assistance to meet emergency needs.

(c) Except for family members who must participate in work readiness services under the provisions of section 256D.05, subdivision 1, clause (15), any person who would be defined for purposes of the food stamp program as being enrolled or participating at least half-time in an institution of higher education or a post-secondary program is ineligible for the work readiness program. Post-secondary education does not include the following programs: (1) high school equivalency; (2) adult basic education; (3) English as a second language; (4) literacy training; and (5) skill-specific technical training that has a course of study of less than three months, that is not paid for using work readiness funds, and that is specified in the work readiness employability development plan developed with the recipient prior to the recipient beginning the training course.

(d) Notwithstanding the provisions of sections 256.045 and 256D.10, during the pendency of an appeal, work readiness payments and services shall not continue to a person who appeals the termination of benefits due to exhaustion of the period of eligibility specified in paragraph (a) or (d).

#### Sec. 27. [256D.0511] [LUMP-SUM PAYMENTS.]

A person who is temporarily ineligible for AFDC due to a lump-sum payment is also ineligible for general assistance and work readiness benefits for the same duration unless the person demonstrates that the lump-sum payment was used for basic needs, which includes education, training and work expenses necessary to become economically self-sufficient, and medical expenses.

Sec. 28. Minnesota Statutes 1994, section 256D.09, is amended by adding a subdivision to read:

Subd. 5. [VENDOR PAYMENTS TO LANDLORDS.] The affected county may require that assistance paid under the emergency general assistance program in the form of a rental unit damage deposit, less any amount retained by the landlord to pay for property damage, be returned to the county when the recipient vacates the premises or paid to the recipient's new landlord as a vendor payment. The vendor payment of returned funds shall not be considered a new use of emergency assistance.

Sec. 29. Minnesota Statutes 1994, section 256D.09, is amended by adding a subdivision to read:

Subd. 6. [RECOVERY OF OVERPAYMENTS.] (a) If an amount of general assistance, family general assistance, or work readiness assistance is paid to a recipient in excess of the payment due, it shall be recoverable by the county agency. The agency shall give written notice to the recipient of its intention to recover the overpayment.

(b) When an overpayment occurs, the county agency shall recover the overpayment from a current recipient by reducing the amount of aid payable to the assistance unit of which the recipient is a member, for one or more monthly assistance payments, until the overpayment is repaid. All county agencies in the state shall reduce the assistance payment by three percent of the assistance unit's standard of need or the amount of the monthly payment, whichever is less, for all overpayments whether or not the overpayment is due solely to agency error. The amount of this reduction is ten percent if the overpayment is due solely to having wrongfully obtained assistance whether based on:

(1) a court order;

(2) the finding of an administrative fraud disqualification hearing or the waiver of such a hearing; or

(3) a confession of judgment containing an admission of an intentional program violation.

In cases when there is both an overpayment and underpayment, the county agency shall offset one against the other in correcting the payment.

(c) Overpayments may also be voluntarily repaid, in part or in full, by the individual, in addition to the aid reductions provided in this subdivision, until the total amount of the overpayment is repaid.

(d) The county agency shall make reasonable efforts to recover overpayments to persons no longer on assistance under standards adopted in rule by the commissioner. The county agency need not attempt to recover overpayments of less than \$35 paid to an individual no longer on assistance if the individual does not receive assistance again within three years, unless the individual has been convicted of violating section 256.98.

**Sec. 30. [MINNESOTA PARENTS' FAIR SHARE; MANDATORY COMMUNITY WORK EXPERIENCE.]**

The Minnesota parents' fair share pilot project shall include a mandatory community work experience component for participants who fail to comply with the requirements of the pilot project.

**Sec. 31. [FEDERAL WAIVER PACKAGE.]**

Subdivision 1. [REQUEST.] The commissioner of human services shall make a single request for the waivers listed in this section to the United States Department of Health and Human Services. The waivers in the package support and encourage AFDC recipients to move from reliance on welfare to self-sufficiency. The commissioner shall explore alternatives to the federally required waiver evaluation process in an effort to reduce evaluation costs and develop a cost-effective evaluation process for the waiver package in this section. While also exploring other possible alternatives, the commissioner shall investigate the feasibility of the following: (1) one evaluation for the entire waiver package; (2) consolidation of evaluation efforts for the same or similar waiver with another state; and (3) completion of the evaluation internally, possibly by the office of legislative auditor. The commissioner shall notify the revisor of statutes when each waiver is approved by the federal government.

Subd. 2. [WAIVER TO DISALLOW PARENTAL INCOME OF A PREGNANT OR PARENTING MINOR LIVING WITH PARENTS.] The commissioner shall seek the following waivers: (1) from the filing unit requirement in Code of Federal Regulations, title 45, section 206.10(a)(1)(vii), for minor parents living with a parent on AFDC with other dependent children, resulting in the minor parent receiving the same separate need standard available if the minor parent's parent was not on AFDC; (2) to disregard all parental income if the parent is on AFDC with other children; and (3) if the parent is not on AFDC with other children, to disregard income equal to 150 percent of the federal poverty guideline for a family size not including the minor parent and the minor parent's child and deem the remainder of income under Code of Federal Regulations, title 45, section 233.20(a)(3)(xviii). If the commissioner experiences barriers or complications in preparing the waiver under this subdivision, the commissioner shall report back to the legislature for clarification without delaying the requests for other waivers under this section. The commissioner shall also explore the impact of waivers under this subdivision on other programs and report to the legislature potential waivers necessary to provide consistency across programs. The general policy in requesting these waivers is to keep the family intact and give the minor parent, the dependent child, and the grandparent an incentive to continue living together as a family.

Subd. 3. [WAIVER TO ALLOW START WORK OFFSET.] The commissioner shall seek a waiver of the federal regulation which requires the state to recover AFDC overpayments from the assistance unit if the overpayment occurred in the month the assistance unit started working and the overpayment resulted from the assistance unit's increased earnings. This "start work offset" is available to an assistance unit every two years.

Subd. 4. [WAIVER OF THE 100-HOUR RULE; WORK HISTORY REQUIREMENT; 30-DAY WAITING PERIOD REQUIREMENT.] The commissioner shall seek a waiver to eliminate the 100-hour rule under Code of Federal Regulations, title 45, section 233.100(a)(1)(i); the eligibility requirement for past employment history under Code of Federal Regulations, title

45, section 233.100(a)(3)(iii); and the requirement for a 30-day waiting period under Code of Federal Regulations, title 45, section 233.100(a)(3)(i).

Subd. 5. [WAIVER OF MOTOR VEHICLE RESOURCE LIMIT.] The commissioner shall seek a waiver to increase the maximum equity value of a licensed motor vehicle, which can be excluded as a resource under the federal regulations, from \$1,500 to the level permitted under the federal Food Stamp Program. This waiver is essential for AFDC recipients who need reliable transportation to participate in education, work, and training to become self-sufficient.

Subd. 6. [WAIVER TO ALLOW STUDENTS TO EARN INCOME.] The commissioner shall seek a waiver of the federal regulation which includes the earned income of dependent children and minor caretakers who are attending school at least half time when determining eligibility for AFDC. The commissioner shall also seek a waiver which allows savings set aside in a separate account designated specifically for future education or employment needs to be excluded from the AFDC resource limits.

Subd. 7. [WAIVER OF GUARANTEED CHILD CARE FOR AFDC RECIPIENTS AND RELATED STUDY.] The commissioner shall seek a waiver of the requirement that child care be guaranteed to an AFDC recipient under Minnesota Statutes, section 256H.05, for the purposes of the program being evaluated under this section which will allow an AFDC recipient to earn income without terminating AFDC eligibility. The commissioner shall examine, within the commissioner's existing budget, the feasibility of allowing public assistance recipients to work part-time, up to a certain level, without affecting the AFDC grant, which will provide the recipient with work experience, confidence in the employment environment, and an opportunity to earn money in order to move from AFDC and to self-sufficiency. The commissioner shall examine "fill-the-gap" budgeting and other possibilities that allow a recipient to earn income without terminating the AFDC grant. The commissioner shall also explore the ancillary issues related to allowing the earned income exception, and report the different options available, the feasibility of implementing each option, and the costs and savings associated with the implementation of each option to the 1996 legislature.

Subd. 8. [IMPLEMENTATION.] The commissioner shall implement the program changes authorized under this subdivision promptly upon approval of the waiver, provided all conditions are met under Minnesota Statutes, section 256.01, subdivision 2, clause (12).

Subd. 9. [EVALUATION.] If any of the federal waivers are granted, the commissioner shall evaluate the program changes according to federal waiver requirements and, if necessary, submit reports to the legislature within a time frame consistent with the evaluation criteria that are established.

#### Sec. 32. [MAXIMIZING MAXIS; FRAUD RECOVERY EFFORTS.]

The commissioner of human services shall submit a plan to the legislature by December 1, 1995, to maximize the capability of the MAXIS system to aid in fraud control. The commissioner shall explore ways of using the MAXIS system to establish or expand recovery efforts, certify debts, and collect overpayments due to fraud, client error, or agency error in all state and federally funded public assistance programs. The commissioner shall also make recommendations for sharing recovered revenues under this program with counties to provide incentives to both the state and county to begin or maintain aggressive recovery efforts.

#### Sec. 33. [COUNTY DESIGN; WORK FOCUSED PROGRAM.]

The commissioner of human services shall issue a request for proposals from counties to submit a plan for developing and implementing a county-designed program. The plan shall be for first-time applicants for aid to families with dependent children (AFDC) and family general assistance (FGA) and must emphasize the importance of becoming employed and oriented into the work force in order to become self-sufficient. If the plan is cost-neutral to the state and approved by the commissioner, the county may implement the plan. If the plan is approved by the commissioner, but a federal waiver is necessary to implement the plan, the commissioner shall apply for the necessary federal waivers. If the plan is approved but is not cost-neutral to the state, the commissioner shall report to the 1996 legislature the cost implications related to the county-designed plan.

## Sec. 34. [RESTRUCTURING OF PUBLIC ASSISTANCE.]

(a) The commissioners of human services and economic security shall develop a plan for first-time applicants for aid to families with dependent children (AFDC) and family general assistance (FGA) in order to assure that, during the first six months of eligibility, first-time applicants for AFDC and FGA receive the following in lieu of AFDC or FGA benefits:

- (1) immediate and enhanced job search and placement activities;
- (2) subsidized employment in the private or public sector or a placement in a community service job that pays wages up to the value of AFDC or FGA is required if an unsubsidized job is not located within the first 60 days, or at an earlier date recommended by the commissioners;
- (3) priority help in establishing child support enforcement;
- (4) child care assistance for job search activities and employment;
- (5) eligibility for medical care; and
- (6) vendor payments for need items included in the AFDC consolidated standard of assistance under the state plan.

(b) The commissioners shall consider to what extent exceptions should be made for:

(1) a person who is suffering from a professionally certified permanent or temporary illness, injury, or incapacity which is expected to continue for more than 30 days and which prevents the person from obtaining or retaining employment;

(2) a person whose presence in the home on a substantially continuous basis is required because of the professionally certified illness, injury, incapacity, or the age of another member of the household;

(3) a person who has been placed in, and is residing in, a licensed or certified facility for purposes of physical or mental health or rehabilitation or in an approved chemical dependency domiciliary facility, if the placement is based on illness or incapacity and a plan developed or approved by the county agency through its director or designated representative;

(4) a person who resides in a shelter facility described in section 256D.05, subdivision 3;

(5) a person not described in clause (1) or (3) who is diagnosed by a licensed physician, licensed psychologist, or other qualified professional as mentally retarded or mentally ill and that condition prevents the person from obtaining or retaining employment;

(6) a person who has an application pending for, or is appealing termination of benefits from, the Social Security Disability program or the program of Supplemental Security Income for the aged, blind, and disabled, provided the person has a professionally certified permanent or temporary illness, injury, or incapacity which is expected to continue for more than 30 days and which prevents the person from obtaining or retaining employment;

(7) a person who is unable to obtain or retain employment because advanced age significantly affects the person's ability to seek or engage in substantial work; and

(8) a pregnant woman, if there is medical verification that the child is expected to be born within the next six months.

(c) The commissioners shall present to the 1996 legislature a statewide implementation plan, which includes employability assessment criteria, feasibility of colocation of services, and a description of the modifications that the commissioners recommend, and will be phased in starting in counties designated by the commissioners. The plan must identify needed federal waivers, evaluation criteria, state plan amendments, and other approvals necessary under the AFDC and job opportunities and basic skills (JOBS) programs. The commissioners' plan must include implementation of the project by October 1, 1996, or after the necessary waivers are approved, whichever is later.

### Sec. 35. [RESTRUCTURING OF PROJECT STRIDE.]

The commissioners of human services and economic security shall develop recommendations to restructure the program entitled "success through reaching individual development and employment" (STRIDE), under Minnesota Statutes, sections 256.73 to 256.739, to effectively and efficiently employ AFDC recipients. The commissioners shall identify modifications necessary to implement the following principles:

- (1) employment as the expected program outcome;
- (2) training and education used primarily to enhance job skills of employed participants;
- (3) adequate support services available until the recipient achieves employment that provides wages that enable the recipient to be self-sufficient;
- (4) aggressive development of job markets;
- (5) extended post-placement follow-up to retain current employment or move to better jobs;
- (6) concurrent services which combine education and employment;
- (7) certain categories of AFDC recipients shall be required to participate in STRIDE services after two years within the limits of available funding; and
- (8) failure to participate will result in termination of assistance for noncompliant participants under the Family Support Act of 1988.

The commissioners shall present to the 1996 legislature a plan which includes specific categories of mandatory participants and a description of the modifications that the commissioners recommend within existing appropriations. The proposal must identify needed federal waivers, state plan amendments, and other approvals necessary under the AFDC and JOBS programs.

### Sec. 36. [CHILD CARE COOPERATIVES.]

A county may collaborate and coordinate efforts with school districts, local youth centers, and other organizations to provide cooperative child care services at a convenient location and provide a low-cost alternative to day care services. The county may collaborate with the local school district or an organization near a school. The county is encouraged to explore other nontraditional suitable locations for community day care services and consult with parents and others who are interested in establishing a day care cooperative.

Parents must be given an opportunity to participate in the child care cooperatives. Incentives offered to parents to participate in the cooperative may include reduced day care costs for an appropriate amount of time or a few hours of free child care that provides a parent with a short respite.

For purposes of the collaborative effort, the county may request a waiver of Minnesota Rules, part 9565.5025, subpart 2, to implement the program. This waiver would reduce the barriers the applicant faces when applying for child care by specifically allowing the applicant to initially declare income, instead of being required to document income. The county may also request a waiver of rules related to day care requirements to provide more flexibility in developing and implementing the cooperative.

### Sec. 37. [SEAMLESS CHILD CARE SYSTEM.]

The commissioner of human services shall examine the feasibility of implementing a seamless child care system statewide by July 1, 1996. The seamless child care system must provide a consistent approach to administering child care by consolidating the different child care programs under Minnesota Statutes, chapter 256H, and Minnesota Statutes, section 136A.125, streamlining all child care funding available under Minnesota Statutes, chapter 256H, and Minnesota Statutes, section 136A.125, and making consistent the laws and rules to govern the child care system.

The commissioner shall report to the legislature by November 1995. The report must contain recommendations as to how to develop and implement the system statewide, proposed uniform

eligibility criteria, a list of necessary federal waivers, a list of the statutes and rules that must be repealed or amended, and an estimate of state and county savings resulting from the reduction in administrative duties.

Sec. 38. [APPROPRIATIONS.]

Subdivision 1. [APPROPRIATIONS.] The appropriations in this section are from the general fund to the commissioner of human services or the commissioner of education, as indicated, and are available for the biennium ending June 30, 1997, unless otherwise specified in the following subdivisions.

Subd. 2. [MINNESOTA PARENTS' FAIR SHARE PILOT PROJECT.] \$1,000,000 is appropriated for the following purposes:

(a) \$600,000 for a grant to Ramsey county to enable the county to expand the Minnesota parents' fair share pilot project. As a condition of this grant, the commissioner may require a local match from the county.

(b) \$100,000 is added to the appropriation to Anoka county for costs associated with the Minnesota parents' fair share pilot project.

(c) \$100,000 is added to the appropriation to Dakota county for costs associated with the Minnesota parents' fair share pilot project.

(d) \$200,000 for costs associated with the mandatory community work experience component of the Minnesota parents' fair share pilot project.

Subd. 3. [INTENSIVE LANGUAGE PROGRAM.] \$1,300,000 is appropriated to the commissioner of education for the intensive six-month language program for non-English speaking STRIDE and CWEP participants, and is available for the fiscal year beginning July 1, 1996. This appropriation is in addition to any other appropriation for adult basic education.

Subd. 4. [STRIDE.] \$1,350,000 is appropriated for purposes of Minnesota Statutes, section 256.736, subdivision 20.

Subd. 5. [INJURY PROTECTION FOR WORK EXPERIENCE PARTICIPANTS.] \$351,000 is appropriated to pay for costs associated with the claims arising from the injury protection program, established under Minnesota Statutes, section 256.737.

Subd. 6. [SOCIAL SERVICES EVALUATION.] \$330,000 is appropriated to pay for county costs associated with minor caretaker evaluations and is available for the fiscal year beginning July 1, 1996.

Subd. 7. [AFDC CHILD CARE.] \$1,538,000 is added to the appropriation to pay for child care costs incurred by job search participants.

Subd. 8. [AFDC GRANTS.] \$1,574,000 is added to the appropriation for the aid to families with dependent children program for the fiscal year beginning July 1, 1996.

Subd. 9. [COUNTY COORDINATION OF FRAUD CONTROL ACTIVITIES.] \$500,000 is appropriated for grants to counties to implement plans submitted under Minnesota Statutes, section 256.986.

Subd. 10. [HUMAN SERVICES ADMINISTRATION.] \$883,000 is appropriated to pay for administrative costs.

Subd. 11. [GENERAL ASSISTANCE AND WORK READINESS.] \$5,281,000 is appropriated for general assistance and work readiness grants.

Subd. 12. [COUNTY ADMINISTRATIVE COSTS.] \$250,000 is appropriated to pay for MFIP-R county administrative costs.

Subd. 13. [MFIP-R.] \$6,589,000 is appropriated for the expansion of MFIP-R into Ramsey county for grants and child care for fiscal year beginning July 1, 1996.

Subd. 14. [MFIP-R CASE MANAGEMENT.] \$1,601,000 is appropriated for MFIP-R case management.

Sec. 39. [REPEALER.]

Minnesota Statutes 1994, section 256.734, is repealed.

Sec. 40. [EFFECTIVE DATE.]

Sections 6 (99 Hour Rule), 9 (Start Work Offset), and 22 (Accrual of Child Support) are effective upon federal approval of the applicable waivers. Section 7 (Parenting Minors) is effective October 1, 1995. Section 16 (Job Search) is effective January 1, 1996. Sections 2, 3, 4, and 5 (MFIP-R) are effective either July 1, 1996, or when the federal waiver is approved, whichever is later. Sections 11 (Registration) and 19 (Good Cause) are effective July 1, 1996, or upon notification from the commissioner of human services to the chairs of the senate health care and family services division and the house of representatives human services finance division that federal funding for an intensive program to learn English is available and the program is cost-neutral to the state and has been reviewed and approved by the commissioner of human services."

Delete the title and insert:

"A bill for an act relating to welfare reform; requiring pregnant and parenting minors to live with their parents in order to receive AFDC; providing an exception to the AFDC overpayment statute for recipients who have become employed; broadening the scope of the employment and training statute by requiring more AFDC recipients to participate in job searches; allowing vendor emergency assistance payments for damage deposit; providing injury protection for work experience participants; expanding cost-neutral fraud prevention programs; allowing emergency assistance damage deposit be returned to the county; allowing the county to pay monthly general assistance differently; making general assistance and work readiness lump-sum criteria the same as the AFDC lump-sum criteria, with some exceptions; reducing work readiness eligibility to one month; directing the commissioner of human services to seek several waivers from the federal government which support and promote self-sufficiency; expanding the parents' fair share pilot project in Ramsey county; expanding state support for basic sliding fee day care program; appropriating money; amending Minnesota Statutes 1994, sections 256.035, subdivision 6d; 256.73, subdivision 8, and by adding subdivisions; 256.736, subdivisions 3, 3a, 4a, 5, 10, 16, and by adding subdivisions; 256.737, subdivision 4, and by adding a subdivision; 256.81; 256.979, by adding a subdivision; 256.983, subdivision 1; 256D.05, subdivision 6; 256D.051, subdivision 1; and 256D.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 256; and 256D; repealing Minnesota Statutes 1994, section 256.734."

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

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

**S.F. No. 26:** A bill for an act relating to agriculture; changing license fees for certain wholesale food handlers; amending Minnesota Statutes 1994, section 28A.08.

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 1994, section 28A.03, is amended to read:

28A.03 [DEFINITIONS.]

As used in sections 28A.01 to 28A.16 the terms defined in this section shall have the following meanings:

(a) "Commissioner" means the commissioner of agriculture of the state of Minnesota.

(b) "Person" means any individual, firm, corporation, company, association, cooperative or partnership and includes any trustee, receiver, assignee or other similar representative thereof.

(c) "Place of business" means every location where food or food items are manufactured, processed, sold, stored or handled, including buildings, locations, permanent or portable structures, carnivals, circuses, fairs, or any other permanent or temporary location.

Any vehicle or similar mobile unit from which food is sold shall be considered a place of business for purposes of this section if the food therefrom has been manufactured, packaged or dispensed from bulk, or processed in any manner thereon.

(d) "Food" includes every article used for, entering into the consumption of, or used or intended for use in the preparation of food, drink, confectionery, or condiment for humans, whether simple, mixed or compound.

(1) "Perishable food" is food which includes, but is not limited to fresh fruits, fresh vegetables, and other products which need protection from extremes of temperatures in order to avoid decomposition by microbial growth or otherwise.

(2) "Readily perishable food" is food or a food ingredient consisting in whole or in part of milk, milk products, eggs, meat, fish, poultry or other food or food ingredient which is capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

(3) "Frozen food" is food which is processed and preserved by freezing in accordance with good commercial practices and which is intended to be sold in the frozen state.

(4) For the purposes of this definition, packaged food in hermetically sealed containers processed by heat to prevent spoilage; packaged pickles; jellies, jams and condiments in sealed containers; bakery products such as bread, rolls, buns, donuts, fruit-filled pies and pastries; dehydrated packaged food; and dry or packaged food so low in moisture content as to preclude development of microorganisms are not "perishable food," "readily perishable food," or "frozen food" within the meaning of definitions (1), (2) and (3) herein when they are stored and handled in accordance with good commercial practices.

(5) "Nonperishable food" is food described in paragraph (4) with a shelf life of more than 90 days.

(e) "Sell and sale" includes the keeping, offering, or exposing for sale, use, transporting, transferring, negotiating, soliciting, or exchange of food, the having in possession with intent to sell, use, transport, negotiate, solicit, or exchange the same and the storing, or carrying thereof in aid of traffic therein whether done or permitted in person or through others.

