

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

THIRTIETH DAY

St. Paul, Minnesota, Thursday, March 18, 1999

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

CALL OF THE SENATE

Senator 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, Rev. Roger W. Lynn.

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

Anderson	Higgins	Laidig	Oliver	Scheevel
Belanger	Hottinger	Langseth	Olson	Scheid
Berg	Janezich	Larson	Ourada	Solon
Berglin	Johnson, D.E.	Lesewski	Pappas	Spear
Betzold	Johnson, D.H.	Lessard	Pariseau	Stevens
Cohen	Johnson, J.B.	Limmer	Piper	Ten Eyck
Day	Junge	Lourey	Price	Terwilliger
Dille	Kelley, S.P.	Marty	Ranum	Vickerman
Fischbach	Kelly, R.C.	Metzen	Robertson	Wiener
Flynn	Kiscaden	Moe, R.D.	Robling	Wiger
Foley	Kleis	Murphy	Runbeck	
Frederickson	Knutson	Neuville	Sams	
Hanson	Krentz	Novak	Samuelson	

The President declared a quorum present.

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

MEMBERS EXCUSED

Senators Johnson, D.J.; Pogemiller and Stumpf were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

March 3, 1999

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:

COMMISSIONER OF THE IRON RANGE
RESOURCES AND REHABILITATION BOARD

John Swift, 9422 Hearthside Drive, Tower, Minnesota 55790, in the county of Saint Louis, effective March 8, 1999, for a four-year term expiring on Monday, January 6, 2003.

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

Sincerely,
Jesse Ventura, Governor

REPORTS OF COMMITTEES

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

Senator Vickerman from the Committee on Local and Metropolitan Government, to which was referred

S.F. No. 592: A bill for an act relating to local government; preserving shooting ranges from planning and zoning laws and ordinances; limiting net loss of shooting ranges and providing for relocation costs; proposing coding for new law as Minnesota Statutes, chapter 87A.

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

Page 2, line 2, delete "voluntary"

Page 2, line 3, delete everything after the period

Page 2, delete lines 4 to 12

Page 2, line 13, delete everything before "The"

Page 3, line 9, after the semicolon, insert "and"

Page 3, delete lines 10 to 12

Page 3, line 13, delete "(iii)" and insert "(ii)"

Page 3, after line 14, insert:

"(c) The substantial expansion or increase of the facilities or activities of a shooting range is subject to the review and approval of the local planning and zoning authority."

Page 4, delete lines 8 to 14

Page 4, after line 14, insert:

"Sec. 5. [PRIOR AGREEMENT GRANDFATHERED.]

To the extent matters within section 4 are the express subject of a voluntary negotiated agreement entered into prior to March 1, 1999, between a unit of government and a range operator of a range located in the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, and located in part within a regional park, the negotiated agreement may be enforced pursuant to its terms."

Page 4, line 16, delete "4" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing for the enforcement of a certain prior negotiated agreement;"

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

Senator Flynn from the Committee on Transportation, to which was referred

S.F. No. 1101: A bill for an act relating to highways; requiring the commissioner of transportation to erect directional signs at specified locations for the New Life Treatment Center.

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

Senator Hottinger from the Committee on Health and Family Security, to which was referred

S.F. No. 1360: A bill for an act relating to human services; modifying payment rate determination for intermediate care facilities; requiring a local system needs planning process; establishing a statewide advisory committee; amending Minnesota Statutes 1998, sections 252.28, subdivision 1; and 256B.5011, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 252; and 256B; repealing Minnesota Statutes 1998, sections 144.0723; 256B.501, subdivision 3g; and 256B.5011, subdivision 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 1998, section 252.28, subdivision 1, is amended to read:

Subdivision 1. [DETERMINATIONS; REDETERMINATIONS.] In conjunction with the appropriate county boards, the commissioner of human services shall determine, and shall redetermine at least every four years, the need, location, size, and program of public and private residential services and day training and habilitation services for persons with mental retardation or related conditions. This subdivision does not apply to semi-independent living services and residential-based habilitation services provided to four or fewer persons at a single site funded as home and community-based services. A determination of need shall not be required for a change in ownership.

Sec. 2. [252.282] [ICF/MR LOCAL SYSTEM NEEDS PLANNING.]

Subdivision 1. [HOST COUNTY RESPONSIBILITY.] (a) For purposes of this section, "local system needs planning" means the determination of need for ICF/MR services by program type, location, demographics, and size of licensed services for persons with developmental disabilities or related conditions.

(b) This section does not apply to semi-independent living services and residential-based habilitation services funded as home and community-based services.

(c) In collaboration with the commissioner and ICF/MR providers, counties shall complete a local system needs planning process for each ICF/MR facility. Counties shall evaluate the preferences and needs of persons with developmental disabilities to determine resource demands through a systematic assessment and planning process by May 15, 2000, and by July 1 every two years thereafter beginning in 2001.

(d) A local system needs planning process shall be undertaken more frequently when the needs or preferences of consumers change significantly to require reformation of the resources available to persons with developmental disabilities.

(e) A local system needs plan shall be amended anytime recommendations for modifications to existing ICF/MR services are made to the host county, including recommendations for:

- (1) closure;
- (2) relocation of services;
- (3) downsizing;
- (4) rate adjustments exceeding 90 days duration to address access; or
- (5) modification of existing services for which a change in the framework of service delivery is advocated.

Subd. 2. [CONSUMER NEEDS AND PREFERENCES.] In conducting the local system needs planning process, the host county must use information from the individual service plans of persons for whom the county is financially responsible and of persons from other counties for whom the county has agreed to be the host county. The determination of services and supports offered within the county shall be based on the preferences and needs of consumers. The host county shall also consider the community social services plan, waiting lists, and other sources that identify unmet needs for services. A review of ICF/MR facility licensing and certification surveys, substantiated maltreatment reports, and established service standards shall be employed to assess the performance of providers and shall be considered in the county's recommendations. Consumer satisfaction surveys may also be considered in this process.

Subd. 3. [RECOMMENDATIONS.] (a) Upon completion of the local system needs planning assessment, the host county shall make recommendations by May 15, 2000, and by July 1 every two years thereafter beginning in 2001. If no change is recommended, a copy of the assessment along with corresponding documentation shall be provided to the commissioner by July 1 prior to the contract year.

(b) Except as provided in section 252.292, subdivision 4, recommendations regarding closures, relocations, or downsizings that include a rate increase and recommendations regarding rate adjustments exceeding 90 days shall be submitted to the statewide advisory committee for review and determination, along with the assessment, plan, and corresponding budget.

(c) Recommendations for closures, relocations, and downsizings that do not include a rate increase and for modification of existing services for which a change in the framework of service delivery is necessary shall be provided to the commissioner by July 1 prior to the contract year or at least 90 days prior to the anticipated change, along with the assessment and corresponding documentation.

Subd. 4. [THE STATEWIDE ADVISORY COMMITTEE.] (a) The commissioner shall appoint a five-member statewide advisory committee. The advisory committee shall include representatives of providers and counties and the commissioner or the commissioner's designee.

(b) The criteria for ranking proposals, already developed in 1997 by a task force authorized by the legislature, shall be adopted and incorporated into the decision-making process. Specific guidelines, including time frame for submission of requests, shall be established and announced through the State Register, and all requests shall be considered in comparison to each other and the ranking criteria. The advisory committee shall review and recommend requests for facility rate adjustments to address closures, downsizing, relocation, or access needs within the county and shall forward recommendations and documentation to the commissioner. The committee shall ensure that:

- (1) applications are in compliance with applicable state and federal law and with the state plan; and
- (2) cost projections for the proposed service are within fiscal limitations.

(c) The advisory committee shall review proposals and submit recommendations to the commissioner within 60 days following the published deadline for submission under subdivision 5.

Subd. 5. [RESPONSIBILITIES OF THE COMMISSIONER.] (a) In collaboration with counties, providers, and the statewide advisory committee, the commissioner shall ensure that services recognize the preferences and needs of persons with developmental disabilities and related conditions through a recurring systemic review and assessment of ICF/MR facilities within the state.

(b) The commissioner shall publish a notice in the state register twice each calendar year to announce the opportunity for counties or providers to submit requests for rate adjustments associated with plans for downsizing, relocation, and closure of ICF/MR facilities.

(c) The commissioner shall designate funding parameters to counties and to the statewide advisory committee for the overall implementation of system needs within the fiscal resources allocated by the legislature.

(d) The commissioner shall contract with ICF/MR providers. The initial contracts shall cover the period from October 1, 2000, to December 31, 2001. Subsequent contracts shall be for two-year periods beginning January 1, 2002.

Sec. 3. Minnesota Statutes 1998, section 256B.5011, subdivision 1, is amended to read:

Subdivision 1. [IN GENERAL.] Effective October 1, 2000, the commissioner shall implement a ~~performance-based~~ contracting system to replace the current method of setting total cost payment rates under section 256B.501 and Minnesota Rules, parts 9553.0010 to 9553.0080. In determining prospective payment rates of intermediate care facilities for persons with mental retardation or related conditions, the commissioner shall index each facility's ~~total operating~~ payment rate by an inflation factor as described in ~~subdivision 3~~ section 256B.5012. The commissioner of finance shall include annual inflation adjustments in operating costs for intermediate care facilities for persons with mental retardation and related conditions as a budget change request in each biennial detailed expenditure budget submitted to the legislature under section 16A.11.

Sec. 4. Minnesota Statutes 1998, section 256B.5011, subdivision 2, is amended to read:

Subd. 2. [CONTRACT PROVISIONS.] (a) The ~~performance-based~~ service contract with each intermediate care facility must include provisions for:

- (1) modifying payments when significant changes occur in the needs of the consumers;
- (2) ~~monitoring service quality using performance indicators that measure consumer outcomes;~~
- (3) the establishment and use of continuous quality improvement processes using the results attained through service quality monitoring;
- (4) ~~the annual reporting of facility statistical information on all supervisory personnel, direct care personnel, specialized support personnel, hours, wages and benefits, staff to consumer ratios, and staffing patterns~~
- (3) appropriate and necessary statistical information required by the commissioner;
- (5) (4) annual aggregate facility financial information ~~or an annual certified audited financial statement, including a balance sheet and income and expense statements for each facility, if a certified audit was prepared; and~~
- (6) (5) additional requirements and penalties for intermediate care facilities not meeting the standards set forth in the ~~performance-based~~ service contract.

(b) The commissioner shall recommend to the legislature by January 15, 2000, whether the contract should include service quality monitoring that may utilize performance indicators that measure consumer and program outcomes. Performance measurement shall not increase or duplicate regulatory requirements.

Sec. 5. [256B.5012] [ICF/MR PAYMENT SYSTEM IMPLEMENTATION.]

Subdivision 1. [TOTAL PAYMENT RATE.] The total payment rate effective October 1, 2000, for existing ICF/MR facilities is the total of the operating payment rate and the property payment rate plus inflation factors as defined in this section. The initial rate year shall run from October 1, 2000, through December 31, 2001. Subsequent rate years shall run from January 1 through December 31 beginning in the year 2002.

Subd. 2. [OPERATING PAYMENT RATE.] (a) The operating payment rate equals the facility's total payment rate in effect on September 30, 2000, minus the property rate. The operating payment rate includes the special operating rate and the efficiency incentive in effect as of September 30, 2000. The operating payment shall be increased for each rate year by the annual percentage change in the Consumer Price Index-All Items (United States City Average) (CPI-U), as forecasted by Data Resources, Inc., in the second quarter of the calendar year preceding the start of each rate year. In the case of the initial rate year beginning October 1, 2000, and continuing through December 31, 2001, the percentage change shall be based on the percentage change in the CPI-U for the 15-month period beginning October 1, 2000, as forecast by Data Resources, Inc., in the first quarter of 2000.

(b) Effective October 1, 2000, the operating payment rate shall be adjusted to reflect an occupancy rate equal to 100 percent of the facility's capacity days as of September 30, 2000.

Subd. 3. [PROPERTY PAYMENT RATE.] (a) The property payment rate effective October 1, 2000, is based on the facility's property payment rate in effect on September 30, 2000. Effective October 1, 2000, a facility minimum property rate of \$8.13 shall be applied to all existing ICF/MR facilities. Facilities with a property payment rate effective September 30, 2000, which is below the minimum property rate shall receive an increase effective October 1, 2000, equal to the difference between the minimum property payment rate and the property payment rate in effect as of September 30, 2000. Facilities with a property payment rate at or above the minimum property payment rate effective September 30, 2000, shall have no change in their property payment rate effective October 1, 2000.

(b) Facility property payment rates shall be increased annually for inflation, effective January 1, 2002. The increase shall be based on each facility's property payment rate in effect on September 30, 2000. Property payment rates effective September 30, 2000, shall be arrayed from highest to lowest before applying the minimum property payment rate in paragraph (a). For property payment rates at the 90th percentile or above, the annual inflation increase shall be zero. For property payment rates below the 90th percentile but equal to or above the 75th percentile, the annual inflation increase shall be one percent. For property payment rates below the 75th percentile, the annual inflation increase shall be two percent.

Sec. 6. [256B.5013] [PAYMENT RATE ADJUSTMENTS.]

