

STATE OF MINNESOTA

Journal of the Senate

EIGHTIETH LEGISLATURE

FOURTEENTH DAY

St. Paul, Minnesota, Monday, February 17, 1997

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Dr. Randall K. Taber.

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

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

Anderson	Higgins	Krentz	Neuville	Samuelson
Beckman	Hottinger	Laidig	Novak	Scheevel
Belanger	Janezich	Langseth	Olson	Scheid
Berg	Johnson, D.E.	Larson	Ourada	Spear
Berglin	Johnson, D.H.	Lesewski	Pappas	Stevens
Betzold	Johnson, D.J.	Lessard	Pariseau	Stumpf
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	Wiger
Flynn	Kiscaden	Moe, R.D.	Robling	
Foley	Kleis	Morse	Runbeck	
Frederickson	Knutson	Murphy	Sams	

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

Ms. Hanson, Messrs. Oliver, Pogemiller, Solon and Ms. Wiener were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 29, 1997

The Honorable Allan H. Spear
President of the Senate

Dear Sir:

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

MINNESOTA ENVIRONMENTAL QUALITY BOARD

Paul E. Toren, 805 Park Ave., Mahtomedi, Washington County, effective February 3, 1997, for a term expiring on the first Monday in January, 2001.

(Referred to the Committee on Environment and Natural Resources.)

Warmest regards,
Arne H. Carlson, Governor

REPORTS OF COMMITTEES

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

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

S.F. No. 77: A bill for an act relating to crimes; lowering the per se standard for alcohol concentration from 0.10 to 0.08 for adults, and to 0.04 for persons under 21 years of age, for driving motor vehicles, snowmobiles, all-terrain vehicles, and motorboats while impaired, as well as for criminal vehicular operation and hunting; amending Minnesota Statutes 1996, sections 84.91, subdivision 1; 84.911, subdivision 1; 86B.331, subdivisions 1 and 4; 86B.335, subdivision 1; 97B.065, subdivision 1; 97B.066, subdivision 1; 169.121, subdivisions 1 and 2; 169.123, subdivisions 2, 4, 5a, and 6; and 609.21, subdivisions 1, 2, 2a, 2b, 3, and 4.

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

Page 4, line 32, after "(b)" insert "Except for persons alleged to have violated subdivision 1, paragraph (a), clause (6),"

Page 5, line 20, strike "clause" and insert "clauses" and after "(5)" insert "and (6)"

Page 5, line 21, after "or" insert "being in"

Page 9, line 18, strike "clause" and insert "clauses" and after "(e)" insert "and (f)"

Page 9, line 19, after "or" insert "being in"

Page 10, after line 5, insert:

"Sec. 10. Minnesota Statutes 1996, section 169.121, subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] (a) As used in this subdivision:

(1) "prior impaired driving conviction" means a prior conviction under this section; section 84.91, subdivision 1, paragraph (a); 86B.331, subdivision 1, paragraph (a); 169.129; 360.0752; 609.21, subdivision 1, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 2, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 2a, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 2b, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 3, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 4, clauses (2) to ~~(6)~~ (7); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them. A prior impaired driving conviction also includes a prior juvenile adjudication that would have been a prior impaired driving conviction if committed by an adult; and

(2) "prior license revocation" means a driver's license suspension, revocation, or cancellation under this section; section 169.123; 171.04; 171.14; 171.16; 171.17; or 171.18 because of an

alcohol-related incident; 609.21, subdivision 1, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 2, clauses (2) to ~~(6)~~(7); 609.21, subdivision 2a, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 2b, clauses (2) to ~~(6)~~ (7); 609.21, subdivision 3, clauses (2) to ~~(6)~~ (7); or 609.21, subdivision 4, clauses (2) to ~~(6)~~ (7); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them.

(b) A person who violates subdivision 1 or 1a, or an ordinance in conformity with either of them, is guilty of a misdemeanor.

(c) A person is guilty of a gross misdemeanor under any of the following circumstances:

(1) the person violates subdivision 1 within five years of a prior impaired driving conviction, or within ten years of the first of two or more prior impaired driving convictions;

(2) the person violates subdivision 1a within five years of a prior license revocation, or within ten years of the first of two or more prior license revocations;

(3) the person violates section 169.26 while in violation of subdivision 1; or

(4) the person violates subdivision 1 or 1a while a child under the age of 16 is in the vehicle, if the child is more than 36 months younger than the violator.

(d) The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.

(e) The court must impose consecutive sentences when it sentences a person for a violation of this section or section 169.129 arising out of separate behavioral incidents. The court also must impose a consecutive sentence when it sentences a person for a violation of this section or section 169.129 and the person, at the time of sentencing, is on probation for, or serving, an executed sentence for a violation of this section or section 169.129 and the prior sentence involved a separate behavioral incident. The court also may order that the sentence imposed for a violation of this section or section 169.129 shall run consecutively to a previously imposed misdemeanor, gross misdemeanor or felony sentence for a violation other than this section or section 169.129.

(f) The court may impose consecutive sentences for offenses arising out of a single course of conduct as permitted in section 609.035, subdivision 2.

(g) When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior impaired driving convictions from a court, the court must furnish the information without charge.

(h) A violation of subdivision 1a may be prosecuted either in the jurisdiction where the arresting officer observed the defendant driving, operating, or in control of the motor vehicle or in the jurisdiction where the refusal occurred.

Sec. 11. Minnesota Statutes 1996, section 169.121, subdivision 10a, is amended to read:

Subd. 10a. [CIVIL ACTION; PUNITIVE DAMAGES.] In a civil action involving a motor vehicle accident, it is sufficient for the trier of fact to consider an award of punitive damages if there is evidence that the accident was caused by a driver:

(1) with an alcohol concentration of ~~at least~~ 0.08 or more;

(2) who was under the influence of a controlled substance;

(3) who was under the influence of alcohol and refused to take a test required under section 169.123, subdivision 2; or

(4) who was knowingly under the influence of a hazardous substance that substantially affects the person's nervous system, brain, or muscles so as to impair the person's ability to drive or operate a motor vehicle.

A criminal charge or conviction is not a prerequisite to consideration of punitive damages under this subdivision. At the trial in an action where the trier of fact will consider an award of punitive damages, evidence that the driver has been convicted of violating this section, section 169.129, or 609.21 is admissible into evidence."

Page 22, after line 6, insert:

"Sec. 22. Minnesota Statutes 1996, section 609.21, subdivision 4a, is amended to read:

Subd. 4a. [AFFIRMATIVE DEFENSE.] It shall be an affirmative defense to a charge under subdivision 1, clause ~~(6)~~ (7); 2, clause ~~(6)~~ (7); 2a, clause ~~(6)~~ (7); 2b, clause ~~(6)~~ (7); 3, clause ~~(6)~~ (7); or 4, clause ~~(6)~~ (7), that the defendant used the controlled substance according to the terms of a prescription issued for the defendant in accordance with sections 152.11 and 152.12."

Page 22, line 8, delete "19" and insert "22"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "1 and 2" and insert "1, 2, 3, and 10a"

Page 1, line 13, delete "and 4" and insert "4, and 4a"

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

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

S.F. No. 302: A bill for an act relating to health; allowing certain community health clinics to offer health care services on a prepaid basis; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

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

S.F. No. 150: A bill for an act relating to health; exempting certain health rules from expiration; exempting adopted health risk limits from expiration; modifying rulemaking provisions in the health care administrative simplification act; clarifying the status of certain internal operating procedures; amending Minnesota Statutes 1996, sections 14.386; 14.387; 62J.61; 103H.201, subdivision 4; 148B.66, subdivision 3; 148C.03, subdivision 1; and 153A.15, subdivision 3.

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

Page 5, line 5, delete the new language and strike "rulemaking"

Page 5, line 6, delete everything before "chapter"

Page 5, line 7, after "14" insert ", including section 14.386,"

Page 5, line 27, delete "publication of the remainder" and insert "that contained the notice"

Page 7, line 4, delete everything after "14.387"

Page 7, line 5, delete "contrary"

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

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

S.F. No. 37: A bill for an act relating to professions; extending expiration dates for certain health-related advisory councils; amending Minnesota Statutes 1996, section 214.32, subdivision 1; and Laws 1995, chapter 43, section 1.

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

Page 2, lines 20, 30, and 34, delete "1999" and insert "2001"

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

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

S.F. No. 274: A bill for an act relating to human services; modifying language for adoption assistance purchase of service reimbursement; amending Minnesota Statutes 1996, section 259.67, subdivision 7.

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

Page 2, after line 9, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for reimbursement agreements entered into on or after the day following final enactment."

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

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

S.F. No. 38: A bill for an act relating to health; modifying provisions relating to recordkeeping by persons regulated by the board of medical practice; amending Minnesota Statutes 1996, section 147.091, subdivision 2; repealing Minnesota Rules, part 5600.0605, subpart 10.

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

Page 2, line 18, after "investigation" insert ", and a notice of conference has been issued by the board"

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

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

S.F. No. 126: A bill for an act relating to health; authorizing the creation of community and statewide immunization registries; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

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 1996, section 144.3351, is amended to read:

144.3351 [IMMUNIZATION DATA.]

Providers as defined in section 144.335, subdivision 1, population-based immunization registries as defined in section 144.3402, subdivision 13, group purchasers as defined in section 62J.03, subdivision 6, elementary or secondary schools or child care facilities as defined in section

123.70, subdivision 9, public or private post-secondary educational institutions as defined in section 135A.14, subdivision 1, paragraph (b), a board of health as defined in section 145A.02, subdivision 2, community action agencies as defined in section 268.53, subdivision 1, and the commissioner of health may exchange immunization data with one another, without the patient's consent, if the person requesting access provides services on behalf of the patient. For purposes of this section immunization data includes:

- (1) patient's name, address, date of birth, gender, parent or guardian's name; and
- (2) date vaccine was received, vaccine type, lot number, and manufacturer of all immunizations received by the patient, and whether there is a contraindication or an adverse reaction indication.

This section applies to all immunization data, regardless of when the immunization occurred.

Sec. 2. [144.3401] [CONSTRUCTION.]

Sections 144.3401 to 144.3409 shall be liberally construed to:

- (1) enable the development of population-based immunization registries, which shall include:
 - (i) community-based registries operated by boards of health to exchange shared immunization data to support age-appropriate immunizations; and
 - (ii) a statewide registry operated by the commissioner to maintain immunization data of enrollees, link community-based registries, conduct public health research, and perform statewide assessment to prevent and control vaccine-preventable diseases;
- (2) authorize the commissioner to certify community-based registries which meet specific criteria;
- (3) require health care provider reporting of shared immunization data to certified community-based registries; and
- (4) establish data privacy requirements for the collection, maintenance, access to, and sharing of immunization data maintained by population-based registries.

Sec. 3. [144.3402] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] The definitions in this section apply to sections 144.3401 to 144.3409.

Subd. 2. [ACCESS.] "Access" means allowing people with an authorized need for immunization-related information on a specific individual to enter or review immunization data.

Subd. 3. [BOARD OF HEALTH.] "Board of health" means an administrative authority established under sections 145A.03 and 145A.04.

Subd. 4. [CERTIFICATION.] "Certification" means approval by the commissioner after determining that a community-based registry has fulfilled the requirements of sections 144.3404, 144.3406, and 144.3407.

Subd. 5. [COMMISSIONER.] "Commissioner" means the commissioner of health.

Subd. 6. [COMMUNITY-BASED REGISTRY.] "Community-based registry" means a population-based immunization registry established by a board of health or its agent in conjunction with providers and group purchasers in a particular geographic area to exchange shared immunization data to support age-appropriate immunizations.

Subd. 7. [CONFIDENTIALITY.] "Confidentiality" refers to the duty of health care providers, boards of health, and the department to not disclose information about individuals to others except as authorized.

Subd. 8. [DEPARTMENT.] "Department" means the department of health.

Subd. 9. [ENROLLEE.] "Enrollee" means a person, or the parent or legal guardian of a minor person, enrolled in a population-based immunization registry.

Subd. 10. [ENROLLMENT.] "Enrollment" means the recording of shared immunization data for a new person in a population-based immunization registry.

Subd. 11. [GROUP PURCHASER.] "Group purchaser" has the meaning given in section 62J.03, subdivision 6, and includes a health plan.

Subd. 12. [IMMUNIZATION ASSESSMENT.] "Immunization assessment" means the periodic analysis of immunization data to measure the proportion of a population that has received age-appropriate immunizations as defined by the commissioner in the schedule of recommended childhood and adult immunizations.

Subd. 13. [POPULATION-BASED IMMUNIZATION REGISTRY.] "Population-based immunization registry" means the central collection of shared immunization data for all persons of a defined age, starting with birth registration. Population-based immunization registries include both community-based and statewide registries.

Subd. 14. [IMMUNIZATION REMINDER AND RECALL.] "Immunization reminder and recall" means a system associated with a population-based immunization registry designed to notify enrollees or providers of upcoming or past due immunizations in order to support enrollees or providers in achieving age-appropriate immunizations.

Subd. 15. [PRIVACY.] "Privacy" refers to the interest of an individual to control the dissemination and use of information that relates to the individual.

Subd. 16. [PROVIDER.] "Provider" has the meaning given in section 144.335, subdivision 1.

Subd. 17. [SCHOOL.] "School" has the meaning given in sections 123.70, subdivision 9, and 135A.14, subdivision 1.

Subd. 18. [SECURITY.] "Security" refers to the procedures to protect data from accidental or intentional disclosure to an unauthorized person and to protect data from loss or unauthorized alterations.

Subd. 19. [SHARED IMMUNIZATION DATA.] "Shared immunization data" refers to the standardized immunization data that is shared between those authorized to do so according to sections 144.3351 and 144.3407 and that contains the following information:

- (1) local registry number or other registry identification;
- (2) Minnesota immunization number;
- (3) first name;
- (4) middle name;
- (5) last name;
- (6) birth date;
- (7) gender;
- (8) apartment or box number;
- (9) street address;
- (10) city;
- (11) state;
- (12) zip code;

- (13) contraindication indicator;
- (14) legal mother's first name;
- (15) legal mother's middle name;
- (16) legal mother's last name;
- (17) immunization date;
- (18) vaccine type;
- (19) vaccine manufacturer;
- (20) lot number;
- (21) name of medical clinic providing immunization; and
- (22) immunization adverse reaction indicator.