(f) "Principal mode of business" means that type of business described under either (a), (b), (c) or (d) in section 28A.05 within which category the greatest amount of the applicant's food business lies.

(g) "Custom processor" means a person who slaughters animals or processes noninspected meat for the owner of the animals, and returns the meat products derived from the slaughter or processing to the owner. "Custom processor" also means a person who provides slaughtering or processing facilities for use by others. "Custom processor" does not include a person who slaughters animals or poultry or processes meat for the owner of the animals or poultry on the farm or premises of the owner of the animals, meat, or poultry. For the purpose of this clause, "animals" or "meat" do not include poultry or game animals or meat derived therefrom.

Sec. 2. Minnesota Statutes 1994, section 28A.04, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION; DATE OF ISSUANCE.] No person shall engage in the business of manufacturing, processing, selling, handling, or storing food without having first obtained from the commissioner a license for doing such business. Applications for such license shall be made to the commissioner in such manner and time as required and upon such forms as provided by the commissioner and shall contain the name and address of the applicant, address or description of each place of business, and the nature of the business to be conducted at each place, and such other pertinent information as the commissioner may require.

A retail or wholesale food handler license shall be issued for the period July 1 to June 30 following and shall be renewed thereafter by the licensee on or before July 1 each year, except that

all retail licenses for state and county fair licensees and mobile units shall be issued for the period April 1 to March 31 starting with the period April 1, 1996, and shall be renewed thereafter by the licensee on or before April 1 each year. License fees for the period July 1, 1995, to March 31, 1996, will be renewed according to the fee schedule in effect on January 1, 1995. A license for a food broker or for a food processor or manufacturer shall be issued for the period January 1 to December 31 following and shall be renewed thereafter by the licensee on or before January 1 of each year. A penalty for a late renewal shall be assessed in accordance with section 28A.08.

Sec. 3. Minnesota Statutes 1994, section 28A.08, is amended to read:

**28A.08 [LICENSE FEES; PENALTIES.]**

License fees, penalties for late renewal of licenses, and penalties for not obtaining a license before conducting business in food handling that are set in this section apply to the sections named except as provided under section 28A.09. Except as specified herein, bonds and assessments based on number of units operated or volume handled or processed which are provided for in said laws shall not be affected, nor shall any penalties for late payment of said assessments, nor shall inspection fees, be affected by this chapter. The penalties may be waived by the commissioner.

Type of food handler	License Fee	Penalties	
		Late Renewal	No License
1. Retail food handler			
(a) Having gross sales of only prepackaged nonperishable food of less than \$15,000 for the immediately previous license or fiscal year and filing a statement with the commissioner	\$ 40	\$ 15	\$ 25
(b) Having under \$15,000 gross sales including food preparation or having \$15,000 to \$50,000 gross sales for the immediately previous license or fiscal year	\$ 55	\$ 15	\$ 25
(c) Having \$50,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$105	\$ 35	\$ 75
(d) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$180	\$ 50	\$100
(e) Having \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$500	\$100	\$175
(f) Having \$5,000,000 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$700	\$150	\$300

	(g) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$800	\$200	\$350
2.	Wholesale food handler			
	(a) Having gross sales or service of less than <del>\$250,000</del> <u>\$25,000</u> for the immediately previous license or fiscal year	<del>\$200</del> <u>\$ 50</u>	<del>\$ 50</del> <u>\$ 15</u>	<del>\$100</del> <u>\$ 25</u>
	(b) <u>Having \$25,000 to \$250,000 gross sales or service for the immediately previous license or fiscal year</u>	<u>\$200</u>	<u>\$ 50</u>	<u>\$100</u>
	(c) Having \$250,000 to \$1,000,000 gross sales or service for the immediately previous license or fiscal year	\$400	\$100	\$200
	( <del>e</del> ) (d) Having \$1,000,000 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$500	\$125	\$250
	( <del>d</del> ) (e) Having over \$5,000,000 gross sales for the immediately previous license or fiscal year	\$575	\$150	\$300
3.	Food broker	\$100	\$ 30	\$ 50
4.	Wholesale food processor or manufacturer			
	(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$275	\$ 75	\$150
	(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$400	\$100	\$200
	(c) Having \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$500	\$125	\$250
	(d) Having over \$5,000,000			

	gross sales for the immediately previous license or fiscal year	\$575	\$150	\$300
5.	Wholesale food processor of meat or poultry products under supervision of the U. S. Department of Agriculture			
	(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$150	\$ 50	\$ 75
	(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$225	\$ 75	\$125
	(c) Having \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$275	\$ 75	\$150
	(d) Having over \$5,000,000 gross sales for the immediately previous license or fiscal year	\$325	\$100	\$175
6.	Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota farmstead cheese	\$ 30	\$ 10	\$ 15
7.	Nonresident frozen dairy manufacturer	\$200	\$ 50	\$ 75
8.	Wholesale food manufacturer processing less than 70,000 pounds per year of cultured dairy food as defined in section 32.486, subdivision 1, paragraph (b)	\$ 30	\$ 10	\$ 15
9.	A milk marketing organization without facilities for processing or manufacturing that purchases milk from milk producers for delivery to a licensed wholesale food processor or manufacturer	\$ 50	\$ 15	\$ 25

Sec. 4. Minnesota Statutes 1994, section 28A.09, subdivision 1, is amended to read:

Subdivision 1. [ANNUAL FEE; EXCEPTIONS.] Every coin-operated food vending machine is subject to an annual state inspection fee of \$15 for each nonexempt machine except nut vending machines which are subject to an annual state inspection fee of \$5 for each machine, provided that:

(a) Food vending machines may be inspected by either a home rule charter or statutory city, or a county, but not both, and if inspected by a home rule charter or statutory city, or a county they shall not be subject to the state inspection fee, but the home rule charter or statutory city, or the county may impose an inspection or license fee of no more than the state inspection fee. A home rule charter or statutory city or county that does not inspect food vending machines shall not impose a food vending machine inspection or license fee.

(b) Vending machines dispensing only gum balls, hard candy, unsorted ~~confections~~ candy, or ice manufactured and packaged by another shall be exempt from the state inspection fee, but may be inspected by the state. A home rule charter or statutory city may impose by ordinance an inspection or license fee of no more than the state inspection fee for nonexempt machines on the vending machines described in this paragraph. A county may impose by ordinance an inspection or license fee of no more than the state inspection fee for nonexempt machines on the vending machines described in this paragraph which are not located in a home rule charter or statutory city.

(c) Vending machines dispensing only bottled or canned soft drinks are exempt from the state, home rule charter or statutory city, and county inspection fees, but may be inspected by the commissioner or the commissioner's designee.

Sec. 5. Minnesota Statutes 1994, section 28A.15, subdivision 3, is amended to read:

Subd. 3. A farmer slaughtering ~~personal~~ animals, rabbits or poultry, on the farmer's own farm for: (a) personal use; or (b) the use of the farmer's immediate family.

Sec. 6. Minnesota Statutes 1994, section 28A.15, subdivision 7, is amended to read:

Subd. 7. Persons whose principal business is not food handling but who sell only ice manufactured and prepackaged by another or ~~such nonperishable items as~~ bottled or canned soft drinks, prepackaged ~~confections~~ candy or nuts at retail, or persons who for their own convenience or the convenience of their employees have available for rehydration and consumption on the premises such nonperishable items as dehydrated coffee, soup, hot chocolate or other dehydrated food or beverage.

Sec. 7. Minnesota Statutes 1994, section 28A.15, subdivision 8, is amended to read:

Subd. 8. A licensed pharmacy selling only food additives, food supplements, canned or prepackaged infant formulae, ice manufactured and packaged by another, or ~~such nonperishable food items as~~ bottled or canned soft drinks and prepackaged ~~confections~~ candy or nuts at retail.

Sec. 8. Minnesota Statutes 1994, section 28A.16, is amended to read:

#### 28A.16 [PERSONS SELLING LIQUOR.]

The provisions of the Minnesota consolidated food licensing law, sections 28A.01 to 28A.16 and acts amendatory thereto, shall not apply to persons licensed to sell 3.2 percent malt liquor "on-sale" as provided in section 340A.403, or to persons licensed to sell intoxicating liquors "on-sale" or "off-sale" as provided in sections 340A.404 to 340A.407, provided that these persons sell only ice manufactured and packaged by another, or ~~such nonperishable food items as~~ bottled or canned soft drinks and prepackaged ~~confections~~ candy at retail.

Sec. 9. Minnesota Statutes 1994, section 28A.17, is amended to read:

#### 28A.17 [LICENSE RENEWAL.]

Licenses for food processors or manufacturers shall be renewed annually on January 1. Licenses for retail and wholesale food handlers shall be renewed annually on July 1. Licenses for retail state and county fair licensees and retail mobile units shall be renewed annually on April 1 effective on April 1, 1996.

Sec. 10. Minnesota Statutes 1994, section 31.56, subdivision 5, is amended to read:

Subd. 5. Except as provided in this section, no person shall sell, offer for sale, or possess with intent to sell any meat, poultry, or rabbit product unless said product comes from animals, poultry,

or rabbits which have been slaughtered or processed in establishments which are licensed by the state ~~or~~ and are under the inspection program of the United States Department of Agriculture."

Delete the title and insert:

"A bill for an act relating to agriculture; modifying definitions and exclusions for food licensing; changing license fees and license periods for certain licensees; amending Minnesota Statutes 1994, sections 28A.03; 28A.04, subdivision 1; 28A.08; 28A.09, subdivision 1; 28A.15, subdivisions 3, 7, and 8; 28A.16; 28A.17; and 31.56, subdivision 5."

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

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

**S.F. No. 193:** A bill for an act relating to veterans; authorizing an annual expense allowance for the veterans homes board of directors; amending Minnesota Statutes 1994, section 15A.081, subdivision 8.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 15A.081, subdivision 8, is amended to read:

Subd. 8. [EXPENSE ALLOWANCE.] Notwithstanding any law to the contrary, positions listed in subdivision 1, constitutional officers, and the commissioner of iron range resources and rehabilitation are authorized an annual expense allowance not to exceed \$1,500 for necessary expenses in the normal performance of their duties for which no other reimbursement is provided. The veterans homes board of directors is also authorized an annual expense allowance not to exceed \$1,500 for use by the agency it governs for necessary expenses of agency staff in the normal performance of their duties for which no other reimbursement is provided. The expenditures under this subdivision are subject to any laws and rules relating to budgeting, allotment and encumbrance, preaudit and postaudit. The commissioner of finance may promulgate rules to assure the proper expenditure of these funds, and to provide for reimbursement.

Sec. 2. [EFFECTIVE DATE.]

This act is effective July 1, 1995."

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

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

**S.F. No. 380:** A bill for an act relating to the military; clarifying certain powers and duties of the governor; defining certain terms; clarifying language designating the rank of the adjutant general; clarifying language on acceptance of money by the adjutant general on behalf of the state; clarifying authority of the adjutant general to lease certain land; eliminating certain obsolete and duplicative language; amending Minnesota Statutes 1994, sections 190.02; 190.05, by adding subdivisions; 190.07; 190.16, subdivision 2; 190.25, subdivision 1; 191.05; repealing Minnesota Statutes 1994, sections 190.10; 190.13; and 190.29.

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

Page 1, lines 20 and 21, delete "upon the advice and consultation of the adjutant general,"

Pages 3 and 4, delete section 7

Page 4, line 3, delete "8" and insert "7"

Amend the title as follows:

Page 1, line 12, delete "191.05;"

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

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

**S.F. No. 381:** A bill for an act relating to the military; providing greater flexibility in appointment of members of the armory building commission; authorizing the state armory building commission to use funds for construction; clarifying which municipalities may provide sites for armories; changing provisions for disposal of unused armory sites; clarifying authority for levying taxes for armory construction; clarifying the authority for conveyance of armories to the state; amending Minnesota Statutes 1994, sections 193.142, subdivisions 1, 2, and 3; 193.143; 193.144, subdivisions 1, 2, and 6; 193.145, subdivisions 2, 4, and 5; and 193.148.

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

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

**S.F. No. 382:** A bill for an act relating to the military; authorizing the adjutant general to assign certain retired officers to temporary active duty; expanding the authority of the adjutant general to recommend members of the national guard for brevet rank; changing eligibility for the state service medal; changing certain penalties for wrongful disposition of military property; changing the agency to be notified in the case of temporary emergency relief payments; providing for appointment of a United States property and fiscal officer; eliminating obsolete language concerning retention of uniforms; national guard discipline, training, rifle practice, encampments, and drills; clarifying provisions related to pay for officers and enlisted persons; imposing a penalty; amending Minnesota Statutes 1994, sections 192.19; 192.20; 192.23; 192.37; 192.38, subdivision 1; 192.40; and 192.49; repealing Minnesota Statutes 1994, sections 192.36; 192.435; 192.44; 192.45; 192.46; 192.47; and 192.51, subdivision 2.

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

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

**S.F. No. 938:** A bill for an act relating to state government finance; appropriating money for a women in military service memorial.

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

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

**S.F. No. 184:** A bill for an act relating to veterans; clarifying authority for use of funds from surplus facilities of the veterans homes board; amending Minnesota Statutes 1994, section 198.003, subdivisions 3 and 4.

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

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

**S.F. No. 530:** A bill for an act relating to veterans; proposing an amendment to the Minnesota Constitution, article XIII, section 8, permitting the payment of a monetary bonus to veterans of the Persian Gulf War.

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

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

**S.F. No. 663:** A bill for an act relating to the military; exempting the national guard and the department of military affairs from certain prohibitions concerning weapons; amending Minnesota Statutes 1994, section 609.66, subdivision 2.

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

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

**S.F. No. 603:** A bill for an act relating to veterans affairs; creating a Korean war veterans' memorial on the capitol mall; appropriating money.

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

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

**S.F. No. 302:** A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 1994, section 177.24, subdivision 1.

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

Page 1, line 24, delete "\$4.75" and insert "\$4.50" and delete "and"

Page 1, line 25, delete "\$5.25" and insert "\$4.75" and delete "beginning October 1, 1996" and insert "to each employee who has worked 90 or more days for that employer on or after October 1, 1995, and at least \$5 an hour to each employee who has worked 180 or more days for that employer on or after October 1, 1995"

Page 2, line 2, delete "\$4.50" and insert "\$4.25"

Page 2, line 3, delete "and" and delete "\$5.00" and insert "\$4.50" and delete "beginning October 1," and insert "to each employee who has worked 90 or more days for that employer on or after October 1, 1995, and at least \$4.75 an hour to each employee who has worked 180 or more days for that employer on or after October 1, 1995"

Page 2, delete lines 4 to 6

Page 2, line 7, delete everything before the period

Page 2, delete lines 12 to 15

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

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

**S.F. No. 574:** A bill for an act relating to Indians; requiring the commissioner of natural resources to change certain names of geographic features of the state.

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

Page 1, line 8, delete "December" and insert "July"

Page 1, line 14, delete "3" and insert "2"

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

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

**S.F. No. 290:** A bill for an act relating to the environment; providing that site testing and study may be performed as part of the project costs eligible for a contamination cleanup grant; amending Minnesota Statutes 1994, section 116J.552, subdivision 7.

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 1994, section 116J.552, subdivision 2, is amended to read:

Subd. 2. [CLEANUP COSTS.] "Cleanup costs" or "costs" ~~mean~~ means the ~~cost~~ costs of developing and implementing an ~~approved~~ a response action plan, but does not include implementation costs incurred before the award of a grant unless the application for the grant was submitted within 180 days after the response action plan was approved by the commissioner of the pollution control agency.

Sec. 2. Minnesota Statutes 1994, section 116J.555, subdivision 2, is amended to read:

Subd. 2. [APPLICATION CYCLES; REPORTING TO LCWM.] (a) In making grants, the commissioner shall establish ~~regular~~ semiannual application deadlines in which grants will be authorized from all or part of the available appropriations of money in the account.

(b) After each semiannual cycle in which grants are awarded, the commissioner shall report to the legislative commission on waste management the grants awarded and appropriate supporting information describing each grant made. This report must be made 30 days after the grants are awarded.

(c) The commissioner shall annually report to the legislative commission on the status of the cleanup projects undertaken under grants made under the programs. The commissioner shall include in the annual report information on the cleanup and development activities undertaken for the grants made in that and previous fiscal years. The commissioner shall make this report no later than 120 days after the end of the fiscal year.

Sec. 3. [AMENDMENT OF GRANT APPLICATIONS.]

A development authority that, before the effective date of this section, submitted an application for a grant under Minnesota Statutes, sections 116J.551 to 116J.558, may, before the next application deadline, submit to the commissioner of trade and economic development an amended application based on the changes made by section 1.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the environment; providing that contamination cleanup grants cover costs of developing a response action plan and cleanup costs incurred before the award of a grant in certain cases; modifying the application cycle for contamination cleanup grants; amending Minnesota Statutes 1994, sections 116J.552, subdivision 2; and 116J.555, subdivision 2."

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

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

**S.F. No. 445:** A bill for an act relating to the environment; requiring the pollution control agency to permit the operation of certain waste combustors.

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

Delete everything after the enacting clause and insert:

"Section 1. [WAIVER.]

The pollution control agency must, until 2005, allow the operation of a gas-fired waste combustor installed after January 1, 1992, and before June 20, 1994, used to burn blood-contaminated, waxed cardboard, and meat-contaminated cellulose from meat processing operations in amounts that do not exceed 500 pounds per hour and provided the combustor meets emission standards in effect at the time it was installed.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective on the day following final enactment."

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

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

**S.F. No. 133:** A bill for an act relating to state lands; authorizing the private sale of certain tax-forfeited lands bordering public waters in Cook county.

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

Page 2, after line 7, insert:

"Sec. 2. [SALE OF TAX-FORFEITED LAND; COOK COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, the conveyance by Cook county in October 1993, of the tax-forfeited land bordering public waters that is described in paragraph (b), is hereby ratified.

(b) The land that was conveyed is located in Cook county and is described as: the one acre southwest corner of Government Lot 6, Township 63 North, Range 5 East, Section 31.

(c) Through an error, the county sold the land to a private party in October 1993, without legislative authorization. The county determined that the county's land management interests would best be served if the lands were returned to private ownership."

Page 2, line 8, delete "2" and insert "3"

Page 2, line 9, delete "Section 1 is" and insert "Sections 1 and 2 are"

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

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

**S.F. No. 444:** A bill for an act relating to state parks; adding territory to Split Rock Creek state park.

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

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

**S.F. No. 834:** A bill for an act relating to taxation; updating references to the Internal Revenue Code; amending Minnesota Statutes 1994, section 290.01, subdivision 19.

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

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

**S.F. No. 93:** A bill for an act relating to Stearns county; requiring the county to refund money paid by the city of Melrose for acquisition of certain property.

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

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

**S.F. No. 610:** A bill for an act relating to the financing of government in this state; providing tax credits; making the used farm machinery sales tax exemption permanent; repealing the political contribution refund; providing flexibility and accountability for local governments; appropriating money; amending Minnesota Statutes 1994, sections 256E.06, subdivisions 9, 12, and 13; 273.138, subdivision 2; 273.1398, subdivisions 2 and 3a; 273.166, subdivision 2; 276.04, subdivision 2; 289A.50, subdivision 1; 290.01, subdivision 6; 290.06, by adding a subdivision; 297A.25, subdivision 59; 471.9981, subdivision 6; 477A.012, subdivision 1; 477A.013, subdivisions 1 and 9; 477A.0132, subdivisions 1 and 2; 477A.014, subdivisions 1, 2, and 5; 477A.015; 477A.017, subdivision 3; and 477A.03, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 275; and 477A; repealing Minnesota Statutes 1994, sections 10A.322, subdivision 4; 10A.43, subdivision 5; 290.06, subdivision 23; 477A.011, subdivisions 30, 31, 32, 33, 34, 35, 36, and 37; 477A.012; 477A.013; and 477A.014, subdivision 1a.

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

Pages 3 and 4, delete section 3

Page 4, delete lines 28 and 29

Page 4, line 30, delete "4" and insert "3"

Page 4, line 31, delete "5" and insert "4"

Page 9, line 21, delete "on a"

Page 9, line 22, delete "per pupil unit basis"

Page 10, after line 11, insert:

"Subd. 7. [COSTS.] The reasonable cost of the county treasurer's services and the cost of preparing and mailing the notice required in this section is apportioned between taxing jurisdictions as follows: (1) one-third to the county; (2) one-third to the cities and towns within the county; and (3) one-third to the school districts located within the county. The total amount in clause (2) must be further apportioned among the cities and towns in the proportion that the number of parcels in each city or town bears to the number of parcels in all cities and towns within the county. The total amount in clause (3) must be further apportioned among the school districts within the county in the proportion that the number of parcels in each school district bears to the number of parcels in all school districts within the county. The local taxing jurisdictions identified in clauses (2) and (3) must reimburse the county for the costs apportioned to them under this subdivision."

Page 17, after line 16, insert:

"In regard to those public hearings which it conducts at which public comments are allowed, the council must publish notice of each such hearing not less than two business days nor more than six business days before the hearing. The notice must be at least one-eighth page in size of a standard-size or a tabloid-size newspaper. The notice must not be placed in the part of the newspaper where legal notices and classified advertisements appear. The notice must be published in an official newspaper of general circulation in the county. In addition, if the selected official newspaper is not regularly distributed to all areas of the county, the notice must also be published in a sufficient number of other official newspapers so as to insure that in all areas of the county the notice appears in at least one official newspaper which is regularly distributed in that area. The newspapers selected must be of general interest and readership, and not ones of limited subject matter. The notice must appear in newspapers that are published at least once per week. On or

before the date of any hearing at which public comments are allowed, the council must mail a complete and actual-size copy of the notice or notices it published in relation to that meeting to the commissioner of revenue."

Page 18, line 28, after "2" insert "; except that the county treasurer must pay to the metropolitan council and the metropolitan mosquito control commission an amount that is at least equal to the amount of the payable 1996 aids which the commissioner allocated to the county for that special taxing district under subdivision 1"

Page 19, line 23, delete "nonpermanent"

Page 19, line 24, after "the" insert "amount of" and after "aid" insert "otherwise to be paid to each city and town under section 477A.013, subdivisions 1 and 9, of 5.74 percent, thereby also reducing the total city and town local government aid"

Page 19, line 25, delete "of" and insert "by"

Page 19, line 29, after "subdivision 1" insert ", paragraphs (a) and (b),"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 11 and 12, delete "290.06, by adding a subdivision;"

And when so amended the bill be reported to the Senate without recommendation.  
Amendments adopted. Report adopted.