Subdivision 1. [VARIABLE RATE ADJUSTMENTS.] When there is a documented increase in the resource needs of a current ICF/MR recipient or recipients, or a person is admitted to a facility who requires additional resources, the county of financial responsibility may approve an enhanced rate for one or more persons in the facility. Resource needs directly attributable to an individual that may be considered under the variable rate adjustment include increased direct staff hours and other specialized services, equipment, and human resources. The guidelines in paragraphs (a) to (d) apply for the payment rate adjustments under this section.

(a) All persons must be screened according to section 256B.092, subdivisions 7 and 8, prior to implementation of the new payment system and annually thereafter. Screening data shall be analyzed to develop broad profiles of the functional characteristics of recipients. Three components shall be used to distinguish recipients based on the following broad profiles:

- (1) functional ability to care for and maintain one's own basic needs;
- (2) the intensity of any aggressive or destructive behavior; and
- (3) any history of obstructive behavior in combination with a diagnosis of psychosis or neurosis.

The profile groups shall be used to link resource needs to funding. The resource profile shall determine the level of funding that may be authorized by the county. The county of financial responsibility may approve a rate adjustment for an individual. The commissioner shall recommend to the legislature by January 15, 2000, a methodology using the profile groups to determine variable rates. The variable rate must be applied to expenses related to increased direct staff hours and other specialized services, equipment, and human resources. This variable rate component plus the facility's current operating payment rate equals the individual's total operating payment rate.

(b) A recipient must be screened by the county of financial responsibility using the developmental disabilities screening document completed immediately prior to approval of a variable rate by the county. A comparison of the updated screening and the previous screening must demonstrate an increase in resource needs.

(c) Rate adjustments projected to exceed the authorized funding level associated with the person's profile must be submitted to the commissioner.

(d) The new rate approved through this process shall not be averaged across all persons living at a facility but shall be an individual rate. The county of financial responsibility must indicate the projected length of time that the additional funding may be needed by the individual. The need to continue an individual variable rate must be reviewed at the end of the anticipated duration of need but at least annually through the completion of the developmental disabilities screening document.

Subd. 2. [OTHER PAYMENT RATE ADJUSTMENTS.] Facility total payment rates may be adjusted by the host county, with authorization from a statewide advisory committee, if, through the local system needs planning process, it is determined that a need exists to amend the package of purchased services with a resulting increase or decrease in costs. Except as provided in section 252.292, subdivision 4, if a provider demonstrates that the loss of revenues caused by the downsizing or closure of a facility cannot be absorbed by the facility based on current operations, the host county or the provider may submit a request to the statewide advisory committee for a facility base rate adjustment.

Subd. 3. [RELOCATION.] (a) Property rates for all facilities relocated after December 31, 1997, and up to and including October 1, 2000, shall have the full annual costs of relocation included in their October 1, 2000, property rate. The property rate for the relocated home is subject to the costs that were allowable under Minnesota Rules, chapter 9553, and the investment per bed limitation for newly constructed or newly established class B facilities.

(b) In ensuing years, all relocated homes shall be subject to the investment per bed limit for newly constructed or newly established class B facilities under section 256B.501, subdivision 11. The limits shall be adjusted on January 1 of each year by the percentage increase in the construction index published by the Bureau of Economic Analysis of the United States Department of Commerce in the Survey of Current Business Statistics in October of the previous two years. Facilities that are relocated within the investment per bed limit may be approved by the statewide advisory committee. Costs for relocation of a facility that exceed the investment per bed limit must be absorbed by the facility.

(c) The payment rate shall take effect when the new facility is licensed and certified by the commissioner of health. Rates for facilities that are relocated after December 31, 1997, through October 1, 2000, shall be adjusted to reflect the full inclusion of the relocation costs, subject to the investment per bed limit in paragraph (b). The investment per bed limit calculated rate for the year in which the facility was relocated shall be the investment per bed limit used.

Subd. 4. [TEMPORARY RATE ADJUSTMENTS TO ADDRESS OCCUPANCY AND ACCESS.] If a facility is operating at less than 100 percent occupancy on September 30, 2000, or if a recipient is discharged from a facility, the commissioner shall adjust the total payment rate for up to 90 days for the remaining recipients. This mechanism shall not be used to pay for hospital or therapeutic leave days beyond the maximums allowed. Facility payment adjustments exceeding 90 days to address a demonstrated need for access must be submitted to the statewide advisory committee with a local system needs assessment, plan, and budget for review and recommendation.

Sec. 7. [256B.5014] [FINANCIAL REPORTING.]

All facilities shall maintain financial records and shall provide annual income and expense reports to the commissioner of human services on a form prescribed by the commissioner no later than April 30 of each year in order to receive medical assistance payments. The reports for the reporting year ending December 31 must include:

(1) salaries and related expenses, including program salaries, administrative salaries, other salaries, payroll taxes, and fringe benefits;

(2) general operating expenses, including supplies, training, repairs, purchased services and consultants, utilities, food, licenses and fees, real estate taxes, insurance, and working capital interest;

(3) property related costs, including depreciation, capital debt interest, rent, and leases; and

(4) total annual resident days.

Sec. 8. [256B.5015] [PASS-THROUGH OF TRAINING AND HABILITATION SERVICES COSTS.]

Training and habilitation services costs shall be paid as a pass-through payment at the lowest rate paid for the comparable services at that site under sections 252.40 to 252.47. The pass-through payments for training and habilitation services shall be paid separately by the commissioner and shall not be included in the computation of the total payment rate.

Sec. 9. [ICF/MR REIMBURSEMENT EFFECTIVE OCTOBER 1, 1999.]

(a) For the rate year beginning October 1, 1999, the commissioner of human services shall exempt an intermediate care facility for persons with mental retardation from reductions to the payment rates under Minnesota Statutes, section 256B.501, subdivision 5b, paragraph (d), clause (6), if the facility:

(1) has had a settle-up payment rate established in the reporting year preceding the rate year for the one-time rate adjustment;

(2) is a newly established facility;

(3) is an A to B conversion that has been converted under Minnesota Statutes, section 252.292, since rate year 1990;

(4) has a payment rate subject to a community conversion project under Minnesota Statutes, section 252.292;

(5) has a payment rate established under Minnesota Statutes, section 245A.12 or 245A.13; or

(6) is a facility created by the relocation of more than 25 percent of the capacity of a related facility during the reporting year.

(b) Notwithstanding any contrary provision in Minnesota Statutes, section 256B.501, for the rate year beginning October 1, 1999, the commissioner of human services shall, for purposes of the spend-up limit, array facilities within each grouping established under Minnesota Statutes, section 256B.501, subdivision 5b, paragraph (d), clause (4), by each facility's cost per resident day. A facility's cost per resident day shall be determined by dividing its allowable historical general operating cost for the reporting year by the facility's resident days for the reporting year. Facilities with a cost per resident day at or above the median shall be limited to the lesser of:

(1) the current reporting year's cost per resident day; or

(2) the prior report year's cost per resident day plus the inflation factor established under Minnesota Statutes, section 256B.501, subdivision 3c, clause (2), increased by three percentage points. In no case shall the amount of this reduction exceed: (i) three percent for a facility with a

licensed capacity greater than 16 beds; (ii) two percent for a facility with a licensed capacity of nine to 16 beds; and (iii) one percent for a facility with a licensed capacity of eight or fewer beds.

(c) The commissioner shall not apply the limits established under Minnesota Statutes, section 256B.501, subdivision 5b, paragraph (d), clause (8), for the rate year beginning October 1, 1999.

(d) Notwithstanding paragraphs (b) and (c), the commissioner must utilize facility payment rates based on the laws in effect for October 1, 1998, payment rates and use the resulting allowable operating cost per diems as the basis for the spend-up limits for the rate year beginning October 1, 1999.

Sec. 10. [REPEALER.]

(a) Minnesota Statutes 1998, sections 144.0723; and 256B.5011, subdivision 3, are repealed.

(b) Minnesota Statutes 1998, section 256B.501, subdivision 3g, is repealed effective October 1, 2000."

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

Senator Hottinger from the Committee on Health and Family Security, to which was re-referred

S.F. No. 467: A bill for an act relating to public health; requiring the immunization of students attending the Minnesota state colleges and universities against hepatitis B; proposing coding for new law in Minnesota Statutes, chapter 136F.

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 1998, section 135A.14, is amended by adding a subdivision to read:

Subd. 6. [HEPATITIS INFORMATION.] The commissioner of health shall provide to all public and private post-secondary educational institutions information regarding the transmission, treatment, and prevention of hepatitis A, B, and C. The institutions shall make this information available to all students and recommend that all students be immunized."

Delete the title and insert:

"A bill for an act relating to public health; providing information on hepatitis; amending Minnesota Statutes 1998, section 135A.14, by adding a subdivision."

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

Senator Hottinger from the Committee on Health and Family Security, to which was referred

S.F. No. 1099: A bill for an act relating to health; modifying training requirements for nursing assistants; amending Minnesota Statutes 1998, section 144A.61, subdivisions 2, 3a, and 6a.

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 1998, section 144A.61, subdivision 2, is amended to read:

Subd. 2. [NURSING ASSISTANTS.] For the purposes of this section and section 144A.611

"nursing assistant" means a nursing home or certified boarding care home employee, including a nurse's aide or an orderly, who is assigned by the director of nursing to provide or assist in the provision of nursing or nursing-related services under the supervision of a registered nurse. "Nursing assistant" includes nursing assistants employed by nursing pool companies but does not include a licensed health professional. ~~The commissioner of health may, by rule, establish categories of nursing assistants who are not required to comply with the educational requirements of this section and section 144A.611.~~

Sec. 2. Minnesota Statutes 1998, section 144A.61, subdivision 3a, is amended to read:

Subd. 3a. [COMPETENCY EVALUATION PROGRAM.] The commissioner of health shall approve the competency evaluation program. A competency evaluation must be administered to ~~nursing assistants~~ persons who desire to be listed in the nursing assistant registry ~~and who have done one of the following: (1) completed an approved training program; or (2) are enrolled in a licensed nurse education program.~~ The tests may only be administered by technical colleges, community colleges, or other organizations approved by the department of health. The commissioner of health shall approve a nursing assistant for the registry without requiring a competency evaluation if the nursing assistant is in good standing on a nursing assistant registry in another state."

Delete the title and insert:

"A bill for an act relating to health; modifying training requirements for nursing assistants; amending Minnesota Statutes 1998, section 144A.61, subdivisions 2 and 3a."

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

Senator Solon from the Committee on Commerce, to which was re-referred

S.F. No. 778: A bill for an act relating to motor vehicles; requiring release of a security interest in a vehicle to be acted on within seven days; amending Minnesota Statutes 1998, section 168A.20.

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

Page 1, line 13, delete the new language and reinstate the stricken language and after "days" insert ", or seven days if satisfied by a dealer licensed under section 168.27, subdivision 2, 3, or 4,"

Page 2, line 7, delete the new language and reinstate the stricken language and after "days" insert ", or seven days if satisfied by a dealer licensed under section 168.27, subdivision 2, 3, or 4,"

Page 2, line 20, delete the new language and reinstate the stricken language and after "days" insert ", or seven days if satisfied by a dealer licensed under section 168.27, subdivision 2, 3, or 4,"

Page 2, line 33, delete the new language and reinstate the stricken language and after "days" insert ", or seven days if satisfied by a dealer licensed under section 168.27, subdivision 2, 3, or 4,"

Amend the title as follows:

Page 1, line 4, after "days" insert "if satisfied by a dealer"

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

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

S.F. No. 1554: A bill for an act relating to port authorities; allowing an alternative name for the seaway port authority of Duluth; amending Minnesota Statutes 1998, section 469.049, subdivision 1.

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

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

S.F. No. 915: A bill for an act relating to health care; adding to the duties of the job skills partnership board; establishing a health care and human services worker training and retention program; requiring state colleges and universities to offer a short-term health care and human services course; appropriating money; amending Minnesota Statutes 1998, sections 116L.02; and 136F.71, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 116L; 136A; 136F; and 256B.

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

Pages 1 to 6, delete sections 1 to 7

Page 7, after line 10, insert:

"Subd. 5. [COLLECTIVE BARGAINING AGREEMENTS.] This section shall be implemented consistent with existing collective bargaining agreements covering health care and human services employees."

Page 9, delete lines 4 to 9

Page 9, line 10, delete "Subd. 2. [EDUCATION GRANTS.]"

Page 9, lines 12 and 13, delete "8 and 9" and insert "1 and 2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete lines 3 and 4

Page 1, line 5, delete "program;"

Page 1, line 8, delete "sections 116L.02; and" and insert "section"

Page 1, line 11, delete "116L;"

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

Senator Flynn from the Committee on Transportation, to which was referred

S.F. No. 1280: A bill for an act relating to highways; requiring commissioner of transportation to transfer excess highway easements to city of Kenyon.

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

Senator Flynn from the Committee on Transportation, to which was re-referred

S.F. No. 1537: A bill for an act relating to Minnesota Statutes; repealing various statutory

provisions; repealing Minnesota Statutes 1998, sections 42.03; 152.02, subdivision 10; 169.01, subdivision 18; 169.03, subdivision 7; 169.38; 169.901; 609.293; 609.34; 609.551; 617.251; and 624.65.