Subd. 20. [STATEWIDE REGISTRY.] "Statewide registry" means a population-based immunization registry operated by the commissioner to maintain immunization data of enrollees, link community-based registries, conduct public health research, and perform statewide assessment to prevent and control vaccine-preventable diseases.

Subd. 21. [VACCINE.] "Vaccine" means those biologics that are used to provide immunity against diseases included in the schedule of recommended immunizations issued by the commissioner, which include, but are not limited to, diphtheria, tetanus, pertussis, polio, measles, mumps, rubella, hemophilus influenza type b, hepatitis B, hepatitis A, varicella, influenza, and pneumococcal pneumonia.

Sec. 4. [144.3403] [DUTIES OF THE COMMISSIONER.]

Subdivision 1. [RECOMMENDATIONS TO THE LEGISLATURE.] The commissioner shall prepare recommendations for the 1998 legislature that include, but are not limited to, the following:

- (1) criteria for allowing authorized access, including telecommunications access, to shared immunization data consistent with section 144.3407;
- (2) procedures by which an individual may claim an exemption to the exchange of their shared immunization data between authorized users for reminder and recall purposes, or for other purposes; and
- (3) criteria, including data security and quality assurance procedures, by which the commissioner certifies community-based registries pursuant to subdivision 3.

Subd. 2. [IMMUNIZATION REGISTRY ADVISORY TASK FORCE.] The commissioner shall establish an immunization registry advisory task force to advise on the development of recommendations as specified in subdivision 1. The advisory task force shall be appointed by the commissioner and be composed of, but not limited to, representatives from boards of health, providers, group purchasers, schools, and consumers. The task force shall include persons with expertise in immunizations. The advisory task force is governed by section 15.014, and expires no later than June 30, 2002.

Subd. 3. [CERTIFICATION.] The commissioner may certify a community-based registry when the board of health operating the registry submits an application and the commissioner has evaluated and approved the operation of the registry for compliance with sections 144.3404, 144.3406, and 144.3407.

Subd. 4. [STATEWIDE REGISTRY.] Subject to the availability of funds, the commissioner shall establish a statewide registry that links community-based registries across the state. The

statewide registry shall, at a minimum, establish procedures for collecting and exchanging shared immunization data, assuring its reliability, and providing for data protection according to chapter 13 and section 144.3407.

Sec. 5. [144.3404] [COMMUNITY-BASED REGISTRIES.]

Subdivision 1. [REQUIREMENTS.] Subject to the availability of funds, boards of health, singly or jointly, or an assigned agent of a board of health, may develop and maintain community-based registries. Registries shall operate according to this section, and sections 144.3406 and 144.3407. Registries shall, at a minimum, establish the following:

(1) policies and operational procedures for collecting and exchanging shared immunization data, assuring its reliability, and providing for data privacy, security, and confidentiality according to chapter 13 and section 144.3407;

(2) agreements with participating providers that allow a provider or a group purchaser to submit shared immunization data to and obtain shared immunization data from the community-based registry; and

(3) a local advisory group to advise on the establishment and operation of the community-based registry, and to review and approve the procedures, policies, and agreements developed for the registry.

Subd. 2. [CERTIFICATION NOT REQUIRED.] A community-based registry may operate without certification, provided that the board of health notifies the commissioner in writing of its intent to establish a community-based registry.

Subd. 3. [REPORTING TO STATEWIDE REGISTRY.] Upon the establishment of a statewide registry under section 144.3403, subdivision 4, a community-based registry shall report shared immunization data maintained by the community-based registry to the statewide registry.

Sec. 6. [144.3405] [REPORTING TO COMMUNITY-BASED REGISTRIES.]

After the commissioner has certified a community-based registry as specified in section 144.3403, subdivision 3, all providers who administer immunizations in the geographic area served by the community-based registry shall report shared immunization data to the community-based registry.

Sec. 7. [144.3406] [ENROLLMENT.]

Subdivision 1. [BIRTH REGISTRATION; ENROLLMENT.] Birth registration data collected under section 144.215 shall be used to enroll all newborn Minnesota residents in immunization registries, but shall be limited to the shared immunization data as defined in section 144.3402, subdivision 19, to the extent that birth registration data is known. Individuals moving into a geographic area served by a population-based registry shall be enrolled in the registry by a provider, board of health, school, or group purchaser.

Subd. 2. [NOTIFICATION.] Within 30 calendar days of an enrollee being enrolled in a population-based registry, the community-based registry shall ensure that the enrollee is notified of the enrollment. Notification of enrollment shall include the purposes of immunization registries, how the information collected will be used, the benefits to the enrollee and to providers of the immunization registries, precautions that are taken to prevent unauthorized uses of the immunization data, under what conditions third parties may obtain access to personally identifiable information, and the procedures by which a person may elect to request that specific information not be shared from a population-based registry.

Subd. 3. [CONSENT.] Nothing in this section requires the consent of an enrollee prior to enrollment in a population-based registry.

Sec. 8. [144.3407] [ACCESS TO SHARED IMMUNIZATION DATA.]

Subdivision 1. [DATA CLASSIFICATION; SHARED IMMUNIZATION DATA.] (a) Shared immunization data created, collected, or maintained by population-based registries are classified as health data pursuant to section 13.38. Shared immunization data from which an enrollee or provider can be identified are private data. Immunization data not on enrollees are nonpublic data. Shared immunization data may be released pursuant to this section and sections 13.38 and 144.3351. Shared immunization data created, collected, or maintained by population-based registries shall retain the classification designated and shall not be disclosed pursuant to section 13.03, subdivisions 6 to 8; 13.10, subdivisions 1 to 4; or 138.17.

(b) An individual authorized to receive data from the population-based registry shall maintain the privacy of the data as specified in chapter 13 and as otherwise specified in law.

Subd. 2. [DATA CLASSIFICATION; ASSESSMENT DATA.] Notwithstanding section 13.03 or any other law to the contrary, the immunization assessment data created, collected, and maintained by population-based registries from which individual enrollees or providers can be identified are private data on individuals. Immunization assessment data not on individuals are nonpublic data. Immunization assessment data generated by population-based registries are nonpublic data and may be published only in summary form and in a manner that does not identify individuals, individual providers or clinics, or group purchasers.

Subd. 3. [USE OF DATA.] (a) Data created, collected, and maintained by a population-based registry may only be used:

- (1) to assess a person's immunization status for the purpose of determining needed vaccines;
- (2) for reminder and recall;
- (3) to notify a person of a vaccine-preventable disease outbreak to which that person may be susceptible;
- (4) for individual immunization reports for school admission, child care enrollment, or other enrollment purposes that require an immunization history; or
- (5) in summary form as provided under paragraph (b).

(b) Data collected for shared immunization data may be used in the aggregate to assess immunization levels, provided that no identifiable information is used. The birth date, which is necessary to establish a person's age, and the county or zip code of residence, which is necessary to determine the immunization levels of geographic areas, may be used in the aggregate to assess immunization levels in an entire population. Data created, collected, and maintained by a population-based registry shall not be used for proprietary or commercial use.

Subd. 4. [ACCESS TO DATA.] Access to the shared immunization data created, collected, and maintained by a population-based registry shall be the same as defined under section 144.3351.

Sec. 9. [144.3408] [LIABILITY.]

Subdivision 1. [GOOD FAITH IMMUNITY.] A provider, board of health, school, group purchaser, or individual submitting immunization data to a population-based immunization registry shall be immune from civil or criminal liability that otherwise might result from their actions, if they are acting in good faith that the immunization data they are submitting is reliable and accurate.

Subd. 2. [VIOLATIONS.] A person or entity who violates any data privacy provisions of sections 144.3401 to 144.3409 shall be subject to sections 13.08 and 13.09.

Sec. 10. [144.3409] [PARENTAL RESPONSIBILITY; EXEMPTIONS.]

Subdivision 1. [PARENTAL RESPONSIBILITY.] Nothing in sections 144.3401 to 144.3409 is intended to mitigate the responsibility of a parent or guardian to have a child immunized as specified in section 123.70.

Subd. 2. [EXEMPTIONS.] Nothing in sections 144.3401 to 144.3409 is intended to require immunization of a person who is exempt from immunization requirements based on medical, religious, or other reasons as specified in section 123.70.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 10 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health; authorizing the creation of community and statewide immunization registries; providing criminal penalties; amending Minnesota Statutes 1996, section 144.3351; proposing coding for new law in Minnesota Statutes, chapter 144."

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

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

H.F. No. 121: A bill for an act relating to youth initiative grants; adding the Harrison neighborhood to the Sumner-Glenwood neighborhood for purposes of eligibility for certain enrichment grants; amending Laws 1996, chapter 463, section 4, subdivision 2.

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

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

S.F. No. 145: A bill for an act relating to reemployment insurance; making technical and administrative changes; providing civil and criminal penalties; amending Minnesota Statutes 1996, sections 268.0111, by adding a subdivision; 268.022, subdivision 1; 268.04, subdivisions 5, 15, 17, 25, and by adding subdivisions; 268.06, subdivisions 1, 3a, 6, 8, 8a, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, and 31; 268.07, subdivisions 2, 3, 3a, and 3b; 268.071, subdivisions 3, 6, and 9; 268.08, subdivisions 1, 2, 3, 3a, 3b, 10, and by adding a subdivision; 268.09, subdivision 3, and by adding subdivisions; 268.101, subdivisions 2, 3, 4, and by adding a subdivision; 268.105; 268.11, subdivision 3; 268.12, subdivisions 8 and 9a; 268.121; 268.14, subdivision 1; 268.16, subdivision 2; 268.161, subdivisions 4, 6, and 7; 268.167; 268.18, subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; and 268.21; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1996, sections 268.026; 268.04, subdivisions 8, 13, 14, 20, 21, 32, and 35; 268.06, subdivisions 2, 4, 5, 30, and 33; 268.073, subdivision 7; 268.09, subdivisions 1, 2, 4, 5, 6, 7, and 8; 268.12, subdivisions 2, 4, 5, 7, and 11; 268.14, subdivisions 3 and 4; 268.16, subdivision 8; 268.161, subdivision 3; 268.165; and 268.18, subdivision 5.

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

Page 3, line 1, delete "each of" and insert "the worker meets all" and delete "are met"

Page 3, line 2, delete "the worker" and delete "an" and insert "the independent contractor's own"

Page 3, lines 4 and 6, delete "the worker"

Page 3, line 8, delete "worker" and insert "independent contractor"

Page 3, line 9, delete "the worker"

Page 3, line 10, delete "worker" and insert "independent contractor"

Page 3, line 11, delete "the worker"

Page 3, line 12, delete "worker" and insert "independent contractor"

Page 3, lines 13, 15, 18, and 20, delete "the worker"

Page 3, line 22, delete "worker's" and insert "independent contractor's"

Page 19, line 13, delete everything after the period

Page 19, delete lines 14 and 15

Page 22, line 18, after "calendar" insert "year"

Page 30, line 28, delete "a factor" and insert "binding on the commissioner"

Page 37, lines 16 and 24, delete "16" and insert "15"

Page 40, line 24, delete "constitute" and insert "be considered"

Page 44, line 28, after "other" insert "covered"

Page 45, line 12, after "claimant's" insert "serious illness of"

Page 45, line 25, delete everything after the period

Page 45, delete lines 26 to 28 and insert "An employee who seeks to withdraw a previously submitted notice of quitting shall be considered to have quit the employment if the employer does not agree that the notice may be withdrawn."

Page 47, line 16, delete "the Minnesota labor relations act" and insert "section 179.01, subdivision 7"

Page 50, delete section 50

Page 50, line 17, delete "14" and insert "13"

Page 50, lines 18 and 24, delete "15" and insert "14"

Page 51, line 7, delete "16" and insert "15"

Page 51, line 27, delete "17" and insert "16"

Page 51, lines 29 and 36, delete "15" and insert "14"

Page 52, line 15, delete "18" and insert "17" and delete "The disqualification" and insert "This section"

Page 55, line 34, after "status" insert "of the issue"

Page 79, lines 31 and 35, reinstate the stricken language and delete the new language

Page 80, delete line 30

Page 80, line 31, delete "6" and insert "5"

Page 80, line 32, delete "4" and insert "3"

Page 80, line 33, delete "3" and insert "2"

Page 80, line 34, delete "9" and insert "8"

Page 80, line 36, delete "7" and insert "6"

Page 81, lines 1 and 3, delete "7" and insert "6"

Page 81, line 6, delete "5" and insert "4"

Page 81, line 7, delete "8" and insert "7"

Page 81, line 21, delete "19" and insert "18"

Page 84, line 6, delete "60 and 62 to 81" and insert "59 and 61 to 80"

Page 84, line 7, delete "61" and insert "60"

Renumber the sections in sequence

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

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

S.F. No. 403: A bill for an act relating to housing; establishing an emergency services grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Page 1, line 11, after the semicolon, insert "and"

Page 1, line 20, delete "or" and insert "and"

Page 1, line 21, delete "; or" and insert a period

Page 1, delete line 22

Page 2, delete lines 24 and 25 and insert "shall award grants based on the following criteria:"

Page 2, line 26, delete "meets all program requirements" and insert "is for a grant to provide emergency services"

Page 3, line 1, after "where" insert "they are seeking shelter"

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

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

S.F. No. 95: A bill for an act relating to health; modifying lead inspection provisions; providing for the expiration of certain advisory and work groups; modifying vital statistics provisions; modifying asbestos abatement provisions; modifying provisions relating to traumatic brain injury and spinal cord injury notification and data; modifying licensing requirements for elderly housing with services; modifying provisions for hearings related to permitting, licensing, registration, and certification; modifying revocation and suspension provisions for permits, licenses, registration, and certifications; modifying provisions for testing infants for inborn metabolic errors; modifying medical education and research costs trust fund provisions; requiring conformance with federal regulations; amending Minnesota Statutes 1996, sections 62J.15, by adding a subdivision; 62J.69, subdivision 1; 62Q.03, subdivision 5a; 144.125; 144.212, by adding subdivisions; 144.215, subdivision 1; 144.218; 144.664, subdivision 3; 144.665; 144.672, subdivision 1; 144.9501, subdivision 29, and by adding a subdivision; 144.9504, subdivision 2; 144.9506, subdivisions 1 and 5; 144.99, subdivisions 9 and 10; 144D.06; 257.73; 326.71, subdivisions 4 and 6; 326.72, subdivision 2; 326.74; 326.76; 326.78, subdivision 1; and 326.785; repealing Minnesota Rules, part 4600.3900.