#### **Mr. Marty from the Committee on Ethics and Campaign Reform, to which was referred**

**S.F. No. 115:** A bill for an act relating to elections; changing the dates of precinct caucuses, the state party nominating election and primary, and the presidential primary; changing the deadline for delivery of absentee ballots; providing for distribution of a caucus guide and a voters' guide; changing requirements for names appearing on the state party nominating election ballot; changing certain terminology; providing for a presidential primary by mail; increasing the filing fee for an affidavit of candidacy; changing certain duties and procedures; appropriating money; amending Minnesota Statutes 1994, sections 202A.14, subdivision 1; 204B.03; 204B.06, subdivisions 2, 5, and 7; 204B.08, subdivisions 1 and 2; 204B.09, subdivision 1; 204B.10, subdivisions 2, 3, and 4; 204B.11; 204B.12, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.45, subdivision 3, and by adding a subdivision; 204D.03, subdivision 1; 204D.08, subdivision 4; 207A.01; 207A.02, subdivision 1a; 207A.03; 207A.04, subdivision 3; 207A.06, subdivision 2; 207A.08; and 207A.09; proposing coding for new law in Minnesota Statutes, chapters 202A; 204B; and 207A; repealing Minnesota Statutes 1994, section 207A.07.

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 1994, section 10A.31, subdivision 6, is amended to read:

Subd. 6. As soon as the board has obtained from the secretary of state the results of the primary state party nominating election, but in any event no later than one week after certification by the state canvassing board of the results of the primary that election, the board shall distribute the available funds in each party account, as certified by the commissioner of revenue ~~on September 1~~ one week before the state party nominating election, to the candidates of that party who have signed the agreement as provided in section 10A.322 and filed the affidavit required by section 10A.323, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivision 5. If a candidate files the affidavit required by section 10A.323 ~~after September 1 of the general election year~~ later than one week before the state party nominating election, the board shall pay the candidate's allocation to the candidate at the next regular payment date for public subsidies for that election cycle that occurs at least 15 days after the candidate files the affidavit.

Sec. 2. Minnesota Statutes 1994, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. [AGREEMENT BY CANDIDATE.] (a) As a condition of receiving a public subsidy, a candidate shall sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25 and 10A.324.

(b) Before the first day of filing for office, the board shall forward agreement forms to all filing officers. The board shall also provide agreement forms to candidates on request at any time. The candidate may sign an agreement and submit it to the filing officer on the day of filing an affidavit of candidacy or petition to appear on the ballot, in which case the filing officer shall without delay forward signed agreements to the board. Alternatively, the candidate may submit the agreement directly to the board at any time that is at least one week before ~~September 1 preceding the general~~ the candidate's state party nominating election. An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board shall forward a copy of any agreement signed under this subdivision to the commissioner of revenue.

(d) Notwithstanding any provisions of this section, when a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement at any time before the deadline for submission of a signed agreement under section 10A.315.

Sec. 3. Minnesota Statutes 1994, section 10A.323, is amended to read:

#### 10A.323 [MATCHING REQUIREMENTS.]

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 or 10A.312 a candidate or the candidate's treasurer shall file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions from persons eligible to vote in this state in the amount indicated for the office sought, counting only the first \$50 received from each contributor:

- (1) candidates for governor and lieutenant governor running together, \$35,000;
- (2) candidates for attorney general, \$15,000;
- (3) candidates for secretary of state, state treasurer, and state auditor, separately, \$6,000;
- (4) candidates for the senate, \$3,000; and
- (5) candidates for the house of representatives, \$1,500.

To be eligible to receive a public matching subsidy under section 10A.312, the affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state and the total amount of those contributions received, disregarding the portion of any contribution in excess of \$50.

The candidate or the candidate's treasurer shall submit the affidavit required by this section to the board in writing ~~by September 1 of the general election year~~ no later than one week before the state party nominating election to receive the payment based on the results of the primary election, ~~by September 15 to receive the payment made October 1, by October 1 to receive the payment made October 15, by November 1 to receive the payment made November 15 following the general election, and by December 1 to receive the payment made December 15.~~

Sec. 4. [204B.05] [FILING FOR PRIMARY; MAJOR PARTY CANDIDATES FOR CONGRESSIONAL AND STATE CONSTITUTIONAL OFFICE.]

Subdivision 1. [NOTICE OF OFFICES TO BE ELECTED.] By February 15 of every even-numbered year the secretary of state shall send a notice of the congressional and state constitutional offices to be elected at the state general election to the state chair of each major political party.

Subd. 2. [CERTIFICATION OF CANDIDATES.] No later than ten weeks before the state

party nominating election, the state chair of each major political party shall certify to the secretary of state the names of every person who received at least 20 percent of the votes on any ballot at the appropriate party endorsing convention for a congressional or state constitutional office according to the party rules. Candidates who receive the endorsement of the party must be designated as such on the certification.

Subd. 3. [FORM OF CERTIFICATION.] The certification of candidates must include the name of the candidate as it is to appear on the ballot and the name of the office sought. The certification shall also include a statement that each candidate meets the qualifications for the office sought. The certification must be prepared by the party chair in the manner provided by the secretary of state.

Subd. 4. [ELIGIBILITY OF CANDIDATES.] No candidate shall be certified by a major political party who does not meet the constitutional and statutory requirements for the office sought.

Subd. 5. [FILING BY PETITION.] Any eligible voter whose name is not certified by a major political party as provided in this section may obtain access to the state party nomination ballot for a congressional or state constitutional office by filing an affidavit of candidacy and a petition.

The petition must include the signatures of at least ten percent of the number of persons voting for the nomination of the office sought at the last state party nominating election. For offices voted on statewide, the minimum number of signatures required must be calculated separately for each congressional district. By February 15 of each even-numbered year, the secretary of state shall determine the minimum number of signatures and the minimum distribution of signatures by congressional district required for persons submitting petitions as provided in this subdivision.

Subd. 6. [FORM OF PETITION.] The petition required by subdivision 5 must include the following information: candidate's name, candidate's address, party name, and office sought. The petition must include the following oath or affirmation of the signers: "I solemnly swear (or affirm) that I know the contents and purpose of this petition, that I either participated in the most recent precinct caucus for the party listed on the petition or intend to vote for a majority of that party's candidates at the next state general election, and that I signed this petition of my own free will." An individual who, in signing a petition, makes a false oath is guilty of perjury.

Petitions submitted under this subdivision must be in the form specified by the secretary of state, who shall prepare samples of the form.

Subd. 7. [CANDIDATES WITHOUT PARTY CERTIFICATION OR PETITION.] A candidate who seeks the nomination of a major political party for a congressional or state constitutional office without party certification under subdivision 2 or a party petition under subdivisions 5 and 6 must not be given a place on that party's ballot.

Sec. 5. Minnesota Statutes 1994, section 204B.08, subdivision 1, is amended to read:

Subdivision 1. [TIME FOR SIGNING.] Nominating Petitions shall be signed during the period when petitions may be filed as provided in section 204B.09.

Sec. 6. Minnesota Statutes 1994, section 204B.08, subdivision 2, is amended to read:

Subd. 2. [QUALIFICATIONS OF SIGNERS.] A nominating petition may be signed only by individuals who are eligible to vote for the candidate ~~who is nominated~~ named on the petition. No individual may sign more than one ~~nominating~~ petition for candidates for the same office unless more than one candidate is to be elected to that office. If more than one candidate is to be elected to the office, an individual may sign as many petitions as there are candidates to be elected.

Sec. 7. Minnesota Statutes 1994, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. [CANDIDATES IN STATE AND COUNTY GENERAL ELECTIONS.] Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state and federal offices filled at the state general election shall be filed not more than 70 days ten weeks nor less than 56 days eight weeks before the state primary party nominating election. The affidavit may be prepared and signed at any time between 60 days before the filing

period opens and the last day of the filing period. ~~Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer.~~

The petitions authorized by section 204B.05 may be signed no earlier than 18 weeks before the state party nominating election and must be filed with the secretary of state no later than eight weeks before the state party nominating election. Candidates for presidential electors may file petitions on or before the state primary day. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing. Affidavits and petitions for offices to be voted on in only one county shall be filed with the county auditor of that county. Affidavits and petitions for offices to be voted on in more than one county shall be filed with the secretary of state.

Sec. 8. Minnesota Statutes 1994, section 204B.10, subdivision 2, is amended to read:

Subd. 2. ~~[NOMINATING PETITIONS; ACKNOWLEDGMENT; NUMBERING.]~~ On the day a ~~nominating~~ petition is filed, the election official shall deliver or mail an acknowledgment of the petition to the individual who files it and to the candidate who is to be nominated. The election official shall also number the petitions in the order received. The petitions shall be retained as provided in section 204B.40, and shall be available for public inspection during that period.

Sec. 9. Minnesota Statutes 1994, section 204B.10, subdivision 3, is amended to read:

Subd. 3. ~~[INSPECTION.]~~ The official with whom ~~nominating~~ petitions are filed shall inspect the petitions in the order filed to verify that there are a sufficient number of signatures of individuals whose residence address as shown on the petition is in the district where the candidate is to be nominated.

Sec. 10. Minnesota Statutes 1994, section 204B.10, subdivision 4, is amended to read:

Subd. 4. ~~[CERTIFICATION.]~~ The secretary of state shall certify to the county auditor of each county the names of all candidates nominated by petitions filed with the secretary of state. Certification of candidates filing petitions as provided in section 204B.05 shall be made at the same time that the secretary of state certifies candidates for the state party nominating election. Certification of candidates nominated by petition shall be made at the same time as the secretary of state certifies the names of candidates who are nominated at the primary.

Sec. 11. Minnesota Statutes 1994, section 204B.11, subdivision 2, is amended to read:

Subd. 2. ~~[PETITION IN PLACE OF FILING FEE.]~~ At the time of filing an affidavit of candidacy, a candidate may present a petition in place of the filing fee. The petition may be signed by any individual eligible to vote for the candidate. A nominating petition filed pursuant to section 204B.07 or 204B.13, subdivision 4, or a petition submitted to the secretary of state as provided in section 204B.05 is effective as a petition in place of a filing fee if the nominating petition includes a prominent statement informing the signers of the petition that it will be used for that purpose.

The number of signatures on a petition used solely in place of a filing fee shall be as follows:

(a) for a state office voted on statewide, or for president of the United States, or United States senator, 2,000;

(b) for a congressional office, 1,000;

(c) for a county or legislative office, or for the office of district, county, or county municipal judge, 500; and

(d) for any other office which requires a filing fee as prescribed by law, municipal charter, or ordinance, the lesser of 500 signatures or five percent of the total number of votes cast in the municipality, ward, or other election district at the preceding general election at which that office was on the ballot.

An official with whom petitions are filed shall make sample forms for petitions in place of filing fees available upon request.

Sec. 12. Minnesota Statutes 1994, section 204B.12, subdivision 1, is amended to read:

Subdivision 1. [BEFORE PRIMARY.] A candidate may withdraw from the primary ballot by filing an affidavit of withdrawal with the same official who received the affidavit of candidacy. The affidavit shall request that official to withdraw the candidate's name from the ballot and shall be filed no later than three days the day after the last day for filing for the office.

Sec. 13. Minnesota Statutes 1994, section 204B.33, is amended to read:

204B.33 [NOTICE OF FILING.]

(a) ~~Between June 1 and July 1 in each even-numbered year~~ No later than 15 weeks before the state party nominating election, the secretary of state shall notify each county auditor of the offices to be voted for in that county at the next state general election for which candidates file with the secretary of state. The notice shall include the time and place of filing for those offices. Within ten days after notification by the secretary of state, each county auditor shall notify each municipal clerk in the county of all the offices to be voted for in the county at that election and the time and place for filing for those offices. The county auditors and municipal clerks shall promptly post a copy of that notice in their offices.

(b) At least two weeks before the first day to file an affidavit of candidacy, the county auditor shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the county auditor's office and the closing time for filing on the last day for filing. The county auditor shall post a similar notice at least ten days before the first day to file affidavits of candidacy.

Sec. 14. Minnesota Statutes 1994, section 204C.04, subdivision 2, is amended to read:

Subd. 2. [ELECTIONS COVERED.] For purposes of this section, "election" means a regularly scheduled state primary or general election, or an election to fill a vacancy in the office of United States senator or United States representative, ~~or a presidential primary as described in section 207A.01 unless it is conducted by mail.~~

Sec. 15. Minnesota Statutes 1994, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. [STATE PARTY NOMINATING ELECTION AND PRIMARY.] The state party nominating election and primary shall be held on the first Tuesday after the ~~second~~ first Monday in ~~September~~ June in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.

Sec. 16. Minnesota Statutes 1994, section 204D.08, subdivision 4, is amended to read:

Subd. 4. [STATE ~~PARTISAN PRIMARY~~ PARTY NOMINATING ELECTION BALLOT; PARTY COLUMNS.] The state ~~partisan-primary~~ party nominating election ballot shall be headed by the words "State ~~Partisan-Primary~~ Party Nominating Election Ballot." The ballot shall be printed on white paper. There must be at least three vertical columns on the ballot and each major political party shall have a separate column headed by the words "..... Party," giving the party name. Above the party names, the following statement shall be printed.

"Minnesota election law permits you to vote for the candidates of only one political party in a state ~~partisan-primary~~ party nominating election."

If there are only two major political parties to be listed on the ballot, one party must occupy the left-hand column, the other party must occupy the right-hand column, and the center column must contain the following statement:

"Do not vote for candidates of more than one party."

The names of the candidates seeking the nomination of each major political party shall be listed in that party's column. The name of a candidate who was endorsed by a major political party at the appropriate party endorsing convention according to the party rules must be followed by the term "endorsed," unless the candidate files a written request with the filing officer that the candidate's

name not be followed by the term "endorsed." If only one individual files an affidavit of candidacy seeking the nomination of a major political party for an office, the name of that individual shall be placed on the state partisan primary ballot at the appropriate location in that party's column.

In each column, the candidates for senator in Congress shall be listed first, candidates for representative in Congress second, candidates for state senator third, candidates for state representative fourth and then candidates for state office in the order specified by the secretary of state.

The party columns shall be substantially the same in width, type, and appearance. The columns shall be separated by a 12-point solid line.

Sec. 17. Minnesota Statutes 1994, section 204D.24, subdivision 2, is amended to read:

Subd. 2. [VOTER REGISTRATION.] An individual may register to vote at a special primary or special election at any time before the day that the polling place rosters for the special primary or special election are prepared by the secretary of state. The secretary of state shall provide the county auditors with notice of this date at least seven days before the printing of the rosters. This subdivision does not apply to a special election held on the same day as the ~~presidential primary~~, state primary, state general election, or the regularly scheduled primary or general election of a municipality, school district, or special district.

Sec. 18. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall change the terms in column A to the corresponding terms in column B wherever they appear in Minnesota Statutes or Minnesota Rules.

<u>Column A</u>	<u>Column B</u>
<u>"state primary"</u>	<u>"state party nominating election and primary"</u>
<u>"state partisan primary"</u>	<u>"state party nominating election"</u>

Sec. 19. [REPEALER.]

Minnesota Statutes 1994, sections 204B.06, subdivision 1a; 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; 207A.09; and 207A.10, are repealed."

Delete the title and insert:

"A bill for an act relating to elections; changing the name of the state partisan primary to the state party nominating election; requiring candidates to demonstrate party support before being listed on the party's primary ballot; moving the state party nominating election and primary from September to June; repealing the presidential primary election; amending Minnesota Statutes 1994, sections 10A.31, subdivision 6; 10A.322, subdivision 1; 10A.323; 204B.08, subdivisions 1 and 2; 204B.09, subdivision 1; 204B.10, subdivisions 2, 3, and 4; 204B.11, subdivision 2; 204B.12, subdivision 1; 204B.33; 204C.04, subdivision 2; 204D.03, subdivision 1; 204D.08, subdivision 4; and 204D.24, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing Minnesota Statutes 1994, sections 204B.06, subdivision 1a; 207A.01 to 207A.04; and 207A.06 to 207A.10."

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

**Mr. Marty from the Committee on Ethics and Campaign Reform, to which was referred**

**S.F. No. 339:** A bill for an act relating to ethics in government; extending the enforcement authority of the ethical practices board to cover gifts to local officials; making advisory opinions public data; authorizing civil penalties; clarifying certain definitions; clarifying and authorizing exceptions to the ban on gifts; appropriating money; amending Minnesota Statutes 1994, sections 10A.02, subdivision 12; 10A.071, subdivisions 1 and 3; 10A.29; 10A.34; and 471.895, subdivisions 1 and 3.

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 1994, section 10A.02, subdivision 12, is amended to read:

Subd. 12. [ADVISORY OPINIONS.] (a) The board may issue and publish advisory opinions on the requirements of this chapter or section 471.895 based upon real or hypothetical situations. An application for an advisory opinion may be made only by an individual or association who wishes to use the opinion to guide the individual's or the association's own conduct. The board shall issue written opinions on all such questions submitted to it within 30 days after receipt of written application, unless a majority of the board agrees to extend the time limit.

(b) A written advisory opinion issued by the board is binding on the board in any subsequent board proceeding concerning the person making or covered by the request and is a defense in a judicial proceeding that involves the subject matter of the opinion and is brought against the person making or covered by the request unless:

(1) the board has amended or revoked the opinion before the initiation of the board or judicial proceeding, has notified the person making or covered by the request of its action, and has allowed at least 30 days for the person to do anything that might be necessary to comply with the amended or revoked opinion;

(2) the request has omitted or misstated material facts; or

(3) the person making or covered by the request has not acted in good faith in reliance on the opinion.

~~(c) A request for an opinion and the opinion itself are nonpublic data. The board, however, may publish an opinion or a summary of an opinion, but may not include in the publication the name of the requester, the name of a person covered by a request from an agency or political subdivision, or any other information that might identify the requester unless the person consents to the inclusion.~~

Sec. 2. Minnesota Statutes 1994, section 10A.071, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Gift" means money, real or personal property, a service, a loan, or a forbearance or forgiveness of indebtedness, ~~or a promise of future employment~~, that is given and received without the giver receiving consideration of equal or greater value in return.

(c) "Official" means a public official, an employee of the legislature, or a local official of a metropolitan governmental unit.

Sec. 3. Minnesota Statutes 1994, section 10A.071, subdivision 3, is amended to read:

Subd. 3. [EXCEPTIONS.] (a) The prohibitions in this section do not apply if the gift is:

(1) a contribution as defined in section 10A.01, subdivision 7, or 211A.01, subdivision 5, or as defined by federal law for contributions to candidates for federal offices;

(2) services to assist ~~an~~ the official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;

(3) services of insignificant monetary value;

(4) a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;

(5) a trinket or memento of insignificant value;

(6) informational material of ~~unexceptional~~ insignificant value or that will assist the official in the performance of official duties; or

(7) a cup of coffee or other refreshments not to exceed \$3 in value given by a host as part of ordinary office hospitality or at a meeting away from the recipient's place of work; or

(8) food or a beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program, and reasonable travel and lodging expenses within this state actually incurred to participate in the program.

(b) The prohibitions in this section do not apply if the gift is given:

(1) because of the recipient's membership in a group, a majority of whose members are not officials, and an equivalent gift is given or offered to the other members of the group; or

(2) by a national or multistate organization of which this state or a political subdivision of this state is a member to a participant in a conference, seminar, meeting, or trip sponsored by that organization, if an equivalent gift is given or offered to all other participants, even if the gift to the official was made possible by a gift to the organization by a lobbyist or principal; or

(3) by a lobbyist or principal who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family.

(c) If an employer makes a gift in the normal course of employment to an employee, and an official benefits from the gift as a member of the employee's family, the prohibitions in this section do not apply.

Sec. 4. Minnesota Statutes 1994, section 10A.071, is amended by adding a subdivision to read:

Subd. 4. [RETURN OF GIFT.] An official who accepts a gift in a good faith belief that it is lawful and returns it or gives consideration of equal or greater value for it promptly upon learning that it was not lawful is not subject to a penalty for violating this section.

Sec. 5. Minnesota Statutes 1994, section 10A.29, is amended to read:

10A.29 [CIRCUMVENTION PROHIBITED.]

Any attempt by an individual or association to circumvent the provisions of this chapter by redirecting funds or making a gift through, or contributing funds or making a gift on behalf of, another individual or association is a gross misdemeanor.

Sec. 6. Minnesota Statutes 1994, section 10A.34, is amended to read:

10A.34 [REMEDIES.]

Subdivision 1. A person charged with a duty under sections 10A.02 to 10A.34 this chapter or section 471.895 shall be personally liable for the penalty for failing to discharge it.

Subd. 1a. The board may bring an action in the district court in Ramsey county to recover any late filing fee imposed pursuant to any provision of this chapter. All money recovered shall be deposited in the general fund of the state.

Subd. 2. The board or a county attorney may seek an injunction in the district court to enforce the provisions of sections 10A.02 to 10A.34 this chapter or section 471.895.

Subd. 3. Unless otherwise provided, a violation of sections 10A.02 to 10A.34 this chapter or section 471.895 is not a crime, but is subject to a civil penalty imposed by the board in an amount up to \$1,000.

Sec. 7. Minnesota Statutes 1994, section 471.895, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Gift" has the meaning given it in section 10A.071, subdivision 1.

(c) "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a the local official receiving a gift from the person is

authorized to make. To be "direct," the financial interest of the giver must be of greater consequence to the giver than the general interest of all residents or taxpayers of the official's governmental unit.

(d) "Local official" means an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city, or an elected official of a school district.

Sec. 8. Minnesota Statutes 1994, section 471.895, subdivision 3, is amended to read:

Subd. 3. [EXCEPTIONS.] (a) The prohibitions in this section do not apply if the gift is:

(1) a contribution as defined in section 10A.01, subdivision 7, or 211A.01, subdivision 5, or as defined by federal law for contributions to candidates for federal offices;

(2) services to assist an the official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;

(3) services of insignificant monetary value;

(4) a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;

(5) a trinket or memento of insignificant value;

(6) informational material of ~~unexceptional~~ insignificant value or that will assist the official in the performance of official duties; or

(7) a cup of coffee or other refreshments not to exceed \$3 in value given by a host as part of ordinary office hospitality or at a meeting away from the recipient's place of work; or

(8) food or a beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program, and reasonable travel and lodging expenses within this state actually incurred to participate in the program.

(b) The prohibitions in this section do not apply if the gift is given:

(1) because of the recipient's membership in a group, a majority of whose members are not local officials, and an equivalent gift is given or offered to the other members of the group; or

(2) by a national or multistate organization of which this state or a political subdivision of this state is a member to participants in a conference, seminar, meeting, or trip sponsored by that organization, if an equivalent gift is given or offered to all other participants, even if the gift to the local official was made possible by a gift to the organization by an interested person; or

(3) by an interested person who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family.

(c) If an employer makes a gift in the normal course of employment to an employee, and a local official benefits from the gift as a member of the employee's family, the prohibitions in this section do not apply.

Sec. 9. [APPROPRIATION.]

\$..... is appropriated from the general fund to the ethical practices board to enforce the provisions of Minnesota Statutes, chapter 10A, and section 471.895, to be available until June 30, 1997.