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

Senator Flynn from the Committee on Transportation, to which was referred

S.F. No. 1600: A bill for an act relating to motor vehicles; eliminating requirement that certain applications submitted to department of public safety be in writing; amending Minnesota Statutes 1998, sections 168.013, subdivision 3; and 168.82, subdivision 1.

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

Senator Flynn from the Committee on Transportation, to which was referred

S.F. No. 1869: A bill for an act relating to traffic regulations; allowing certain lighting devices mounted on delivery vehicles; requiring department of public safety to make recommendations concerning allowable lighting; amending Minnesota Statutes 1998, sections 169.55, subdivision 1; and 169.58, by adding a subdivision.

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

Page 2, line 29, before the period, insert "and is repealed on July 31, 2000"

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

Senator Sams from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 1092: A bill for an act relating to veterinary medicine; changing veterinary practice requirements; clarifying procedures; amending Minnesota Statutes 1998, sections 156.001, subdivisions 2, 3, and by adding a subdivision; 156.01, subdivision 3; 156.02, subdivisions 1 and 2; 156.03; 156.072; 156.10; 156.11; and 156.12, subdivisions 2 and 4; proposing coding for new law in Minnesota Statutes, chapter 156.

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

Page 7, lines 13 and 14, delete the new language

Page 7, line 22, before "It" insert "(a)"

Page 7, after line 35, insert:

"(b) Notwithstanding section 319B.08, a veterinary medical practice firm has 12 months after the death of an owner before all of the owner's ownership interest must be acquired by the practice, by persons permitted to own the ownership interest, or by some combination."

Pages 9 and 10, delete section 14

Renumber the sections in sequence

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

Senator Hottinger from the Committee on Health and Family Security, to which was referred

S.F. No. 527: A bill for an act relating to health; establishing a state board of physical therapy; requiring rulemaking; providing licensing requirements for physical therapists; amending

Minnesota Statutes 1998, sections 144A.46, subdivision 2; 148.66; 148.67; 148.70; 148.705; 148.71; 148.72, subdivisions 1, 2, and 4; 148.73; 148.74; 148.75; 148.76; 148.78; and 214.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Page 3, line 20, delete "may" and insert "shall"

Page 3, line 25, delete "five" and insert "four"

Page 4, delete lines 12 to 25 and insert:

"Subd. 2. [RECOMMENDATIONS FOR APPOINTMENT.] Prior to the end of the term of a member of the board, or within 60 days after a position on the board becomes vacant, the Minnesota Chapter of the American Physical Therapy Association and other interested persons and organizations may recommend to the governor members qualified to serve on the board. The governor may appoint members to the board from the list of persons recommended or from among other qualified candidates."

Page 4, after line 34, insert:

"Subd. 3. [DISCLOSURE.] Subject to the exceptions listed in this subdivision, all communications or information received by or disclosed to the board relating to any person or matter subject to its regulatory jurisdiction are confidential and privileged and any disciplinary hearing shall be closed to the public.

(a) Upon application of a party in a proceeding before the board, the board shall produce and permit the inspection and copying, by or on behalf of the moving party, of any designated documents or papers relevant to the proceedings, in accordance with the provisions of rule 34, Minnesota Rules of Civil Procedure.

(b) If the board imposes disciplinary measures of any kind, whether by contested case or by settlement agreement, the name and business address of the licensee, the nature of the misconduct, and the action taken by the board are public data. If disciplinary action is taken by settlement agreement, the entire agreement is public data. The board shall decide disciplinary matters, whether by settlement or by contested case, by roll call vote. The votes are public data.

(c) The board shall exchange information with other licensing boards, agencies, or departments within the state, as required under section 214.10, subdivision 8, paragraph (d), and may release information in the reports required under section 214.10, subdivision 8, paragraph (b).

(d) The board shall upon request furnish to a person who made a complaint, a description of the activities and actions of the board relating to that complaint, a summary of the results of an investigation of that complaint, and the reasons for actions taken by the board."

Page 10, after line 13, insert:

"Sec. 13. [148.745] [MALPRACTICE HISTORY.]

Subdivision 1. [SUBMISSION.] A person desiring to practice physical therapy in this state who has previously practiced in another state shall submit the following additional information with the license application for the five-year period of active practice preceding the date of filing such application:

(a) The name and address of the person's professional liability insurer in the other state.

(b) The number, date, and disposition of any malpractice settlement or award made to the plaintiff relating to the quality of services provided.

Subd. 2. [BOARD ACTION.] The board shall give due consideration to the information submitted pursuant to section 148.72 and this section. An applicant who willfully submits incorrect information shall be subject to disciplinary action pursuant to section 148.75."

Page 12, after line 33, insert:

"(1) provide physical therapy unless the person is licensed as a physical therapist under sections 148.65 to 148.78;"

Page 12, line 34, delete "(1)" and insert "(2)"

Page 13, line 2, delete "(2)" and insert "(3)"

Page 13, line 12, delete "(3)" and insert "(4)"

Renumber the sections in sequence

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

Senator Hottinger from the Committee on Health and Family Security, to which was referred

S.F. No. 1273: A bill for an act relating to professions; modifying provisions relating to nursing home administrator licensing, the board of examiners for nursing home administrators, immunity for complainants, board members, and staff, and acting administrator permits; amending Minnesota Statutes 1998, sections 144A.19, subdivision 1; 144A.20, subdivision 1; 144A.22; 144A.24; and 144A.27; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 1998, sections 144A.19, subdivision 3; 144A.20, subdivision 2; and 144A.29.

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

Page 3, delete lines 33 to 36

Page 4, delete lines 1 and 2

Page 4, line 3, delete "Subd. 2. [INVESTIGATION.]"

Amend the title as follows:

Page 1, line 5, delete "complainants," and after "members" delete the comma

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

Senator Solon from the Committee on Commerce, to which was re-referred

S.F. No. 953: A bill for an act relating to health; providing for certain patient rights and protections; regulating coverages and the classification of treatment; specifying the duties of certain carriers and providers; providing remedies; amending Minnesota Statutes 1998, sections 62A.60; 62J.71, subdivisions 1 and 3; 62J.72, by adding a subdivision; 62J.80; 62M.05, subdivision 3; 62M.09, subdivisions 2, 3, 6, and by adding a subdivision; 62M.10, subdivision 7; 62Q.58, subdivision 3; 144.335, by adding a subdivision; and 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62Q; proposing coding for new law as Minnesota Statutes, chapter 62U.

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

Pages 2 and 3, delete section 2

Page 5, line 33, delete everything after "(1)"

Page 5, line 34, delete everything before "the"

Page 5, line 36, delete "three" and insert "seven"

Page 6, delete lines 3 to 14

Page 6, line 15, delete "(3)" and insert "(2)"

Page 6, line 34, delete everything after "licensed" and insert a period

Page 6, delete line 35

Page 6, line 36, delete "the attending physician."

Page 7, lines 2 and 3, delete the new language

Page 7, line 20, delete "claims" and insert "prior authorization requests"

Page 7, line 33, delete "CLASSIFICATION OF MEDICAL TREATMENT" and insert "MEDICALLY NECESSARY CARE"

Page 7, delete lines 34 to 36

Page 8, delete lines 1 to 25 and insert:

"For purposes of coverage under a health plan, "medically necessary care" means diagnostic testing, preventative services, and health care services that are appropriate, in terms of types, frequency, level, setting, and duration, to the enrollee's diagnosis or condition. Medically necessary care must be consistent with generally accepted practice parameters, as determined by licensed health care providers in the same or similar general specialty as typically manages the condition, procedure, or treatment at issue and must:

(1) help restore, establish, maintain, or improve the enrollee's health or function; or

(2) prevent deterioration of the enrollee's health condition."

Pages 8 to 10, delete section 14

Page 13, after line 15, insert:

"Subd. 8. [TRANSFER OF LIABILITY.] Any agreement or directive that attempts to transfer to a health care provider, by indemnification or otherwise, any tort liability relating to the activities, actions, or omissions of a health carrier is contrary to state public policy and is null and void."

Page 13, line 25, delete "The"

Page 13, delete line 26

Pages 13 and 14, delete section 19 and insert:

"Sec. 17. [APPLICATION.]

Sections 1, 2, 3, 11, 12, 13, 14, and 15 shall not apply to an insurance company licensed under Minnesota Statutes, chapter 60A, to offer, sell, or issue a policy of accident and sickness insurance as defined in Minnesota Statutes, section 62A.01."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "subdivisions 1 and" and insert "subdivision"

Page 1, line 10, after "3;" insert "and"

Page 1, line 11, delete "and 147.081, subdivision 3;"

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

Senator Solon from the Committee on Commerce, to which was re-referred

S.F. No. 1522: A bill for an act relating to health; modifying review and complaint procedures for health plans; amending Minnesota Statutes 1998, sections 62M.05, by adding a subdivision; 62M.06, subdivisions 2, 3, and by adding a subdivision; and 62Q.105; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1998, sections 62D.11; 62Q.105, subdivision 2; 62Q.11; and 62Q.30; Minnesota Rules, part 4685.1700, subpart 1.

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

Page 4, delete lines 19 to 24

Page 5, line 21, after "MinnesotaCare" insert "or to a health plan offered by an insurance company licensed under chapter 60A"

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

Senator Ranum from the Committee on Judiciary, to which was referred

S.F. No. 212: A bill for an act relating to government data practices; providing data privacy for certain public utility customer data; proposing coding for new law in Minnesota Statutes, chapter 13.

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

Delete everything after the enacting clause and insert:

"Section 1. [13.612] [MUNICIPAL UTILITY CUSTOMER DATA.]

Data on customers of municipal electric utilities are private data on individuals or nonpublic data, but may be released to:

(1) a law enforcement agency that requests access to the data in connection with an investigation;

(2) a school for purposes of compiling pupil census data; or

(3) the metropolitan council for use in studies or analyses required by law."

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.

Senator Metzen from the Committee on Governmental Operations and Veterans, to which was referred

S.F. No. 1209: A bill for an act relating to the state building code; transferring authority to adopt energy portions of the building code from the commissioner of public service to the commissioner of administration; transferring certain enforcement and inspection functions from the board of electricity and the commissioner of health to the commissioner of administration; amending Minnesota Statutes 1998, sections 16B.61, subdivisions 1 and 2; and 16B.62, subdivision 2; repealing Minnesota Statutes 1998, section 216C.19, 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 1998, section 16B.61, subdivision 1, is amended to read:

Subdivision 1. [ADOPTION OF CODE.] Subject to sections 16B.59 to 16B.75, the commissioner shall by rule establish a code of standards for the construction, reconstruction,

alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. The code must conform insofar as practicable to model building codes generally accepted and in use throughout the United States. In the preparation of the code, consideration must be given to the existing statewide specialty codes presently in use in the state. Model codes with necessary modifications and statewide specialty codes may be adopted by reference. The code must be based on the application of scientific principles, approved tests, and professional judgment. To the extent possible, the code must be adopted in terms of desired results instead of the means of achieving those results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code must encourage the use of new methods and new materials. Except as otherwise provided in sections 16B.59 to 16B.75, the commissioner shall administer and enforce the provisions of those sections.

Sec. 2. Minnesota Statutes 1998, section 16B.61, subdivision 1a, is amended to read:

Subd. 1a. [ADMINISTRATION BY COMMISSIONER.] The commissioner shall administer and enforce the state building code as a municipality with respect to public buildings and state licensed facilities in the state. The commissioner shall establish appropriate permit, plan review, and inspection fees for public buildings and state licensed facilities. Fees and surcharges for public buildings and state licensed facilities must be remitted to the commissioner, who shall deposit them in the state treasury for credit to the special revenue fund.

Municipalities other than the state having a contractual agreement with the commissioner for code administration and enforcement service for public buildings and state licensed facilities shall charge their customary fees, including surcharge, to be paid directly to the contractual jurisdiction by the applicant seeking authorization to construct a public building or a state licensed facility. The commissioner shall contract with a municipality other than the state for plan review, code administration, and code enforcement service for public buildings and state licensed facilities in the contractual jurisdiction if the building officials of the municipality meet the requirements of section 16B.65 and wish to provide those services and if the commissioner determines that the municipality has enough adequately trained and qualified building inspectors to provide those services for the construction project.

Administration and enforcement in a municipality under this section must apply any optional provisions of the state building code adopted by the municipality. A municipality adopting any optional code provision shall notify the state building official within 30 days of its adoption.

The commissioner shall administer and enforce the provisions of the code relating to elevators statewide, except as provided for under section 16B.747, subdivision 3.

Sec. 3. Minnesota Statutes 1998, section 16B.62, subdivision 2, is amended to read:

Subd. 2. [ENFORCEMENT BY STATE BUILDING OFFICIAL.] If the commissioner determines that a municipality is not properly administering and enforcing the State Building Code as provided in section 16B.71, the commissioner may have the administration and enforcement in the involved municipality undertaken by the state building official. The commissioner shall notify the affected municipality in writing immediately upon making the determination, and the municipality may challenge the determination as a contested case before the commissioner pursuant to the Administrative Procedure Act. In municipalities not properly administering and enforcing the State Building Code, and in municipalities who determine not to administer and enforce the State Building Code, the commissioner shall have administration and enforcement undertaken by the state building official or by another inspector certified by the state. In carrying out administration and enforcement under this subdivision, the commissioner shall apply any optional provision of the state building code adopted by the municipality. A municipality adopting any optional code provision shall notify the state building official within 30 days of its adoption. The commissioner shall determine appropriate fees to be charged for the administration and enforcement service rendered. Any cost to the state arising from the state administration and enforcement of the State Building Code shall be borne by the subject municipality.