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 1996, section 62D.02, subdivision 10, is amended to read:

Subd. 10. "Consumer" means any person ~~other than a person (a) whose occupation involves, or before retirement involved, the administration of health activities or the providing of health services; (b) who is, or ever was, employed by a health care facility, as a licensed health professional; or (c) who has, or ever had, a direct, substantial financial or managerial interest in the rendering of health service other than the payment of reasonable expense reimbursement or compensation as a member of the board of a health maintenance organization, including an enrollee, to whom a health maintenance organization directs marketing materials.~~

Sec. 2. Minnesota Statutes 1996, section 62D.03, subdivision 3, is amended to read:

Subd. 3. The commissioner of health may require any person providing physician and hospital services with payments made in the manner set forth in section 62D.02, subdivision 4, to apply for a certificate of authority under sections 62D.01 to 62D.30. An applicant may continue to operate until the commissioner of health acts upon the application. In the event that an application is denied, the applicant shall henceforth be treated as a health maintenance organization whose certificate of authority has been revoked. Any person directed to apply for a certificate of authority shall be subject to the provisions of this subdivision 2.

Sec. 3. Minnesota Statutes 1996, section 62D.03, subdivision 4, is amended to read:

Subd. 4. Each application for a certificate of authority shall be verified by an officer or authorized representative of the applicant, and shall be in a form prescribed by the commissioner of health. Each application shall include the following:

(a) a copy of the basic organizational document, if any, of the applicant and of each major participating entity; such as the articles of incorporation, or other applicable documents, and all amendments thereto;

(b) a copy of the bylaws, rules and regulations, or similar document, if any, and all amendments thereto which regulate the conduct of the affairs of the applicant and of each major participating entity;

(c) a list of the names, addresses, and official positions of the following:

(1) all members of the board of directors, or governing body of the local government unit, and the principal officers and shareholders of the applicant organization; and

(2) all members of the board of directors, or governing body of the local government unit, and the principal officers of the major participating entity and each shareholder beneficially owning more than ten percent of any voting stock of the major participating entity;

The commissioner may by rule identify persons included in the term "principal officers";

(d) a full disclosure of the extent and nature of any contract or financial arrangements between the following:

(1) the health maintenance organization and the persons listed in clause (c)(1);

(2) the health maintenance organization and the persons listed in clause (c)(2);

(3) each major participating entity and the persons listed in clause (c)(1) concerning any financial relationship with the health maintenance organization; and

(4) each major participating entity and the persons listed in clause (c)(2) concerning any financial relationship with the health maintenance organization;

(e) the name and address of each participating entity and the agreed upon duration of each contract or agreement;

(f) a copy of the form of each contract binding the participating entities and the health

maintenance organization. Contractual provisions shall be consistent with the purposes of sections 62D.01 to 62D.30, in regard to the services to be performed under the contract, the manner in which payment for services is determined, the nature and extent of responsibilities to be retained by the health maintenance organization, the nature and extent of risk sharing permissible, and contractual termination provisions;

(g) a copy of each contract binding major participating entities and the health maintenance organization. Contract information filed with the commissioner shall be confidential and subject to the provisions of section 13.37, subdivision 1, clause (b), upon the request of the health maintenance organization.

Upon initial filing of each contract, the health maintenance organization shall file a separate document detailing the projected annual expenses to the major participating entity in performing the contract and the projected annual revenues received by the entity from the health maintenance organization for such performance. The commissioner shall disapprove any contract with a major participating entity if the contract will result in an unreasonable expense under section 62D.19. The commissioner shall approve or disapprove a contract within 30 days of filing.

Within 120 days of the anniversary of the implementation of each contract, the health maintenance organization shall file a document detailing the actual expenses incurred and reported by the major participating entity in performing the contract in the preceding year and the actual revenues received from the health maintenance organization by the entity in payment for the performance-;

~~Contracts implemented prior to April 25, 1984, shall be filed within 90 days of April 25, 1984. These contracts are subject to the provisions of section 62D.19, but are not subject to the prospective review prescribed by this clause, unless or until the terms of the contract are modified. Commencing with the next anniversary of the implementation of each of these contracts immediately following filing, the health maintenance organization shall, as otherwise required by this subdivision, file annual actual expenses and revenues;~~

(h) a statement generally describing the health maintenance organization, its health maintenance contracts and separate health service contracts, facilities, and personnel, including a statement describing the manner in which the applicant proposes to provide enrollees with comprehensive health maintenance services and separate health services;

(i) a copy of the form of each evidence of coverage to be issued to the enrollees;

(j) a copy of the form of each individual or group health maintenance contract and each separate health service contract which is to be issued to enrollees or their representatives;

(k) financial statements showing the applicant's assets, liabilities, and sources of financial support. If the applicant's financial affairs are audited by independent certified public accountants, a copy of the applicant's most recent certified financial statement may be deemed to satisfy this requirement;

(l) a description of the proposed method of marketing the plan, a schedule of proposed charges, and a financial plan which includes a three-year projection of the expenses and income and other sources of future capital;

(m) a statement reasonably describing the geographic area or areas to be served and the type or types of enrollees to be served;

(n) a description of the complaint procedures to be utilized as required under section 62D.11;

(o) a description of the procedures and programs to be implemented to meet the requirements of section 62D.04, subdivision 1, clauses (b) and (c) and to monitor the quality of health care provided to enrollees;

(p) a description of the mechanism by which enrollees will be afforded an opportunity to participate in matters of policy and operation under section 62D.06;

(q) a copy of any agreement between the health maintenance organization and an insurer or nonprofit health service corporation regarding reinsurance, stop-loss coverage, insolvency coverage, or any other type of coverage for potential costs of health services, as authorized in sections 62D.04, subdivision 1, clause (f), 62D.05, subdivision 3, and 62D.13;

(r) a copy of the conflict of interest policy which applies to all members of the board of directors and the principal officers of the health maintenance organization, as described in section 62D.04, subdivision 1, paragraph (g). All currently licensed health maintenance organizations shall also file a conflict of interest policy with the commissioner within 60 days after August 1, 1990, or at a later date if approved by the commissioner;

(s) a copy of the statement that describes the health maintenance organization's prior authorization administrative procedures;

(t) a copy of the agreement between the guaranteeing organization and the health maintenance organization, as described in section 62D.043, subdivision 6; and

(u) other information as the commissioner of health may reasonably require to be provided.

Sec. 4. Minnesota Statutes 1996, section 62D.04, subdivision 3, is amended to read:

Subd. 3. Except as provided in section 62D.03, subdivision 2, no person who has not been issued a certificate of authority shall use the words "health maintenance organization" or the initials "HMO" in its name, contracts or literature. Provided, however, that persons who are operating under a contract with, operating in association with, enrolling enrollees for, or otherwise authorized by a health maintenance organization licensed under sections 62D.01 to 62D.30 to act on its behalf may use the terms "health maintenance organization" or "HMO" for the limited purpose of denoting or explaining their association or relationship with the authorized health maintenance organization. No health maintenance organization which has a minority of consumers enrollees and members elected according to section 62D.06, subdivision 1, as members of its board of directors shall use the words "consumer controlled" in its name or in any way represent to the public that it is controlled by consumers.

Sec. 5. Minnesota Statutes 1996, section 62D.042, subdivision 3, is amended to read:

Subd. 3. ~~[PHASE-IN FOR EXISTING ORGANIZATIONS.] (a) Organizations that obtained a certificate of authority on or before April 25, 1988, have until December 31, 1993, to establish a net worth of at least 8-1/3 percent of the sum of all expenses incurred during the previous calendar year, or \$1,000,000, whichever is greater.~~

~~(b) By December 31, 1989, organizations shall have a net worth of at least one-fifth of 8-1/3 percent of the sum of all expenses incurred during the previous calendar year, or \$1,000,000, whichever is greater.~~

~~(c) By December 31, 1990, organizations shall have a net worth of at least two-fifths of 8-1/3 percent of the sum of all expenses incurred during the previous calendar year, or \$1,000,000, whichever is greater.~~

~~(d) By December 31, 1991, organizations shall have a net worth of at least three-fifths of 8-1/3 percent of the sum of all expenses incurred during the previous calendar year, or \$1,000,000, whichever is greater.~~

~~(e) By December 31, 1992, organizations~~ Each organization shall have a net worth of at least four-fifths of 8-1/3 percent of the sum of all expenses incurred during the previous calendar year, or \$1,000,000, whichever is greater.

Sec. 6. Minnesota Statutes 1996, section 62D.06, subdivision 1, is amended to read:

Subdivision 1. The governing body of any health maintenance organization which is a nonprofit corporation may include enrollees, providers, or other individuals; provided, however, that after a health maintenance organization which is a nonprofit corporation has been authorized

under sections 62D.01 to 62D.30 for one year, at least 40 percent of the governing body shall be composed of ~~consumers~~ enrollees and members elected by the enrollees and members from among the enrollees and members. For purposes of this section, "member" means a consumer who receives health care services through a self-insured contract that is administered by the health maintenance organization or its related third-party administrator. The number of members elected to the governing body shall not exceed the number of enrollees elected to the governing body. An enrollee or member elected to the governing board may not be a person (1) whose occupation involves, or before retirement involved, the administration of health activities or the provision of health services; (2) who is or was employed by a health care facility as a licensed health professional; or (3) who has or had a direct substantial financial or managerial interest in the rendering of a health service, other than the payment of a reasonable expense reimbursement or compensation as a member of the board of a health maintenance organization.

After a health maintenance organization which is a local governmental unit has been authorized under sections 62D.01 to 62D.30 for one year, an enrollee advisory body shall be established. The enrollees who make up this advisory body shall be elected by the enrollees from among the enrollees.

Sec. 7. Minnesota Statutes 1996, section 62D.07, subdivision 3, is amended to read:

Subd. 3. Contracts and evidences of coverage shall contain:

(a) No provisions or statements which are unjust, unfair, inequitable, misleading, deceptive, or which are untrue, misleading, or deceptive as defined in section 62D.12, subdivision 1; and

(b) A clear, concise and complete statement of:

(1) the health care services and the insurance or other benefits, if any, to which the enrollee is entitled under the health maintenance contract;

(2) any exclusions or limitations on the services, kind of services, benefits, or kind of benefits, to be provided, including any deductible or copayment feature and requirements for referrals, prior authorizations, and second opinions;

(3) where and in what manner information is available as to how services, including emergency and out of area services, may be obtained;

(4) the total amount of payment and copayment, if any, for health care services and the indemnity or service benefits, if any, which the enrollee is obligated to pay with respect to individual contracts, or an indication whether the plan is contributory or noncontributory with respect to group certificates; and

(5) a description of the health maintenance organization's method for resolving enrollee complaints and a statement identifying the commissioner as an external source with whom grievance complaints may be registered; and

(c) On the cover page of the evidence of coverage and contract, a clear and complete statement of enrollees' rights as ~~consumers~~. The statement must be in bold print and captioned "Important ~~Consumer~~ Enrollee Information and Enrollee Bill of Rights" and must include but not be limited to the following provisions in the following language or in substantially similar language approved in advance by the commissioner, except that paragraph (8) does not apply to prepaid health plans providing coverage for programs administered by the commissioner of human services:

CONSUMER ENROLLEE INFORMATION

(1) **COVERED SERVICES:** Services provided by (name of health maintenance organization) will be covered only if services are provided by participating (name of health maintenance organization) providers or authorized by (name of health maintenance organization). Your contract fully defines what services are covered and describes procedures you must follow to obtain coverage.

(2) **PROVIDERS:** Enrolling in (name of health maintenance organization) does not guarantee services by a particular provider on the list of providers. When a provider is no longer part of (name of health maintenance organization), you must choose among remaining (name of the health maintenance organization) providers.

(3) **REFERRALS:** Certain services are covered only upon referral. See section (section number) of your contract for referral requirements. All referrals to non-(name of health maintenance organization) providers and certain types of health care providers must be authorized by (name of health maintenance organization).

(4) **EMERGENCY SERVICES:** Emergency services from providers who are not affiliated with (name of health maintenance organization) will be covered only if proper procedures are followed. Your contract explains the procedures and benefits associated with emergency care from (name of health maintenance organization) and non-(name of health maintenance organization) providers.

(5) **EXCLUSIONS:** Certain services or medical supplies are not covered. You should read the contract for a detailed explanation of all exclusions.

(6) **CONTINUATION:** You may convert to an individual health maintenance organization contract or continue coverage under certain circumstances. These continuation and conversion rights are explained fully in your contract.

(7) **CANCELLATION:** Your coverage may be canceled by you or (name of health maintenance organization) only under certain conditions. Your contract describes all reasons for cancellation of coverage.

(8) **NEWBORN COVERAGE:** If your health plan provides for dependent coverage, a newborn infant is covered from birth, but only if services are provided by participating (name of health maintenance organization) providers or authorized by (name of health maintenance organization). Certain services are covered only upon referral. (Name of health maintenance organization) will not automatically know of the infant's birth or that you would like coverage under your plan. You should notify (name of health maintenance organization) of the infant's birth and that you would like coverage. If your contract requires an additional premium for each dependent, (name of health maintenance organization) is entitled to all premiums due from the time of the infant's birth until the time you notify (name of health maintenance organization) of the birth. (Name of health maintenance organization) may withhold payment of any health benefits for the newborn infant until any premiums you owe are paid.

(9) **PRESCRIPTION DRUGS AND MEDICAL EQUIPMENT:** Enrolling in (name of health maintenance organization) does not guarantee that any particular prescription drug will be available nor that any particular piece of medical equipment will be available, even if the drug or equipment is available at the start of the contract year.