Sec. 10. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to ethics in government; making advisory opinions public data; authorizing civil penalties; clarifying certain definitions; clarifying and authorizing exceptions to the ban on gifts; appropriating money; amending Minnesota Statutes 1994, sections 10A.02, subdivision 12; 10A.071, subdivisions 1, 3, and by adding a subdivision; 10A.29; 10A.34; and 471.895, subdivisions 1 and 3."

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

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

**H.F. No. 340** 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**

H.F. No.	S.F. No.
340	305

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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and that the above Senate File be indefinitely postponed.

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

**Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws,** to which was referred the following appointment as reported in the Journal for March 6, 1995:

**TAX COURT**

Diane L. Kroupa

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

Ms. Flynn moved that the foregoing committee report be laid on the table. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 431, 193, 380, 381, 382, 184, 302, 574, 290, 445, 133, 444, 834, 93, 610 and 115 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 5 and 340 were read the second time.

**MOTIONS AND RESOLUTIONS**

Ms. Krentz moved that the name of Mr. Frederickson be added as a co-author to S.F. No. 338. The motion prevailed.

Mr. Johnson, D.J. moved that his name be stricken as a co-author to S.F. No. 587. The motion prevailed.

Mr. Price moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 771. The motion prevailed.

Ms. Pappas moved that the name of Ms. Runbeck be added as a co-author to S.F. No. 865. The motion prevailed.

Ms. Krentz moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 947. The motion prevailed.

Ms. Johnson, J.B. moved that the name of Mr. Kramer be added as a co-author to S.F. No. 948. The motion prevailed.

Ms. Krentz moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 958. The motion prevailed.

Mr. Langseth moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 966. The motion prevailed.

Mr. Betzold moved that the names of Ms. Robertson and Mr. Knutson be added as co-authors to S.F. No. 990. The motion prevailed.

Mr. Metzen moved that the name of Mr. Kramer be added as a co-author to S.F. No. 1010. The motion prevailed.

Ms. Reichgott Junge moved that the name of Mr. Finn be added as a co-author to S.F. No. 1052. The motion prevailed.

Mr. Berg moved that the name of Mr. Murphy be added as a co-author to S.F. No. 1057. The motion prevailed.

Ms. Anderson moved that the name of Mr. Finn be added as a co-author to S.F. No. 1061. The motion prevailed.

Mr. Laidig moved that the name of Mr. Stevens be added as a co-author to S.F. No. 1066. The motion prevailed.

Mr. Berg moved that his name be stricken as a co-author to S.F. No. 1082. The motion prevailed.

Mr. Murphy moved that S.F. No. 533 be withdrawn from the Committee on Transportation and Public Transit and returned to its author. The motion prevailed.

**Mr. Knutson and Ms. Wiener introduced--**

**Senate Resolution No. 37:** A Senate resolution congratulating the Apple Valley High School Boys Wrestling team on winning the 58th Annual State Class AA High School Wrestling Tournament.

Referred to the Committee on Rules and Administration.

**Mr. Knutson and Ms. Wiener introduced--**

**Senate Resolution No. 38:** A Senate resolution congratulating the Apple Valley High School Girls Hockey team on winning the first-ever State Girls Hockey Tournament Championship.

Referred to the Committee on Rules and Administration.

**Messrs. Larson; Johnson, D.E. and Berg introduced--**

**Senate Resolution No. 39:** A Senate resolution commending Oliver Hoplin of Glenwood, Minnesota, for his service as chairman of the board of Glenwood Retirement Village.

Referred to the Committee on Rules and Administration.

**Mr. Chandler introduced--**

**Senate Resolution No. 40:** A Senate resolution congratulating the White Bear Lake High School boys hockey team on participating in the 1995 State High School Class AA boys hockey tournament.

Referred to the Committee on Rules and Administration.

Mr. Betzold moved that S.F. No. 991 be withdrawn from the Committee on Health Care and re-referred to the Committee on Judiciary. The motion prevailed.

### CALENDAR

**H.F. No. 95:** A bill for an act relating to highways; prohibiting headwalls in highway rights-of-way; imposing a penalty; amending Minnesota Statutes 1994, section 160.27, subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Finn	Krentz	Morse	Robertson
Beckman	Flynn	Kroening	Murphy	Runbeck
Belanger	Frederickson	Laidig	Neuville	Sams
Berg	Hanson	Langseth	Novak	Samuelson
Berglin	Janezich	Larson	Oliver	Solon
Bertram	Johnson, D.J.	Lesewski	Olson	Spear
Betzold	Johnson, J.B.	Lessard	Ourada	Stevens
Chandler	Johnston	Limmer	Pappas	Stumpf
Chmielewski	Kelly	Marty	Pariseau	Vickerman
Cohen	Kleis	Merriam	Piper	Wiener
Day	Knutson	Metzen	Pogemiller	
Dille	Kramer	Mondale	Price	

So the bill passed and its title was agreed to.

**H.F. No. 749:** A bill for an act relating to housing; modifying eligibility for transitional housing services; amending Minnesota Statutes 1994, section 268.38, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Finn	Krentz	Morse	Runbeck
Beckman	Flynn	Kroening	Murphy	Sams
Belanger	Frederickson	Laidig	Neuville	Samuelson
Berg	Hanson	Langseth	Oliver	Solon
Berglin	Janezich	Larson	Olson	Spear
Bertram	Johnson, D.J.	Lesewski	Ourada	Stevens
Betzold	Johnson, J.B.	Lessard	Pappas	Stumpf
Chandler	Johnston	Limmer	Pariseau	Vickerman
Chmielewski	Kelly	Marty	Piper	Wiener
Cohen	Kleis	Merriam	Pogemiller	
Day	Knutson	Metzen	Price	
Dille	Kramer	Mondale	Robertson	

So the bill passed and its title was agreed to.

**H.F. No. 362:** A bill for an act relating to local government; towns; authorizing the town board to set up a petty cash fund; amending Minnesota Statutes 1994, section 366.01, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Finn	Kramer	Mondale	Sams
Beckman	Flynn	Krentz	Morse	Samuelson
Belanger	Frederickson	Kroening	Murphy	Solon
Berg	Hanson	Laidig	Novak	Spear
Berglin	Janezich	Langseth	Oliver	Stevens
Bertram	Johnson, D.J.	Larson	Ourada	Stumpf
Betzold	Johnson, J.B.	Lesewski	Pappas	Vickerman
Chandler	Johnston	Lessard	Piper	Wiener
Chmielewski	Kelly	Limmer	Pogemiller	
Cohen	Kiscaden	Marty	Price	
Day	Kleis	Merriam	Robertson	
Dille	Knutson	Metzen	Runbeck	

So the bill passed and its title was agreed to.

### CONSENT CALENDAR

**S.F. No. 526:** A bill for an act relating to local government; modifying the local approval requirements for the Nashwauk area ambulance district law; amending Laws 1994, chapter 587, article 9, section 10, subdivision 6.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Finn	Kramer	Mondale	Price
Beckman	Flynn	Krentz	Morse	Robertson
Belanger	Frederickson	Kroening	Murphy	Runbeck
Berg	Hanson	Laidig	Neuville	Sams
Berglin	Janezich	Langseth	Novak	Samuelson
Bertram	Johnson, D.J.	Larson	Oliver	Scheevel
Betzold	Johnson, J.B.	Lesewski	Olson	Solon
Chandler	Johnston	Lessard	Ourada	Spear
Chmielewski	Kelly	Limmer	Pappas	Stevens
Cohen	Kiscaden	Marty	Pariseau	Stumpf
Day	Kleis	Merriam	Piper	Vickerman
Dille	Knutson	Metzen	Pogemiller	Wiener

So the bill passed and its title was agreed to.

**H.F. No. 887:** A bill for an act relating to public administration; providing St. Paul with additional authority in regard to the teacher training institute; amending Laws 1994, chapter 643, section 72.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Johnson, J.B.	Laidig	Mondale
Beckman	Day	Johnston	Langseth	Morse
Belanger	Dille	Kelly	Larson	Murphy
Berg	Finn	Kiscaden	Lesewski	Neuville
Berglin	Flynn	Kleis	Lessard	Novak
Bertram	Frederickson	Knutson	Limmer	Oliver
Betzold	Hanson	Kramer	Marty	Olson
Chandler	Janezich	Krentz	Merriam	Ourada
Chmielewski	Johnson, D.J.	Kroening	Metzen	Pappas

Pariseau  
Piper  
Pogemiller  
Price

Riveness  
Robertson  
Runbeck

Sams  
Samuelson  
Scheevel

Solon  
Spear  
Stevens

Stumpf  
Vickerman  
Wiener

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. Nos. 308, 39, 257 and H.F. Nos. 125, 121, 435, 305, which the committee recommends to pass.

S.F. No. 229, which the committee recommends to pass with the following amendment offered by Ms. Kiscaden:

Page 2, after line 25, insert:

"Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

On motion of Ms. Flynn, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Orders of Business of Messages From the House, First Reading of House Bills, Reports of Committees, Second Reading of House Bills and Motions and Resolutions.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 651, 750 and 602.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 15, 1995

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 651:** A bill for an act relating to probate; clarifying and correcting provisions of the uniform probate code; expanding authority for safe deposit box searches, division and merger of trusts, and granting of power-of-attorney to spouses in certain cases; amending Minnesota Statutes 1994, sections 55.10, subdivision 4; 501B.16; 501B.71, by adding a subdivision; 507.02; 519.06; 519.07; 519.11, subdivision 2; 523.23, subdivision 1; 523.24, subdivision 1; 524.1-201; 524.2-508; 524.3-914; 524.3-916; 524.3-1001; 524.3-1008; 524.3-1201; 524.3-1202; and 524.3-1203; proposing coding for new law in Minnesota Statutes, chapters 501B; and 524; repealing Minnesota Statutes 1994, sections 525.145; and 525.51.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 591, now on General Orders.

**H.F. No. 750:** A bill for an act relating to highways; designating the POW/MIA Memorial Highway; amending Minnesota Statutes 1994, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation and Public Transit.

**H.F. No. 602:** A bill for an act relating to taxation; making tax policy, collection, and administrative changes; imposing penalties; amending Minnesota Statutes 1994, sections 60A.15, subdivision 12; 60A.199, subdivisions 8 and 10; 270.72, subdivisions 1, 2, and 3; 273.124, subdivisions 3 and 6; 274.14; 289A.18, subdivision 2; 289A.20, subdivision 2; 289A.38, subdivision 7; 289A.40, subdivision 1; 289A.43; 289A.55, subdivision 7; 289A.60, subdivisions 2, 12, and by adding a subdivision; 290.01, subdivision 7b; 290.015, subdivision 1; 290.191, subdivisions 1, 5, and 6; 290.92, subdivisions 1 and 23; 290.9201, subdivision 3; 294.09, subdivisions 1 and 4; 295.53, subdivision 2; 296.12, subdivisions 3, 4, and 11; 296.141, subdivisions 1, 2, and 6; 296.17, subdivisions 1, 3, 5, and 11; 296.18, subdivisions 1, 2, and 5; 297.08, subdivisions 1 and 3; 297.35, subdivision 1; 297.43, subdivision 2; 297C.02, subdivision 2; 297C.07; 297C.14, subdivision 2; 297E.11, subdivision 4; 297E.12, subdivision 2; 299F.26, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapters 270; 296; and 340A; repealing Minnesota Statutes 1994, sections 270.70, subdivisions 8, 9, and 10; 297A.212; and 297A.38.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 513, now on General Orders.

## REPORTS OF COMMITTEES

Ms. Flynn moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

**S.F. No. 845:** A bill for an act relating to health; MinnesotaCare; establishing requirements for integrated service networks; modifying requirements for health plan companies; establishing the standard health coverage; repealing the regulated all-payer option; modifying universal coverage and insurance reform provisions; revising the research and data initiatives; expanding eligibility for the MinnesotaCare program; creating the prescription drug purchasing authority; establishing a drug purchasing benefit program for senior citizens; extending the health care commission and regional coordinating boards; making technical changes; reducing tax deductions for the voluntarily uninsured; providing penalties; appropriating money; amending Minnesota Statutes 1994, sections 13.99, by adding a subdivision; 60A.02, subdivision 1a; 60B.02; 60B.03, subdivision 2; 60G.01, subdivisions 2, 4, and 5; 62A.10, subdivisions 1 and 2; 62A.65, subdivisions 5 and 8; 62D.02, subdivision 8; 62D.042, subdivision 2; 62D.11, subdivision 1; 62E.141; 62H.04; 62H.08; 62J.017; 62J.04, subdivisions 1a and 3; 62J.05, subdivisions 2 and 9; 62J.06; 62J.09, subdivisions 1, 2, 6, 8, and by adding a subdivision; 62J.152, subdivision 5; 62J.17, subdivision 4a; 62J.212; 62J.37; 62J.38; 62J.40; 62J.41, subdivision 1; 62J.48; 62J.55; 62L.02, subdivisions 11, 16, 24, and 26; 62L.03, subdivisions 3, 4, and 5; 62L.09, subdivision 1; 62L.12, subdivision 2; 62M.02, subdivision 12; 62M.07; 62M.09, subdivision 5; 62M.10, by adding a subdivision; 62N.02, by adding subdivisions; 62N.04; 62N.10, by adding a subdivision; 62N.11, subdivision 1; 62N.13; 62N.14, subdivision 3; 62P.05, subdivision 4, and by adding a subdivision; 62Q.01, subdivisions 2, 3, 4, and by adding subdivisions; 62Q.03, subdivisions 1, 6, 7, 8, 9, 10, and by adding subdivisions; 62Q.07, subdivisions 1 and 2; 62Q.09, subdivision 3; 62Q.11, subdivision 2; 62Q.165; 62Q.17, subdivisions 2, 6, 8, and by adding a subdivision; 62Q.18; 62Q.19; 62Q.25; 62Q.30; 62Q.41; 72A.20, by adding subdivisions; 136A.1355, subdivisions 3 and 5; 136A.1356, subdivisions 3 and 4; 144.1464, subdivisions 2, 3, and 4; 144.147, subdivision 1; 144.1484, subdivision 1; 144.1486, subdivision 4; 144.1489, subdivision 3; 151.48; 214.16, subdivisions 2 and 3; 256.9354, subdivisions 1, 4, 5, and by adding a subdivision; 256.9357, subdivisions 1, 2, and 3; 256.9358, subdivision 3, and by adding a subdivision; 256B.057, subdivision 3; 270.101, subdivision 1; 290.01, subdivision 19a; 295.50, subdivisions 3, 4, and 10a; 295.53, subdivisions 1, 3, and 4; 295.55, subdivision 4; and 295.57;

Laws 1990, chapter 591, article 4, section 9; Laws 1994, chapter 625, article 5, sections 5, subdivision 1; and 10, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62J; 62L; 62N; 62Q; and 295; repealing Minnesota Statutes 1994, sections 62J.045; 62J.07, subdivision 4; 62J.09, subdivision 1a; 62J.152, subdivision 6; 62J.19; 62J.30; 62J.31; 62J.32; 62J.33; 62J.34; 62J.35; 62J.41, subdivisions 3 and 4; 62J.44; 62J.45; 62J.65; 62L.08, subdivision 7a; 62P.01; 62P.02; 62P.03; 62P.07; 62P.09; 62P.11; 62P.13; 62P.15; 62P.17; 62P.19; 62P.21; 62P.23; 62P.25; 62P.27; 62P.29; 62P.31; 62P.33; 62Q.03, subdivisions 2, 3, 4, 5, and 11; 62Q.21; and 62Q.27; Laws 1993, chapter 247, article 1, sections 12, 13, 14, 15, 18, and 19; Minnesota Rules, part 4685.1700, subpart 1, item D.

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

Page 4, after line 8, insert:

"Sec. 6. Minnesota Statutes 1994, section 62D.181, subdivision 2, is amended to read:

Subd. 2. [ELIGIBLE INDIVIDUALS.] An individual is eligible for alternative coverage under this section if:

(1) the individual had individual health coverage through a health maintenance organization, integrated service network, or community integrated service network, the coverage is no longer available due to the insolvency of the health maintenance organization, integrated service network, or community integrated service network, and the individual has not obtained alternative coverage; or

(2) the individual had group health coverage through a health maintenance organization, integrated service network, or community integrated service network, the coverage is no longer available due to the insolvency of the health maintenance organization, integrated service network, or community integrated service network, and the individual has not obtained alternative coverage.

Sec. 7. Minnesota Statutes 1994, section 62D.181, subdivision 3, is amended to read:

Subd. 3. [APPLICATION AND ISSUANCE.] If a health maintenance organization, integrated service network, or community integrated service network will be liquidated, individuals eligible for alternative coverage under subdivision 2 may apply to the association to obtain alternative coverage. Upon receiving an application and evidence that the applicant was enrolled in the health maintenance organization, integrated service network, or community integrated service network at the time of an order for liquidation, the association shall issue policies to eligible individuals, without the limitation on preexisting conditions described in section 62E.14, subdivision 3.

Sec. 8. Minnesota Statutes 1994, section 62D.181, subdivision 6, is amended to read:

Subd. 6. [DURATION.] The duration of alternative coverage issued under this section is:

(1) for individuals eligible under subdivision 2, clause (1), 90 days; and

(2) for individuals eligible under subdivision 2, clause (2), 90 days or the length of time remaining in the group contract with the insolvent health maintenance organization, integrated service network, or community integrated service network, whichever is greater.

Sec. 9. Minnesota Statutes 1994, section 62D.181, subdivision 9, is amended to read:

Subd. 9. [COORDINATION OF POLICIES.] If an insolvent health maintenance organization, integrated service network, or community integrated service network has insolvency insurance coverage at the time of an order for liquidation, the association may coordinate the benefits of the policy issued under this section with those of the insolvency insurance policy available to the enrollees. The premium level for the combined association policy and the insolvency insurance policy may not exceed those described in subdivision 5."

Page 16, line 6, before the comma, insert "for Minnesota residents"

Page 18, delete section 10

Page 31, line 35, after the semicolon, insert "and"

Page 32, line 2, delete the semicolon

Page 32, line 3, delete the paragraph coding and delete "(5)"

Page 32, line 12, delete from ", and" through page 32, line 13, to "62Q.24"

Pages 33 to 37, delete section 26

Page 38, line 11, after "sections" insert "62N.34;"

Page 38, line 14, delete "30" and insert "28"

Page 41, line 6, after the period, insert "As part of this report, the commission shall make recommendations on the design and development of an appropriate framework to apply regulations uniformly among all health plan companies and to ensure adequate oversight and consumer protection in the absence of a regulated all-payer system."

Page 44, delete section 1 and insert:

"Section 1. Minnesota Statutes 1994, section 62Q.165, is amended to read:

62Q.165 [UNIVERSAL COVERAGE.]

(a) It is the commitment of the state to achieve universal health coverage for all Minnesotans by July 1, 1997. In order to achieve this commitment, the following goals must be met:

~~(1) every Minnesotan shall have health coverage and shall contribute to the costs of coverage based on ability to pay;~~

~~(2) no Minnesotan shall be denied coverage or forced to pay more because of health status;~~

~~(3) quality health care services must be accessible to all Minnesotans;~~

~~(4) all health care purchasers must be placed on an equal footing in the health care marketplace; and~~

~~(5) a comprehensive and affordable health plan must be available to all Minnesotans. Universal coverage is achieved when:~~

(1) every Minnesotan has access to a full range of quality health care services;

(2) every Minnesotan is able to obtain affordable health coverage which pays for the full range of services, including preventive and primary care; and

(3) every Minnesotan pays into the health care system according to that person's ability.

(b) It is the goal of the state to make continuous progress toward reducing the number of Minnesotans who do not have health coverage so that by January 1, 2000, fewer than four percent of the state's population will be without health coverage. The goal will be achieved by improving access to private health coverage through insurance reforms and market reforms, by making health coverage more affordable for low-income Minnesotans through purchasing pools and state subsidies, and by reducing the cost of health coverage through cost containment programs and methods of ensuring that all Minnesotans are paying into the system according to their ability."

Page 47, line 2, strike "UNIVERSAL" and insert "PORTABILITY OF" and strike "; INSURANCE REFORMS"

Page 47, strike lines 3 to 22

Page 47, lines 26 to 36, delete the new language and strike the old language

Page 48, lines 1 to 36, delete the new language and strike the old language

Page 49, lines 1 to 36, delete the new language and strike the old language

Page 50, lines 1 to 33, delete the new language and strike the old language

Page 50, line 34, strike "(d)"

Page 51, lines 19 to 36, delete the new language and strike the old language

Page 52, delete lines 1 to 21

Page 88, line 20, delete "FOR"

Page 88, delete line 21

Page 93, lines 14 and 16, delete everything after "for" and insert "children enrolled in the MinnesotaCare program"

Page 93, lines 15 and 17, delete "families with children"

Page 93, delete lines 24 and 25

Page 93, line 26, delete "with children,"

Page 97, after line 3, insert:

"Sec. 11. Minnesota Statutes 1994, section 256.9358, subdivision 4, is amended to read:

Subd. 4. [INELIGIBILITY.] Families with children whose gross monthly income is above the amount specified in subdivision 3 are not eligible for the plan. Beginning October 1, 1994, an individual or households with no children whose gross monthly income is greater than \$767 for a single individual and \$1,025 for a married couple without children are ineligible for the plan. Beginning October 1, 1995, an individual or families whose gross monthly income is above the amount specified in subdivision 3 are not eligible for the plan greater than 125 percent of the federal poverty guidelines are ineligible for the plan."

Page 98, line 4, delete "12" and insert "13"

Page 109, line 6, after the stricken "1993" insert a stricken period

Page 115, line 11, after "be" insert "filed by the health carrier with, and"

Page 115, line 12, after "by" insert a comma and after the period, insert "Health carriers may file one or more standard forms with the commissioner to be used for association rate filings, specifying the allocation of marketing and administrative duties between the health carrier and the association. The rate filing must specify and provide proof of the cost savings realized by the health carrier as a result of the marketing and administrative duties performed by the association. In demonstrating compliance with the aggregate minimum loss ratio for the small employer market, as specified in section 62A.021, health carriers must adjust the minimum loss ratio to reflect any such premium rate discounts and the portion of their small employer premium subject to the discounts."

Page 116, after line 35, insert:

"Subd. 5. [REGISTRATION.] The commissioner may require all associations to register on an annual basis, and may charge a fee sufficient to cover the costs of registration."