Sec. 4. Minnesota Statutes 1998, section 16B.64, subdivision 4, is amended to read:

Subd. 4. [HEARINGS.] ~~The commissioner, except in the case of energy conservation standards promulgated or amended pursuant to section 216C.19, subdivision 8, shall hold all state hearings and make all determinations regarding any subject matter dealt with in the code including those in which another state agency proposes to adopt or amend rules which are incorporated by reference into the code or whenever the commissioner proposes to incorporate those rules into the State Building Code. In no event shall~~ may a state agency subsequently authorized to adopt rules involving State Building Code subject matter proceed to adopt the rules without prior consultation with the commissioner.

Sec. 5. [TRANSFER.]

Adoption of the energy portion of the state building code is transferred from the commissioner of public service to the commissioner of administration in accordance with Minnesota Statutes, section 16B.37.

Sec. 6. [REVIEW.]

The construction codes advisory council established by Minnesota Statutes, section 16B.76, shall review the program evaluation report on the state building code issued by the office of the legislative auditor in January 1999 and shall report to the legislature by January 15, 2000, with recommendations on which proposals in the report, if any, should be implemented.

Sec. 7. [ENERGY CODE.]

Notwithstanding Minnesota Rules, part 7676.1500, the effective date of the energy code set out in Minnesota Rules, chapter 7676, is July 20, 2000.

Sec. 8. [REPEALER.]

Minnesota Statutes 1998, sections 16B.165; and 216C.19, subdivision 8, are repealed.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective July 1, 1999."

Delete the title and insert:

"A bill for an act relating to the state building code; transferring authority to adopt energy portions of the building code from the commissioner of public service to the commissioner of administration; requiring implementation of locally adopted optional code provisions; requiring a report; amending Minnesota Statutes 1998, sections 16B.61, subdivisions 1 and 1a; 16B.62, subdivision 2; and 16B.64, subdivision 4; repealing Minnesota Statutes 1998, sections 16B.165; and 216C.19, subdivision 8."

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

Senator Marty from the Committee on Election Laws, to which was referred

S.F. No. 746: A bill for an act relating to local government; permitting Grand Rapids Township to hold its general election in November.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 1998, section 205.075, subdivision 2, is amended to read:

Subd. 2. [ALTERNATE DATE; METROPOLITAN TOWNS.] ~~A town located in the metropolitan area as defined by section 473.121~~ may, by resolution or ordinance, designate the first Tuesday after the first Monday in November of either the even-numbered or the

odd-numbered year as the date of the town general election. Town supervisors elected at a November town general election shall serve four-year terms.

The ordinance or resolution changing the date of the town general election must include a plan to shorten or lengthen the terms of office to provide an orderly transition to the November election schedule.

The ordinance or resolution changing the date of the town general election may be proposed by the town board or by a resolution of the electors adopted at the annual town meeting and is effective upon an affirmative vote of the electors at the next town general election.

Sec. 2. Minnesota Statutes 1998, section 367.03, subdivision 4, is amended to read:

Subd. 4. [~~OFFICERS; METROPOLITAN TOWNS NOVEMBER ELECTION.~~] Supervisors and other town officers in towns located in the metropolitan area as defined in section 473.121 that hold the town general election in November shall be elected for terms of four years and until their successors are elected and qualified. The clerk and treasurer shall be elected in alternate years."

Page 1, line 18, delete "three-year" and insert "four-year"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 3 and insert "and other towns to hold their general election in November; amending Minnesota Statutes 1998, sections 205.075, subdivision 2; and 367.03, subdivision 4."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 592, 1101, 1099, 778, 1554, 1280, 1537, 1600, 1869, 1092, 1209 and 746 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Berglin moved that the name of Senator Lourey be added as a co-author to S.F. No. 131. The motion prevailed.

Senator Wiger moved that his name be stricken as chief author, shown as a co-author, and name of Senator Berglin be shown as chief author to S.F. No. 1752. The motion prevailed.

Senator Vickerman moved that S.F. No. 1756 be withdrawn from the Committee on Jobs, Energy and Community Development and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Senators Larson, Solon, Wiener, Murphy and Kiscaden introduced--

Senate Resolution No. 52: A Senate resolution recognizing April 4-10, 1999, as Financial Workers and Case Aides Week in Minnesota.

Referred to the Committee on Rules and Administration.

Senator Wiener moved that S.F. No. 1746 be withdrawn from the Committee on Commerce and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Senator Betzold moved that S.F. No. 676 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Election Laws. The motion prevailed.

CALENDAR

S.F. No. 198: A bill for an act relating to criminal procedure; specifying that the prosecution has the right to reply in rebuttal to the closing argument of the defense; amending Minnesota Statutes 1998, section 631.07.

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 45 and nays 13, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.H.	Langseth	Ourada	Samuelson
Berg	Johnson, J.B.	Larson	Pariseau	Scheevel
Day	Junge	Lesewski	Piper	Scheid
Fischbach	Kelley, S.P.	Lessard	Price	Solon
Flynn	Kelly, R.C.	Metzen	Ranum	Stevens
Foley	Kiscaden	Moe, R.D.	Robertson	Ten Eyck
Frederickson	Kleis	Novak	Robling	Terwilliger
Higgins	Knutson	Oliver	Runbeck	Vickerman
Johnson, D.E.	Krentz	Olson	Sams	Wiger

Those who voted in the negative were:

Anderson	Cohen	Laidig	Neuville	Wiener
Berglin	Hanson	Lourey	Pappas	
Betzold	Janezich	Marty	Spear	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 1012: A bill for an act relating to Itasca county; modifying certain accounting and expenditure requirements for road and bridge fund tax money derived from unorganized townships.

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:

Belanger	Hottinger	Laidig	Olson	Scheevel
Berg	Janezich	Langseth	Ourada	Scheid
Berglin	Johnson, D.E.	Larson	Pappas	Spear
Betzold	Johnson, D.H.	Lesewski	Pariseau	Stevens
Cohen	Johnson, J.B.	Lessard	Piper	Ten Eyck
Day	Junge	Lourey	Price	Terwilliger
Fischbach	Kelley, S.P.	Marty	Ranum	Vickerman
Flynn	Kelly, R.C.	Metzen	Robertson	Wiener
Foley	Kiscaden	Moe, R.D.	Robling	Wiger
Frederickson	Kleis	Neuville	Runbeck	
Hanson	Knutson	Novak	Sams	
Higgins	Krentz	Oliver	Samuelson	

So the bill passed and its title was agreed to.

S.F. No. 768: A bill for an act relating to Ramsey county; making changes in the personnel process; amending Minnesota Statutes 1998, section 383A.288, 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	Higgins	Langseth	Ourada	Scheid
Belanger	Hottinger	Larson	Pappas	Solon
Berg	Janezich	Lesewski	Pariseau	Spear
Berglin	Johnson, D.H.	Lessard	Piper	Stevens
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Vickerman
Day	Kelley, S.P.	Metzen	Robertson	Wiener
Fischbach	Kelly, R.C.	Moe, R.D.	Robling	Wiger
Flynn	Kiscaden	Neuville	Runbeck	
Foley	Kleis	Novak	Sams	
Frederickson	Knutson	Oliver	Samuelson	
Hanson	Krentz	Olson	Scheevel	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Knutson in the chair.

After some time spent therein, the committee arose, and Senator Knutson reported that the committee had considered the following:

S.F. Nos. 303, 480, 626, 567, 346, 552, 1094, 881, 829, 727 and 77, which the committee recommends to pass.

S.F. No. 488, which the committee recommends to pass with the following amendment offered by Senator Berglin:

Page 1, line 13, after the period, insert "In making the appointments, the governor shall consider appropriate representation of communities of color."

The motion prevailed. So the amendment was adopted.

H.F. No. 379, which the committee recommends to pass with the following amendment offered by Senator Pappas:

Amend H.F. No. 379, as amended pursuant to Rule 49, adopted by the Senate March 11, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 381.)

Page 25, line 18, after "documents" insert "executed," and after "recorded" insert a comma

The motion prevailed. So the amendment was adopted.

S.F. No. 836, which the committee recommends to pass with the following amendment offered by Senator Ourada:

Page 2, line 7, delete "or a county fair"

Page 5, line 23, delete "or a county fair"

Amend the title as follows:

Page 1, lines 4 and 5, delete "or a county fair"

The motion prevailed. So the amendment was adopted.

On motion of Senator Moe, R.D., 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 Reports of Committees and Motions and Resolutions.

REPORTS OF COMMITTEES

Senator Junge moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Marty from the Committee on Election Laws, to which was referred

S.F. No. 1527: A bill for an act relating to school boards; a person convicted of a sex offense who is required to be registered under the predatory offender law is not eligible to be a candidate for the office of school board member; amending Minnesota Statutes 1998, sections 123B.09, by adding a subdivision; and 205A.06, by adding a subdivision.

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

Page 1, lines 16 and 24, after the period, insert "Whether registration is required is determined by the registration requirements in effect at the time the offender files for office, not by the registration requirements in effect at the time the offender was convicted."

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

Senator Solon from the Committee on Commerce, to which was re-referred

S.F. No. 1219: A bill for an act relating to health; establishing a uniform complaint resolution process for health plan companies; establishing an external appeal process; appropriating money; amending Minnesota Statutes 1998, sections 62D.11, subdivision 1; 62M.01; 62M.02, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, 12, 17, 20, 21, and by adding a subdivision; 62M.03, subdivisions 1 and 3; 62M.04, subdivisions 1, 2, 3, and 4; 62M.05; 62M.06; 62M.07; 62M.09, subdivision 3; 62M.10, subdivisions 2, 5, and 7; 62M.12; 62M.15; 62Q.106; 62Q.19, subdivision 5a; 62T.04; 72A.201, subdivisions 4 and 4a; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; 62Q.11; and 62Q.30; Minnesota Rules, parts 4685.0100, subparts 4 and 4a; and 4685.1700.

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

Page 13, line 24, delete "62M.03" and insert "62M.06"

Page 20, line 13, after the period, insert "For purposes of sections 62Q.69 and 62Q.70, the term "health plan company" does not include an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01."

Page 24, line 33, before the period, insert "to the commissioner of health" and after the period, insert "The written request must be accompanied by a filing fee of \$25. The fee may be waived in cases of financial hardship."

(b) Nothing in this section requires the commissioner of health or commerce to independently investigate an adverse determination referred for independent external review."

Page 24, line 34, delete "(b)" and insert "(c)"

Page 24, line 35, after the period, insert "The cost of the external review in excess of the filing fee described in paragraph (a) shall be borne by the health plan company."

Page 25, line 5, after the period, insert "The contract shall ensure that the fees for services rendered in connection with the reviews be reasonable."

Page 25, line 17, delete "the resolution of" and before the semicolon, insert "conducted"

Page 25, line 31, delete "or" and insert "as necessary."

Page 25, line 32, delete "established" and insert "used" and after "expertise" insert "when the issue presented is complex and clinical guidelines are absent, ambiguous, unclear, or conflicting"

Page 26, line 15, delete everything after the headnote

Page 26, delete lines 16 to 18

Page 26, line 19, delete everything before "The"

Page 28, line 3, delete "62Q.68" and insert "62Q.71"

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

Senator Sams from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 1025: A bill for an act relating to agriculture; appropriating money for Southwest State University to conduct a feasibility study of expanding agriculture education.

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

Delete everything after the enacting clause and insert:

"Section 1. [APPROPRIATION.]

\$500,000 from the general fund in fiscal year 2000 is appropriated to the board of trustees of the Minnesota state colleges and universities to be allocated to Southwest State University to conduct a feasibility study of changing and expanding agriculture education to better meet current needs and to develop a center for applied rural and regional research.

The study shall examine agriculture education needs of the state and particularly the southwest region, current programs available to meet those needs, availability of faculty and other necessary staffing, the state of current facilities and equipment, and other factors relevant to academic decision making. The study shall recommend needed changes in agriculture education, efficient and effective ways to meet the needs, and the estimated associated costs. Southwest State University shall conduct the study in collaboration with the University of Minnesota and Minnesota West Community and Technical College and report its findings to the board of trustees, the board of regents, and the higher education and agriculture committees of the legislature by February 1, 2000.

The center for applied rural and regional research will conduct collaborative research on issues and topics directly related to understanding the transformation of contemporary rural Minnesota. The center will also house an agriculture and rural leadership training program.

Delete the title and insert:

"A bill for an act relating to agriculture; appropriating money for study of expanding agriculture education and the development of the center for applied rural and regional research."

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

Senator Sams from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 1492: A bill for an act relating to agriculture; appropriating money for potato aphid research.

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

Page 1, after line 10, insert:

"Sec. 2. [APPROPRIATION; SOYBEAN DISEASES AND GENETICS.]