ENROLLEE BILL OF RIGHTS

(1) Enrollees have the right to available and accessible services including emergency services, as defined in your contract, 24 hours a day and seven days a week;

(2) Enrollees have the right to be informed of health problems, and to receive information regarding treatment alternatives and risks which is sufficient to assure informed choice;

(3) Enrollees have the right to refuse treatment, and the right to privacy of medical and financial records maintained by the health maintenance organization and its health care providers, in accordance with existing law;

(4) Enrollees have the right to file a grievance complaint with the health maintenance organization and the commissioner of health and the right to initiate a legal proceeding when experiencing a problem with the health maintenance organization or its health care providers;

(5) Enrollees have the right to a grace period of 31 days for the payment of each premium for an individual health maintenance contract falling due after the first premium during which period the contract shall continue in force;

(6) Medicare enrollees have the right to voluntarily disenroll from the health maintenance organization and the right not to be requested or encouraged to disenroll except in circumstances specified in federal law; and

(7) Medicare enrollees have the right to a clear description of nursing home and home care benefits covered by the health maintenance organization.

Sec. 8. Minnesota Statutes 1996, section 62D.09, subdivision 1, is amended to read:

Subdivision 1. (a) Any written marketing materials which may be directed toward potential enrollees and which include a detailed description of benefits provided by the health maintenance organization shall include a statement of ~~consumer~~ enrollee information and rights as described in section 62D.07, subdivision 3, paragraphs (b) and (c). Prior to any oral marketing presentation, the agent marketing the plan must inform the potential enrollees that any complaints concerning the material presented should be directed to the health maintenance organization, the commissioner of health, or, if applicable, the employer.

(b) Detailed marketing materials must affirmatively disclose all exclusions and limitations in the organization's services or kinds of services offered to the contracting party, including but not limited to the following types of exclusions and limitations:

- (1) health care services not provided;
- (2) health care services requiring copayments or deductibles paid by enrollees;
- (3) the fact that access to health care services does not guarantee access to a particular provider type; and
- (4) health care services that are or may be provided only by referral of a physician.

(c) No marketing materials may lead consumers to believe that all health care needs will be covered. All marketing materials must alert consumers to possible uncovered expenses with the following language in bold print: "THIS HEALTH CARE PLAN MAY NOT COVER ALL YOUR HEALTH CARE EXPENSES; READ YOUR CONTRACT CAREFULLY TO DETERMINE WHICH EXPENSES ARE COVERED." Immediately following the disclosure required under paragraph (b), clause (3), consumers must be given a telephone number to use to contact the health maintenance organization for specific information about access to provider types.

(d) The disclosures required in paragraphs (b) and (c) are not required on billboards or image, and name identification advertisement.

Sec. 9. Minnesota Statutes 1996, section 62D.09, subdivision 3, is amended to read:

Subd. 3. Every health maintenance organization or its representative shall annually, before June 1, provide to its enrollees the following: (1) a summary of its most recent annual financial statement including a balance sheet and statement of receipts and disbursements; (2) a description of the health maintenance organization, its health care plan or plans, its facilities and personnel, any material changes therein since the last report; (3) the current evidence of coverage or contract; and (4) a statement of ~~consumer~~ enrollee information and rights as described in section 62D.07, subdivision 3, paragraph (c).

Sec. 10. Minnesota Statutes 1996, section 62D.09, subdivision 8, is amended to read:

Subd. 8. Each health maintenance organization shall issue a membership card to its enrollees. The membership card must:

- (1) identify the health maintenance organization;
- (2) include the name, address, and telephone number to call if the ~~enroller~~ enrollee has a complaint;

(3) include the telephone number to call or the instruction on how to receive authorization for emergency care; and

(4) include one of the following:

(i) the telephone number to call to appeal to or file a complaint with the commissioner of health; or

(ii) for persons enrolled under section 256.9363, 256B.69, or 256D.03, the telephone number to call to file a complaint with the ombudsperson designated by the commissioner of human services under section 256B.69 and the address to appeal to the commissioner of human services. The ombudsperson shall annually provide the commissioner of health with a summary of complaints and actions taken.

Sec. 11. Minnesota Statutes 1996, section 62D.102, is amended to read:

62D.102 [FAMILY THERAPY.]

~~(a) In addition to minimum requirements established in other sections, all group health maintenance contracts providing benefits for mental or nervous disorder treatments in a hospital shall also provide coverage for at least ten hours of treatment over a 12-month period with a copayment not to exceed the greater of \$10 or 20 percent of the applicable usual and customary charge for mental or nervous disorder consultation, diagnosis and treatment services delivered while the enrollee is not a bed patient in a hospital and at least 75 percent of the cost of the usual and customary charges for any additional hours of ambulatory mental health treatment during the same 12-month benefit period for serious or persistent mental or nervous disorders. Prior authorization may be required for an extension of coverage beyond ten hours of treatment. This prior authorization must be based upon the severity of the disorder, the patient's risk of deterioration without ongoing treatment and maintenance, degree of functional impairment, and a concise treatment plan. Authorization for extended treatment may be limited to a maximum of 30 visit hours during any 12-month benefit period.~~

~~(b) For purposes of this section, Covered treatment for a minor includes treatment for the family if family therapy is recommended by a health maintenance organization provider. For purposes of determining benefits under this section, "hours of treatment" means treatment rendered on an individual or single-family basis. If treatment is rendered on a group basis, the hours of covered group treatment must be provided at a ratio of no less than two group treatment sessions to one individual treatment hour. For a health maintenance contract that is offered as a companion to a health insurance subscriber contract, the benefits for mental or nervous disorders must be calculated in aggregate for the health maintenance contract and the health insurance subscriber contract.~~

Sec. 12. Minnesota Statutes 1996, section 62D.11, subdivision 1, is amended to read:

Subdivision 1. [ENROLLEE COMPLAINT SYSTEM.] Every health maintenance organization shall establish and maintain a complaint system, as required under section 62Q.105 to provide reasonable procedures for the resolution of written complaints initiated by or on behalf of enrollees concerning the provision of health care services. "Provision of health services" includes, but is not limited to, questions of the scope of coverage, quality of care, and administrative operations. The health maintenance organization must inform enrollees that they may choose to use an alternative dispute resolution process to appeal a health maintenance organization's internal appeal decision. If an enrollee chooses to use an alternative dispute resolution process, the health maintenance organization must participate.

Sec. 13. Minnesota Statutes 1996, section 62D.11, subdivision 1b, is amended to read:

Subd. 1b. [EXPEDITED RESOLUTION OF COMPLAINTS ABOUT URGENTLY NEEDED SERVICE MEDICALLY URGENT SERVICES.] In addition to any remedy contained in subdivision 1a, when a complaint involves a dispute about a health maintenance organization's coverage of an immediately and urgently needed a medically urgent service, the commissioner may also order the health maintenance organization to use an expedited system to process the complaint.

Sec. 14. Minnesota Statutes 1996, section 62D.11, subdivision 3, is amended to read:

Subd. 3. [DENIAL OF SERVICE COVERAGE.] Within a reasonable time after receiving an enrollee's written or oral communication to the health maintenance organization concerning a refusal denial of service coverage or inadequacy of services, the health maintenance organization shall provide the enrollee with a written statement of the reason for the refusal denial of service coverage, and a statement approved by the commissioner of health which explains the health maintenance organization complaint procedures, and in the case of Medicare enrollees, which also explains Medicare appeal procedures.

Sec. 15. Minnesota Statutes 1996, section 62D.12, is amended by adding a subdivision to read:

Subd. 19. [COVERAGE OF SERVICE.] A health maintenance organization may not deny or limit coverage of a service which the enrollee has already received solely on the basis of lack of prior authorization or second opinion, to the extent that the service would otherwise have been covered under the member's contract by the health maintenance organization had prior authorization or second opinion been obtained.

Sec. 16. Minnesota Statutes 1996, section 62D.20, subdivision 2, is amended to read:

Subd. 2. [PRIOR AUTHORIZATION.] The commissioner shall adopt rules that address the issue of appropriate prior authorization requirements, considering ~~consumer~~ enrollee needs, administrative concerns, and the nature of the benefit.

Sec. 17. Minnesota Statutes 1996, section 62J.15, is amended by adding a subdivision to read:

Subd. 3. [SUNSET OF ADVISORY COMMITTEE.] The advisory committee shall expire July 1, 2000.

Sec. 18. Minnesota Statutes 1996, section 62J.60, subdivision 3, is amended to read:

Subd. 3. [HUMAN READABLE DATA ELEMENTS.] (a) The following are the minimum human readable data elements that must be present on the front side of the Minnesota health care identification card:

(1) card issuer name or logo, which is the name or logo that identifies the card issuer. The card issuer name or logo may be the card's front background. No standard label is required for this data element;

(2) claim submission number. The standardized label for this element is "Cln Subm #";

(3) identification number, which is the unique identification number of the individual card holder established and defined under this section. The standardized label for the data element is "ID";

(4) identification name, which is the name of the individual card holder. The identification name must be formatted as follows: first name, space, optional middle initial, space, last name, optional space and name suffix. The standardized label for this data element is "Name";

(5) account number(s), which is any other number, such as a group number, if required for part of the identification or claims process. The standardized label for this data element is "Account";

(6) care type, which is the description of the group purchaser's plan product under which the beneficiary is covered. The description shall include the health plan company name and the plan or product name. The standardized label for this data element is "Care Type";

(7) service type, which is the description of coverage provided such as hospital, dental, vision, prescription, or mental health. The standard label for this data element is "Svc Type"; and

(8) provider/clinic name, which is the name of the primary care clinic the card holder is assigned to by the health plan company. The standard label for this field is "PCP." This information is mandatory only if the health plan company assigns a specific primary care provider to the card holder.

(b) The following human readable data elements shall be present on the back side of the Minnesota health identification card. These elements must be left justified, and no optional data elements may be interspersed between them:

(1) claims submission name(s) and address(es), which are the name(s) and address(es) of the entity or entities to which claims should be submitted. If different destinations are required for different types of claims, this must be labeled; and

(2) telephone number(s) and name(s); which are the telephone number(s) and name(s) of the following contact(s) with a standardized label describing the service function as applicable:

- (i) eligibility and benefit information;
- (ii) utilization review;
- (iii) precertification; or
- (iv) customer services.

(c) The following human readable data elements are mandatory on the back side of the card for health maintenance organizations and integrated service networks:

(1) emergency care authorization telephone number or instruction on how to receive authorization for emergency care. There is no standard label required for this information; and

(2) one of the following:

- (i) telephone number to call to appeal to or file a complaint with the commissioner of health; or
- (ii) for persons enrolled under section 256.9363, 256B.69, or 256D.03, the telephone number to call to file a complaint with the ombudsperson designated by the commissioner of human services under section 256B.69 and the address to appeal to the commissioner of human services. There is no standard label required for this information.

(d) All human readable data elements not required under paragraphs (a) to (c) are optional and may be used at the issuer's discretion.

Sec. 19. Minnesota Statutes 1996, section 62J.69, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following definitions apply:

(a) "Medical education" means the accredited clinical training of physicians (medical students and residents), doctor of pharmacy practitioners, dentists, advanced practice nurses (clinical nurse specialist, certified registered nurse anesthetists, nurse practitioners, and certified nurse midwives), and physician assistants.

(b) "Clinical training" means accredited training that is funded and was historically funded in part by inpatient care revenues and that occurs in both inpatient and ambulatory care settings.

(c) "Trainee" means students involved in an accredited clinical training program for medical education as defined in paragraph (a).

(d) "Health care research" means approved clinical, outcomes, and health services investigations that are funded by patient out-of-pocket expenses or a third-party payer.

(e) "Commissioner" means the commissioner of health.

(f) "Teaching institutions" means any hospital, medical center, clinic, or other organization that currently sponsors or conducts accredited medical education programs or clinical research in Minnesota.

Sec. 20. Minnesota Statutes 1996, section 62Q.03, subdivision 5a, is amended to read:

Subd. 5a. [PUBLIC PROGRAMS.] (a) A separate risk adjustment system must be developed for state-run public programs, including medical assistance, general assistance medical care, and MinnesotaCare. The system must be developed in accordance with the general risk adjustment methodologies described in this section, must include factors in addition to age and sex adjustment, and may include additional demographic factors, different targeted conditions, and/or different payment amounts for conditions. The risk adjustment system for public programs must attempt to reflect the special needs related to poverty, cultural, or language barriers and other needs of the public program population.

(b) The commissioners of health and human services shall jointly convene a public programs risk adjustment work group responsible for advising the commissioners in the design of the public programs risk adjustment system. The public programs risk adjustment work group is governed by section 15.059, and shall terminate on June 30, 1999. The work group shall meet at the discretion of the commissioners of health and human services. The commissioner of health shall work with the risk adjustment association to ensure coordination between the risk adjustment systems for the public and private sectors. The commissioner of human services shall seek any needed federal approvals necessary for the inclusion of the medical assistance program in the public programs risk adjustment system.

(c) The public programs risk adjustment work group must be representative of the persons served by publicly paid health programs and providers and health plans that meet their needs. To the greatest extent possible, the appointing authorities shall attempt to select representatives that have historically served a significant number of persons in publicly paid health programs or the uninsured. Membership of the work group shall be as follows:

(1) one provider member appointed by the Minnesota Medical Association;

(2) two provider members appointed by the Minnesota Hospital Association, at least one of whom must represent a major disproportionate share hospital;

(3) five members appointed by the Minnesota Council of HMOs, one of whom must represent an HMO with fewer than 50,000 enrollees located outside the metropolitan area and one of whom must represent an HMO with at least 50 percent of total membership enrolled through a public program;

(4) two representatives of counties appointed by the Association of Minnesota Counties;

(5) three representatives of organizations representing the interests of families, children, childless adults, and elderly persons served by the various publicly paid health programs appointed by the governor;

(6) two representatives of persons with mental health, developmental or physical disabilities, chemical dependency, or chronic illness appointed by the governor; and

(7) three public members appointed by the governor, at least one of whom must represent a community health board. The risk adjustment association may appoint a representative, if a representative is not otherwise appointed by an appointing authority.

(d) The commissioners of health and human services, with the advice of the public programs risk adjustment work group, shall develop a work plan and time frame and shall coordinate their efforts with the private sector risk adjustment association's activities and other state initiatives related to public program managed care reimbursement. The commissioners of health and human services shall report to the health care commission and to the appropriate legislative committees on January 15, 1996, and on January 15, 1997, on any policy or legislative changes necessary to implement the public program risk adjustment system.

Sec. 21. Minnesota Statutes 1996, section 144.125, is amended to read:

144.125 [TESTS OF INFANTS FOR INBORN METABOLIC ERRORS.]