Page 131, line 31, delete "licensed"

Page 131, line 32, after "50" insert "licensed"

Page 139, line 28, strike from "continue" through page 139, line 29, to "on" and insert "study"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, delete "appropriating money;"

Page 1, line 21, after "1;" insert "62D.181, subdivisions 2, 3, 6, and 9;"

Page 2, line 2, delete "subdivision 3" and insert "subdivisions 3, 4"

Page 2, line 15, after "7a;" insert "62N.34;"

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

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

**S.F. No. 900:** A bill for an act relating to human services; defining interpretive guidelines; changing licensing requirements and reconsideration for foster care; assessing fines; adding provisions for drop-in child care programs; changing a definition; adding provisions for the Minnesota family preservation act; amending Minnesota Statutes 1994, sections 14.03, subdivision 3; 245A.02, by adding a subdivision; 245A.03, subdivision 2a; 245A.04, subdivisions 3, 3b, 7, and 9; 245A.06, subdivision 2, and by adding a subdivision; 245A.07, subdivision 3; 245A.09, by adding subdivisions; 245A.14, subdivision 6; 256.12, subdivision 14; 256.8711; 256F.01; 256F.02; 256F.03, subdivision 5, and by adding a subdivision; 256F.04, subdivisions 1 and 2; 256F.05, subdivisions 2, 3, 4, 5, 7, 8, and by adding a subdivision; 256F.06, subdivisions 1, 2, and 4; and 364.09; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Statutes 1994, sections 253B.22; 256F.05, subdivisions 2a and 4a; and 256F.06, subdivision 3.

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

Page 3, line 33, delete "within" and insert "whenever possible, prior to placing the child in the relative's home, but no later than" and delete "of" and insert "after"

Page 4, line 22, after "(3)" insert "whenever possible, prior to placing the child in the relative's home,"

Page 6, line 32, delete "an adjudication" and insert "a finding that a delinquency petition is proven"

Page 15, after line 3, insert:

"Sec. 10. Minnesota Statutes 1994, section 245A.06, subdivision 4, is amended to read:

Subd. 4. [NOTICE OF FINE; APPEAL.] A license holder who is ordered to pay a fine must be notified of the order by certified mail. The notice must be mailed to the address shown on the application or the last known address of the license holder. The notice must state the reasons the fine was ordered and must inform the license holder of the responsibility for payment of fines in subdivision 7 and the right to a contested case hearing under chapter 14. The license holder may appeal the order to forfeit a fine by notifying the commissioner by certified mail within 15 calendar days after receiving the order. A timely appeal shall stay forfeiture of the fine until the commissioner issues a final order under section 245A.08, subdivision 5."

Page 15, line 6, delete "(a)"

Page 15, line 8, after "by" insert "closing," and after "selling" insert a comma

Page 15, line 9, delete everything after the period

Page 15, delete lines 10 to 13

Page 15, line 14, delete everything before "In"

Page 25, line 28, strike "may" and insert "shall, at the request of a county,"

Page 25, line 34, after "limits" insert "or other levy restrictions"

Page 26, line 6, strike "or"

Page 26, line 7, after "termination" insert "or reduction"

Page 26, line 8, before the period, insert "; or

(5) other changes in state law that significantly impact the receipt or distribution of state and federal funding"

Page 27, after line 29, insert:

"Sec. 22. Minnesota Statutes 1994, section 256D.02, subdivision 5, is amended to read:

Subd. 5. "Family" means the applicant or recipient and the following persons who reside with the applicant or recipient:

(1) the applicant's spouse;

(2) any minor child of whom the applicant is a parent, stepparent, or legal custodian, and that child's minor siblings, including half-siblings and stepsiblings;

(3) the other parent of the applicant's minor child or children together with that parent's minor children, and, if that parent is a minor, his or her parents, stepparents, legal guardians, and minor siblings; and

(4) if the applicant or recipient is a minor, the minor's parents, stepparents, or legal guardians, and any other minor children for whom those parents, stepparents, or legal guardians are financially responsible.

~~For the period July 1, 1993 to June 30, 1995,~~ A minor child who is temporarily absent from the applicant's or recipient's home due to placement in foster care paid for from state or local funds, but who is expected to return within six months of the month of departure, is considered to be residing with the applicant or recipient.

A "family" must contain at least one minor child and at least one of that child's natural or adoptive parents, stepparents, or legal custodians."

Page 28, line 2, delete "competent" and insert "appropriate"

Page 35, line 17, delete "may" and insert "shall, at the request of the counties,"

Pages 36 and 37, delete section 37 and insert:

"Sec. 39. Minnesota Statutes 1994, section 257.3571, subdivision 1, is amended to read:

Subdivision 1. [PRIMARY SUPPORT GRANTS.] The commissioner shall establish direct grants to Indian tribes ~~and, Indian organizations, and tribal social service agency programs located off-reservation that serve Indian children and their families to provide primary support for Indian child welfare programs to implement the Indian family preservation act.~~

Sec. 40. Minnesota Statutes 1994, section 257.3572, is amended to read:

257.3572 [GRANT APPLICATIONS.]

A tribe ~~or, Indian organization, or tribal social service agency program located off-reservation~~ may apply for primary support grants under section 257.3571, subdivision 1. A local social service agency, tribe, Indian organization, or other social service organization may apply for special focus grants under section 257.3571, subdivision 2. Civil legal service organizations eligible for grants under section 257.3571, subdivision 2a, may apply for grants under that section. Application may be made alone or in combination with other tribes or Indian organizations.

Sec. 41. Minnesota Statutes 1994, section 257.3577, subdivision 1, is amended to read:

Subdivision 1. [PRIMARY SUPPORT GRANTS.] (a) The amount available for grants established under section 257.3571, subdivision 1, to tribes ~~and, Indian organization grants organizations, and tribal social service agency programs located off-reservation~~ is four-fifths of the total annual appropriation for Indian child welfare grants.

(b) The commissioner shall award tribes at least 70 percent of the amount set in paragraph (a) for primary support grants. Each tribe shall be awarded a base amount of five percent of the total amount set in this paragraph. In addition, each tribe shall be allocated a proportion of the balance of the amount set in this paragraph, less the total base amounts for all reservations. This proportion must equal the ratio of the tribe's on-reservation population to the state's total on-reservation population. Population data must be based on the most recent federal census data according to the state demographer's office.

(c) The commissioner shall award Indian organizations and tribal social service agency programs located off-reservation that serve Indian children and families up to 30 percent of the amount set in paragraph (a) for primary support grants. A maximum of four multiservice Indian organizations and tribal social service agency programs located off-reservation may be awarded grants under this paragraph. "Multiservice Indian organizations" means Indian organizations recognized by the Indian community as providing a broad continuum of social, educational, or cultural services, including Indian child welfare services designed to meet the unique needs of the Indian communities in Minneapolis, St. Paul, and Duluth. Grants may be awarded to programs that submit acceptable proposals, comply with the goals and the application process of the program, and have budgets that reflect appropriate and efficient use of funds. To maintain continuity of service in Indian communities, primary support grants awarded under this paragraph which meet the grant criteria and have demonstrated satisfactory performance as established by the commissioner may be awarded on a non-competitive basis. The commissioner may revoke or deny funding for Indian organizations or tribal social service agencies failing to meet the grant criteria established by the commissioner, and the commissioner may request new proposals from Indian organizations or tribal social service agencies to the extent that funding is available.

Page 37, line 13, delete "253B.22;"

Page 37, line 16, delete "19" and insert "20"

Page 37, line 18, delete "20" and insert "21"

Page 37, line 19, delete "21" and insert "23" and delete "35" and insert "37"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after "act;" insert "expanding eligibility for Indian child welfare grants;"

Page 1, line 11, delete "subdivision 2" and insert "subdivisions 2 and 4"

Page 1, line 14, after "256.8711;" insert "256D.02, subdivision 5;"

Page 1, line 18, delete "and 364.09;" and insert "257.3571, subdivision 1; 257.3572; and 257.3577, subdivision 1;"

Page 1, line 20, delete "253B.22;"

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

**Mr. Vickerman from the Committee on Metropolitan and Local Government, to which was referred**

**S.F. No. 1019:** A bill for an act relating to metropolitan government; establishing the metropolitan livable communities advisory board; establishing the metropolitan livable communities fund and providing for fund distribution; reducing the levy authority of the metropolitan mosquito control commission; requiring the metropolitan mosquito control district to liquidate certain assets; providing for certain revenue sharing; amending Minnesota Statutes 1994, sections 116J.556; 473.167, subdivisions 2, 3, and by adding a subdivision; 473.702; 473.704, subdivisions 2, 3, 5, 6, 7, 8, 13, and 17; 473.711, subdivision 2; and 473F.08, subdivisions 5, 7a, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

METROPOLITAN LIVABLE COMMUNITIES ACT

Section 1. [473.25] [METROPOLITAN LIVABLE COMMUNITIES ADVISORY BOARD.]

Subdivision 1. [ESTABLISHED; MEMBERSHIP.] A metropolitan livable communities advisory board is established and consists of nine members, none of whom may be legislators, appointed as follows: three members appointed by the governor, three members appointed by the senate rules and administration subcommittee on committees, and three members appointed by the speaker of the house of representatives. Members of the board serve at the pleasure of their respective appointing authorities. In making the appointments, the appointing authorities shall consider the need for:

(1) balanced geographic representation, including representation of the core, the fully developed, developing, and rural parts of the metropolitan area; and

(2) expertise in economic development, land use and planning, housing, and other disciplines and backgrounds related to the work of the board.

Of the nine members, at least one shall be:

(1) a representative of the design center for American urban landscape of the University of Minnesota's college of architecture and landscape architecture;

(2) a representative of a foundation with a record of participation in urban redevelopment;

(3) a representative of the private sector with experience in redevelopment projects;

(4) a representative of metropolitan area municipalities; and

(5) a person from a community-based organization with experience in redevelopment.

No more than five members may be of the same gender. Each year, the board shall select a member to serve as chair of the board.

Subd. 2. [COMPENSATION.] The metropolitan council shall pay board members' per diem and expenses as provided in section 15.059, subdivision 3, except that per diem shall be paid only for days in which the member attends one or more meetings as authorized by the board. The metropolitan council shall include in its budget anticipated expenditures for board members' per diem and expenses.

Subd. 3. [ADMINISTRATIVE SUPPORT.] The metropolitan council shall provide meeting space, staff, and administrative support for the board and shall distribute available funds according to the annual plan prepared by the board and approved by the council, as provided for in subdivision 4.

Subd. 4. [POWERS AND DUTIES.] (a) The board shall establish criteria for uses of the fund provided in section 473.251 that are consistent with and promote the purposes of this article and the policies of the metropolitan development guide adopted by the metropolitan council.

(b) The board shall establish guidelines for the livable community demonstration projects account that the board would consider funding with either grants or loans. The guidelines must provide that the projects will:

(1) help change long-term market incentives that adversely impact creation and preservation of living-wage jobs in the fully developed area;

(2) create incentives for developing communities to include a full range of housing opportunities;

(3) create incentives to preserve and rehabilitate affordable housing in the fully developed area; and

(4) create incentives for all communities to implement compact and efficient development. Such projects may include one of any combination of the following:

(i) projects which interrelate development or redevelopment and transit;

(ii) projects which interrelate affordable housing and employment growth areas;

(iii) projects which intensify land use that leads to more compact development or redevelopment;

(iv) projects which involve development or redevelopment that mixes incomes of residents in housing, including introducing or reintroducing higher value housing in lower income areas to achieve a mix of housing opportunities; or

(v) encourage public infrastructure investments that will attract private sector development.

(c) The board shall establish guidelines governing who may apply for a grant or loan from the fund, providing priority for proposals using innovative partnerships between government, private for-profit, and nonprofit sectors.

(d) The board shall prepare and submit to the metropolitan council an annual plan for distribution of the fund based on the board's criteria for project and applicant selection. The council shall either approve the whole plan or disapprove the whole plan. If the council disapproves the plan, the council shall return it to the board with the council's reasons for disapproval and the board shall consider the council's reasons in revising and resubmitting the plan to the council for approval or disapproval.

(e) The board shall prepare and submit to the council and the legislature, as provided in section 3.195, an annual report on the metropolitan livable communities fund. The report must include information on the amount of money in the fund, the amount distributed, to whom the funds were distributed and for what purposes, and an evaluation of the effectiveness of the projects funded in meeting the policies and goals of the board and council. The report may make recommendations to the legislature on changes to this act.

## Sec. 2. [473.251] [FUND ESTABLISHED.]

Subdivision 1. [GENERAL.] The metropolitan livable communities fund is created and consists of the following accounts:

(1) the tax base revitalization account;

(2) the livable communities demonstration account; and

(3) the local housing incentives account.

Subd. 2. [TAX BASE REVITALIZATION ACCOUNT.] The council shall credit to a tax base revitalization account within the fund the amount provided for under section 473.167, subdivision 3a, paragraph (b), and the amount distributed to the council pursuant to section 473F.08, subdivision 3b. The purpose of this account is to provide funds for polluted land cleanup to encourage commercial and industrial redevelopment that will lead to the preservation or growth of living-wage jobs and enhance the tax base of the recipient community. The funds may also be used as a portion of the local match requirement for project costs that qualify for a grant under sections 116J.551 to 116J.57.

Subd. 3. [LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT.] The council shall credit to the livable communities demonstration account within the fund the revenues from the tax levied under this subdivision and from the sale of the assets under subdivision 4. The purpose of this account is to fund the initiatives specified in section 1, subdivision 4, paragraph (b). The council shall levy a tax on all taxable property in the metropolitan area for the livable communities demonstration account. This tax shall be levied and collected in the manner provided by section 473.13. The levy shall not exceed the following amount for the years specified:

(a)(1) for taxes payable in 1996, 75 percent of (i) the metropolitan mosquito control commission's property tax levy limit for 1995 as determined under section 473.711, subdivision 2, multiplied by (ii) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan area for the current taxes payable year divided by the total market valuation of all taxable property located in the metropolitan area for the previous taxes payable year; and

(2) for taxes payable in 1997 and subsequent years, the product of (i) the property tax levy limit under this subdivision for the previous year multiplied by (ii) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan area for the current taxes payable year divided by the total market valuation of all taxable property located in the metropolitan area for the previous taxes payable year.

For the purposes of this subdivision, "total market valuation" means the total market valuation of all taxable property within the metropolitan area without valuation adjustments for fiscal disparities under chapter 473F, tax increment financing under sections 469.174 to 469.179, and high voltage transmission lines under section 273.425.

(b) The metropolitan council, for the purposes of the fund, is considered a unique taxing jurisdiction for purposes of receiving aid pursuant to section 273.1398. For aid to be received in 1996, the fund's homestead and agricultural credit base shall equal 75 percent of the metropolitan mosquito control commission's certified homestead and agricultural credit aid for 1995, determined under section 273.1398, subdivision 2, less any permanent aid reduction under section 477A.0132. For aid to be received under section 273.1398 in 1997 and subsequent years, the fund's homestead and agricultural credit base shall be determined in accordance with section 273.1398, subdivision 1.

Subd. 4. [LOCAL HOUSING INCENTIVES ACCOUNT; DISTRIBUTION.] The council shall credit to the local housing incentives account within the fund the revenues distributed by a municipality under paragraph (c), clause (1). The purpose of this account is to expand and preserve affordable and life-cycle housing opportunities throughout the metropolitan area. For the purposes of this subdivision, "municipality" means a statutory or home rule charter city or town in the metropolitan area.

(a) The council shall negotiate with each municipality to establish affordable and life-cycle housing goals for that municipality that are consistent with and promote the policies of the metropolitan council as provided in the adopted metropolitan development guide. The council, with the assistance of the board, shall also identify actions a municipality may take to meet the municipality's goals. Each municipality must report to the council by January 15 of each year, the following:

(1) the tax revenues defined in paragraph (e) that were levied in the prior year;

(2) the portion of the revenues that were spent on meeting the municipality's affordable and life-cycle housing goals; and

(3) information on how the expenditures directly support the municipality's efforts to meet its affordable and life-cycle housing goals.

The council shall certify each municipality's compliance with this paragraph.

(b) A municipality that is determined by the council to have met its affordable and life-cycle housing goals in the previous year may retain the amount calculated under paragraph (e) to maintain existing affordable and life-cycle housing.

(c) A municipality that is determined by the council not to have met the affordable and life-cycle housing goals in the previous year, as negotiated and agreed to with the council, shall either: (1) distribute the amount calculated under paragraph (e) to the local housing incentives account; or (2) retain the amount calculated under paragraph (e) to create affordable and life-cycle housing as approved by the council.

(d) If a municipality can demonstrate to the council that it is already expending an amount equal to or greater than the amount calculated under paragraph (e) on affordable and life-cycle

housing, the municipality is not required to expend any additional levels to meet the affordable and life-cycle housing goals established under paragraph (a).

(e)(1) By July 1, 1995, each county assessor shall certify each municipality's average residential homestead limited market value for the 1993 assessment year, including the value of the farm house, garage, and one acre only in the case of farm homesteads, multiplied by a factor of two, as the municipality's "market value base amount." (2) By July 1, 1995, and each succeeding year, for each municipality, the county assessor shall determine which homesteads have market values in excess of the municipality's market value base amount and shall certify the aggregate net tax capacity corresponding to the amount by which those homesteads' market values exceed the municipality's market value base amount as the "net tax capacity excess amount" for the assessment year corresponding to the current taxes payable year. By July 1, 1995, the county assessor shall also certify the net tax capacity excess amount for taxes payable in 1994. (3) By July 1, 1995, and each succeeding year, the county assessor shall also certify each municipality's average total net tax capacity tax rate for the current taxes payable year. (4) By August 1, 1995, and each succeeding year, the metropolitan council shall notify each municipality of its "affordable and life-cycle housing opportunities amount" for taxes payable in 1996 and for each succeeding taxes payable year, equal to 40 percent of the amount, if any, by which the net tax capacity excess amount for the current year exceeds the amount for taxes payable in 1994 multiplied by the average total net tax capacity tax rate certified in clause (3).

### Sec. 3. [2025 REPORT.]

The metropolitan council shall report to the legislature by January 15, 1996, on the probable development patterns in and affecting the metropolitan area by the year 2025 under various scenarios, including the present course of growth versus directed, compact, and efficient development. The report should consider impacts on the greater metropolitan region, including within it counties in which five percent or more of residents commute to employment in the present metropolitan region or which are part of the metropolitan area as defined by the U.S. Department of Commerce Standard Metropolitan Statistical Area.

### Sec. 4. [APPLICATION.]

This article applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

### Sec. 5. [EFFECTIVE DATE.]

This article is effective the day after final enactment. Section 2 is effective for taxes levied in 1995 and payable in 1996, and subsequent years.

## ARTICLE 2

### MISCELLANEOUS AMENDMENTS

Section 1. Minnesota Statutes 1994, section 116J.556, is amended to read:

#### 116J.556 [LOCAL MATCH REQUIREMENT.]

(a) In order to qualify for a grant under sections 116J.551 to 116J.557, the municipality must pay for at least one-half of the project costs as a local match. The municipality shall pay an amount of the project costs equal to at least ~~18~~ five percent of the cleanup costs from the municipality's general fund, a property tax levy for that purpose, or other unrestricted money available to the municipality (excluding tax increments). These unrestricted moneys may be spent for project costs, other than cleanup costs, and qualify for the local match payment equal to ~~18~~ five percent of cleanup costs. The rest of the local match may be paid with tax increments, regional, state, or federal money available for the redevelopment of brownfields or any other money available to the municipality.

(b) If the development authority establishes a tax increment financing district or hazardous substance subdistrict on the site to pay for part of the local match requirement, the district or subdistrict is not subject to the state aid reductions under section 273.1399. In order to qualify for the exemption from the state aid reductions, the municipality must elect, by resolution, on or

before the request for certification is filed that all tax increments from the district or subdistrict will be used exclusively to pay (1) for project costs for the site and (2) administrative costs for the district or subdistrict. The district or subdistrict must be decertified when an amount of tax increments equal to no more than three times the costs of implementing the response action plan for the site and the administrative costs for the district or subdistrict have been received, after deducting the amount of the state grant.

Sec. 2. Minnesota Statutes 1994, section 473.167, subdivision 2, is amended to read:

Subd. 2. [LOANS FOR ACQUISITION.] The council may make loans to counties, towns, and statutory and home rule charter cities within the metropolitan area for the purchase of property within the right-of-way of a state trunk highway shown on an official map adopted pursuant to section 394.361 or 462.359 or for the purchase of property within the proposed right-of-way of a principal or intermediate arterial highway designated by the council as a part of the metropolitan highway system plan and approved by the council pursuant to subdivision 1. The loans shall be made by the council, from the fund established pursuant to this subdivision, for purchases approved by the council. The loans shall bear no interest. The council shall make loans only: (1) to accelerate the acquisition of primarily undeveloped property when there is a reasonable probability that the property will increase in value before highway construction, and to update an expired environmental impact statement on a project for which the right-of-way is being purchased; (2) to avert the imminent conversion or the granting of approvals which would allow the conversion of property to uses which would jeopardize its availability for highway construction; or (3) to advance planning and environmental activities on highest priority major metropolitan river crossing projects, under the transportation development guide chapter/policy plan. The council shall not make loans for the purchase of property at a price which exceeds the fair market value of the property or which includes the costs of relocating or moving persons or property. A private property owner may elect to receive the purchase price either in a lump sum or in not more than four annual installments without interest on the deferred installments. If the purchase agreement provides for installment payments, the council shall make the loan in installments corresponding to those in the purchase agreement. The recipient of an acquisition loan shall convey the property for the construction of the highway at the same price which the recipient paid for the property. The price may include the costs of preparing environmental documents that were required for the acquisition and that were paid for with money that the recipient received from the loan fund. Upon notification by the council that the plan to construct the highway has been abandoned or the anticipated location of the highway changed, the recipient shall sell the property at market value in accordance with the procedures required for the disposition of the property. All rents and other money received because of the recipient's ownership of the property and all proceeds from the conveyance or sale of the property shall be paid to the council. If a recipient is not permitted to include in the conveyance price the cost of preparing environmental documents that were required for the acquisition, then the recipient is not required to repay the council an amount equal to 40 percent of the money received from the loan fund and spent in preparing the environmental documents. The proceeds of the tax authorized by subdivision 3 and distributed to the right-of-way acquisition loan fund pursuant to subdivision 3a, paragraph (a), all money paid to the council by recipients of loans, and all interest on the proceeds and payments shall be maintained as a separate fund. For administration of the loan program, the council may expend from the fund each year an amount no greater than three percent of the amount of the ~~authorized levy~~ proceeds distributed to the right-of-way acquisition loan fund pursuant to subdivision 3a, paragraph (a), for that year.