\$1,775,000 is appropriated from the general fund to the University of Minnesota for fiscal year 2000 for further research on diseases of soybeans including, but not limited to, soybean cyst nematode (SCN), white mold (sclerotinia stem rot), phytophthora root rot (PRR), and iron deficiency chlorosis. \$...... of this appropriation may be designated for research on specialty gene traits of soybeans."

Amend the title as follows:

Page 1, line 2, delete "appropriating money" and insert "providing"

Page 1, line 3, before the period, insert "; providing for additional research on soybean diseases and genetics; appropriating money"

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

Senator Vickerman from the Committee on Local and Metropolitan Government, to which was referred

S.F. No. 1135: A bill for an act relating to local government; limiting regulation and causes of action by political subdivisions against firearms industry; amending Minnesota Statutes 1998, section 471.633.

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

Senator Ranum from the Committee on Judiciary, to which was referred

S.F. No. 947: A bill for an act relating to children; allowing consideration of a mother's lost wages as reasonable expenses of pregnancy and confinement; amending Minnesota Statutes 1998, section 257.66, subdivision 3.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1998, section 256.87, subdivision 1a, is amended to read:

Subd. 1a. [CONTINUING SUPPORT CONTRIBUTIONS.] In addition to granting the county or state agency a money judgment, the court may, upon a motion or order to show cause, order continuing support contributions by a parent found able to reimburse the county or state agency. The order shall be effective for the period of time during which the recipient receives public assistance from any county or state agency and thereafter. The order shall require support according to chapter 518 and include the names and social security numbers of the father, mother, and the child or children. An order for continuing contributions is reinstated without further hearing upon notice to the parent by any county or state agency that public assistance, as defined in section 256.741, is again being provided for the child of the parent. The notice shall be in writing and shall indicate that the parent may request a hearing for modification of the amount of support or maintenance."

Page 1, line 22, after "confinement" insert ", including the mother's lost wages due to medical necessity"

Page 2, lines 3 to 6, delete the new language

Page 2, after line 12, insert:

"Sec. 3. Minnesota Statutes 1998, section 257.75, subdivision 2, is amended to read:

Subd. 2. [REVOCAION OF RECOGNITION.] A recognition may be revoked in a writing signed by the mother or father before a notary public and filed with the state registrar of vital statistics within the earlier of ~~30~~ 60 days after the recognition is executed or the date of an administrative or judicial hearing relating to the child in which the revoking party is a party to the related action. A joinder in a recognition may be revoked in a writing signed by the man who executed the joinder and filed with the state registrar of vital statistics within ~~30~~ 60 days after the joinder is executed. Upon receipt of a revocation of the recognition of parentage or joinder in a recognition, the state registrar of vital statistics shall forward a copy of the revocation to the nonrevoking parent, or, in the case of a joinder in a recognition, to the mother and father who executed the recognition.

Sec. 4. Minnesota Statutes 1998, section 518.10, is amended to read:

518.10 [REQUISITES OF PETITION.]

The petition for dissolution of marriage or legal separation shall state and allege:

(a) the name, address, and, in circumstances in which child support or spousal maintenance will be addressed, social security number of the petitioner and any prior or other name used by the petitioner;

(b) the name and, if known, the address and, in circumstances in which child support or spousal maintenance will be addressed, social security number of the respondent and any prior or other name used by the respondent and known to the petitioner;

(c) the place and date of the marriage of the parties;

(d) in the case of a petition for dissolution, that either the petitioner or the respondent or both:

(1) has resided in this state for not less than 180 days immediately preceding the commencement of the proceeding, or

(2) has been a member of the armed services and has been stationed in this state for not less than 180 days immediately preceding the commencement of the proceeding, or

(3) has been a domiciliary of this state for not less than 180 days immediately preceding the commencement of the proceeding;

(e) the name at the time of the petition and any prior or other name, social security number, age and date of birth of each living minor or dependent child of the parties born before the marriage or born or adopted during the marriage and a reference to, and the expected date of birth of, a child of the parties conceived during the marriage but not born;

(f) whether or not a separate proceeding for dissolution, legal separation, or custody is pending in a court in this state or elsewhere;

(g) in the case of a petition for dissolution, that there has been an irretrievable breakdown of the marriage relationship;

(h) in the case of a petition for legal separation, that there is a need for a decree of legal separation;

(i) any temporary or permanent maintenance, child support, child custody, disposition of property, attorneys' fees, costs and disbursements applied for without setting forth the amounts; and

(j) whether an order for protection under chapter 518B or a similar law of another state that governs the parties or a party and a minor child of the parties is in effect and, if so, the district court or similar jurisdiction in which it was entered.

The petition shall be verified by the petitioner or petitioners, and its allegations established by competent evidence.

Sec. 5. Minnesota Statutes 1998, section 518.551, is amended by adding a subdivision to read:

Subd. 15. [LICENSE SUSPENSION.] (a) Upon motion of an obligee or the public authority, which has been properly served on the obligor by first class mail at the last known address or in person, and if at a hearing, the court finds that (1) the obligor is in arrears in court-ordered child support or maintenance payments, or both, in an amount equal to or greater than three times the obligor's total monthly support and maintenance payments and is not in compliance with a written payment agreement regarding both current support and arrearages, or (2) has failed, after receiving notice, to comply with a subpoena relating to a paternity or child support proceeding, the court may direct the commissioner of natural resources to suspend or bar receipt of the obligor's recreational license or licenses.

(b) For purposes of this subdivision, a recreational license includes all licenses, permits, and stamps issued centrally by the commissioner of natural resources under sections 97B.301, 97B.401, 97B.501, 97B.515, 97B.601, 97B.715, 97B.721, 97B.801, 97C.301, and 97C.305.

(c) An obligor whose recreational license or licenses have been suspended or barred may provide proof to the court that the obligor is in compliance with all written payment agreements regarding both current support and arrearages. Within 15 days of receipt of that proof, the court shall notify the commissioner of natural resources that the obligor's recreational license or licenses should no longer be suspended nor should receipt be barred.

Sec. 6. Minnesota Statutes 1998, section 518.5853, is amended by adding a subdivision to read:

Subd. 11. [COLLECTIONS UNIT RECOUPMENT ACCOUNT.] The commissioner of human services may establish a revolving account to cover funds issued in error due to insufficient funds or other reasons. Appropriations for this purpose and all recoupments against payments from the account shall be deposited in the collections unit's recoupment account and are appropriated to the commissioner. Any unexpended balance in the account does not cancel, but is available until expended."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "conforming to federal requirements governing establishment and enforcement of child support; authorizing suspension of recreational licenses of delinquent child support obligors;"

Page 1, line 5, delete "section 257.66, subdivision 3" and insert "sections 256.87, subdivision 1a; 257.66, subdivision 3; 257.75, subdivision 2; 518.10; 518.551, by adding a subdivision; and 518.5853, by adding a subdivision"

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

Senator Hottinger from the Committee on Health and Family Security, to which was referred

S.F. No. 383: A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; amending Minnesota Statutes 1998, sections 147.09; 148.30; 148.31; and 148.32; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Rules, parts 5600.2000; and 5600.2100.

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

Delete everything after the enacting clause and insert:

"Section 1. [147D.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to this chapter.

Subd. 2. [ADVISORY COUNCIL.] "Advisory council" means the advisory council of traditional midwifery established under section 147D.25.

Subd. 3. [APPROVED EDUCATION PROGRAM.] "Approved education program" means a university, college, or other education program leading to eligibility for certification in midwifery that is accredited by the Midwifery Education and Accreditation Council (MEAC) or a national accrediting organization approved by the board.

Subd. 4. [BOARD.] "Board" means the board of medical practice.

Subd. 5. [CONTACT HOUR.] "Contact hour" means 50 consecutive minutes, excluding coffee breaks, registration, meals without a speaker, and social activities, of a board-approved learning experience either through an instructional session or clinical practice.

Subd. 6. [CREDENTIAL.] "Credential" means a license, permit, certification, registration, or other evidence of qualification or authorization to engage in the practice of traditional midwifery in this state or any other state.

Subd. 7. [CREDENTIALING EXAMINATION.] "Credentialing examination" means an examination administered by the North American Registry of Midwives (NARM) or other national testing organization approved by the board for credentialing as a licensed traditional midwife. A credentialing examination must include a written examination and a skills assessment.

Subd. 8. [NORMAL PREGNANCY.] "Normal pregnancy" means a pregnancy that is progressing and proceeding spontaneously without the need for medical intervention or the use of instruments and where spontaneous onset of labor occurs between 36 and 42 weeks.

Subd. 9. [TRADITIONAL MIDWIFERY SERVICES.] "Traditional midwifery services" means the assessment and care of a woman and newborn during pregnancy, labor, birth, and the postpartum period outside a licensed hospital.

Subd. 10. [TRANSFER OF CARE.] "Transfer of care" means transferring, during the course of pregnancy, the responsibility of providing services to a client from the traditional midwife to a licensed physician or certified nurse midwife.

Subd. 11. [TRANSPORT.] "Transport" means the transferring during labor, birth, or the postpartum period of the client from a home setting to a hospital facility.

Sec. 2. [147D.03] [MIDWIFERY.]

Subdivision 1. [GENERAL.] Within the meaning of sections 147D.01 to 147D.27, a person who shall publicly profess to be a traditional midwife and who, for a fee, shall assist or attend to a woman in pregnancy, childbirth outside a licensed hospital, and postpartum, shall be regarded as practicing traditional midwifery.

Subd. 2. [SCOPE OF PRACTICE.] The practice of traditional midwifery includes, but is not limited to:

(1) initial and ongoing assessment for suitability of traditional midwifery care;

(2) providing prenatal education and coordinating with a licensed physician or certified nurse midwife comprehensive prenatal care, including the routine monitoring of: vital signs, indicators of fetal developments, and laboratory tests, as needed, with attention to the physical, nutritional, and emotional needs of the woman and her family;

- (3) attending and supporting the natural process of labor and birth;
- (4) postpartum care of the mother and an initial assessment of the newborn; and
- (5) providing information and referrals to community resources on childbirth preparation, breast-feeding, exercise, nutrition, parenting, and care of the newborn.

Subd. 3. [UNAUTHORIZED SERVICES.] The practice of traditional midwifery does not include:

- (1) the use of any instrument at a childbirth, except as necessary to sever the umbilical cord or repair a first- or second-degree perineal laceration;
- (2) the assisting of childbirth by artificial, or mechanical means; or
- (3) the removal of a placenta accreta.

Sec. 3. [147D.05] [PROFESSIONAL CONDUCT.]

Subdivision 1. [PRACTICE STANDARDS.] (a) A licensed traditional midwife shall provide an initial and ongoing screening to ensure that each client receives safe and appropriate care. A licensed traditional midwife shall only accept and provide care to those women who have had initial laboratory pregnancy screening, including blood group and typing, antibody screen, Indirect Coombs, rubella titer, CBC with differential and syphilis serology performed by a licensed health care provider who is licensed to perform and interpret diagnostic laboratory work. A licensed traditional midwife shall only accept and provide care to those women who are expected to have a normal pregnancy, labor, and delivery. As part of the initial screening to determine whether any contraindications are present, the traditional midwife must take a detailed health history that includes the woman's social, medical, surgical, menstrual, gynecological, contraceptive, obstetrical, family, nutritional, and drug/chemical use histories. If a licensed traditional midwife determines at any time during the course of the pregnancy that a woman's condition may preclude attendance by a traditional midwife, the traditional midwife must refer the client to a licensed physician or a certified nurse midwife. As part of the initial and ongoing screening, a traditional midwife must recommend that the client receive the following services, if necessary, from an appropriate health care provider:

- (1) gonorrhea and chlamydia cultures, if indicated;
- (2) screening for sickle cell, if indicated;
- (3) screening for hepatitis B and human immunodeficiency virus (HIV) if indicated;
- (4) maternal serum alpha-fetoprotein test and ultrasound;
- (5) Rh antibody and glucose screening at 28 weeks gestation;
- (6) screening for phenylketonuria;
- (7) Rh screening of the infant for maternal RhoGAM treatment if indicated; and
- (8) screening for premature labor.

(b) If a client refuses to have any of the tests listed in paragraph (a) upon the recommendation of the traditional midwife, the licensed traditional midwife must terminate the relationship with the client.

(c) A client must make arrangements to have the results of any of the tests described in paragraph (a) sent to the licensed traditional midwife providing services to the client. The licensed traditional midwife must include these results in the client's record.

Subd. 2. [WRITTEN PLAN.] A traditional midwife must prepare a written plan with each client to ensure continuity of care throughout pregnancy, labor, and delivery. The written plan

must incorporate the conditions under which the medical consultation plan, including the transfer of care or transport of the client, may be implemented.

Subd. 3. [HEALTH REGULATIONS.] A traditional midwife must comply with all applicable state and municipal requirements regarding public health.

Subd. 4. [CLIENT RECORDS.] A traditional midwife must maintain a client record on each client, including:

- (1) a copy of the informed consent form described in section 147D.07;
- (2) evidence of an initial client screening described in section 147D.05;
- (3) a copy of the written plan described in subdivision 2;
- (4) a record of prenatal and postpartum care provided to the client at each visit; and
- (5) a detailed record of the labor and delivery process.

Subd. 5. [DATA.] All records maintained on each client by a traditional midwife are subject to section 144.335.