It is the duty of (1) the administrative officer or other person in charge of each institution caring

for infants 28 days or less of age and, (2) the person required in pursuance of the provisions of section 144.215, to register the birth of a child, or (3) the nurse midwife or midwife in attendance at the birth, to cause arrange to have administered to every infant or child in its care tests for hemoglobinopathy, phenylketonuria, and other inborn errors of metabolism in accordance with rules prescribed by the state commissioner of health. In determining which tests must be administered, the commissioner shall take into consideration the adequacy of laboratory methods to detect the inborn metabolic error, the ability to treat or prevent medical conditions caused by the inborn metabolic error, and the severity of the medical conditions caused by the inborn metabolic error. Testing and the recording and reporting of the test results of the tests shall be performed at the times and in the manner prescribed by the commissioner of health. The commissioner shall charge laboratory service fees for conducting the tests of infants for inborn metabolic errors so that the total of fees collected will approximate the costs of conducting the tests. Costs associated with capital expenditures and the development of new procedures may be prorated over a three-year period when calculating the amount of the fees.

Sec. 22. Minnesota Statutes 1996, section 144.215, subdivision 1, is amended to read:

Subdivision 1. [WHEN AND WHERE TO FILE.] A certificate of birth for each live birth which occurs in this state shall be filed with the state registrar or the local registrar of the district in which the birth occurred, within five days after the birth.

Sec. 23. Minnesota Statutes 1996, section 144.218, is amended to read:

144.218 [NEW REPLACEMENT CERTIFICATES OF BIRTH.]

Subdivision 1. [ADOPTION.] Upon receipt of a certified copy of an order, decree, or certificate of adoption, the state registrar shall register a supplementary replacement certificate in the new name of the adopted person. The original certificate of birth and the certified copy are confidential pursuant to section 13.02, subdivision 3, and shall not be disclosed except pursuant to court order or section 144.1761. A certified copy of the original birth certificate from which the registration number has been deleted and which has been marked "Not for Official Use," or the information contained on the original birth certificate, except for the registration number, shall be provided on request to a parent who is named on the original birth certificate. Upon the receipt of a certified copy of a court order of annulment of adoption the state registrar shall restore the original certificate to its original place in the file.

Subd. 2. [ADOPTION OF FOREIGN PERSONS.] In proceedings for the adoption of a person who was born in a foreign country, the court, upon evidence presented by the commissioner of human services from information secured at the port of entry, or upon evidence from other reliable sources, may make findings of fact as to the date and place of birth and parentage. Upon receipt of certified copies of the court findings and the order or decree of adoption, the state registrar shall register a birth certificate in the new name of the adopted person. The certified copies of the court findings and the order or decree of adoption are confidential, pursuant to section 13.02, subdivision 3, and shall not be disclosed except pursuant to court order or section 144.1761. The birth certificate shall state the place of birth as specifically as possible, and that the certificate is not evidence of United States citizenship.

Subd. 3. [SUBSEQUENT MARRIAGE OF BIRTH PARENTS.] If, in cases in which a certificate of birth has been registered pursuant to section 144.215 and the birth parents of the child marry after the birth of the child, a new replacement certificate of birth shall be registered upon presentation of a certified copy of the marriage certificate of the birth parents, and either an acknowledgment a recognition of parentage or court adjudication of paternity. The information presented and the original certificate of birth are confidential, pursuant to section 13.02, subdivision 3, and shall not be disclosed except pursuant to court order.

Subd. 4. [INCOMPLETE, INCORRECT, AND MODIFIED CERTIFICATES.] If a court finds that a birth certificate is incomplete, inaccurate or false, or if it is being issued pursuant to section 259.10, subdivision 2, it may order the registration of a new replacement certificate, and, if necessary, set forth the correct information in the order. Upon receipt of the order the state registrar shall register a new replacement certificate containing the findings of the court, and the

prior certificate shall be confidential pursuant to section 13.02, subdivision 3, and shall not be disclosed except pursuant to court order.

Sec. 24. Minnesota Statutes 1996, section 144.664, subdivision 3, is amended to read:

Subd. 3. [NOTIFICATION.] Within five days of receiving a report of traumatic brain injury or spinal cord injury, the commissioner shall notify the commissioner of economic security. The notification shall include the person's name and other identifying information injured person or the injured person's family of resources and services available in Minnesota, pursuant to section 144.662, clause (2).

Sec. 25. Minnesota Statutes 1996, section 144.665, is amended to read:

144.665 [TRAUMATIC BRAIN INJURY AND SPINAL CORD INJURY DATA.]

Data on individuals collected by the commissioner of health under sections 144.662 to 144.664 ~~or provided to the commissioner of economic security under section 144.664~~ are private data on individuals as defined in section 13.02, subdivision 12, and may be used only for the purposes set forth in sections 144.662 to 144.664 in accordance with the rules adopted by the commissioner.

Sec. 26. Minnesota Statutes 1996, section 144.672, subdivision 1, is amended to read:

Subdivision 1. [RULE AUTHORITY.] The commissioner of health shall collect cancer incidence information, analyze the information, and conduct special studies designed to determine the potential public health significance of an increase in cancer incidence.

The commissioner shall adopt rules to administer the system, collect information, and distribute data. The rules must include, but not be limited to, the following:

- (1) the type of data to be reported;
- (2) standards for reporting specific types of data;
- (3) payments allowed to hospitals, pathologists, and registry systems to defray their costs in providing information to the system;
- (4) criteria relating to contracts made with outside entities to conduct studies using data collected by the system. The criteria may include requirements for a written protocol outlining the purpose and public benefit of the study, the description, methods, and projected results of the study, peer review by other scientists, the methods and facilities to protect the privacy of the data, and the qualifications of the researcher proposing to undertake the study;
- (5) specification of fees to be charged under section 13.03, subdivision 3, for all out-of-pocket expenses for data summaries or specific analyses of data requested by public and private agencies, organizations, and individuals, and which are not otherwise included in the commissioner's annual summary reports. Fees collected are appropriated to the commissioner to offset the cost of providing the data; and
- (6) establishment of a committee to assist the commissioner in the review of system activities. The committee expires as provided in section 15.059, subdivision 5. The committee is governed by section 15.059, except it expires June 30, 1999.

Sec. 27. Minnesota Statutes 1996, section 144.9501, is amended by adding a subdivision to read:

Subd. 6a. [CHILD.] "Child" means an individual up to 72 months of age.

Sec. 28. Minnesota Statutes 1996, section 144.9501, subdivision 29, is amended to read:

Subd. 29. [SWAB TEAM SERVICES.] "Swab team services" means activities that provide protection from lead hazards such as:

- (1) removing lead dust by washing, vacuuming with high efficiency particle accumulator (HEPA) or wet vacuum cleaners, and cleaning the interior of residential property;
- (2) removing loose paint and paint chips and ~~reporting~~ repainting or installing guards to protect intact paint;
- (3) covering or replacing bare soil that has a lead concentration of 100 parts per million or more;
- (4) health education;
- (5) advice and assistance to help residents locate and move to a temporary residence while lead hazard reduction is being completed; or
- (6) any other assistance necessary to meet the resident's immediate needs as a result of the relocation.

Sec. 29. Minnesota Statutes 1996, section 144.9504, subdivision 2, is amended to read:

Subd. 2. [LEAD INSPECTION.] (a) An inspecting agency shall conduct a lead inspection of a residence according to the venous blood lead level and time frame set forth in clauses (1) to ~~(4)~~ (5) for purposes of secondary prevention:

(1) within 48 hours of a child or pregnant female in the residence being identified to the agency as having a venous blood lead level equal to or greater than 70 micrograms of lead per deciliter of whole blood;

(2) within five working days of a child or pregnant female in the residence being identified to the agency as having a venous blood lead level equal to or greater than 45 micrograms of lead per deciliter of whole blood;

(3) within ten working days of a child ~~or pregnant female~~ in the residence being identified to the agency as having a venous blood lead level equal to or greater than 20 micrograms of lead per deciliter of whole blood; ~~or~~

(4) within ten working days of a child ~~or pregnant female~~ in the residence being identified to the agency as having a venous blood lead level that persists in the range of 15 to 19 micrograms of lead per deciliter of whole blood for 90 days after initial identification; or

(5) within ten working days of a pregnant female in the residence being identified to the agency as having a venous blood lead level equal to or greater than ten micrograms of lead per deciliter of whole blood.

(b) Within the limits of available state and federal appropriations, an inspecting agency may also conduct a lead inspection for children with any elevated blood lead level.

(c) In a building with two or more dwelling units, an inspecting agency shall inspect the individual unit in which the conditions of this section are met and shall also inspect all common areas. If a child visits one or more other sites such as another residence, or a residential or commercial child care facility, playground, or school, the inspecting agency shall also inspect the other sites. The inspecting agency shall have one additional day added to the time frame set forth in this subdivision to complete the lead inspection for each additional site.

(d) Within the limits of appropriations, the inspecting agency shall identify the known addresses for the previous 12 months of the child or pregnant female with elevated blood lead levels; notify the property owners, landlords, and tenants at those addresses that an elevated blood lead level was found in a person who resided at the property; and give them a copy of the lead inspection guide. This information shall be classified as private data on individuals as defined under section 13.02, subdivision 12.

(e) The inspecting agency shall conduct the lead inspection according to rules adopted by the commissioner under section 144.9508. An inspecting agency shall have lead inspections

performed by lead inspectors licensed by the commissioner according to rules adopted under section 144.9508. If a property owner refuses to allow an inspection, the inspecting agency shall begin legal proceedings to gain entry to the property and the time frame for conducting a lead inspection set forth in this subdivision no longer applies. An inspector or inspecting agency may observe the performance of lead hazard reduction in progress and shall enforce the provisions of this section under section 144.9509. Deteriorated painted surfaces, bare soil, dust, and drinking water must be tested with appropriate analytical equipment to determine the lead content, except that deteriorated painted surfaces or bare soil need not be tested if the property owner agrees to engage in lead hazard reduction on those surfaces.

(f) A lead inspector shall notify the commissioner and the board of health of all violations of lead standards under section 144.9508, that are identified in a lead inspection conducted under this section.

(g) Each inspecting agency shall establish an administrative appeal procedure which allows a property owner to contest the nature and conditions of any lead order issued by the inspecting agency. Inspecting agencies must consider appeals that propose lower cost methods that make the residence lead safe.

(h) Sections 144.9501 to 144.9509 neither authorize nor prohibit an inspecting agency from charging a property owner for the cost of a lead inspection.

Sec. 30. Minnesota Statutes 1996, section 144.9506, subdivision 1, is amended to read:

Subdivision 1. [LICENSE REQUIRED.] (a) A lead inspector shall obtain a license before performing lead inspections and shall renew it annually. The commissioner shall charge a fee and require annual training, as specified in this section. A lead inspector shall have the inspector's license readily available at all times at an inspection site and make it available, on request, for inspection by the inspecting agency with jurisdiction over the site. A license shall not be transferred.

(b) Individuals shall not advertise or otherwise present themselves as lead inspectors unless licensed by the commissioner.

(c) An individual may use sodium rhodizonate to test paint for the presence of lead without obtaining a lead inspector license, but must not represent the test as a lead inspection.

Sec. 31. Minnesota Statutes 1996, section 144.9506, subdivision 5, is amended to read:

Subd. 5. [APPROVAL OF LEAD INSPECTION COURSE.] Until the commissioner adopts rules under section 144.9508 to license lead inspectors and approve lead inspector training courses, a lead inspection course sponsored by a training course provider in one of the regional lead training consortia established by the United States Environmental Protection Agency is an approved course for the purpose of this section, providing it covers the criteria listed in section 144.9505. The commissioner shall evaluate for approval by permit lead inspector courses other than those approved by the United States Environmental Protection Agency. After adoption of rules under section 144.9508, all training courses offered for the purpose of licensing individuals as lead inspectors must be reviewed and approved by the commissioner.

Sec. 32. Minnesota Statutes 1996, section 144.99, subdivision 9, is amended to read:

Subd. 9. [SUSPENSION OR REVOCATION OF PERMITS, LICENSES, REGISTRATIONS, OR CERTIFICATES.] The commissioner may suspend, place conditions on, or revoke a permit, license, registration, or certificate issued under the statutes or rules cited in subdivision 1 for:

(1) serious or repeated violations of the requirements in the statutes, rules, or other actions listed in subdivision 1 that apply to the permit, license, registration, or certificate, ~~or if the applicant submitted;~~

(2) submitting false material information to the department in connection with activities for which the permit, license, registration, or certificate is issued;

(3) incompetence or negligence in the performance of activities required or authorized by permit, license, registration, or certificate;

(4) allowing the alteration or use of one's own permit, license, registration, or certificate by another; or

(5) within the previous five years, conviction of a crime in connection with activities for which the permit, license, registration, or certificate was issued.

Sec. 33. Minnesota Statutes 1996, section 144.99, subdivision 10, is amended to read:

Subd. 10. [HEARINGS RELATED TO DENIAL, REFUSAL TO RENEW, SUSPENSION, OR REVOCATION OF A PERMIT, LICENSE, REGISTRATION, OR CERTIFICATE.] If the commissioner proposes to deny, refuses to renew, suspends, or revokes a permit, license, registration, or certificate under subdivision 8 or 9, the commissioner must first notify, in writing, the person against whom the action is proposed to be taken and provide the person an opportunity to request a hearing under the contested case provisions of chapter 14. If the person does not request a hearing by notifying the commissioner within 20 days after receipt of the notice of proposed action, the commissioner may proceed with the action without a hearing. This subdivision does not apply to:

(1) the denial of or refusal to renew a permit, license, registration, or certificate based on the applicant's failure to meet or maintain the minimum qualifications for holding the permit, license, registration, or certificate; or

(2) the denial of, refusal to renew, suspension of, or revocation of a permit, license, registration, or certificate if the person against whom the action is proposed to be taken has been granted a hearing under this subdivision within the previous 12 months.

Sec. 34. Minnesota Statutes 1996, section 257.73, is amended to read:

257.73 [BIRTH RECORDS.]

Subdivision 1. Upon compliance with the provisions of section 257.55, subdivision 1, paragraph (e), 257.75, or upon order of a court of this state or upon request of a court of another state, the state or local registrar of vital statistics shall prepare a new replacement certificate of birth consistent with the acknowledgment or the findings of the court and shall substitute the new replacement certificate for the original certificate of birth.