Sec. 3. Minnesota Statutes 1994, section 473.167, subdivision 3, is amended to read:

Subd. 3. [TAX.] The council ~~may~~ shall levy a tax on all taxable property in the metropolitan area, as defined in section 473.121, to provide funds for loans made pursuant to subdivisions 2 and 2a and for the tax base revitalization account in the metropolitan livable communities fund, established under section 473.251, subdivision 3. This tax for the right-of-way acquisition loan fund and the tax base revitalization account shall be certified by the council, levied, and collected in the manner provided by section 473.13. The tax shall be in addition to that authorized by section 473.249 and any other law and shall not affect the amount or rate of taxes which may be levied by the council or any metropolitan agency or local governmental unit. The amount of the levy shall be as determined and certified by the council, ~~except as otherwise provided in this subdivision.~~

The property tax levied by the metropolitan council for the right-of-way acquisition loan fund

and the tax base revitalization account shall not exceed the following amount for the years specified:

(a) for taxes payable in 1988, the product of 5/100 of one mill multiplied by the total assessed valuation of all taxable property located within the metropolitan area as adjusted by the provisions of Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49;

(b) for taxes payable in 1989, except as provided in section 473.249, subdivision 3, the product of (1) the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund for the taxes payable year 1988 determined under clause (a) multiplied by (2) an index for market valuation changes equal to the assessment year 1988 total market valuation of all taxable property located within the metropolitan area divided by the assessment year 1987 total market valuation of all taxable property located within the metropolitan area;

(c) for taxes payable in 1990, an amount not to exceed \$2,700,000; and

(d) for taxes payable in 1991 and subsequent years, the product of (1) the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund for the taxes payable in 1988 determined under clause (a) multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan area for the current taxes payable year divided by the total market valuation of all taxable property located within the metropolitan area for taxes payable in 1988.

For the purpose of determining the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund and tax base revitalization account in the metropolitan livable communities fund, under section 473.251, subdivision 3, for the taxes payable year 1988 and subsequent years under this subdivision, "total market valuation" means the total market valuation of all taxable property within the metropolitan area without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

~~The property tax levied under this subdivision for taxes payable in 1988 and subsequent years shall not be levied at a rate higher than that determined by the metropolitan council to be sufficient, considering the other anticipated revenues of and disbursements from the right of way acquisition loan fund, to produce a balance in the loan fund at the end of the next calendar year equal to twice the amount of the property tax levy limitation for taxes payable in the next calendar year determined under this section.~~

Sec. 4. Minnesota Statutes 1994, section 473.167, is amended by adding a subdivision to read:

Subd. 3a. [DISTRIBUTION OF TAX PROCEEDS.] (a) Right-of-way acquisition loan fund. Tax proceeds shall first be deposited into the right-of-way acquisition loan fund in an amount determined by the metropolitan council to be sufficient, considering the other anticipated revenues of and disbursements from the right-of-way acquisition loan fund, to produce a balance in the loan fund at the end of the next calendar year equal to twice the amount of the property tax levy limitation for taxes payable in the next calendar year determined under subdivision 3.

(b) Metropolitan livable communities tax base revitalization account. Any tax proceeds not first deposited into the right-of-way acquisition loan fund shall be distributed to the tax base revitalization account in the metropolitan livable communities fund, established under section 473.251, subdivision 3.

Sec. 5. Minnesota Statutes 1994, section 473.702, is amended to read:

473.702 [ESTABLISHMENT OF DISTRICT; PURPOSE; AREA; GOVERNING BODY.]

A metropolitan mosquito control district is created to control disease caused by mosquitoes, disease vectoring ticks, and black gnats (Simuliidae) in the metropolitan area defined in section 473.121. The area of the district is the metropolitan area excluding the part of Carver county west of the west line of township 116N, range 24W, township 115N, range 24W, and township 114N, range 24W. The metropolitan mosquito control commission is created as the governing body of the district, composed and exercising the powers as prescribed in sections 473.701 to 473.716. For the purposes of section 471.666, the commission is a political subdivision.

Sec. 6. Minnesota Statutes 1994, section 473.704, subdivision 2, is amended to read:

Subd. 2. It may undertake disease control programs in the district in accordance with expert and technical plans.

Sec. 7. Minnesota Statutes 1994, section 473.704, subdivision 3, is amended to read:

Subd. 3. It may employ and fix the duties and compensation of a director who shall develop the disease control programs of the district and shall supervise its execution; such director shall have studied both the science of entomology and the science of epidemiology and shall be either an entomologist or an epidemiologist.

Sec. 8. Minnesota Statutes 1994, section 473.704, subdivision 5, is amended to read:

Subd. 5. It may employ such other persons and contract for such other services as may be needed to carry out the disease control programs in the district, except that no person may be employed by the commission who is related to any commissioner.

Sec. 9. Minnesota Statutes 1994, section 473.704, subdivision 6, is amended to read:

Subd. 6. It may reimburse commissioners and employees for expenses necessarily incurred or paid in performance of their duties and provide per diem ~~as provided by section 473.141, subdivision 7~~ in the amount specified in section 15.059, subdivision 3.

Sec. 10. Minnesota Statutes 1994, section 473.704, subdivision 7, is amended to read:

Subd. 7. It may purchase materials, supplies, and equipment as may be necessary to carry out the disease control programs in the district.

Sec. 11. Minnesota Statutes 1994, section 473.704, subdivision 8, is amended to read:

Subd. 8. It may accept gifts of property for disease control program purposes.

Sec. 12. Minnesota Statutes 1994, section 473.704, subdivision 13, is amended to read:

Subd. 13. It may enter into agreements with counties, cities or towns of the state of Minnesota outside of the district to conduct disease control program activities in these political subdivisions in order to effectuate disease control programs in the district and subdivisions.

Sec. 13. Minnesota Statutes 1994, section 473.704, subdivision 17, is amended to read:

Subd. 17. Members of the commission, its officers, and employees, while on the business of the commission, may enter upon any property within or outside the district at reasonable times to determine the need for disease control programs. They may take all necessary and proper steps for the control programs on property within the district as the director of the commission may designate. Subject to the paramount control of the county and state authorities, commission members and officers and employees of the commission may enter upon any property and clean up any stagnant pool of water, the shores of lakes and streams, and other breeding places for mosquitoes within the district. The commissioner of natural resources shall allow the commission to enter upon state property for the purposes described in this subdivision. The commission may apply insecticides approved by the director to any area within or outside the district that is found to be a breeding place for mosquitoes. The commission shall give reasonable notification to the governing body of the local unit of government prior to applying insecticides outside of the district on land located within the jurisdiction of the local unit of government. The commission shall not enter upon private property if the owner objects except for control of disease bearing mosquito encephalitis outbreaks.

Sec. 14. Minnesota Statutes 1994, section 473.711, subdivision 2, is amended to read:

Subd. 2. [BUDGET; TAX LEVY.] (a) Budget. The metropolitan mosquito control commission shall prepare an annual budget. The budget may provide for expenditures in an amount not exceeding the property tax levy limitation determined in this subdivision.

(b) Tax Levy. The commission may levy a tax on all taxable property in the district as defined

in section 473.702 to provide funds for the purposes of sections 473.701 to 473.716. The tax shall not exceed the property tax levy limitation determined in this subdivision. A participating county may agree to levy an additional tax to be used by the commission for the purposes of sections 473.701 to 473.716 but the sum of the county's and commission's taxes may not exceed the county's proportionate share of the property tax levy limitation determined under this subdivision based on the ratio of its total net tax capacity to the total net tax capacity of the entire district as adjusted by section 270.12, subdivision 3. The auditor of each county in the district shall add the amount of the levy made by the district to other taxes of the county for collection by the county treasurer with other taxes. When collected, the county treasurer shall make settlement of the tax with the district in the same manner as other taxes are distributed to political subdivisions. No county shall levy any tax for mosquito, disease vectoring tick, and black gnat (Simuliidae) control except under ~~sections 473.701 to 473.716~~ this section. The levy shall be in addition to other taxes authorized by law.

The property tax levied by the metropolitan mosquito control commission shall not exceed the following amount for the years specified:

(i) for taxes payable in 1996, 25 percent of the product of (1) the commission's property tax levy limitation for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current assessment taxes payable year divided by the total market valuation of all taxable property located within the district for the previous assessment taxes payable year; and

(ii) for taxes payable in 1997 and subsequent years, the product of (1) the commission's property tax levy limitation for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current taxes payable year divided by the total market valuation of all taxable property located within the district for the previous taxes payable year.

For the purpose of determining the commission's property tax levy limitation under this subdivision, "total market valuation" means the total market valuation of all taxable property within the district without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

(c) Homestead and Agricultural Credit Aid. For aids payable in 1996 and subsequent years, the commission's homestead and agricultural credit aid base under section 273.1398, subdivision 1, is permanently reduced by 75 percent of the amount certified to be received in 1995, less any permanent aid reduction in 1995 under section 477A.0132.

(d) Emergency Tax Levy. If the commissioner of the department of health declares a health emergency due to a threatened or actual outbreak of disease caused by mosquitos, disease vectoring ticks, or black gnats (Simuliidae), the commission may levy an additional tax not to exceed \$500,000 on all taxable property in the district to pay for the required control measures.

(e) Optional County Levy. A participating county may levy a tax in an amount to be determined by the county board for mosquito, disease vectoring tick, and black gnat (Simuliidae) nuisance control. If the county levies the tax for nuisance control, it must contract with the commission to provide for nuisance control activities within the county. The levy for nuisance control shall be in addition to other levies authorized by law to the county.

Sec. 15. Minnesota Statutes 1994, section 473F.08, is amended by adding a subdivision to read:

Subd. 3b. [LIVABLE COMMUNITIES FUND.] (a) The Hennepin county auditor shall certify the city of Bloomington's interest payments for 1987 for the bonds which were sold for highway improvements pursuant to Laws 1986, chapter 391, section 2, paragraph (g).

(b) For taxes payable in 1996 through taxes payable in 1999, the Hennepin county auditor shall certify the amount calculated by subtracting the amount certified under subdivision 3a from the amount in paragraph (a). For taxes payable in 2000 and subsequent years, the Hennepin county auditor shall certify the amount calculated in paragraph (a).

(c) The Ramsey county auditor shall annually add a dollar amount to its areawide portion of the levy equal to the amount which has been certified in paragraph (b). The total areawide portion of the levy for Ramsey county, including the additional amount certified under paragraph (b), shall be certified by the Ramsey county auditor to the administrative auditor pursuant to subdivision 5.

(d) The Ramsey county auditor shall distribute the amount certified in paragraph (b) to the metropolitan council for the tax revitalization account within the metropolitan livable communities fund, established under section 473.251, at the same time that payments are made to the other counties pursuant to subdivision 7a.

Sec. 16. Minnesota Statutes 1994, section 473F.08, subdivision 5, is amended to read:

Subd. 5. [AREAWIDE TAX RATE.] On or before August 25 of each year, the county auditor shall certify to the administrative auditor that portion of the levy of each governmental unit determined under ~~subdivision~~ subdivisions 3, clause (a), 3a, and 3b. The administrative auditor shall then determine the areawide tax rate sufficient to yield an amount equal to the sum of such levies from the areawide net tax capacity. On or before September 1 of each year, the administrative auditor shall certify the areawide tax rate to each of the county auditors.

Sec. 17. Minnesota Statutes 1994, section 473F.08, subdivision 7a, is amended to read:

Subd. 7a. [CERTIFICATION OF VALUES; PAYMENT.] The administrative auditor shall determine for each county the difference between the total levy on distribution value pursuant to ~~subdivision~~ subdivisions 3, clause (a), 3a, and 3b, within the county and the total tax on contribution value pursuant to subdivision 6, within the county. On or before May 16 of each year, the administrative auditor shall certify the differences so determined to each county auditor. In addition, the administrative auditor shall certify to those county auditors for whose county the total tax on contribution value exceeds the total levy on distribution value the settlement the county is to make to the other counties of the excess of the total tax on contribution value over the total levy on distribution value in the county. On or before June 15 and November 15 of each year, each county treasurer in a county having a total tax on contribution value in excess of the total levy on distribution value shall pay one-half of the excess to the other counties in accordance with the administrative auditors certification.

Sec. 18. [CITATION.]

This act may be cited as "the metropolitan livable communities act."

Sec. 19. [APPLICATION.]

This article applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 20. [EFFECTIVE DATES.]

This article is effective the day after final enactment. Sections 14, 15, 16, and 17 are effective for taxes levied in 1995 payable in 1996 and subsequent years."

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Amendments adopted. Report adopted.

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

**S.F. No. 410:** A bill for an act relating to health; giving the commissioner of administration authority to negotiate contract prices for all prescription drugs sold in Minnesota; allowing correction orders to be issued; establishing a statewide drug formulary; requiring a pharmacy to post a sign on generic substitution; amending Minnesota Statutes 1994, sections 151.21, subdivisions 2, 3, and by adding a subdivision; and 256B.0625, subdivision 13; proposing coding for new law in Minnesota Statutes, chapters 16B; and 256.

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

Page 1, after line 15, insert:

"Subd. 2. [CONTRACTOR.] "Contractor" means the individual, business entity, or other private organization who is awarded the contract by the commissioner to negotiate the prices for prescription drugs pursuant to section 16B.94, subdivision 1."

Page 1, line 16, delete "2" and insert "3"

Page 1, line 18, delete "3" and insert "4"

Page 1, line 20, delete "4" and insert "5"

Page 1, line 23, delete "5" and insert "6"

Page 1, line 26, delete "6" and insert "7"

Page 2, line 1, delete "7" and insert "8"

Page 2, line 6, delete "8" and insert "9"

Page 2, line 10, delete "CONTRACTOR" and insert "PRICE CONTRACT"

Page 2, line 12, delete "Effective January 1, 1996,"

Page 2, line 14, after the period, insert "The commissioner may contract with an individual, business entity, or other private organization to negotiate the contract price as required under this subdivision. The commissioner may negotiate a price differential based on volume purchasing."

Page 2, lines 24 and 28, after "commissioner" insert "or contractor"

Page 2, line 32, after "prohibit" insert ":

(1)"

Page 2, line 34, before the period, insert ";

(2) administrative fees received by the commissioner of administration for the services rendered under subdivision 1"

Page 3, line 2, delete from "that" through page 3, line 3, to "price" and insert "under the price contract negotiated pursuant to subdivision 1"

Page 3, line 5, before the period, insert "or contractor"

Page 3, line 15, delete "by the commissioner"

Page 4, line 28, delete "practitioner" and insert "prescriber"

Page 4, line 30, delete "practitioner's" and insert "prescriber's"

Page 5, line 33, after the period, insert "When developing the formulary contents, consideration must be given to drugs with a narrow therapeutic index."

Page 10, line 23, delete "Section 5 is" and insert "Sections 2 and 5 are"

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

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

**H.F. No. 782** 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.

782

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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. No. 782 was read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Mondale moved that the name of Ms. Wiener be added as a co-author to S.F. No. 1019. The motion prevailed.

Mr. Metzen moved that S.F. No. 530 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Finance. The motion prevailed.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

**Messrs. Solon, Stevens, Ms. Anderson, Messrs. Hottinger and Belanger introduced--**

**S.F. No. 1105:** A bill for an act relating to liquor; distilled spirits; regulating the standards of fill for distilled spirits; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Consumer Protection.

**Mr. Mondale introduced--**

**S.F. No. 1106:** A bill for an act relating to health; providing an exception to the nursing home moratorium; amending Minnesota Statutes 1994, section 144A.071, subdivision 4a.

Referred to the Committee on Health Care.

**Mr. Mondale, Ms. Flynn and Mr. Novak introduced--**

**S.F. No. 1107:** A bill for an act relating to the metropolitan council; providing for an elected metropolitan council; providing for public financing of campaigns for council seats; imposing penalties; amending Minnesota Statutes 1994, sections 15.0597, subdivision 1; 15A.082, subdivision 3; 204B.09, subdivisions 1 and 1a; 204B.135, subdivision 2; 204B.32, subdivision 2; 353D.01, subdivision 2; and 473.123, subdivisions 1, 2a, 3a, 4, 7, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1994, section 473.123, subdivision 3.

Referred to the Committee on Metropolitan and Local Government.

**Mr. Finn introduced--**

**S.F. No. 1108:** A bill for an act relating to traffic regulations; prohibiting certain barriers across roads, driveways, and trails; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation and Public Transit.

**Mr. Novak, Ms. Pappas and Mr. Mondale introduced--**

**S.F. No. 1109:** A bill for an act relating to the metropolitan council; requiring the metropolitan council to implement affordable housing policies; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Metropolitan and Local Government.

**Mr. Samuelson introduced--**

**S.F. No. 1110:** A bill for an act relating to human services; appropriating money for the departments of human services and health, the veterans nursing homes board, the health-related boards, the telecommunication access for communication-impaired persons board, the council on disability, the ombudsman for mental health and mental retardation, and the ombudsman for families.

Referred to the Committee on Health Care.

**Mr. Lessard introduced--**

**S.F. No. 1111:** A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, by adding a section; affirming the right of citizens to hunt or take game and fish.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Ourada and Stevens introduced--**

**S.F. No. 1112:** A bill for an act relating to local government; authorizing Sherburne county to convey certain county ditches to the city of Elk River under certain conditions.

Referred to the Committee on Metropolitan and Local Government.

**Mr. Price introduced--**

**S.F. No. 1113:** A bill for an act relating to education; expanding payment of special education aid to include special education cooperatives or intermediate school districts as designated by a participating school district; amending Minnesota Statutes 1994, section 124.32, subdivision 12.

Referred to the Committee on Education.

**Messrs. Samuelson, Sams, Mses. Piper, Berglin and Mr. Stevens introduced--**

**S.F. No. 1114:** A bill for an act relating to human services; designating use of funds for regional treatment centers; amending Minnesota Statutes 1994, sections 246.18, subdivision 4, and by adding a subdivision; 246.23, subdivision 2; 246.56, by adding a subdivision; and 254B.05, subdivision 4.

Referred to the Committee on Health Care.

**Mr. Merriam introduced--**

**S.F. No. 1115:** A bill for an act relating to eminent domain; modifying certain provisions relating to the acquisition of property for public purposes; amending Minnesota Statutes 1994, sections 117.025, subdivision 2; 160.08, subdivisions 4 and 5; and 161.24, subdivision 1.

Referred to the Committee on Judiciary.

**Messrs. Merriam, Frederickson, Stevens, Morse and Laidig introduced--**

**S.F. No. 1116:** A bill for an act relating to water; wetland protection and management; amending Minnesota Statutes 1994, sections 103G.222; 103G.2241; 103G.2242, subdivisions 1, 6, 7, and 12; 103G.237, subdivision 4; and 103G.2372, subdivision 1; repealing Minnesota Statutes 1994, section 103G.2242, subdivisions 9 and 13.

Referred to the Committee on Environment and Natural Resources.

**Mr. Pogemiller introduced--**

**S.F. No. 1117:** A bill for an act relating to government operations; expanding Minneapolis health insurance subsidy to include eligible Minneapolis teachers who retire before May 1, 1983; amending Minnesota Statutes 1994, section 124.916, subdivision 4.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Betzold introduced--**

**S.F. No. 1118:** A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1994, sections 3A.01, subdivision 7; 3A.02, subdivision 1; 3A.11, subdivision 4; 3C.10, subdivision 3; 9.071; 11A.18, subdivision 10; 13.99, subdivision 92c; 15.061; 15.56, subdivision 5; 17.1015; 29.021; 31.495, subdivisions 1 and 5; 32.01, subdivision 6; 60B.02; 72A.20, subdivision 29; 72C.03; 72C.04, subdivision 4; 82.34, subdivision 6; 84.025, subdivision 7; 84.0895, subdivision 2; 84.0911, subdivision 2; 85.016; 90.251, subdivision 4; 92.46, subdivision 1; 97A.115, subdivision 2; 103F.516, subdivision 2; 103G.2365; 116.03, subdivision 2; 116C.724, subdivision 2; 116C.98, subdivision 3; 116J.035, subdivision 1; 116J.402; 116J.70, subdivision 2a; 124.916, subdivision 1; 126.25, subdivision 3; 134.341; 136A.40; 144.3831, subdivision 1; 145A.07, subdivision 1; 147.01, subdivision 5; 154.161, subdivision 3; 162.09, subdivision 1; 192.261, subdivision 3; 192.501, subdivision 2; 193.36, subdivision 2; 201.15, subdivision 1; 270.69, subdivision 10; 271.21, subdivision 6; 275.066; 290.01, subdivisions 3a and 19d; 290.05, subdivision 3; 294.03, subdivision 2; 297A.25, subdivision 21; 299F.72, subdivision 1; 299L.05; 299L.07, subdivision 2a; 308A.503, subdivision 3; 317A.733, subdivisions 1 and 2; 340A.503, subdivision 1; 349.12, subdivision 25; 349.17, subdivision 6; 352.01, subdivision 2a; 354.07, subdivision 7; 360.305, subdivisions 1, 2, and 5; 365.125, subdivision 2; 383A.90, subdivision 2; 383D.71, subdivision 2; 462C.12, subdivision 2; 473.121, subdivision 11; 473.149, subdivision 4; 473.192, subdivision 4; 473.3993, subdivision 1; 473.405, subdivisions 1 and 12; 473.598, subdivision 4; 473.599, subdivision 8; 473.811, subdivisions 1a and 5; 473.834, subdivision 2; 474A.061, subdivision 2a; 518.551, subdivision 5; 518C.101; 524.2-210; 525.011, subdivision 1; 554.04, subdivision 2; 609.342, subdivision 1; 609.561, subdivision 3; and 609.66, subdivision 1d; Laws 1993, chapter 273, section 1, as amended; and Laws 1994, chapter 647, article 7, section 19, subdivision 4; repealing Minnesota Statutes 1994, sections 13.99, subdivision 71; 103B.151, subdivision 3; 134.32, subdivision 2; 256B.0925; 297A.25, subdivision 50; 383B.614, subdivision 5; 469.110, subdivision 9; 469.170, subdivision 9; 611A.032; 624.01; and 624.03; Laws 1986, First Special Session chapter 1, article 9, section 18; First Special Session chapter 2, article 3, section 1; Laws 1987, chapter 254, section 8; Laws 1988, chapter 486, section 59; Laws 1990, chapter 562, article 10, section 1; Laws 1993, chapter 146, article 5, section 15; Laws 1994, chapter 485, section 14; chapter 647, article 1, section 4; article 8, section 46, paragraph (b); article 13, sections 3 and 14.

Referred to the Committee on Judiciary.

**Messrs. Chandler, Stumpf, Ms. Krentz and Mr. Novak introduced--**

**S.F. No. 1119:** A bill for an act relating to education; excluding commercial and industrial property and certain farm lands from the tax base referendum levies are spread against; creating a statewide equalization property tax on commercial and industrial property; funding equalization

aid; requiring existing referendum levies to be reauthorized; eliminating certain caps on referendum revenue; appropriating money; amending Minnesota Statutes 1994, sections 124.214, subdivisions 2 and 3; 124.248, subdivision 3; 124.2727, subdivision 6b; 124.273, subdivision 1b; 124.32, subdivisions 1b and 1f; 124.322, subdivisions 1a and 3; 124.323, subdivision 1; 124.574, subdivision 2b; 124.961; 124A.02, by adding a subdivision; 124A.03, subdivisions 1c, 1e, 1f, 1g, 2, 2a, and by adding subdivisions; 124A.22, subdivision 2; 125.1895, subdivision 4; and 275.065, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 1994, sections 124.321; and 124.322, subdivision 4.

Referred to the Committee on Education.

**Mr. Berg introduced--**

**S.F. No. 1120:** A bill for an act relating to gambling; creating a special account for money received by the gambling control board as reimbursement for costs of testing pull-tab dispensing devices; appropriating money in the account to the board for that purpose; amending Minnesota Statutes 1994, section 349.151, subdivision 4b.