Sec. 4. [147D.07] [INFORMED CONSENT.]

Subdivision 1. [GENERAL.] Before providing any services to a client, a licensed traditional midwife must:

- (1) advise the client of the information contained in the informed consent form;
- (2) provide the client with an informed consent form; and
- (3) have the form returned with the client's signature attesting that the client understands the consent form and the information contained in the form.

Subd. 2. [CONTENTS.] The informed consent form must be written in language understandable to the client and, at a minimum, must contain the following:

- (1) name, address, telephone number, and license number of the traditional midwife;
- (2) a description of the traditional midwife's education, training, and experience in traditional midwifery;
- (3) the traditional midwife's fees and method of billing;
- (4) the right of the client to file a complaint with the board and the procedures for filing a complaint;
- (5) a description of the traditional midwife's medical consultation plan and the antepartum, intrapartum, and postpartum conditions requiring consultation, transfer of care, or transport to a hospital facility;
- (6) the scope of care and services to be provided to the client by the traditional midwife;
- (7) the available alternatives to traditional midwifery care;
- (8) a statement indicating that the client's records and any transaction with the traditional midwife are confidential;
- (9) a notice that reads: "We realize that there are risks associated with homebirth, including the risk of death or disability of either mother or child. We understand that a situation may arise, which requires emergency medical care and that it may not be possible to transport the mother and/or baby to the hospital in time to benefit from such care. We fully accept the outcome and consequences of our decision to have a traditional midwife attend us during pregnancy and at our

birth. We realize that our traditional midwife is not licensed to practice medicine. We are not seeking a licensed physician or certified nurse midwife as the primary caregiver for this pregnancy, and we understand that our midwife shall inform us of any observed signs or symptoms of disease, which may require evaluation, care, or treatment by a medical practitioner. We agree that we are totally responsible for obtaining qualified medical assistance for the care of any disease or pathological condition.";

(10) the right of a client to refuse services unless otherwise provided by law;

(11) a disclosure of whether the traditional midwife carries malpractice or liability insurance;
and

(12) the client and traditional midwife signatures and date of signing.

Subd. 3. [FILING.] The licensed traditional midwife must have a signed informed consent form on file for each client. Upon request, the traditional midwife must provide a copy of the informed consent form to the board.

Sec. 5. [147D.09] [LIMITATIONS OF PRACTICE.]

(a) A licensed traditional midwife shall not prescribe, dispense, or administer prescription drugs, except as permitted under paragraph (b).

(b) A licensed traditional midwife may administer vitamin K either orally or through intramuscular injection, postpartum antihemorrhagic drugs under emergency situations, local anesthetic, oxygen, and a prophylactic eye agent to the newborn infant.

(c) A licensed traditional midwife shall not perform any operative or surgical procedures except for suture repair of first- or second-degree perineal lacerations.

Sec. 6. [147D.11] [MEDICAL CONSULTATION PLAN.]

(a) To be eligible for licensure as a traditional midwife, an applicant must develop a medical consultation plan. The plan must describe guidelines and under what conditions the plan is to be implemented for:

(1) consultation with a licensed physician or certified nurse midwife;

(2) the transfer of care to a licensed physician or a certified nurse midwife; and

(3) immediate transport to a licensed hospital.

(b) The conditions requiring the implementation of the medical consultation plan must meet at a minimum the conditions established by the Minnesota Midwives Guild in the Standards of Care and Certification Guide, 1996 edition.

Sec. 7. [147D.13] [REPORTING.]

Subdivision 1. [PRACTICE REPORT.] (a) A licensed traditional midwife must compile a summary report on each client. The report must include the following:

(1) vital statistics;

(2) scope of care administered;

(3) whether the medical consultation plan was implemented; and

(4) any physician or other health care provider referrals made.

(b) The board may review these reports at any time upon request.

Subd. 2. [PUBLIC HEALTH REPORT.] A licensed traditional midwife must promptly report to the commissioner of health and to the board any maternal, fetal, or neonatal mortality or morbidity.

Subd. 3. [DISCIPLINARY ACTION.] A licensed traditional midwife must report to the board termination, revocation, or suspension of the traditional midwife's certification or any disciplinary action taken against the traditional midwife by the North American Registry of Midwives.

Sec. 8. [147D.15] [LICENSURE RESTRICTIONS; PROTECTED TITLES.]

Subdivision 1. [LICENSURE REQUIRED.] No person may engage in the practice of traditional midwifery unless the person is licensed as a traditional midwife in accordance with this chapter.

Subd. 2. [PROTECTED TITLES.] No person may use the title "licensed traditional midwife," or "licensed midwife," or use, in connection with the person's name, the letters "LTM," "LM," or any other titles, words, letters, abbreviations, or insignia indicating or implying that the person is licensed or eligible for licensure by the state as a traditional midwife unless the person has been licensed as a traditional midwife according to this chapter.

Subd. 3. [OTHER HEALTH CARE PRACTITIONERS; STUDENTS.] (a) Nonphysician individuals practicing in a health care occupation or profession are not restricted in the provision of services included in section 147D.03, subdivision 2, as long as they do not hold themselves out as traditional midwives by or through the use of the titles protected in subdivision 2 in association with provision of these services.

(b) A physician licensed under chapter 147 and a registered nurse or certified nurse midwife licensed under sections 148.171 to 148.285 are exempt from this chapter.

(c) Nothing in this chapter shall be construed to require licensure of a traditional midwifery student enrolled in an approved education program or an apprenticeship program.

Subd. 4. [PENALTY.] A person who violates this section is guilty of a misdemeanor.

Subd. 5. [EXCEPTIONS.] Nothing in this chapter shall be construed to limit gratuitous traditional midwifery services provided by family members or members of the same religious community.

Sec. 9. [147D.17] [LICENSURE REQUIREMENTS.]

Subdivision 1. [GENERAL REQUIREMENTS FOR LICENSURE.] To be eligible for licensure, an applicant, with the exception of those seeking licensure by reciprocity under subdivision 2, must:

(1) submit a completed application on forms provided by the board along with all fees required under section 147D.27 that includes:

(i) the applicant's name, social security number, home address and telephone number, and business address and telephone number;

(ii) a list of degrees received from educational institutions;

(iii) a description of the applicant's professional training;

(iv) a list of registrations, certifications, and licenses held in other jurisdictions;

(v) a description of any other jurisdiction's refusal to credential the applicant;

(vi) a description of all professional disciplinary actions initiated against the applicant in any jurisdiction; and

(vii) any history of drug or alcohol abuse, and any misdemeanor or felony conviction;

(2) submit a diploma from an approved education program or submit evidence of having completed an apprenticeship program;

(3) submit a verified copy of a valid and current credential, issued by the North American

Registry of Midwives or other board-approved national organization, as a certified professional midwife;

(4) submit current certification from the American Heart Association or the American Red Cross to perform adult and infant cardiopulmonary resuscitation;

(5) submit a copy of the applicant's medical consultation plan;

(6) submit documentation verifying that the applicant has the following practical experience through an apprenticeship or other supervisory setting:

(i) the provision of 75 prenatal examinations, including 20 initial examinations;

(ii) supervised participation in 20 births;

(iii) participation as the primary birth attendant under the supervision of a licensed traditional midwife at an additional 20 births, ten of which must have occurred outside a state licensed health care facility;

(iv) 20 newborn examinations; and

(v) 40 postpartum examinations;

(7) submit additional information as requested by the board, including any additional information necessary to ensure that the applicant is able to practice with reasonable skill and safety to the public;

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

(9) sign a waiver authorizing the board to obtain access to the applicant's records in this or any other state in which the applicant has completed an approved education program or engaged in the practice of traditional midwifery.

Subd. 2. [LICENSURE BY RECIPROCITY.] To be eligible for licensure by reciprocity, the applicant must be credentialed by the North American Registry of Midwives or other board-approved organization and must:

(1) submit the application materials and appropriate fees as required under subdivision 1, clauses (1), (3), (4), (5), (6), (7), (8), and (9); and section 147D.27;

(2) provide a verified copy from the appropriate body of a current and unrestricted credential for the practice of traditional midwifery in another jurisdiction that has initial credentialing requirements equivalent to or higher than the requirements in subdivision 1; and

(3) provide letters of verification from the appropriate government body in each jurisdiction in which the applicant holds a credential. Each letter must state the applicant's name, date of birth, credential number, date of issuance, a statement regarding disciplinary actions, if any, taken against the applicant, and if the applicant is in good standing in that jurisdiction.

Subd. 3. [TEMPORARY PERMIT.] The board may issue a temporary permit to practice as a traditional midwife to an applicant eligible for licensure under this section if the application for licensure is complete, all applicable requirements in this section have been met, and a nonrefundable fee set by the board has been paid. The permit remains valid only until the meeting of the board at which a decision is made on the traditional midwife's application for licensure.

Subd. 4. [LICENSURE BY EQUIVALENCY DURING TRANSITION PERIOD.] (a) From July 1, 1999, to July 1, 2001, a traditional midwife may qualify for licensure if the traditional midwife has engaged in the practice of traditional midwifery in this state for at least five years in the period from July 1, 1994, to June 30, 1999, and submits documentation verifying the practical experience described in section 147D.17, subdivision 1, clause (6). To be eligible for licensure under this subdivision, the traditional midwife must also submit the application materials and the

appropriate fees required under subdivision 1, clauses (1), (4), (5), (6), (7), (8), and (9), and section 147D.27.

(b) Application for licensure under this subdivision must be submitted to the board between July 1, 1999, and June 30, 2001. Licensure under this subdivision may be renewed once. Within a two-year period from the date a license is issued by the board in accordance with this subdivision, the traditional midwife must obtain a certification from the North American Registry of Midwives as a certified professional midwife. If certification is not obtained within this time period, the traditional midwife must obtain a new license by applying for licensure and fulfilling the requirements then in existence for obtaining an initial license as a traditional midwife.

Subd. 5. [LICENSE EXPIRATION.] Licenses issued under this chapter expire every year.

Subd. 6. [RENEWAL.] To be eligible for license renewal, a licensee must:

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

(2) submit the renewal fee;

(3) provide evidence every three years of a total of 30 hours of continuing education approved by the board as described in section 147D.21;

(4) submit evidence of an annual review and update of the licensed traditional midwife's medical consultation plan; and

(5) submit any additional information requested by the board. The information must be submitted within 30 days after the board's request, or the renewal request is nullified.

Subd. 7. [CHANGE OF ADDRESS.] A licensee who changes addresses must inform the board within 30 days, in writing, of the change of address. All notices or other correspondence mailed to or served on a licensee by the board at the licensee's address on file with the board shall be considered as having been received by the licensee.

Subd. 8. [LICENSE RENEWAL NOTICE.] At least 30 days before the license renewal date, the board shall send out a renewal notice to the last known address of the licensee on file. The notice must include a renewal application and a notice of fees required for renewal. It must also inform the licensee that licensure will expire without further action by the board if an application for license renewal is not received before the deadline for renewal. The licensee's failure to receive this notice shall not relieve the licensee of the obligation to meet the deadline and other requirements for license renewal. Failure to receive this notice is not grounds for challenging expiration of licensure status.

Subd. 9. [RENEWAL DEADLINE.] The renewal application and fee must be postmarked on or before July 1 or as determined by the board. If the postmark is illegible, the application shall be considered timely if received by the third working day after the deadline.

Subd. 10. [INACTIVE STATUS AND RETURN TO ACTIVE STATUS.] (a) A license may be placed in inactive status upon application to the board by the licensee and upon payment of an inactive status fee.

(b) Licensees seeking restoration to active from inactive status must pay the current renewal fees and all unpaid back inactive fees. They must meet the criteria for renewal specified in subdivision 6, including continuing education hours equivalent to one hour for each month of inactive status, prior to submitting an application to regain licensure status. If the inactive status extends beyond five years, a qualifying score on a credentialing examination, or completion of an advisory council-approved eight-week supervised practical experience is required. If the licensee intends to regain active licensure by means of eight weeks of advisory council-approved practical experience, the licensee shall be granted temporary licensure for a period of no longer than six months.

Subd. 11. [LICENSURE FOLLOWING LAPSE OF LICENSURE STATUS FOR TWO

YEARS OR LESS.] For any individual whose licensure status has lapsed for two years or less, to regain licensure status, the individual must:

- (1) apply for license renewal according to subdivision 6;
- (2) document compliance with the continuing education requirements of section 147D.21 since the licensee's initial licensure or last renewal; and
- (3) submit the fees required under section 147D.27 for the period not licensed, including the fee for late renewal.

Subd. 12. [CANCELLATION DUE TO NONRENEWAL.] The board shall not renew, reissue, reinstate, or restore a license that has lapsed and has not been renewed within two licensure renewal cycles starting July 1999. A licensee whose license is canceled for nonrenewal must obtain a new license by applying for licensure and fulfilling all requirements then in existence for initial licensure as a traditional midwife.

Subd. 13. [CANCELLATION OF LICENSURE IN GOOD STANDING.] (a) A licensee holding an active license as a traditional midwife in the state may, upon approval of the board, be granted licensure cancellation if the board is not investigating the person as a result of a complaint or information received or if the board has not begun disciplinary proceedings against the licensee. Such action by the board shall be reported as a cancellation of licensure in good standing.