Subd. 2. The fact that the father and child relationship was declared after the child's birth shall not be ascertainable from the new replacement certificate but the actual place and date of birth shall be shown.

Subd. 3. The evidence upon which the new replacement certificate was made and the original birth certificate shall be kept in a sealed and confidential file and be subject to inspection only upon consent of the court and all interested persons, or in exceptional cases only upon an order of the court for good cause shown.

Sec. 35. Minnesota Statutes 1996, section 326.71, subdivision 4, is amended to read:

Subd. 4. [ASBESTOS-RELATED WORK.] "Asbestos-related work" means the enclosure, removal, or encapsulation of asbestos-containing material in a quantity that meets or exceeds 260 lineal feet of friable asbestos-containing material on pipes, 160 square feet of friable asbestos-containing material on other facility components, or, if linear feet or square feet cannot be measured, a total of 35 cubic feet of friable asbestos-containing material on or off all facility components in one facility. In the case of single or multifamily residences, "asbestos-related work" also means the enclosure, removal, or encapsulation of greater than ten but less than 260 lineal linear feet of friable asbestos-containing material on pipes or ducts or, greater than six but less than 160 square feet of friable asbestos-containing material on other facility components, or, if linear feet or square feet cannot be measured, greater than one cubic foot but less than 35 cubic feet of friable asbestos-containing material on or off all facility components in one facility. This

provision excludes asbestos-containing floor tiles and sheeting, roofing materials, siding, and all ceilings with asbestos-containing material in single family residences and buildings with no more than four dwelling units. Asbestos-related work includes asbestos abatement area preparation; enclosure, removal, or encapsulation operations; and an air quality monitoring specified in rule to assure that the abatement and adjacent areas are not contaminated with asbestos fibers during the project and after completion.

For purposes of this subdivision, the quantity of asbestos containing material applies separately for every project.

Sec. 36. Minnesota Statutes 1996, section 326.71, subdivision 6, is amended to read:

Subd. 6. [CONTRACTING ENTITY.] "Contracting entity" means a public or private body, board, natural person, corporation, partnership, proprietorship, joint venture, fund, authority, or similar entity that contracts with a person to do asbestos-related work or asbestos management activity for the benefit of the contracting entity.

Sec. 37. Minnesota Statutes 1996, section 326.72, subdivision 2, is amended to read:

Subd. 2. [DISPLAY OF LICENSE.] Licensees shall post a project permit, obtained from the commissioner after compliance with the provisions of section 326.74 and rules promulgated under section 326.78, in a conspicuous place outside of the asbestos abatement work area. The actual license or a copy shall be readily available at the work site for inspection by the commissioner, other public officials charged with the health, safety, and welfare of the state's citizens, and the contracting entity.

Sec. 38. Minnesota Statutes 1996, section 326.74, is amended to read:

326.74 [REPORTING ASBESTOS WORK.]

~~At least five calendar days before beginning any asbestos-related work,~~ Written notice shall be given to the commissioner of the an asbestos-related work project by the person holding the license issued under section 326.72, subdivision 1. Unless the project is an emergency project as defined in rule by the commissioner, the notice shall be given to the commissioner at least five calendar days before the project begins. The notice shall contain the following information:

- (1) a brief description of the work to be performed;
- (2) the name of the contracting entity;
- (3) the location and address of the project work site;
- (4) the approximate duration of the project;
- (5) the approximate amount of the asbestos involved in the project;
- (6) the name of any project manager; and
- (7) other information required by the commissioner.

Sec. 39. Minnesota Statutes 1996, section 326.76, is amended to read:

326.76 [DUTIES OF CONTRACTING ENTITIES.]

A contracting entity intending to have asbestos-related work or asbestos management activity performed for its benefit shall include in the specifications and contracts for the work a requirement that the work be performed by contractors and subcontractors licensed or certified by the commissioner under sections 326.70 to 326.81 and in accordance with rules prescribed by the commissioner related to ~~asbestos abatement~~ asbestos-related work and asbestos management activity. No contracting entity shall allow asbestos-related work or asbestos management activity to be performed for its benefit unless it has seen that the person has a valid license or certificate. A contracting entity's failure to comply with this section does not relieve a person from any responsibilities under sections 326.70 to 326.81.

Sec. 40. Minnesota Statutes 1996, section 326.78, subdivision 1, is amended to read:

Subdivision 1. [RULEMAKING.] The commissioner shall adopt and begin enforcement of rules necessary to implement sections 326.70 to 326.81. The rules adopted shall not be duplicative of rules adopted by the commissioner of the department of labor and industry. The rules shall include rules in the following areas:

- (1) application, enclosure, removal, and encapsulation procedures;
- (2) license and certificate qualification requirements;
- (3) examinations for obtaining a license and certificate;
- (4) training necessary for individual certification;
- (5) qualifications for managers of ~~asbestos-abatement~~ asbestos-related work projects;
- (6) ~~abatement~~ asbestos-related work and asbestos management activity specifications;
- (7) any contractor bonding and insurance requirements deemed necessary by the commissioner;
- (8) license and certificate issuance and revocation procedures;
- (9) suspension or revocation of licenses or certificates;
- (10) license and certificate suspension and revocation criteria;
- (11) cleanup standards;
- (12) continuing education requirements; and
- (13) other rules necessary to implement sections 326.70 to 326.81.

Sec. 41. Minnesota Statutes 1996, section 326.785, is amended to read:

326.785 [ASBESTOS CONTAINMENT BARRIERS.]

Notwithstanding Minnesota Rules, part ~~4620.3500, subpart 4, item B, subitem (5)~~ 4620.3568, subparts 1 to 4, containment barriers, in the case of tunnel abatement enclosures, are limited to double critical barriers.

Sec. 42. [CONFORMANCE WITH FEDERAL REGULATIONS.]

The commissioner of health shall amend Minnesota Rules, chapter 4761, as needed to conform with federal regulations, and shall perform any procedural steps necessary to obtain authorization to administer the regulations in Code of Federal Regulations, title 40, part 745 (1996), adopted by the United States Environmental Protection Agency to implement the requirements of title X of the federal Residential Lead-Based Paint Hazard Reduction Act of 1992, Public Law Number 102-550, 106 Statutes at Large 3897.

Sec. 43. [REPEALER.]

(a) Minnesota Statutes 1996, sections 62D.03, subdivision 2; and 62D.11, subdivision 4, are repealed.

(b) Minnesota Rules, part 4600.3900, is repealed.

(c) Laws 1988, chapter 495, section 1, is repealed.

Sec. 44. [EFFECTIVE DATE.]

Sections 17 and 21 are effective the day following final enactment. Section 26 is effective retroactively to June 30, 1993."

Delete the title and insert:

"A bill for an act relating to health; modifying provisions related to health maintenance organizations; modifying lead inspection provisions; providing for the expiration of certain advisory and work groups; modifying vital statistics provisions; modifying asbestos abatement provisions; modifying provisions relating to traumatic brain injury and spinal cord injury notification and data; modifying licensing requirements for elderly housing with services; modifying provisions for hearings related to permitting, licensing, registration, and certification; modifying revocation and suspension provisions for permits, licenses, registration, and certifications; modifying provisions for testing infants for inborn metabolic errors; modifying medical education and research costs trust fund provisions; requiring conformance with federal regulations; amending Minnesota Statutes 1996, sections 62D.02, subdivision 10; 62D.03, subdivisions 3 and 4; 62D.04, subdivision 3; 62D.042, subdivision 3; 62D.06, subdivision 1; 62D.07, subdivision 3; 62D.09, subdivisions 1, 3, and 8; 62D.102; 62D.11, subdivisions 1, 1b, and 3; 62D.12, by adding a subdivision; 62D.20, subdivision 2; 62J.15, by adding a subdivision; 62J.60, subdivision 3; 62J.69, subdivision 1; 62Q.03, subdivision 5a; 144.125; 144.215, subdivision 1; 144.218; 144.664, subdivision 3; 144.665; 144.672, subdivision 1; 144.9501, subdivision 29, and by adding a subdivision; 144.9504, subdivision 2; 144.9506, subdivisions 1 and 5; 144.99, subdivisions 9 and 10; 257.73; 326.71, subdivisions 4 and 6; 326.72, subdivision 2; 326.74; 326.76; 326.78, subdivision 1; and 326.785; repealing Minnesota Statutes 1996, sections 62D.03, subdivision 2; and 62D.11, subdivision 4; Laws 1988, chapter 495, section 1; Minnesota Rules, part 4600.3900."

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

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

S.F. No. 160: A bill for an act relating to taxation; authorizing the city of Kenyon to recertify its final levy for taxes levied in 1996.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 274, 38, 145 and 95 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 121 was read the second time.

MOTIONS AND RESOLUTIONS

Ms. Berglin moved that the name of Mr. Dille be added as a co-author to S.F. No. 126. The motion prevailed.

Mr. Solon moved that the name of Mr. Metzen be added as a co-author to S.F. No. 277. The motion prevailed.

Mr. Johnson, D.H. moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 304. The motion prevailed.

Mr. Metzen moved that the name of Mr. Wiger be added as a co-author to S.F. No. 327. The motion prevailed.

Mr. Frederickson moved that the name of Mr. Terwilliger be added as a co-author to S.F. No. 539. The motion prevailed.

Mr. Sams moved that S.F. No. 221 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Mr. Stevens introduced--

Senate Resolution No. 18: A Senate resolution congratulating Dennis Hansen of Mora, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Messrs. Knutson, Cohen, Ms. Anderson, Mrs. Scheid and Mr. Neuville introduced--

Senate Resolution No. 19: A Senate resolution honoring the life and work of legal giant Maynard Pirsig.

Referred to the Committee on Rules and Administration.

Ms. Robertson moved that S.F. No. 158 be withdrawn from the Committee on Children, Families and Learning and re-referred to the Committee on Crime Prevention. The motion prevailed.

Mr. Janezich moved that S.F. No. 153 be withdrawn from the Committee on Taxes and re-referred to the Committee on Local and Metropolitan Government. The motion prevailed.

Mrs. Scheid moved that S.F. No. 497 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Taxes. The motion prevailed.

CALENDAR

S.F. No. 73: A bill for an act relating to elections; providing a change of address system for registered voters; amending Minnesota Statutes 1996, section 201.13, subdivision 3.

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 53 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Krentz	Neuville	Samuelson
Beckman	Janezich	Laidig	Novak	Scheid
Berg	Johnson, D.E.	Langseth	Olson	Spear
Berglin	Johnson, D.H.	Lesewski	Ourada	Stevens
Betzold	Johnson, D.J.	Lessard	Pappas	Stumpf
Cohen	Johnson, J.B.	Lourey	Pariseau	Ten Eyck
Day	Junge	Marty	Piper	Terwilliger
Dille	Kelley, S.P.	Metzen	Price	Vickerman
Flynn	Kelly, R.C.	Moe, R.D.	Ranum	Wiger
Foley	Kiscaden	Morse	Runbeck	
Frederickson	Knutson	Murphy	Sams	

Those who voted in the negative were:

Belanger	Higgins	Larson	Robertson	Scheevel
Fischbach	Kleis	Limmer	Robling	

So the bill passed and its title was agreed to.

S.F. No. 67: A bill for an act relating to corrections; modifying multiple occupancy requirements applicable to state prisons; amending Minnesota Statutes 1996, section 243.53.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 242: A bill for an act relating to human rights; suspending a deadline during mediation in certain cases; amending Minnesota Statutes 1996, section 363.06, 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Neuville	Samuelson
Beckman	Hottinger	Laidig	Novak	Scheevel
Belanger	Janezich	Langseth	Olson	Scheid
Berg	Johnson, D.E.	Larson	Ourada	Spear
Berglin	Johnson, D.H.	Lesewski	Pappas	Stevens
Betzold	Johnson, D.J.	Lessard	Pariseau	Stumpf
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	Wiger
Flynn	Kiscaden	Moe, R.D.	Robling	
Foley	Kleis	Morse	Runbeck	
Frederickson	Knutson	Murphy	Sams	

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. Nos. 315, 323, 202 and 296, which the committee recommends to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Foley; Moe, R.D.; Belanger and Kelly, R.C. introduced--

S.F. No. 592: A bill for an act relating to traffic regulation; changing speed limits; amending Minnesota Statutes 1996, section 169.14, subdivision 2; repealing Minnesota Statutes 1996, sections 169.99, subdivision 1b; and 171.12, subdivision 6.

Referred to the Committee on Transportation.

Mrs. Lourey introduced--

S.F. No. 593: A bill for an act relating to taxation; authorizing aggregate removal taxes in Carlton and St. Louis counties; amending Minnesota Statutes 1996, section 298.75, subdivision 1.

Referred to the Committee on Taxes.

Mrs. Lourey introduced--

S.F. No. 594: A bill for an act relating to state lands; authorizing the sale of state land to town of Mahtowa.

Referred to the Committee on Environment and Natural Resources.

Mrs. Lourey introduced--

S.F. No. 595: A bill for an act relating to family law; providing a remedy for interference with grandparent visitation rights; amending Minnesota Statutes 1996, section 257.022, by adding a subdivision.

Referred to the Committee on Judiciary.

Mrs. Lourey, Ms. Anderson and Mrs. Scheid introduced--

S.F. No. 596: A bill for an act relating to human services; requiring a report; providing a grant to not-for-profit organizations which train or provide service dogs to people with disabilities; appropriating money.

Referred to the Committee on Health and Family Security.

Mrs. Lourey and Ms. Johnson, J.B. introduced--

S.F. No. 597: A bill for an act relating to human services; establishing an alternative grant application process for categorical social service programs in Pine county.

Referred to the Committee on Health and Family Security.

Messrs. Kelly, R.C.; Moe, R.D.; Novak; Ms. Anderson and Mr. Frederickson introduced--

S.F. No. 598: A bill for an act relating to housing; providing funding for the community rehabilitation fund and for the affordable rental investment fund programs; appropriating money.