Referred to the Committee on Gaming Regulation.

**Messrs. Cohen; Moe, R.D.; Kelly and Price introduced--**

**S.F. No. 1121:** A bill for an act relating to human development; appropriating money for preliminary planning and programming for a human development center.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Lessard, Riveness, Laidig, Dille and Morse introduced--**

**S.F. No. 1122:** A bill for an act relating to the environment; creating the drycleaner environmental response act; requiring rulemaking; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115B.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Johnson, D.J.; Stumpf; Dille and Solon introduced--**

**S.F. No. 1123:** A bill for an act relating to taxation; changing existing property tax exemptions for housing for technical college students; amending Laws 1992, chapter 511, article 2, sections 45, subdivision 7, and by adding a subdivision; and 46, subdivision 7, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

**Messrs. Riveness, Pogemiller, Morse, Stumpf and Terwilliger introduced--**

**S.F. No. 1124:** A bill for an act relating to retirement; major statewide pension plans; specifying graded rate salary increase assumptions; amending Minnesota Statutes 1994, section 356.215, subdivision 4d.

Referred to the Committee on Governmental Operations and Veterans.

**Mses. Pappas, Runbeck, Mr. Frederickson, Ms. Anderson and Mr. Novak introduced--**

**S.F. No. 1125:** A bill for an act relating to employment; establishing the labor education advancement grant program; proposing coding for new law in Minnesota Statutes, chapter 178.

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

**Ms. Runbeck, Mr. Kelly and Ms. Robertson introduced--**

**S.F. No. 1126:** A bill for an act relating to sentencing; requiring the sentencing guidelines commission to prohibit the use of amenability to treatment or probation as a reason for mitigated sentencing departures; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Crime Prevention.

**Ms. Olson, Messrs. Merriam, Morse, Frederickson and Lessard introduced--**

**S.F. No. 1127:** A bill for an act relating to state lands; authorizing public sale of certain state land that borders public water in Hennepin county.

Referred to the Committee on Environment and Natural Resources.

**Ms. Robertson, Messrs. Kramer, Limmer, Pogemiller and Ms. Reichgott Junge introduced--**

**S.F. No. 1128:** A bill for an act relating to education; providing for residency requirements for school board candidates; amending Minnesota Statutes 1994, section 204B.06, subdivision 1.

Referred to the Committee on Ethics and Campaign Reform.

**Ms. Runbeck, Messrs. Langseth, Belanger, Ms. Johnston and Mr. Sams introduced--**

**S.F. No. 1129:** A bill for an act relating to drivers' licenses; requiring additional information in drivers' education programs, the driver's license application pamphlet, the driver's license examination, and the driver's manual regarding the legal and financial consequences of violating DWI-related laws; amending Minnesota Statutes 1994, sections 169.121, by adding a subdivision; 171.06, subdivision 3; and 171.13, subdivisions 1 and 1b.

Referred to the Committee on Transportation and Public Transit.

**Ms. Runbeck and Mr. Limmer introduced--**

**S.F. No. 1130:** A bill for an act relating to alcoholic beverages; imposing restrictions on certain sales practices during certain hours; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Consumer Protection.

**Ms. Runbeck, Mr. Belanger, Ms. Robertson and Mr. Mondale introduced--**

**S.F. No. 1131:** A bill for an act relating to taxation; eliminating payment of homestead and agricultural credit aid to special taxing districts; amending Minnesota Statutes 1994, section 273.1398, subdivisions 2 and 8.

Referred to the Committee on Taxes and Tax Laws.

**Ms. Reichgott Junge introduced--**

**S.F. No. 1132:** A bill for an act relating to state government; creating an office of customer service; requiring certain actions to meet customer needs; imposing time limits for certain state agency actions; proposing coding for new law in Minnesota Statutes, chapter 4.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Betzold, Kramer, Novak, Kroening and Pogemiller introduced--**

**S.F. No. 1133:** A bill for an act relating to economic development; appropriating money for business retention and expansion.

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

**Mr. Solon, Ms. Wiener, Messrs. Metzen, Larson and Belanger introduced--**

**S.F. No. 1134:** A bill for an act relating to financial institutions; regulating notices, electronic financial terminals, mergers with subsidiaries, the powers and duties of the commissioner of commerce, reporting and records requirements, lending powers, data classification, the powers and duties of institutions, detached facilities, and interstate banking; making technical changes; amending Minnesota Statutes 1994, sections 46.04, subdivision 1, and by adding a subdivision; 46.041, subdivisions 1, 2, and 4; 46.044, subdivision 1; 46.046, subdivision 1; 46.048, subdivision 1, and by adding subdivisions; 47.10, subdivision 3; 47.11; 47.28, subdivision 1; 47.52; 47.54, subdivisions 1 and 2; 47.56; 47.58, subdivision 2; 47.62, subdivisions 2, 3, and by adding subdivisions; 47.67; 47.69, subdivisions 3 and 5; 47.78; 48.194; 48.24, subdivision 5; 48.475, subdivision 3; 48.48, subdivisions 1 and 2; 48.49; 48.61, by adding a subdivision; 48.65; 48.90, subdivision 1; 48.91; 48.92, subdivisions 1, 2, 6, 7, 8, 9, and by adding a subdivision; 48.93, subdivisions 1, 3, and 4; 48.96; 48.99, subdivision 1; 49.01, subdivision 3; 51A.02, subdivision 26; 51A.19, subdivision 9; 51A.50; 51A.58; 52.01; 52.04, subdivision 2a; 52.05, subdivision 2; 52.21; 53.015, subdivision 4; 53.04, subdivisions 3a, 3c, 4a, and 5a; 53.09, subdivision 1, and by adding a subdivision; 56.11; 56.12; 56.125, subdivision 2; 56.131, subdivisions 1, 2, 4, and 6; 56.132; 56.14; 56.155, subdivision 1; 56.17; 59A.06, subdivision 2; 62B.04, subdivision 1; 300.20, subdivision 1; 325F.91, subdivision 2; and 332.23, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 45; 47; 48; and 51A; repealing Minnesota Statutes 1994, sections 46.03; 47.80; 47.81; 47.82; 47.83; 47.84; 47.85; 48.1585; 48.512, subdivision 6; 48.611; 48.95; 48.97; 48.98; 48.991; 51A.385; and 325F.91, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

**Messrs. Metzen, Pogemiller, Ms. Krentz and Mr. Stumpf introduced--**

**S.F. No. 1135:** A bill for an act relating to ice arenas; providing the Minnesota amateur sports commission with additional authority; authorizing use of county capital improvement bonds; exempting issuance of certain debt from the election requirements; providing a sales tax exemption; authorizing use of subdivision dedication for certain facilities; appropriating money; amending Minnesota Statutes 1994, sections 240A.09; 240A.10; 297A.25, by adding a subdivision; 373.40, subdivision 1; 462.358, subdivision 2b; 471.16, subdivision 1; and 475.58, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 373.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Betzold introduced--**

**S.F. No. 1136:** A bill for an act relating to human services; adding provisions to health insurance coverage; providing firearms background check; providing mental health services; adding provisions for paternity testing; adding provisions for paternity and child support; providing medical assistance coverage for pediatric vaccines; providing penalties; amending Minnesota Statutes 1994, sections 62A.045; 62A.046; 62A.048; 62A.27; 245.041; 245.487, subdivision 4; 245.4871, subdivisions 12 and 33a; 245.4873, subdivision 6; 245.4874; 245.4875, subdivision 2; 245.4878; 245.4885, subdivision 2; 253B.091; 256.015, subdivision 7; 256.025, subdivisions 1 and 3; 256.12, subdivision 14; 256.74, by adding a subdivision; 256.76, subdivision 1; 256B.0625, by adding a subdivision; 256E.08, subdivision 8; 257.55, subdivision 1; 257.57, subdivision 2; 257.62, subdivisions 1, 5, and 6; 257.64, subdivision 3; 257.69, subdivisions 1 and 2; 518.171, subdivisions 1, 3, 4, 5, 7, and 8; 518.611, subdivisions 2 and 4; 518.613, subdivisions 2 and 7; and 518.615, subdivision 3; repealing Minnesota Statutes 1994, sections 62C.141; 62C.143; 62D.106; and 62E.04, subdivisions 9 and 10.

Referred to the Committee on Health Care.

**Mr. Belanger introduced--**

**S.F. No. 1137:** A bill for an act relating to motor vehicles; providing a reduced registration fee for automobiles registered after the 15th day of the first month of registration; amending Minnesota Statutes 1994, section 168.017, subdivision 4.

Referred to the Committee on Transportation and Public Transit.

**Messrs. Janezich, Johnson, D.J. and Solon introduced--**

**S.F. No. 1138:** A bill for an act relating to water pollution; creating a revolving fund; requiring the department of trade and economic development and the pollution control agency to adopt rules; proposing coding for new law in Minnesota Statutes, chapter 446A.

Referred to the Committee on Environment and Natural Resources.

**Ms. Olson, Messrs. Moe, R.D. and Chmielewski introduced--**

**S.F. No. 1139:** A bill for an act relating to highways; allowing appeal of decision by county board to deny request to designate a natural preservation route; amending Minnesota Statutes 1994, section 162.021, subdivision 5.

Referred to the Committee on Transportation and Public Transit.

**Mses. Lesewski, Kiscaden, Mr. Novak, Ms. Anderson and Mr. Larson introduced--**

**S.F. No. 1140:** A bill for an act relating to employment; modifying provisions relating to rehabilitation programs and services; amending Minnesota Statutes 1994, sections 268A.01, subdivisions 4, 5, 6, 9, and 10; 268A.03; 268A.06, subdivision 1; 268A.07; 268A.08, subdivisions 1 and 2; and 268A.13; proposing coding for new law in Minnesota Statutes, chapter 268A; repealing Minnesota Statutes 1994, sections 268A.01, subdivisions 7, 11, and 12; and 268A.09.

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

**Ms. Johnson, J.B. introduced--**

**S.F. No. 1141:** A bill for an act relating to retirement; Minnesota state retirement system; providing a retroactive exception to the earnings limitation for a certain reemployed annuitant.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Johnson, J.B.; Messrs. Chmielewski and Stevens introduced--**

**S.F. No. 1142:** A bill for an act relating to economic development; providing funding for the North West Company Fur Post Interpretive Center; appropriating money.

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

**Messrs. Kroening, Janezich, Bertram, Samuelson and Stevens introduced--**

**S.F. No. 1143:** A bill for an act relating to lotteries; authorizing the state lottery to operate video lottery terminals; creating an education trust fund; prescribing penalties; amending Minnesota Statutes 1994, sections 245.98, by adding a subdivision; 297A.259; 297E.02, subdivision 1; 349.12, subdivision 21; 349.15, subdivision 1; 349A.01, subdivisions 10, 11, 12, and by adding subdivisions; 349A.06, subdivisions 1, 5, 8, 10, and by adding subdivisions; 349A.07, subdivision 1; 349A.08, subdivisions 1, 5, and 8; 349A.09, subdivision 1; 349A.10, subdivisions 2, 3, 4, and 5; 349A.11; 349A.12, subdivisions 1 and 2; 349A.13; 609.651, subdivision 1; 609.75, subdivision 4; and 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 124; and 349A; repealing Minnesota Statutes 1994, sections 297E.01, subdivision 9; and 297E.02, subdivision 4.

Referred to the Committee on Gaming Regulation.

**Mses. Flynn, Pappas, Messrs. Pogemiller and Langseth introduced--**

**S.F. No. 1144:** A bill for an act relating to highway traffic regulations; authorizing the Minneapolis city council to delegate to the city engineer certain authority over traffic and parking.

Referred to the Committee on Metropolitan and Local Government.

**Messrs. Kroening, Metzen and Terwilliger introduced--**

**S.F. No. 1145:** A bill for an act relating to retirement; authorizing an early retirement incentive for employees of a metropolitan agency, the metropolitan council, and the Minnesota historical society.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Neuville and Mrs. Pariseau introduced--**

**S.F. No. 1146:** A bill for an act relating to licensing; electricians; eligibility requirement for applicant for master electrician licensure; amending Minnesota Statutes 1994, section 326.242, subdivision 1.

Referred to the Committee on Commerce and Consumer Protection.

**Messrs. Price, Novak, Ms. Olson, Mr. Lessard and Mrs. Pariseau introduced--**

**S.F. No. 1147:** A bill for an act relating to taxation; property; allowing for a market value exclusion for electric power generation facilities based on facility efficiency; proposing coding for new law in Minnesota Statutes, chapter 272.

Referred to the Committee on Taxes and Tax Laws.

**Messrs. Samuelson and Johnson, D.E. introduced--**

**S.F. No. 1148:** A bill for an act relating to civil actions; recreational activities; limiting the liability of resorts; providing attorney fees in certain cases; amending Minnesota Statutes 1994, sections 604A.20; 604A.21, subdivisions 3, 5, and by adding subdivisions; 604A.25; and 604A.26; proposing coding for new law in Minnesota Statutes, chapter 604A.

Referred to the Committee on Judiciary.

**Ms. Krentz, Messrs. Chandler and Laidig introduced--**

**S.F. No. 1149:** A bill for an act relating to education; providing transportation funding for service learning programs; amending Minnesota Statutes 1994, sections 124.223, subdivision 1; and 124.225, subdivision 1.

Referred to the Committee on Education.

**Ms. Reichgott Junge introduced--**

**S.F. No. 1150:** A bill for an act relating to retirement; Minneapolis teachers retirement fund association; authorizing purchase of prior service by former Minneapolis teacher.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Spear, Ms. Anderson, Messrs. Kelly and Neuville introduced--**

**S.F. No. 1151:** A bill for an act relating to crime prevention; directing the peace officer standards and training board to review its minimum standards of conduct every three years;

requiring certain information to be compiled; requiring a model policy regarding professional conduct to be developed; directing a study; requiring reports; appropriating money; amending Minnesota Statutes 1994, section 626.843, subdivision 1.

Referred to the Committee on Crime Prevention.

**Ms. Anderson, Messrs. Frederickson, Hottinger, Ms. Pappas and Mr. Novak introduced--**

**S.F. No. 1152:** A bill for an act relating to employment; requiring disclosure to recruited employees in the food processing industry; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

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

**Messrs. Spear, Cohen and Ms. Flynn introduced--**

**S.F. No. 1153:** A bill for an act relating to courts; increasing the number of trial court judgeships; appropriating money; amending Minnesota Statutes 1994, section 2.722, subdivision 1.

Referred to the Committee on Judiciary.

**Mr. Murphy introduced--**

**S.F. No. 1154:** A bill for an act relating to local government; raising the curfew age for countywide curfew ordinances; amending Minnesota Statutes 1994, section 145A.05, subdivision 7a.

Referred to the Committee on Metropolitan and Local Government.

**Messrs. Murphy, Sams, Samuelson and Ms. Kiscaden introduced--**

**S.F. No. 1155:** A bill for an act relating to human services; downsizing certain facilities for persons with developmental disabilities.

Referred to the Committee on Health Care.

**Messrs. Finn and Samuelson introduced--**

**S.F. No. 1156:** A bill for an act relating to education; permitting independent school district No. 2174, Pine River-Backus, to transfer funds.

Referred to the Committee on Education.

**Messrs. Ourada, Kramer, Scheevel and Kleis introduced--**

**S.F. No. 1157:** A bill for an act relating to education; providing that school districts need not comply with mandates unless revenue to comply is identified; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Education.

**Messrs. Solon and Metzen introduced--**

**S.F. No. 1158:** A bill for an act relating to commerce; regulating building and construction contracts; regulating payments and retainages, and indemnification provisions and agreements to insure; prohibiting certain contract provisions; regulating mechanics liens; amending Minnesota Statutes 1994, sections 15.72; 16A.124, subdivision 8; 16A.1245; 337.02; 471.425, subdivision 5; and 514.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 337; repealing Minnesota Statutes 1994, section 337.05.

Referred to the Committee on Commerce and Consumer Protection.

**Messrs. Sams, Bertram, Morse, Dille and Stevens introduced--**

**S.F. No. 1159:** A bill for an act relating to state government; requiring notice to the commissioner of agriculture and certain other actions before an agency adopts or repeals rules that affect farming operations; amending Minnesota Statutes 1994, sections 14.11, by adding a subdivision; and 116.07, subdivision 4.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Belanger; Riveness; Johnson, D.J.; Kroening and Ms. Olson introduced--**

**S.F. No. 1160:** A bill for an act relating to fiscal disparities; deleting a required adjustment to the city of Bloomington's fiscal disparities contribution; amending Minnesota Statutes 1994, section 473F.08, subdivision 3a.

Referred to the Committee on Taxes and Tax Laws.

**Ms. Pappas, Messrs. Cohen, Beckman, Belanger and Knutson introduced--**

**S.F. No. 1161:** A bill for an act relating to education; funding adult basic education and adult graduation aid; appropriating money.

Referred to the Committee on Education.

**Ms. Anderson, Messrs. Kelly, Cohen, Beckman and Belanger introduced--**

**S.F. No. 1162:** A bill for an act relating to education; providing funding for adult graduation aid; appropriating money.

Referred to the Committee on Education.

**Mr. Belanger introduced--**

**S.F. No. 1163:** A bill for an act relating to motor vehicles; authorizing issuance of original license plates 20 or more years old to a registered passenger automobile; authorizing registrar to charge a fee; amending Minnesota Statutes 1994, section 168.12, by adding a subdivision.

Referred to the Committee on Transportation and Public Transit.

**Mr. Langseth introduced--**

**S.F. No. 1164:** A bill for an act relating to transportation; allowing commissioner of transportation to act as agent to accept federal money for nonpublic organizations for transportation purposes; increasing maximum lump sum utility adjustment amount allowed for relocating utility facility; eliminating percentage limit for funding transportation research projects and providing for federal research funds and research partnerships; allowing counties more authority in disbursing certain state-aid highway funds; eliminating requirement to have permit identifying number affixed to highway billboard; eliminating legislative route No. 331 from trunk highway system and turning it back to the jurisdiction of Fillmore county; making technical corrections; amending Minnesota Statutes 1994, sections 161.085; 161.36, subdivisions 1, 2, 3, and 4; 161.46, subdivision 3; 161.53; 162.08, subdivisions 4 and 7; 162.14, subdivision 6; 173.07, subdivision 1; 174.04; repealing Minnesota Statutes 1994, sections 161.086; 161.115, subdivision 262.

Referred to the Committee on Transportation and Public Transit.

**Messrs. Novak, Metzen, Chandler and Kelly introduced--**

**S.F. No. 1165:** A bill for an act relating to workers' compensation; regulating the creation and operation of mutual employer self-insurance groups; proposing coding for new law as Minnesota Statutes, chapter 79B.

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

**Messrs. Samuelson, Sams, Vickerman, Dille and Ms. Kiscaden introduced--**

**S.F. No. 1166:** A bill for an act relating to health; eliminating hospital peer groups for purposes of certain payments; repealing Minnesota Statutes 1994, section 256.969, subdivision 24.

Referred to the Committee on Health Care.

**Mr. Kroening introduced--**

**S.F. No. 1167:** A bill for an act relating to economic security; creating a summer youth employment demonstration program; appropriating money.

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

**Ms. Berglin introduced--**

**S.F. No. 1168:** A bill for an act relating to law enforcement; peace officers standards and training board; specifying the basis for disciplining licensees; requiring a report; requesting a study; amending Minnesota Statutes 1994, section 214.10, subdivision 10, and by adding subdivisions.

Referred to the Committee on Crime Prevention.

**Ms. Anderson, Messrs. Frederickson, Spear, Ms. Kiscaden and Mr. Riveness introduced--**

**S.F. No. 1169:** A bill for an act relating to the environment; radioactive waste management; requiring testing of dry casks prior to loading of spent fuel; amending Minnesota Statutes 1994, section 116C.77.

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

**Mr. Mondale introduced--**

**S.F. No. 1170:** A bill for an act relating to occupations and professions; requiring licensure or certification of geoscientists; adding geoscientists to the board of architecture, engineering, land surveying, landscape architecture, and interior design; providing for certain duties for the board; amending Minnesota Statutes 1994, sections 214.01, subdivision 3; 214.04, subdivision 3; 319A.02, subdivision 2; 326.02, subdivisions 1, 4, 4a, and by adding a subdivision; 326.03, subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, subdivision 2; 326.09; 326.10, subdivisions 1, 2, and 7; 326.11, subdivision 1; 326.111, subdivisions 1, 2, 3, 4, and 6; 326.12; 326.13; and 326.14.

Referred to the Committee on Commerce and Consumer Protection.

**Mr. Vickerman, Ms. Flynn, Messrs. Belanger, Langseth and Ms. Ranum introduced--**

**S.F. No. 1171:** A bill for an act relating to occupations and professions; permitting protective agents to perform certain traffic control duties; amending Minnesota Statutes 1994, section 326.338, subdivision 4.

Referred to the Committee on Crime Prevention.

**Messrs. Sams, Samuelson and Solon introduced--**

**S.F. No. 1172:** A bill for an act relating to education; fully funding the secondary vocational education aid formula; appropriating money.

Referred to the Committee on Education.

**Messrs. Chandler; Janezich; Johnson, D.J. and Novak introduced--**

**S.F. No. 1173:** A bill for an act relating to telecommunications; regulating the sale of local exchange service territory; proposing coding for new law in Minnesota Statutes, chapter 237.

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

**Mr. Novak introduced--**

**S.F. No. 1174:** A bill for an act relating to education; allowing a school district to withhold a transferring student's records until school property is returned; amending Minnesota Statutes 1994, section 120.101, subdivision 5c.

Referred to the Committee on Education.

**Ms. Robertson, Mr. Knutson, Ms. Flynn, Pappas and Mr. Pogemiller introduced--**

**S.F. No. 1175:** A bill for an act relating to education; providing for a wide area transportation service pilot project; appropriating money.

Referred to the Committee on Education.

**Mr. Frederickson introduced--**

**S.F. No. 1176:** A bill for an act relating to utilities; providing that Sleepy Eye need not provide notice to the commissioner of trade and economic development before discontinuing steam heating operations.

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

**Ms. Anderson introduced--**

**S.F. No. 1177:** A bill for an act relating to human services; adjusting medical assistance hospital rate setting procedures; appropriating money; amending Minnesota Statutes 1994, section 256.9695, subdivision 3.

Referred to the Committee on Health Care.