(b) A licensee who receives board approval for licensure cancellation is not entitled to a refund of any license fees paid for the licensure period in which cancellation of the license occurred.

(c) To obtain licensure after cancellation, a licensee must obtain a new license by applying for licensure and fulfilling the requirements then in existence for obtaining an initial license as a traditional midwife.

Sec. 10. [147D.19] [BOARD ACTION ON APPLICATIONS FOR LICENSURE.]

- (a) The board shall act on each application for licensure according to paragraphs (b) to (d).
- (b) The board shall determine if the applicant meets the requirements for licensure under section 147D.17. The board or advisory council may investigate information provided by an applicant to determine whether the information is accurate and complete.
- (c) The board shall notify each applicant in writing of action taken on the application, the grounds for denying licensure if licensure is denied, and the applicant's right to review under paragraph (d).
- (d) Applicants denied licensure may make a written request to the board, within 30 days of the board's notice, to appear before the advisory council and for the advisory council to review the board's decision to deny the applicant's license. After reviewing the denial, the advisory council shall make a recommendation to the board as to whether the denial shall be affirmed. Each applicant is allowed only one request for review per licensure period.

Sec. 11. [147D.21] [CONTINUING EDUCATION REQUIREMENTS.]

Subdivision 1. [NUMBER OF REQUIRED CONTACT HOURS.] Three years after the date of initial licensure and every three years thereafter, a licensee must complete a minimum of 30 contact hours of board-approved continuing education and attest to completion of continuing education requirements by reporting to the board. At least five contact hours within a three-year reporting period must involve adult cardiopulmonary resuscitation and either infant cardiopulmonary resuscitation or neonatal advanced life support.

Subd. 2. [APPROVAL OF CONTINUING EDUCATION PROGRAMS.] The board shall approve continuing education programs that meet the following criteria:

- (1) the program content directly relates to the practice of traditional midwifery;

(2) each member of the program faculty is knowledgeable in the subject matter as demonstrated by a degree from an accredited education program, verifiable experience in the field of traditional midwifery, special training in the subject matter, or experience teaching in the subject area;

(3) the program lasts at least one contact hour;

(4) there are specific, measurable, written objectives, consistent with the program, describing the expected outcomes for the participants; and

(5) the program sponsor has a mechanism to verify participation and maintains attendance records for three years.

Subd. 3. [CONTINUING EDUCATION TOPICS.] Continuing education program topics may include, but are not limited to, traditional midwifery care in the prenatal, labor, birth, and postpartum and newborn periods; assessing contra indications; care in emergency situations; ethics; and nutrition.

Subd. 4. [ACCUMULATION OF CONTACT HOURS.] A licensee may not apply contact hours acquired in one three-year reporting period to a future continuing education reporting period.

Subd. 5. [VERIFICATION OF CONTINUING EDUCATION CREDITS.] The board shall periodically select a random sample of licensees and require those licensees to supply the board with evidence of having completed the continuing education to which they attested. Documentation may come directly from the licensee or from state or national organizations that maintain continuing education records.

Sec. 12. [147D.23] [DISCIPLINE; REPORTING.]

For purposes of this chapter, licensees and applicants are subject to the provisions of sections 147.091 to 147.162.

Sec. 13. [147D.25] [ADVISORY COUNCIL ON TRADITIONAL MIDWIFERY.]

Subdivision 1. [MEMBERSHIP.] The board shall appoint a five-member advisory council on traditional midwifery. One member shall be a licensed physician who has been or is currently consulting with traditional midwives, appointed from a list of names submitted to the board by the Minnesota Medical Association. Three members shall be licensed traditional midwives appointed from a list of names submitted to the board by Midwifery Now. Two members shall be a homebirth parent appointed from a list of names submitted to the board by Minnesota Families for Midwifery.

Subd. 2. [ORGANIZATION.] The advisory council shall be organized and administered under section 15.059. The council expires June 30, 2003.

Subd. 3. [DUTIES.] The advisory council shall:

(1) advise the board regarding standards for traditional midwives;

(2) provide for distribution of information regarding traditional midwifery practice standards;

(3) advise the board on enforcement of this chapter;

(4) review applications and recommend granting or denying licensure or license renewal;

(5) advise the board on issues related to receiving and investigating complaints, conducting hearings, and imposing disciplinary action in relation to complaints against licensed traditional midwives;

(6) advise the board regarding approval of continuing education programs using the criteria in section 147D.21, subdivision 2; and

(7) perform other duties authorized for advisory councils by chapter 214, as directed by the board.

Sec. 14. [147D.27] [FEES.]

Subdivision 1. [LICENSURE FEE.] The license application fee is \$100. The fee for initial licensure and annual renewal is \$100. The fee for inactive status is \$50. The fee for a temporary permit is \$75.

Subd. 2. [PRORATION OF FEES.] The board may prorate the initial licensure fee. All licensees are required to pay the full fee upon license renewal.

Subd. 3. [PENALTY FEE FOR LATE RENEWALS.] An application for license renewal submitted after the deadline must be accompanied by a late fee of \$75 in addition to the required fees.

Subd. 4. [NONREFUNDABLE FEES.] The fees in this section are nonrefundable.

Sec. 15. [REPEALER.]

Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32, are repealed.

Minnesota Rules, parts 5600.2000; and 5600.2100, are repealed."

Delete the title and insert:

"A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; proposing coding for new law as Minnesota Statutes, chapter 147D; repealing Minnesota Statutes 1998, sections 148.30; 148.31; and 148.32; Minnesota Rules, parts 5600.2000; and 5600.2100."

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

Senator Hottinger from the Committee on Health and Family Security, to which was referred

S.F. No. 286: A bill for an act relating to health; creating a religious exemption to mandated autopsies; amending Minnesota Statutes 1998, sections 145.132; 299F.04, subdivision 5; 383B.225, subdivisions 7 and 8; 390.11, subdivisions 2, 2a, and 3; and 390.32, subdivisions 2, 2a, and 3; proposing coding for new law in Minnesota Statutes, chapter 390.

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

Delete everything after the enacting clause and insert:

"Section 1. [CASE STUDIES TO DEVELOP STANDARDS FOR AUTOPSY PRACTICE IN SPECIAL CASES.]

Subdivision 1. [CASE STUDIES.] (a) A professional association representing coroners and medical examiners in Minnesota shall conduct a series of case studies to examine cases in which performing autopsies would be controversial or in which autopsies are opposed by a decedent's relative or friend based on the decedent's religious beliefs. The cases to be examined must be cases in which:

(1) it is immediately apparent that an autopsy is needed to determine the person's cause or manner of death but that, upon further investigation, the coroner or medical examiner determines that an autopsy is not necessary to determine the cause or manner of death and that the cause or manner of death must be determined; or

(2) it is not immediately apparent that an autopsy is needed to determine the person's cause or manner of death but that, upon further investigation, the coroner or medical examiner determines

that an autopsy is necessary to determine the cause or manner of death and that the cause or manner of death must be determined.

Using these case studies, the professional association shall develop:

(1) standards to guide coroners and medical examiners regarding when to perform autopsies in controversial situations or in situations in which autopsies are opposed based on a decedent's religious beliefs; and

(2) special autopsy methods and procedures, if appropriate, for autopsies in controversial situations or situations in which autopsies are opposed based on a decedent's religious beliefs.

(b) The professional association may conduct 12 or more case studies for this purpose. Upon completion of the case studies, the professional association shall disseminate the standards developed to all coroners and medical examiners conducting autopsies in Minnesota.

Subd. 2. [REPORT TO LEGISLATURE.] The professional association shall report to the legislature by January 15, 2000, on the results of the case studies, the standards developed for autopsy practice, the special autopsy methods and procedures developed, and efforts or plans to disseminate the standards developed to coroners and medical examiners conducting autopsies in Minnesota.

Subd. 3. [DATA PRIVACY.] All records held by the professional association for purposes of completing the case studies are private data on individuals as defined in Minnesota Statutes, section 13.02, subdivision 12. The standards for autopsies and special autopsy methods and procedures that are disseminated to coroners and medical examiners shall contain no individually identifiable information."

Delete the title and insert:

"A bill for an act relating to health; requiring case studies of certain autopsies; appropriating money."

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

Senator Spear from the Committee on Crime Prevention, to which was re-referred

S.F. No. 171: A bill for an act relating to commerce; providing an appropriation for an education campaign on mortgage flipping; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 82B.

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

Page 1, delete lines 8 and 9 and insert:

"A person is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the person:

(1) violates section 82B.20, subdivision 2, clause (4);

(2) performs unlicensed activities, if a license is required under this chapter; or

(3) violates any order issued by the commissioner related to conduct prohibited by clause (1)."

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.

MOTIONS AND RESOLUTIONS

Senator Johnson, D.J. moved that the name of Senator Lessard be added as a co-author to S.F. No. 1830. The motion prevailed.

Senator Hottinger moved that S.F. No. 1199 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Children, Families and Learning. The motion prevailed.

Senator Ranum moved that S.F. No. 255 be taken from the table. The motion prevailed.

S.F. No. 255: A bill for an act relating to crime; providing that interference with an emergency call is a crime; amending Minnesota Statutes 1998, section 609.78.

CONCURRENCE AND REPASSAGE

Senator Ranum moved that the Senate concur in the amendments by the House to S.F. No. 255 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 255 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Oliver	Scheevel
Belanger	Hottinger	Laidig	Olson	Scheid
Berg	Janezich	Langseth	Ourada	Solon
Berglin	Johnson, D.E.	Larson	Pappas	Spear
Betzold	Johnson, D.H.	Lesewski	Pariseau	Stevens
Cohen	Johnson, J.B.	Limmer	Piper	Ten Eyck
Dille	Junge	Lourey	Price	Terwilliger
Fischbach	Kelley, S.P.	Marty	Ranum	Vickerman
Flynn	Kelly, R.C.	Metzen	Robertson	Wiener
Foley	Kiscaden	Moe, R.D.	Robling	Wiger
Frederickson	Kleis	Murphy	Sams	
Hanson	Knutson	Neuville	Samuelson	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Kiscaden moved that S.F. No. 212 be withdrawn from the Committee on Jobs, Energy and Community Development, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 212 was read the second time.

Senator Day moved that H.F. No. 1305 be withdrawn from the Committee on Transportation and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1280, now on the Consent Calendar. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Johnson, D.H.; Wiger; Limmer and Runbeck introduced--

S.F. No. 1975: A bill for an act relating to utilities; restructuring the regulation of electricity generation; providing for transition to a competitive industry; requiring restructuring plans; requiring unbundling of services; providing for recovery of stranded costs; requiring registration of suppliers; providing civil remedies; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 216E.

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

Senators Higgins and Murphy introduced--

S.F. No. 1976: A bill for an act relating to municipal electric power; defining city within the meaning of the act; authorizing the Minneapolis park and recreation board to engage in the local distribution and sale of hydroelectric power to protect the natural, historical, ecological, and aesthetic value of the Mississippi river at the Falls of St. Anthony; amending Minnesota Statutes 1998, section 453.52, subdivision 3.

Referred to the Committee on Local and Metropolitan Government.

Senator Hottinger introduced--

S.F. No. 1977: A bill for an act relating to natural resources; modifying forest assessment provisions; modifying reporting requirements; amending Minnesota Statutes 1998, section 89.011, subdivisions 2 and 3.

Referred to the Committee on Environment and Natural Resources.

Senator Hottinger introduced--

S.F. No. 1978: A bill for an act relating to forest resources; modifying unit forest resource plan requirements; providing public notice; amending Minnesota Statutes 1998, section 89.012; proposing coding for new law in Minnesota Statutes, chapter 90.

Referred to the Committee on Environment and Natural Resources.

Senators Hottinger; Novak; Johnson, J.B. and Laidig introduced--

S.F. No. 1979: A bill for an act relating to natural resources; providing for riparian forest management; proposing coding for new law in Minnesota Statutes, chapter 89.

Referred to the Committee on Environment and Natural Resources.

Senator Hottinger introduced--

S.F. No. 1980: A bill for an act relating to natural resources; appropriating money for tree planting grants in the city of St. Peter.

Referred to the Committee on Environment and Natural Resources.

Senator Neuville introduced--

S.F. No. 1981: A bill for an act relating to education funding; authorizing a grant to independent school district No. 656, Faribault; authorizing a local levy; authorizing a fund transfer; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Neuville introduced--

S.F. No. 1982: A bill for an act relating to human services; transferring funding for certain ICF/MR's; amending Laws 1995, chapter 207, article 3, section 21.

Referred to the Committee on Health and Family Security.

Senator Neuville introduced--

S.F. No. 1983: A bill for an act relating to corrections; requiring all inmates incarcerated in state or local facilities to work a minimum of 40 hours per week; specifying the minimum pay for this work; prohibiting inmates from receiving monetary compensation for participating in treatment or education programs; amending Minnesota Statutes 1998, sections 243.18, subdivision 2; and 243.23, subdivision 1, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 641; repealing Minnesota Statutes 1998, sections 641.07; and 641.10.

Referred to the Committee on Crime Prevention.

Senator Berglin introduced--

S.F. No. 1984: A bill for an act relating to cities; neighborhood revitalization; requiring cities to discharge unpaid tax obligations of certain nonprofit contractors.