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

Ms. Junge, Messrs. Belanger; Kelly, R.C.; Murphy and Janezich introduced--

S.F. No. 599: A bill for an act relating to drivers' licenses; establishing youth-oriented driver improvement clinics; requiring motorcycle drivers under 18 to hold instruction permit for 12 violation-free months before receiving two-wheeled vehicle endorsement; establishing a graduated licensing system with provisional license phase; requiring two-phase driver education program; restricting driving privileges for holders of instruction permits and provisional licenses and requiring violation-free period before advancement to next license stage; making technical changes; amending Minnesota Statutes 1996, sections 84.912, subdivision 1; 86B.337, subdivision 1; 120.73, subdivision 1; 168.042, subdivision 1; 169.121, subdivision 4; 169.1217, subdivision 1; 169.89, subdivision 5; 169.971, subdivision 1, and by adding a subdivision; 169.972; 169.973, subdivision 1; 169.974, subdivision 2; 171.01, subdivision 14; 171.04, subdivision 1; 171.043; 171.05, subdivisions 2 and 2a; 171.06, subdivisions 1, 2, and 4; 171.07, subdivision 1; 171.10, subdivision 1; 171.12, subdivision 3; 171.16, subdivision 5; 171.17, subdivisions 2 and 3; 171.171; 171.172; 171.173; 171.174; 171.20, subdivision 3; 171.24, subdivision 5; 171.27; 171.30, subdivision 3; 171.305, subdivision 5; and 171.39; proposing coding for new law in Minnesota Statutes, chapter 171.

Referred to the Committee on Transportation.

Mr. Hottinger, Mses. Flynn, Pappas, Mrs. Robling and Mr. Day introduced--

S.F. No. 600: A bill for an act relating to local government; providing additional procedures for waste management and treatment in certain unincorporated areas; amending Minnesota Statutes 1996, section 115.49, subdivisions 1 and 2.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Pogemiller; Cohen; Hottinger; Kelley, S.P. and Dille introduced--

S.F. No. 601: A bill for an act relating to taxation; authorizing creation of heritage and historic subdistricts within tax increment financing districts; amending Minnesota Statutes 1996, sections 273.1399, subdivision 6; 469.174, subdivisions 4, 7, 16, 23, 24, and by adding subdivisions; 469.175, subdivisions 1, 7, and by adding a subdivision; 469.176, subdivisions 4e, 5, and by adding a subdivision; and 469.1765, subdivisions 2, 3, 4, and 7.

Referred to the Committee on Local and Metropolitan Government.

Mr. Hottinger, Mses. Flynn, Pappas, Runbeck and Mr. Terwilliger introduced--

S.F. No. 602: A bill for an act relating to local government; transferring authority for incorporations, detachments, and annexations to the office of strategic and long-range planning and the office of administrative hearings; appropriating money; amending Minnesota Statutes 1996, sections 14.03, subdivision 2; 414.01, subdivisions 1, 14, 15, 16, 17, and by adding a subdivision; 414.011, subdivisions 7 and 8; 414.012; 414.02; 414.031; 414.0325; 414.033; 414.035; 414.036; 414.041; 414.051; 414.06; 414.061; 414.063; 414.067; 414.07; and 414.09; repealing Minnesota Statutes 1996, sections 414.01, subdivisions 2, 5, 6a, 7a, 8, 10, 11, and 12; 414.0325, subdivision 1a; 414.033, subdivision 3; and 414.08.

Referred to the Committee on Local and Metropolitan Government.

Ms. Ranum, Mr. Knutson, Mses. Robertson, Junge and Piper introduced--

S.F. No. 603: A bill for an act relating to education; creating an early childhood technology grant program; appropriating money.

Referred to the Committee on Children, Families and Learning.

Mr. Hottinger, Mses. Flynn, Pappas, Higgins and Robertson introduced--

S.F. No. 604: A bill for an act relating to cities; providing for annexation; proposing coding for new law as Minnesota Statutes, chapter 414A; repealing Minnesota Statutes 1996, sections 414.01; 414.011; 414.012; 414.02; 414.031; 414.0325; 414.033; 414.035; 414.036; 414.041; 414.051; 414.06; 414.061; 414.063; 414.065; 414.067; 414.07; 414.08; and 414.09.

Referred to the Committee on Local and Metropolitan Government.

Mr. Hottinger, Ms. Flynn, Pappas, Robertson and Higgins introduced--

S.F. No. 605: A bill for an act relating to local government; providing for joint planning in certain instances; providing aid for certain joint planning annexations; amending Minnesota Statutes 1996, section 273.1398, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 414; repealing Minnesota Statutes 1996, sections 368.01; 368.015; 368.85; and 394.33, subdivision 2.

Referred to the Committee on Local and Metropolitan Government.

Mr. Hottinger, Ms. Flynn, Pappas, Runbeck and Higgins introduced--

S.F. No. 606: A bill for an act relating to local government; limiting development in unincorporated areas; proposing coding for new law in Minnesota Statutes, chapter 414.

Referred to the Committee on Local and Metropolitan Government.

Mses. Krentz; Hanson; Johnson, J.B. and Mr. Laidig introduced--

S.F. No. 607: A bill for an act relating to education; modifying the definition of district for school district lease purchase or installment buys; amending Minnesota Statutes 1996, section 124.91, subdivision 7.

Referred to the Committee on Children, Families and Learning.

Ms. Lesewski, Mr. Limmer, Mrs. Pariseau, Messrs. Novak and Kelly, R.C. introduced--

S.F. No. 608: A bill for an act relating to reemployment insurance; modifying wage reporting requirements for employers; amending Minnesota Statutes 1996, section 268.121.

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

Ms. Junge, Mr. Betzold, Ms. Robertson, Kiscaden and Ranum introduced--

S.F. No. 609: A bill for an act relating to domestic abuse; providing for enforcement of orders for protection issued in other states; imposing criminal penalties; amending Minnesota Statutes 1996, section 518B.01, subdivision 14.

Referred to the Committee on Crime Prevention.

Mr. Samuelson introduced--

S.F. No. 610: A bill for an act relating to state finance; changing the fiscal biennium to begin with even-numbered years; providing that expenditures of federal money must be approved by the legislature; amending Minnesota Statutes 1996, sections 16A.011, subdivision 6; and 16A.152, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Governmental Operations and Veterans.

Mrs. Scheid, Mr. Janezich, Ms. Pappas, Robertson and Olson introduced--

S.F. No. 611: A bill for an act relating to education; ensuring equitable funding provisions for alternative education programs; amending Minnesota Statutes 1996, sections 124.17, subdivision 4; 124C.45, subdivision 1a; and 126.23, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Mr. Wiger, Ms. Krentz, Mr. Vickerman, Mses. Pappas and Olson introduced--

S.F. No. 612: A bill for an act relating to Washington county; permitting the appointment of the recorder and auditor/treasurer.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Langseth and Cohen introduced--

S.F. No. 613: A bill for an act relating to education; establishing a college savings bond program; authorizing the sale of general obligation bonds in zero coupon form and in small denominations; amending Minnesota Statutes 1996, section 181.06, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Children, Families and Learning.

Messrs. Neuville, Belanger, Mrs. Robling and Mr. Terwilliger introduced--

S.F. No. 614: A bill for an act relating to public safety; clarifying that certain revocation period applies only to first-time DUI offenders; making technical correction allowing commissioner of public safety to determine examination required for reinstatement of driving privileges; providing for petition for reinstatement of commercial driver's license following disqualification; clarifying applicable requirements for licensing commercial driver instructors; amending Minnesota Statutes 1996, sections 169.121, subdivision 4; 169.1261; 171.19; and 364.09.

Referred to the Committee on Crime Prevention.

Mrs. Pariseau, Messrs. Janezich, Stevens, Ms. Lesewski and Mr. Day introduced--

S.F. No. 615: A bill for an act relating to lawful gambling; eliminating the requirement for a separate tax refund and credit account; amending Minnesota Statutes 1996, section 349.19, subdivision 2a.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Samuelson and Larson introduced--

S.F. No. 616: A bill for an act relating to natural resources; appropriating money for Glendalough state park and Cuyuna country state recreation area.

Referred to the Committee on Environment and Natural Resources.

Mr. Metzen and Ms. Olson introduced--

S.F. No. 617: A bill for an act relating to professions; providing for certain exemptions to the physician's licensure surcharge; amending Minnesota Statutes 1996, section 147.01, subdivision 6.

Referred to the Committee on Health and Family Security.

Mrs. Scheid, Messrs. Cohen and Belanger introduced--

S.F. No. 618: A bill for an act relating to financial institutions; regulating the solicitation and

sale of insurance products; amending Minnesota Statutes 1996, section 72A.20, subdivision 27; proposing coding for new law in Minnesota Statutes, chapter 47.

Referred to the Committee on Commerce.

Ms. Olson introduced--

S.F. No. 619: A bill for an act relating to education; providing for general education; special programs; community and school services; children and family support; lifework development; education organization and cooperation; education excellence; nutrition and other education programs; education policy provisions; libraries; technology; tax deduction and credit; education investment; state agencies; appropriating money; amending Minnesota Statutes 1996, sections 120.062, subdivisions 3, 6, 7, 9, and 11; 121.611, subdivisions 1, 2, and by adding subdivisions; 121.904, subdivision 4a; 123.35, by adding subdivisions; 123.3514, subdivision 6; 124.155, subdivision 1; 124.17, subdivisions 1, 1d, 1e, 4, 5, and by adding subdivisions; 124.175; 124.225, subdivisions 1, 7f, 13, 14, 15, 16, and 17; 124.226, subdivision 10; 124.2445; 124.2455; 124.248, subdivisions 1, 1a, 3, 4, and by adding a subdivision; 124.2613, subdivision 6; 124.2711, subdivisions 1 and 2a; 124.2716, subdivision 3; 124.2725, subdivision 2; 124.2726, subdivision 2; 124.2727, subdivisions 6a, 6c, and 6d; 124.273, subdivisions 1e, 1f, and 5; 124.312, subdivisions 4 and 5; 124.313; 124.314, subdivisions 1 and 2; 124.3201, subdivisions 1, 2, and 4; 124.321, subdivisions 1 and 3; 124.323, subdivisions 1 and 2; 124.42, subdivision 4; 124.431, subdivision 11; 124.45; 124.574, subdivision 2f; 124.83, subdivision 4; 124.86, subdivision 2, and by adding a subdivision; 124.91, subdivisions 1 and 5; 124.912, subdivisions 1, 2, and 3; 124.916, subdivisions 1, 2, and 3; 124.918, subdivision 6; 124.95, subdivision 4; 124.961; 124A.02, subdivision 21; 124A.029, subdivisions 1, 3, and by adding a subdivision; 124A.03, subdivisions 1c, 1f, 1g, and 3c; 124A.036, subdivisions 5 and 6; 124A.04, subdivision 2; 124A.22, subdivisions 1, 2, 3, 6, 6a, 8, 8a, 10, 11, 13, 13a, 13b, 13d, 13f, and by adding a subdivision; 124A.225, subdivision 1; 124A.23, subdivisions 1, 2, 3, and 5; 124A.26, subdivisions 1 and 2; 124A.28; 126.22, subdivisions 3, 3a, and 8; 126.23, subdivision 1; 179A.16, by adding a subdivision; 179A.17, subdivision 1; 290.01, subdivisions 19a and 19b; and 290.091, subdivisions 2 and 6; Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1; Laws 1996, chapter 412, article 12, section 8; Laws 1996, chapter 461, section 3, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 11A; 121; 123; 124; 136A; 179A; and 290; repealing Minnesota Statutes 1996, sections 121.611, subdivision 3; 123.951; 124.177; 124.223; 124.225, subdivisions 3a, 7a, 7b, 7d, 7e, 8a, and 8k; 124.226; 124.2727, subdivisions 6a, 6b, 6c, and 9; 124.2728; 124.276; 124.311; 124.312; 124.313; 124.314; 124.3201, subdivisions 2a and 2b; 124.912, subdivisions 2 and 3; 124A.02, subdivision 24; 124A.22, subdivisions 2a, 4, 4a, 4b, and 9; 124A.292; and 134.46; Laws 1994, chapter 647, articles 7, section 18; and 8, section 43; and Laws 1995, First Special Session chapter 3, articles 4, section 31, paragraph (a); and 12, section 8.

Referred to the Committee on Children, Families and Learning.

Messrs. Knutson, Ourada, Marty, Mrs. Scheid and Mr. Larson introduced--

S.F. No. 620: A bill for an act relating to elections; Ethics in Government Act; requiring payment of any late filing fees or civil fines as a condition of eligibility for a public subsidy; proposing coding for new law in Minnesota Statutes, chapter 10A.

Referred to the Committee on Election Laws.

Ms. Johnson, J.B. introduced--

S.F. No. 621: A bill for an act relating to retirement; providing coverage in the correctional employees plan for certain employees; amending Minnesota Statutes 1996, sections 352.90; and 352.91, by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

Mrs. Scheid, Messrs. Solon, Cohen, Ms. Kiscaden and Mr. Hottinger introduced--

S.F. No. 622: A bill for an act relating to insurance; providing a uniform minimum definition of medically necessary care for mental health coverage in health plans; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce.