**Messrs. Vickerman, Chandler, Ms. Hanson, Messrs. Sams and Berg introduced--**

**S.F. No. 1178:** A bill for an act relating to agriculture; prohibiting the importation, ownership, or possession of Eurasian wild hogs; providing compensation for affected owners; amending Minnesota Statutes 1994, section 17.457, subdivisions 1, 2, and 6; repealing Minnesota Statutes 1994, section 17.457, subdivisions 3, 4, 5, 7, 8, 9, and 10.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Hottinger introduced--**

**S.F. No. 1179:** A bill for an act relating to retirement; authorizing purchase of allowable service credit by a certain teachers retirement association member for time spent on extended leave of absence.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Berg, Lessard, Mrs. Pariseau and Mr. Frederickson introduced--**

**S.F. No. 1180:** A bill for an act relating to game and fish; penalties, all-terrain vehicle weight; reciprocal agreements; one-day fishing licenses; migratory game birds; fish house identification; amphibian and reptile rules; amending Minnesota Statutes 1994, sections 84.796; 84.92, subdivision 8; 97A.045, by adding a subdivision; 97A.401, subdivision 3; 97A.475, subdivisions 6 and 7; 97B.731, subdivision 1; 97C.355, subdivision 2; 97C.505, subdivision 4; and 97C.601, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 97C; repealing Minnesota Statutes 1994, sections 97C.605, subdivisions 3 and 4; 97C.611; and 97C.621.

Referred to the Committee on Environment and Natural Resources.

**Mr. Kelly introduced--**

**S.F. No. 1181:** A bill for an act relating to criminal penalties; simplifying certain criminal surcharges and assessments; amending Minnesota Statutes 1994, sections 609.101, subdivisions 1, 2, and 3; and 626.861, subdivision 1.

Referred to the Committee on Crime Prevention.

**Mr. Berg introduced--**

**S.F. No. 1182:** A bill for an act relating to agriculture; clarifying certain references in the grain weighing, sampling, and analysis law; amending Minnesota Statutes 1994, section 17B.03, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

**Ms. Lesewski, Mr. Berg, Ms. Runbeck and Mr. Stevens introduced--**

**S.F. No. 1183:** A bill for an act relating to employment; dislocated workers; revising dislocated worker assessment provisions; amending Minnesota Statutes 1994, sections 268.022, subdivision 1; 268.06, by adding a subdivision; and 268.98, subdivision 1; repealing Minnesota Statutes 1994, section 268.9783.

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

**Ms. Ranum, Messrs. Neuville and Kroening introduced--**

**S.F. No. 1184:** A bill for an act relating to juvenile justice; appropriating money to the commissioner of human services to fund a grant to a child abuse prevention organization for parent self-help and support purposes.

Referred to the Committee on Family Services.

**Mr. Murphy introduced--**

**S.F. No. 1185:** A bill for an act relating to education; modifying higher education grant programs; amending Minnesota Statutes 1994, sections 136A.101, subdivisions 5 and 8; 136A.121, subdivisions 5, 6, 9, and by adding a subdivision; 136A.125, subdivisions 4 and 6; and 136A.1359, subdivisions 1, 2, and 3; repealing Minnesota Statutes 1994, sections 136A.125, subdivision 5; 136A.1352; 136A.1353; and 136A.1354.

Referred to the Committee on Education.

**Mr. Novak and Ms. Lesewski introduced--**

**S.F. No. 1186:** A bill for an act relating to housing; changing age limitations under the family homeless prevention and assistance program; modifying the rental housing program; correcting

references to municipal housing plan reporting requirements; amending Minnesota Statutes 1994, sections 462A.204, subdivision 1; 462A.205, subdivision 4; 462A.21, by adding a subdivision; and 469.0171; proposing coding for new law in Minnesota Statutes, chapter 462A; repealing Minnesota Statutes 1994, section 462A.21, subdivision 8c.

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

**Ms. Reichgott Junge introduced--**

**S.F. No. 1187:** A bill for an act relating to government data practices; law enforcement data; modifying the test for public access to the identities of certain crime victims and witnesses; amending Minnesota Statutes 1994, section 13.82, subdivision 10.

Referred to the Committee on Crime Prevention.

**Ms. Lesewski, Messrs. Knutson, Scheevel and Mrs. Pariseau introduced--**

**S.F. No. 1188:** A bill for an act relating to health; encouraging breast feeding; establishing a well-baby designation; exempting breast-feeding from indecent exposure; amending Minnesota Statutes 1994, section 617.23; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health Care.

**Ms. Wiener, Messrs. Moe, R.D.; Stumpf and Larson introduced--**

**S.F. No. 1189:** A bill for an act relating to education; restricting the number of credits for which a student may be counted for appropriations; establishing a semester system and a common calendar; providing for interaction between administrators and students; providing for the increased efficiency of the Akita program; providing for the increased efficiency of campuses; amending Minnesota Statutes 1994, section 135A.031, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 136E.

Referred to the Committee on Education.

**Mr. Stumpf introduced--**

**S.F. No. 1190:** A bill for an act relating to education; providing for a grant to independent school district No. 690, Warroad, to operate the Angle Inlet School; appropriating money.

Referred to the Committee on Education.

**Mr. Stumpf introduced--**

**S.F. No. 1191:** A bill for an act relating to education; providing for a grant to independent school district No. 437, Argyle; appropriating money.

Referred to the Committee on Education.

**Mr. Stumpf introduced--**

**S.F. No. 1192:** A bill for an act relating to education; authorizing use of capital health and safety revenue to purchase portable classrooms by independent school district No. 561, Goodridge.

Referred to the Committee on Education.

**Mr. Stumpf introduced--**

**S.F. No. 1193:** A bill for an act relating to flood control; appropriating money to the commissioner of natural resources; establishing a legislative task force to investigate funding

mechanisms for interstate flood control projects along the Red River of the North and its tributaries.

Referred to the Committee on Environment and Natural Resources.

**Mr. Berg introduced--**

**S.F. No. 1194:** A bill for an act relating to tax increment financing; authoring Swift county to establish a redevelopment tax increment financing district that is not subject to the state aid offset.

Referred to the Committee on Taxes and Tax Laws.

**Messrs. Riveness, Hottinger, Ms. Wiener, Mr. Metzen and Ms. Runbeck introduced--**

**S.F. No. 1195:** A bill for an act relating to state government; establishing various pilot projects to improve the efficiency and effectiveness of state agencies; repealing Minnesota Rules, parts 3900.0100 to 3900.4700; and 3900.6100 to 3900.9100.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Stumpf, Morse and Pogemiller introduced--**

**S.F. No. 1196:** A bill for an act relating to retirement; providing for early retirement incentives for employees of the state university, community college, technical college systems, and the higher education board.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Neuville, Mses. Olson and Runbeck introduced--**

**S.F. No. 1197:** A bill for an act relating to education; extending the post-secondary enrollment act to include nonpublic school pupils; amending Minnesota Statutes 1994, section 123.3514, subdivisions 3, 4, 4a, 4e, and 6c.

Referred to the Committee on Education.

**Mr. Neuville introduced--**

**S.F. No. 1198:** A bill for an act relating to the city of Northfield; extending the duration of certain tax increment financing districts.

Referred to the Committee on Taxes and Tax Laws.

**Mr. Belanger introduced--**

**S.F. No. 1199:** A bill for an act relating to motor vehicles; requiring vehicle buyer to notify registrar of motor vehicles of vehicle transfer within ten days; imposing fees and penalties; amending Minnesota Statutes 1994, sections 168.101, subdivision 2; and 168.15; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation and Public Transit.

**Messrs. Merriam and Sams introduced--**

**S.F. No. 1200:** A bill for an act relating to crime prevention; requiring county sheriffs to be licensed as peace officers before taking office; amending Minnesota Statutes 1994, sections 204B.06, by adding a subdivision; 387.01; and 626.846, subdivision 6.

Referred to the Committee on Metropolitan and Local Government.

**Messrs. Morse and Laidig introduced--**

**S.F. No. 1201:** A bill for an act relating to natural resources; providing a standing appropriation of certain funds recovered in actions resulting from hazardous substance releases; amending Minnesota Statutes 1994, section 115B.20, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Ms. Piper, Messrs. Sams, Stevens, Riveness and Stumpf introduced--**

**S.F. No. 1202:** A bill for an act relating to health; establishing a physician substitute demonstration project for rural communities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Health Care.

**Ms. Krentz, Mr. Janezich, Ms. Pappas, Robertson and Olson introduced--**

**S.F. No. 1203:** A bill for an act relating to education; appropriating money for school interpreters.

Referred to the Committee on Education.

**Messrs. Betzold, Hottinger, Larson, Ms. Reichgott Junge and Mr. Solon introduced--**

**S.F. No. 1204:** A bill for an act relating to insurance; no-fault auto; regulating rental vehicle coverages; determining when a vehicle is rented; modifying the right to compensation for loss of use of a damaged rented motor vehicle; providing for limits of liability for motor vehicle lessors; amending Minnesota Statutes 1994, section 65B.49, subdivision 5a.

Referred to the Committee on Commerce and Consumer Protection.

**Mr. Spear introduced--**

**S.F. No. 1205:** A bill for an act relating to crime prevention; expanding the duties of the nonfelony enforcement advisory committee; extending the committee's reporting deadline; appropriating money; amending Laws 1993, chapter 255, sections 1, subdivisions 1 and 4; and 2.

Referred to the Committee on Crime Prevention.

**Ms. Hanson, Flynn, Mr. Langseth, Ms. Robertson and Mr. Knutson introduced--**

**S.F. No. 1206:** A bill for an act relating to crime; authorizing the commissioner of public safety to appoint railroad peace officers; providing for licensing and compensation of railroad peace officers; expanding certain crimes to include committing the crimes on railroad property or property in transit by a common carrier; amending Minnesota Statutes 1994, sections 609.52, subdivision 3; 609.582, subdivisions 2, 3, 4, and by adding a subdivision; 609.595, subdivision 1; 609.605, subdivision 1, and by adding subdivisions; 626.05, subdivision 2; and 626.84, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Crime Prevention.

**Mr. Vickerman introduced--**

**S.F. No. 1207:** A bill for an act relating to economic development; authorizing an appropriation for a grant for the Prairieland Expo facility to be used for land acquisition; amending Laws 1994, chapter 643, section 21, subdivision 4.

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

**Mr. Larson, Ms. Johnston, Mr. Vickerman and Mrs. Pariseau introduced--**

**S.F. No. 1208:** A bill for an act relating to local government; limiting, in annexation proceedings, the methods by which utilities located in annexed territory may be acquired by an annexing municipality; amending Minnesota Statutes 1994, section 414.067, by adding a subdivision.

Referred to the Committee on Metropolitan and Local Government.

**Mr. Betzold, Ms. Robertson, Mr. Riveness and Ms. Flynn introduced--**

**S.F. No. 1209:** A bill for an act relating to Hennepin county; modifying certain provisions concerning the county medical examiners office; amending Minnesota Statutes 1994, section 383B.225, subdivisions 5, 6, 7, 9, 11, and 12.

Referred to the Committee on Metropolitan and Local Government.

**Ms. Wiener, Messrs. Larson, Pogemiller, Stumpf and Price introduced--**

**S.F. No. 1210:** A bill for an act relating to economic development; establishing the Minnesota Institute for Telecommunications Technology Applications and Education; specifying duties and responsibilities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Education.

**Mses. Berglin, Kiscaden and Piper introduced--**

**S.F. No. 1211:** A bill for an act relating to taxation; increasing the rate of taxes on cigarettes and tobacco products; dedicating the increased revenues to the health care access fund; amending Minnesota Statutes 1994, sections 297.02, subdivision 1; 297.03, subdivision 5; 297.13, subdivision 1; and 297.32, subdivisions 1, 2, and 9.

Referred to the Committee on Taxes and Tax Laws.

**Messrs. Merriam, Spear, Laidig and Knutson introduced--**

**S.F. No. 1212:** A bill for an act relating to data practices; providing for the classification and release of booking photographs; amending Minnesota Statutes 1994, section 13.82, by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Mses. Anderson, Piper, Mr. Betzold, Ms. Johnson, J.B. and Mr. Samuelson introduced--**

**S.F. No. 1213:** A bill for an act relating to health; expanding the home health visiting program; appropriating money; amending Minnesota Statutes 1994, section 145A.15.

Referred to the Committee on Health Care.

**Ms. Anderson, Messrs. Johnson, D.J.; Kroening and Kelly introduced--**

**S.F. No. 1214:** A bill for an act relating to housing; providing for deposit and use of certain revenues in the housing development fund; providing an addition to federal taxable income for certain taxpayers for certain residence interest; appropriating money; amending Minnesota Statutes 1994, sections 290.01, subdivision 19a; 290.62; and 462A.20, subdivision 2, and by adding a subdivision.

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

**Ms. Johnson, J.B. and Mr. Merriam introduced--**

**S.F. No. 1215:** A bill for an act relating to natural resources; granting the commissioner of natural resources power to adopt emergency rules granting protection to species of wild animals or plants; amending Minnesota Statutes 1994, section 14.29, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

**Mses. Johnston, Hanson, Messrs. Knutson, Limmer and Belanger introduced--**

**S.F. No. 1216:** A bill for an act relating to metropolitan government; authorizing financial assistance for capital expenditures by replacement metropolitan transit systems; amending Minnesota Statutes 1994, section 473.388, subdivision 4.

Referred to the Committee on Metropolitan and Local Government.

**Ms. Johnston, Mr. Langseth, Ms. Hanson, Messrs. Knutson and Limmer introduced--**

**S.F. No. 1217:** A bill for an act relating to metropolitan government; authorizing replacement transit service programs to carry forward unused operating funds; amending Minnesota Statutes 1994, section 473.388, subdivision 4.

Referred to the Committee on Metropolitan and Local Government.

**Mses. Johnston, Hanson, Messrs. Knutson, Limmer and Belanger introduced--**

**S.F. No. 1218:** A bill for an act relating to metropolitan government; allowing additional communities in the metropolitan area to operate their own transit programs; amending Minnesota Statutes 1994, section 473.388.

Referred to the Committee on Metropolitan and Local Government.

**Ms. Johnston, Mr. Langseth, Ms. Hanson, Messrs. Knutson and Limmer introduced--**

**S.F. No. 1219:** A bill for an act relating to metropolitan government; requiring metropolitan council to allocate to replacement transit service programs up to 90 percent of the local property tax levied against them for transit purposes; amending Minnesota Statutes 1994, section 473.388, subdivision 4.

Referred to the Committee on Metropolitan and Local Government.

**Mses. Reichgott Junge, Flynn, Messrs. Knutson, Merriam and Finn introduced--**

**S.F. No. 1220:** A bill for an act relating to health; organ donations; amending the living will form to include provisions for organ donations; amending Minnesota Statutes 1994, section 145B.04.

Referred to the Committee on Health Care.

**Mr. Laidig introduced--**

**S.F. No. 1221:** A bill for an act relating to veterans; appropriating money for assistance in making certain claims.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Laidig introduced--**

**S.F. No. 1222:** A bill for an act relating to the environment; establishing a small business

environmental loan program; providing for rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

**Mses. Runbeck and Johnson, J.B. introduced--**

**S.F. No. 1223:** A bill for an act relating to employment; modifying provisions relating to payment of wages; amending Minnesota Statutes 1994, sections 181.032; 181.13; and 181.14.

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

**Mr. Laidig introduced--**

**S.F. No. 1224:** A bill for an act relating to the financing of state government; authorizing the issuance of revenue bonds and the appropriation of bond proceeds to pay a judgment; appropriating net proceeds of the lottery and health care reimbursement revenues for payment of debt service; amending Minnesota Statutes 1994, sections 246.18, subdivision 4, and by adding subdivisions; and 349A.10, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Finance.

**Messrs. Solon, Price, Stumpf and Ms. Wiener introduced--**

**S.F. No. 1225:** A bill for an act relating to education; establishing a grant program for nursing to be supervised by the higher education coordinating board and administered by the metropolitan healthcare foundation's project LINC; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Education.

**Messrs. Chandler and Merriam introduced--**

**S.F. No. 1226:** A bill for an act relating to privacy; regulating access to employee medical records by self-insured employers; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Judiciary.

**Messrs. Chandler, Betzold and Merriam introduced--**

**S.F. No. 1227:** A bill for an act relating to privacy; prohibiting the use of social security numbers to create unique patient identifiers; amending Minnesota Statutes 1994, sections 62J.54, subdivision 4; and 62J.55.

Referred to the Committee on Health Care.

**Ms. Krentz, Messrs. Price, Chandler and Laidig introduced--**

**S.F. No. 1228:** A bill for an act relating to education; providing additional authority for a joint elementary facility to be operated by independent school district Nos. 622, North St. Paul-Maplewood-Oakdale; 833, South Washington county; and 834, Stillwater; appropriating money.

Referred to the Committee on Education.

**Ms. Anderson, Mr. Kramer and Ms. Pappas introduced--**

**S.F. No. 1229:** A bill for an act relating to dentistry; giving persons licensed by the board of

dentistry access to certain data regarding complaints against them; requiring informed consent for certain procedures using mercury amalgam; prohibiting certain professional sanctions; amending Minnesota Statutes 1994, section 150A.08, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 150A.

Referred to the Committee on Health Care.

**Mr. Knutson, Ms. Kiscaden and Mr. Day introduced--**

**S.F. No. 1230:** A bill for an act relating to motor vehicles; prohibiting commissioner of public safety from disclosing personal information contained in motor vehicle records; providing exceptions; appropriating money; amending Minnesota Statutes 1994, section 13.69, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1994, sections 13.99, subdivisions 54 and 56; 168.346; and 171.12, subdivision 7.

Referred to the Committee on Judiciary.

**Ms. Anderson, Messrs. Kelly and Novak introduced--**

**S.F. No. 1231:** A bill for an act relating to public utilities; regulating utility disconnections during cold weather; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 1994, sections 216B.095; and 216B.097.

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

**Ms. Pappas, Mr. Pogemiller and Ms. Anderson introduced--**

**S.F. No. 1232:** A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, article VII, section 1; proposing a new democracy act opening the elections and political process; appropriating money; amending Minnesota Statutes 1994, sections 10A.31, by adding a subdivision; 10A.322, subdivision 1; 129D.14, subdivision 3; 201.014, subdivision 1; 201.071, subdivision 1; 201.13, subdivision 1; 201.14; 201.15, subdivision 1; 202A.14, subdivision 1; 202A.15, subdivision 2; 202A.16, subdivision 1; 202A.19, subdivisions 1, 3, 5, and 6; 203B.02, subdivision 1; 203B.03, subdivision 1; 203B.085; 203B.09; 203B.10; 203B.12, by adding a subdivision; 203B.19; 204B.03; 204B.04, subdivisions 1 and 2; 204B.06, subdivision 1; 204B.07, subdivision 1; 204B.09, subdivision 1; 204B.35, subdivision 4; 204C.21, subdivision 1; 204C.24, subdivision 1; 204C.26, subdivision 2; 204C.33, subdivisions 1 and 3; 204D.03, subdivision 1; and 204D.13, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 10A; and 203B; repealing Minnesota Statutes 1994, sections 203B.02, subdivision 1a; and 211B.11, subdivision 2.

Referred to the Committee on Ethics and Campaign Reform.

**Mses. Pappas and Anderson introduced--**

**S.F. No. 1233:** A bill for an act relating to metropolitan government; establishing housing as a metropolitan system; amending Minnesota Statutes 1994, sections 473.145; 473.175, by adding a subdivision; and 473.852, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Metropolitan and Local Government.

**Messrs. Stumpf, Larson and Pogemiller introduced--**

**S.F. No. 1234:** A bill for an act relating to education; establishing a new funding formula for the public higher education systems; providing for the chargeback of certain post-secondary remedial instruction to high schools; establishing the Minnesota higher education guarantee; establishing a technical task force; proposing coding for new law in Minnesota Statutes, chapter 135A; repealing Minnesota Statutes 1994, sections 135A.031; 135A.032, subdivision 2; and 135A.033.

Referred to the Committee on Education.

**Mses. Berglin, Piper, Messrs. Finn, Terwilliger and Betzold introduced--**

**S.F. No. 1235:** A bill for an act relating to health; eliminating hospital peer groups for purposes of certain payments; repealing Minnesota Statutes 1994, section 256.969, subdivision 24.

Referred to the Committee on Health Care.

**Messrs. Dille, Scheevel and Ms. Lesewski introduced--**

**S.F. No. 1236:** A bill for an act relating to agriculture; providing for land application of agricultural chemical contaminated media; amending Minnesota Statutes 1994, section 18D.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 18D.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Dille, Scheevel, Ms. Lesewski, Messrs. Ourada and Frederickson introduced--**

**S.F. No. 1237:** A bill for an act relating to employment; modifying provisions relating to prevailing wages; amending Minnesota Statutes 1994, sections 177.42, subdivisions 4 and 6; 177.43, subdivisions 1 and 3; and 471.345, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 177.

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

**Mr. Dille introduced--**

**S.F. No. 1238:** A bill for an act relating to the environment; modifying provisions relating to individual sewage treatment systems; amending Minnesota Statutes 1994, sections 115.55, subdivisions 1, 2, 3, 5, and 7; and 115.56, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

**Mr. Dille, Ms. Hanson, Messrs. Vickerman and Scheevel introduced--**

**S.F. No. 1239:** A bill for an act relating to animals; changing, clarifying, and rearranging the law on prevention of cruelty; imposing penalties; amending Minnesota Statutes 1994, sections 85A.02, subdivision 10; 343.01, subdivision 1; 343.06; 343.12; 343.20, subdivisions 2, 3, and 5; 343.23; 343.40, subdivision 2; and 346.57, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 343; repealing Minnesota Statutes 1994, sections 343.20, subdivision 4; 343.21; 343.22; and 343.235.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Dille, Ms. Hanson and Mr. Vickerman introduced--**

**S.F. No. 1240:** A bill for an act relating to animals; changing provisions relating to dogs, cats, and livestock; changing duties of the board of animal health; imposing penalties; amending Minnesota Statutes 1994, sections 35.03; 325F.79; 325F.791; 325F.792, subdivision 2; 346.36, subdivision 4; 346.37, subdivision 6; 346.39, by adding a subdivision; 346.51; 347.01; 347.04; 347.17; 347.22; and 347.54, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 31; 35; and 347; repealing Minnesota Statutes 1994, sections 325F.792, subdivision 1; 346.01; 346.02; 346.03; 346.04; 346.05; 346.06; 346.07; 346.08; 346.09; 346.10; 346.11; 346.12; 346.13; 346.14; 346.15; 346.16; 346.17; 346.18; 346.19; 346.37, subdivision 5; 346.44; 346.58; 347.02; 347.03; 347.05; 347.06; 347.07; 347.15; 347.16; and 347.39.

Referred to the Committee on Agriculture and Rural Development.

**MEMBERS EXCUSED**

Mses. Ranum, Reichgott Junge, Messrs. Hottinger, Johnson, D.E.; Moe, R.D. and Terwilliger were excused from the Session of today. Ms. Kiscaden was excused from the Session of today from 9:00 to 9:20 a.m. Mr. Riveness was excused from the Session of today from 9:00 to 9:25 a.m. Mr. Scheevel was excused from the Session of today from 9:15 to 9:30 a.m.

**ADJOURNMENT**

Ms. Flynn moved that the Senate do now adjourn until 10:00 a.m., Monday, March 20, 1995. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