Referred to the Committee on Taxes.

Senators Neuville and Ranum introduced--

S.F. No. 1985: A bill for an act relating to real property; providing that the title to all real property must be registered by the year 2030; phasing in registration requirements; amending Minnesota Statutes 1998, section 462.358, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 386; 505; 507; 508; and 508A.

Referred to the Committee on Judiciary.

Senator Stevens introduced--

S.F. No. 1986: A bill for an act relating to natural resources; allowing certain motorized vehicles that assist the disabled on nonmotorized state trails; amending Minnesota Statutes 1998, section 85.018, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

Senator Flynn introduced--

S.F. No. 1987: A bill for an act relating to property taxes; increasing the valuation limit for the first tier of residential homestead property; increasing the education homestead credit rate; reducing the general education levy; amending Minnesota Statutes 1998, sections 273.13, subdivision 22; 273.1382, subdivision 1; and 273.1398, subdivision 1a; repealing Minnesota Statutes 1998, section 273.1382, subdivision 1a.

Referred to the Committee on Local and Metropolitan Government.

Senators Scheid, Robertson, Pappas and Pogemiller introduced--

S.F. No. 1988: A bill for an act relating to education; providing building lease aid to area learning centers; amending Minnesota Statutes 1998, section 123A.05, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Senator Pogemiller introduced--

S.F. No. 1989: A bill for an act relating to education; creating marginal cost pupil units; adjusting the general education and referendum formulas by marginal cost pupil units; amending Minnesota Statutes 1998, sections 120B.05; 126C.05, subdivision 5, and by adding a subdivision; 126C.10, subdivisions 2, 5, 9, 13, 18, 19, and 20; 126C.12, subdivision 1; and 126C.17, subdivisions 1, 2, 4, 5, and 6.

Referred to the Committee on Children, Families and Learning.

Senators Terwilliger, Wiger, Robertson, Langseth and Pogemiller introduced--

S.F. No. 1990: A bill for an act relating to education; authorizing funding for voluntary integration programs; appropriating money; amending Minnesota Statutes 1998, sections 123B.57, by adding a subdivision; 123B.59, by adding a subdivision; 124D.86, subdivision 3; 124D.87; 124D.88, subdivision 3, and by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Senators Johnson, D.E.; Janezich; Hanson; Sams and Laidig introduced--

S.F. No. 1991: A bill for an act relating to transportation; appropriating money for planning and design of personal rapid transit.

Referred to the Committee on Transportation.

Senator Lourey introduced--

S.F. No. 1992: A bill for an act relating to economic development; providing for a grant to Aitkin County Growth, Inc. for payment of certain taxes; appropriating money.

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

Senator Hottinger introduced--

S.F. No. 1993: A bill for an act relating to state government; rulemaking; authorizing the governor to veto certain rules; amending Minnesota Statutes 1998, sections 14.05, by adding a subdivision; 14.16, subdivision 3; 14.26, subdivision 3; 14.386; and 14.389, subdivision 3.

Referred to the Committee on Governmental Operations and Veterans.

Senators Terwilliger and Hottinger introduced--

S.F. No. 1994: A bill for an act relating to family law; providing for grandparent visitation rights on behalf of the child; expanding grandparent visitation rights; specifying procedures; requiring mediation; amending Minnesota Statutes 1998, section 257.022, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1998, section 257.022, subdivisions 2 and 2a.

Referred to the Committee on Judiciary.

Senators Larson and Novak introduced--

S.F. No. 1995: A bill for an act relating to consumer protection; regulating auto glass repair and replacement; restricting certain rebates and incentives; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Senators Pogemiller, Higgins and Flynn introduced--

S.F. No. 1996: A bill for an act relating to taxation; including the Middle Mississippi River Watershed Management Organization in the definition of special taxing districts for purposes of property taxation and state aids; amending Minnesota Statutes 1998, section 275.066.

Referred to the Committee on Local and Metropolitan Government.

Senators Dille, Sams and Lesewski introduced--

S.F. No. 1997: A bill for an act relating to agriculture; changing meeting provisions and duties of the board of grain standards; changing certain fees; defining and clarifying certain terms; changing certain provisions related to grain buyers, warehouses, and grain storage; authorizing rulemaking; amending Minnesota Statutes 1998, sections 17B.07; 17B.12; 17B.15, subdivision 1; 27.01, subdivision 8, and by adding a subdivision; 27.19, subdivision 1; 223.17, subdivisions 5 and 6; 223.175; 232.21, by adding a subdivision; and 232.23, subdivisions 3 and 6; proposing coding for new law in Minnesota Statutes, chapters 231; and 232.

Referred to the Committee on Agriculture and Rural Development.

Senator Neuville introduced--

S.F. No. 1998: A bill for an act relating to education funding; authorizing a grant to independent school district No. 659, Northfield, for the Northfield community resource center; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Pappas; Berglin; Johnson, D.J.; Flynn and Vickerman introduced--

S.F. No. 1999: A bill for an act relating to taxation; basing the working family credit on the federal earned income tax credit; amending Minnesota Statutes 1998, section 290.0671, subdivision 1; repealing Minnesota Statutes 1998, section 290.0671, subdivision 1a.

Referred to the Committee on Taxes.

Senator Hanson introduced--

S.F. No. 2000: A bill for an act relating to highways; providing a remedy for town roads that do not provide adequate turnaround space at cul-de-sacs and dead ends; increasing amount that may be spent on a town road by order of a county board; amending Minnesota Statutes 1998, section 163.16, subdivisions 1 and 3.

Referred to the Committee on Transportation.

Senators Robling and Lesewski introduced--

S.F. No. 2001: A bill for an act relating to child care; changing eligibility for basic sliding fee assistance; expanding the dependent care tax credit; amending Minnesota Statutes 1998, sections 119B.09, subdivisions 1 and 2; 119B.12, subdivision 2; and 290.067, subdivisions 1 and 2.

Referred to the Committee on Children, Families and Learning.

Senator Day introduced--

S.F. No. 2002: A bill for an act relating to tax increment financing; modifying the rule allowing use of economic development districts for commercial developments in small cities; amending Minnesota Statutes 1998, sections 469.174, subdivision 27; and 469.176, subdivision 4c.

Referred to the Committee on Local and Metropolitan Government.

Senators Stevens and Fischbach introduced--

S.F. No. 2003: A bill for an act relating to human services; providing supplementary payments to adult foster care providers for respite care; amending Minnesota Statutes 1998, section 256I.05, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Dille introduced--

S.F. No. 2004: A bill for an act relating to education; appropriating money to independent school district No. 108, Norwood, for air quality and building improvement.

Referred to the Committee on Children, Families and Learning.

Senator Larson introduced--

S.F. No. 2005: A bill for an act relating to higher education; establishing the Minnesota promise scholarship and intervention investment program; appropriating money; amending Minnesota Statutes 1998, section 136A.233, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Children, Families and Learning.

Senator Kelley, S.P. introduced--

S.F. No. 2006: A bill for an act relating to education; appropriating money for a year-round school/extended week or day grant for independent school district No. 270, Hopkins.

Referred to the Committee on Children, Families and Learning.

Senators Stevens and Kleis introduced--

S.F. No. 2007: A bill for an act relating to appropriations; appropriating funds to Benton county to pay principal due on bonds issued for environmental response costs at a mixed municipal solid waste facility; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senator Olson introduced--

S.F. No. 2008: A bill for an act relating to education funding; adjusting the referendum revenue amount for independent school district No. 277, Westonka.

Referred to the Committee on Children, Families and Learning.

Senator Olson introduced--

S.F. No. 2009: A bill for an act relating to education; increasing the referendum allowance limit; amending Minnesota Statutes 1998, section 126C.17, subdivision 2.

Referred to the Committee on Children, Families and Learning.

Senators Junge; Janezich; Kiscaden; Kelley, S.P. and Johnson, D.H. introduced--

S.F. No. 2010: A bill for an act relating to taxation; providing income tax credits for expenditures for certain job training programs and for post-secondary education; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Senators Piper, Pogemiller, Janezich, Lourey and Foley introduced--

S.F. No. 2011: A bill for an act relating to children; establishing a pilot grant program to provide comprehensive educational programming for children ages birth to eight; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Johnson, J.B.; Price and Cohen introduced--

S.F. No. 2012: A bill for an act relating to the legislature; appropriating money to the senate for the production and distribution of a videotape on the legislative process.

Referred to the Committee on Rules and Administration.

Senator Johnson, J.B. introduced--

S.F. No. 2013: A bill for an act relating to economic development; directing office of strategic and long-range planning to create state development strategy; appropriating money.

Referred to the Committee on Governmental Operations and Veterans.

Senators Fischbach, Olson and Neuville introduced--

S.F. No. 2014: A bill for an act relating to education; modifying AIDS prevention program to include human papilloma virus prevention; amending Minnesota Statutes 1998, section 121A.23.

Referred to the Committee on Children, Families and Learning.

Senators Pappas, Flynn and Scheevel introduced--

S.F. No. 2015: A bill for an act relating to taxation; reducing the property tax class rates on residential property containing four or more units; amending Minnesota Statutes 1998, sections 273.13, subdivision 25; and 273.1398, subdivision 1a.

Referred to the Committee on Local and Metropolitan Government.

Senator Runbeck introduced--

S.F. No. 2016: A bill for an act relating to education; providing for grants for supplemental literacy programs; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Runbeck introduced--

S.F. No. 2017: A bill for an act relating to public employment; making technical and administrative changes; amending Minnesota Statutes 1998, sections 13.43, subdivision 2; 43A.01, subdivision 2; 43A.02, subdivision 33; 43A.06, subdivision 8; 43A.07, subdivision 4; 43A.13, subdivision 3; 43A.15, subdivision 6, and by adding a subdivision; 43A.17, subdivision 8; 43A.18, subdivision 1; 43A.19, subdivision 3; 43A.20; 43A.317, subdivisions 3 and 4; 43A.38, subdivision 4; and 43A.421; Laws 1995, chapter 248, article 13, section 2, subdivisions 5, as amended, and 6, as amended; repealing Minnesota Statutes 1998, sections 43A.13, subdivision 9; 43A.40; 43A.41; 43A.42; 43A.43, subdivision 2; 43A.44; 43A.45; 43A.46; and 43A.465; Minnesota Rules, parts 3910.0100; 3910.0200; 3910.0300; 3910.0400; 3910.0500; 3910.0600; 3910.0700; 3910.0800; 3910.0900; 3910.1000; 3910.1100; 3910.1200; 3910.1300; 3910.1400; 3910.1500; 3910.1600; and 3910.1700.

Referred to the Committee on Governmental Operations and Veterans.

Senators Larson and Moe, R.D. introduced--

S.F. No. 2018: A bill for an act relating to human services; requiring the commissioner of human services to recognize the purchase price of certain nursing facilities when determining property reimbursement rates; amending Minnesota Statutes 1998, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Olson introduced--

S.F. No. 2019: A bill for an act relating to education; prohibiting a district from billing special education tuition to a resident district if the child open enrolls in another district; reimbursing independent school district No. 277, Westonka, for tuition payments; appropriating money; amending Minnesota Statutes 1998, sections 125A.03; 125A.05; and 125A.11, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 125A.

Referred to the Committee on Children, Families and Learning.

Senator Kelly, R.C. introduced--

S.F. No. 2020: A bill for an act relating to appropriations; appropriating money to the commissioner of corrections for the productive day initiative programs administered by the Dodge-Fillmore-Olmsted community corrections agency, the Arrowhead regional community corrections agency, the Ramsey county community corrections agency, and the Hennepin county community corrections agency.

Referred to the Committee on Crime Prevention.

Senator Stumpf introduced--

S.F. No. 2021: A bill for an act relating to retirement; modifying actuarial cost allocation by the legislative commission on pensions and retirement; amending Minnesota Statutes 1998, section 3.85, subdivision 12.

Referred to the Committee on Governmental Operations and Veterans.

Senator Lessard introduced--

S.F. No. 2022: A bill for an act relating to counties; authorizing private conveyance of county land in Itasca county.

Referred to the Committee on Environment and Natural Resources.

Senators Wiger, Krentz, Robertson, Day and Marty introduced--

S.F. No. 2023: A bill for an act relating to education funding; authorizing a grant for support of the National Association of Student Councils' 1999 National Convention; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Pariseau and Limmer introduced--

S.F. No. 2024: A bill for an act relating to taxation; reducing the general rate of the sales and use tax and the sales tax on motor vehicles; amending Minnesota Statutes 1998, section 297A.02, subdivision 1.

Referred to the Committee on Transportation.

Senators Kiscaden, Neuville, Limmer and Kelly, R.C. introduced--

S.F. No. 2025: A bill for an act relating to public safety training; appropriating money to develop plans for the construction and operation of a southeastern Minnesota regional public safety training center.

Referred to the Committee on Crime Prevention.

MEMBERS EXCUSED

Senators Dille and Limmer were excused from the Session of today from 8:30 to 9:10 a.m. Senator Lessard was excused from the Session of today at 9:30 a.m. Senator Novak was excused from the Session of today at 9:40 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, March 22, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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829857		
836857		
881857		
1094857		

INTRODUCTION AND FIRST READING OF SENATE BILLS

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