Mrs. Scheid, Mses. Olson and Krentz introduced--

S.F. No. 623: A bill for an act relating to children; providing for prekindergarten to grade 12 education; eliminating requirement that parents must make appeal before their children get free transportation from nonresident district for travel within their resident district; simplifying property tax shift computations; clarifying the payment of aids and credits to school districts; permitting school districts to transfer from the undesignated fund balance account to the reserve fund balance account for bus purchases in the general fund; modifying the referendum allowance limit; clarifying the definition of fiscal year 1996 base allowance used in computing transportation transition revenue; eliminating the repeal of the education funding system; repealing provisions outlining a replacement education finance system and an education trust fund; extending expiration of interagency coordinating council; requiring districts to request tuition for non-Minnesota residents; providing for school site eligibility for duration of first-grade preparedness program; clarifying payment of transportation costs of pupils enrolled in first-grade preparedness program; revising special education, secondary vocational disabled, and limited English proficiency base revenue calculations to annualize data for districts whose first year of operation of these programs is less than a full year; including tribal grant or contract schools as recipients of post-secondary preparation program grants; adjusting special education excess cost formula; extending sunset of American Indian education committee and Indian scholarship committee; repealing special education court placement revenue and special education tuition revenue; permitting amendment of rules for graduation education development test scores; extending time for contracts executed after award of metropolitan magnet school grants; permitting family services collaboratives to enter into interchange agreements; clarifying children's trust fund provisions; restructuring child care program to support required participation activities for cash assistance recipients; eliminating references to community-based collaboratives; modifying date of program approval for learning readiness aid; modifying formula for learning readiness aid; revising Head Start provisions to comply with federal law; providing for recommendations on child care licensure; reinstating and adding operational exemptions for Minnesota Career Information System; renaming secondary vocational program; providing for a student lifework development plan; exempting collaborative facilities from certain restrictions on districts entering into long-term agreements; modifying review and comment process for a capital loan; removing requirement of two votes at local level to appeal to state board for sponsorship of a charter school; transferring charter school review and comment authority from state board of education to department of children, families, and learning; updating educational effectiveness program; clarifying eligibility and rate of aid for post-secondary enrollment options transportation; permitting charter schools to use outside funds in a manner currently permitted other public schools; providing consistency between area learning center and graduation incentives program provisions; providing for additional eligibility criteria for graduation incentives program; repealing staff development incentives program; providing that summers in a learning-year program do not count against time of participation for post-secondary enrollment options; clarifying inconsistencies in length of suspension and expulsion in Pupil Fair Dismissal Act; permitting applicants for the Librarians of Color program to be from colleges outside Minnesota; permitting a recipient of a Librarians of Color program grant to fulfill work obligation in any Minnesota library; providing for a permanent limit on basic system support grants to library systems that decrease their funding support; amending Minnesota Statutes 1996, sections 15.53, subdivision 2; 119A.13, subdivisions 2, 3, and 4; 119A.14; 119A.15, subdivisions 2 and 5; 119A.16; 119B.01, subdivisions 8, 9, 16, 17, and by adding subdivisions; 119B.02; 119B.03, subdivisions 3, 5, and 8; 119B.04; 119B.05, subdivisions 1, 5, 6, and by adding a subdivision; 119B.07; 119B.08, subdivisions 1 and 3; 119B.09, subdivisions 1, 2, and by adding subdivisions; 119B.10, subdivision 1; 119B.11, subdivision 1; 119B.13, subdivision 1; 119B.15; 120.062, subdivision 9;

120.064, by adding a subdivision; 120.1701, subdivision 3; 120.181; 121.11, subdivision 7c, and by adding a subdivision; 121.155, by adding a subdivision; 121.602, subdivisions 1, 2, and 4; 121.8355, subdivision 1; 121.904, subdivision 4a; 123.3514, subdivisions 4c and 8; 123.39, subdivision 6; 124.155, subdivision 1; 124.195, subdivisions 2, 7, 10, and 11; 124.225, subdivision 10; 124.248, subdivision 4; 124.2613, subdivisions 3 and 6; 124.2615, subdivisions 1 and 2; 124.273, subdivision 1d; 124.3201, subdivisions 2 and 3; 124.323, subdivision 2; 124.431, subdivision 2; 124.48, subdivision 3; 124.481; 124.574, subdivision 1, 2d, 5, 6, and 9; 124.912, subdivisions 2 and 3; 124.916, subdivisions 1, 2, and 3; 124.918, subdivision 6; 124A.03, subdivision 1c; 124A.22, subdivision 13; 124C.46, subdivisions 1 and 2; 124C.498, subdivision 2; 126.22, subdivision 2; 126.531, subdivision 3; 126.82; 127.27, subdivision 10; 127.282; 134.155, subdivisions 2 and 3; 134.34, subdivision 4; 268.913, subdivisions 2 and 4; and 268.914, subdivision 1; amending Laws 1992, chapter 499, article 7, section 31; Laws 1995, First Special Session chapter 3, articles 2, section 52; and 11, section 21, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 121; and 126; repealing Minnesota Statutes 1996, sections 119B.03, subdivision 7; 119B.05, subdivisions 2 and 3; 119B.11, subdivision 2; 121.602, subdivisions 3 and 5; 121.8355, subdivision 1a; 121.904, subdivision 4d; 124.3201, subdivisions 2a and 2b; 124A.292; 124A.697; 124A.698; 124A.70; 124A.71; 124A.711; 124A.72; 124A.73; 134.34, subdivision 4a; and 268.913, subdivision 5.

Referred to the Committee on Children, Families and Learning.

Ms. Junge, Messrs. Betzold, Knutson and Neuville introduced--

S.F. No. 624: A bill for an act relating to professional firms; modernizing and standardizing the law regulating professional business organizations; amending Minnesota Statutes 1996, sections 13.99, subdivision 92e; 144A.43, subdivision 4; 322B.12, subdivision 1; 322B.92; 323.44, by adding a subdivision; and 323.49, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 303; proposing coding for new law as Minnesota Statutes, chapter 319B; repealing Minnesota Statutes 1996, sections 319A.01; 319A.02; 319A.03; 319A.04; 319A.05; 319A.06; 319A.07; 319A.08; 319A.09; 319A.10; 319A.11; 319A.12; 319A.13; 319A.14; 319A.15; 319A.16; 319A.17; 319A.18; 319A.19; 319A.20; 319A.21; and 319A.22.

Referred to the Committee on Judiciary.

Mmes. Fischbach, Lourey, Messrs. Larson; Moe, R.D. and Berg introduced--

S.F. No. 625: A bill for an act relating to education; modifying eligibility for debt service equalization; appropriating money; amending Minnesota Statutes 1996, sections 124.95, subdivision 2; and 124.961.

Referred to the Committee on Children, Families and Learning.

Mrs. Fischbach introduced--

S.F. No. 626: A bill for an act relating to retirement; providing retirement options for certain employees of the Melrose hospital and Pine Villa.

Referred to the Committee on Governmental Operations and Veterans.

Ms. Ranum, Messrs. Hottinger, Knutson, Betzold and Cohen introduced--

S.F. No. 627: A bill for an act relating to civil actions; requiring certification of expert review in actions against certain professionals; proposing coding for new law in Minnesota Statutes, chapter 544.

Referred to the Committee on Judiciary.

Messrs. Solon and Stevens introduced--

S.F. No. 628: A bill for an act relating to human services; changing provisions for private pay rates of short-stays for nursing facilities; amending Minnesota Statutes 1996, section 256B.434, subdivision 5.

Referred to the Committee on Health and Family Security.

Messrs. Solon and Stevens introduced--

S.F. No. 629: A bill for an act relating to human services; changing provisions for medical assistance; amending Minnesota Statutes 1996, section 256B.48, subdivision 6.

Referred to the Committee on Health and Family Security.

Ms. Berglin, Mrs. Lourey, Mr. Sams, Ms. Kiscaden and Mr. Terwilliger introduced--

S.F. No. 630: A bill for an act relating to MinnesotaCare; making technical, policy, and administrative changes and corrections to MinnesotaCare taxes; amending Minnesota Statutes 1996, sections 295.50, subdivisions 3, 4, 6, 7, 13, 14, and by adding a subdivision; 295.51, subdivision 1; 295.52, subdivisions 1b and 4; 295.53, subdivisions 1, 3, 4, and 5; 295.54, subdivision 1; 295.55, subdivision 2; and 295.582.

Referred to the Committee on Health and Family Security.

Mr. Knutson, Mses. Ranum, Krentz and Mr. Laidig introduced--

S.F. No. 631: A bill for an act relating to domestic abuse; orders for protection violations; clarifying situations mandating arrests; amending Minnesota Statutes 1996, section 518B.01, subdivision 14.

Referred to the Committee on Crime Prevention.

Messrs. Knutson, Marty, Neuville, Belanger and Laidig introduced--

S.F. No. 632: A bill for an act relating to crimes; expanding the criteria for vehicle license plate impoundment to include driving without a valid license and failure to provide or show proof of vehicle insurance; referencing broader definitions of prior impaired driving convictions and prior license revocations; amending Minnesota Statutes 1996, section 168.042, subdivisions 1, 2, 4, 9, and 11.

Referred to the Committee on Crime Prevention.

Messrs. Knutson, Marty, Foley, Belanger and Laidig introduced--

S.F. No. 633: A bill for an act relating to crimes; providing criminal penalties for persons operating snowmobiles, all-terrain vehicles, and motorboats who refuse an alcohol test; redefining relevant evidence for operating a motorboat while under the influence of alcohol, in conformance with DWI law; including in the definition of prior DWI offenses, the offense of driving a commercial vehicle while impaired; allowing the use of the results of a preliminary screening test to be used in court actions involving underage drinking and driving; making technical changes; prescribing criminal penalties; amending Minnesota Statutes 1996, sections 84.91, subdivisions 2, 4, 5, 8, and by adding a subdivision; 84.911, subdivisions 2, 3, and 6; 86B.331, subdivisions 2, 4, 5, 6, 8, and by adding a subdivision; 86B.335, subdivisions 2, 4, and 6; 97B.066, subdivision 6, and by adding subdivisions; and 169.121, subdivisions 3 and 6; repealing Minnesota Statutes 1996, section 86B.335, subdivisions 11 and 12.

Referred to the Committee on Crime Prevention.

Messrs. Morse, Hottinger, Vickerman, Ms. Runbeck and Mr. Knutson introduced--

S.F. No. 634: A bill for an act relating to local government; regulating the development, imposition, and management of state mandates upon local political subdivisions; proposing coding for new law in Minnesota Statutes, chapters 3; and 14; repealing Minnesota Statutes 1996, section 3.982.

Referred to the Committee on Local and Metropolitan Government.

Ms. Hanson, Mr. Janezich, Mrs. Pariseau, Messrs. Belanger and Langseth introduced--

S.F. No. 635: A bill for an act relating to highways; exempting town roads, city streets, and county highways from noise abatement standards; amending Minnesota Statutes 1996, sections 116.07, subdivision 2a; and 161.125, subdivision 1.

Referred to the Committee on Transportation.

Ms. Berglin and Mr. Ten Eyck introduced--

S.F. No. 636: A bill for an act relating to human services; providing grants to promote compliance with the Indian Child Welfare Act; appropriating money.

Referred to the Committee on Health and Family Security.

Messrs. Morse; Pogemiller; Johnson, D.E.; Metzen and Terwilliger introduced--

S.F. No. 637: A bill for an act relating to retirement; increasing pension benefit accrual rates; adjusting financing for pension plans; adding supplemental financial conditions information for pension funds; authorizing defined contribution early retirement options; reducing appropriations; modifying homestead and agricultural credit aid; appropriating money; amending Minnesota Statutes 1996, sections 3A.02, subdivisions 1 and 4; 3A.07; 11A.18, subdivision 9; 273.1398, by adding a subdivision; 352.01, subdivision 25; 352.04, subdivisions 2 and 3; 352.115, subdivision 3; 352.72, subdivision 2; 352.92, subdivisions 1 and 2; 352.93, subdivisions 2, 3, and by adding a subdivision; 352.95, subdivisions 1 and 5; 352B.02, subdivisions 1a and 1c; 352B.08, subdivisions 2 and 2a; 352B.10, subdivision 1; 352B.30, by adding a subdivision; 352C.031, subdivision 4; 352C.033; 353.01, subdivision 37; 353.27, subdivisions 2 and 3a; 353.29, subdivision 3; 353.651, subdivision 3; 353.656, subdivision 1; 353.71, subdivision 2; 353A.08, subdivision 1; 353A.083, by adding a subdivision; 353C.06, subdivisions 3, 4, and by adding a subdivision; 353C.08, subdivision 1; 353C.09; 354.05, subdivision 38; 354.42, subdivisions 2, 3, and 5; 354.44, subdivision 6; 354.53, subdivision 1; 354.55, subdivision 11; 354A.011, subdivision 15a; 354A.12, subdivisions 1, 2a, 3a, and 3c; 354A.31, subdivisions 4 and 4a; 356.215, subdivisions 1 and 4d; 356.25; 356.30, subdivision 1; 356.88, by adding a subdivision; 423B.01, subdivision 9; 423B.06, by adding a subdivision; 423B.07; 423B.09, subdivision 1, and by adding a subdivision; 423B.10, subdivision 1; 423B.15, subdivisions 2, 3, and 6; and 490.124, subdivision 1; Laws 1965, chapter 519, section 1, as amended; Laws 1989, chapter 319, article 19, section 7, subdivisions 1, as amended, 3, 4, as amended, and 7; and Laws 1993, chapter 125, article 1, section 1; proposing coding for new law in Minnesota Statutes, chapters 124A; 352; 352C; and 356; proposing coding for new law as Minnesota Statutes, chapter 352E; repealing Minnesota Statutes 1996, sections 354A.12, subdivision 2b; 356.70; and 356.88, subdivision 2.

Referred to the Committee on Governmental Operations and Veterans.

Messrs. Morse, Dille, Vickerman, Ms. Johnson, J.B. and Mr. Stumpf introduced--

S.F. No. 638: A bill for an act relating to the environment; petroleum release compensation fund; creating a petroleum tank upgrade assistance program; amending Minnesota Statutes 1996, section 115C.09, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Mses. Piper, Robertson, Messrs. Betzold, Stevens and Morse introduced--

S.F. No. 639: A bill for an act relating to health occupations; establishing a physician assistant advisory council; proposing coding for new law in Minnesota Statutes, chapter 147A.

Referred to the Committee on Health and Family Security.

Messrs. Johnson, D.E.; Novak; Ms. Johnson, J.B. and Mr. Frederickson introduced--

S.F. No. 640: A bill for an act relating to taxation; providing that personal property used in generation and transmission of biomass electric energy is exempt from taxation; amending Minnesota Statutes 1996, section 272.02, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

Ms. Berglin and Mrs. Lourey introduced--

S.F. No. 641: A bill for an act relating to utilization review organizations; requiring a peer of the treating mental health or substance abuse provider to review a utilization review organization's determination not to certify a mental health or substance abuse service; amending Minnesota Statutes 1996, section 62M.09, subdivision 3, and by adding a subdivision.

Referred to the Committee on Health and Family Security.

Ms. Krentz, Mr. Beckman and Ms. Piper introduced--

S.F. No. 642: A bill for an act relating to health; appropriating money for the distribution of information on Down Syndrome.

Referred to the Committee on Health and Family Security.

Messrs. Moe, R.D.; Morse and Sams introduced--

S.F. No. 643: A bill for an act relating to agriculture; appropriating money for hybrid tree management research.

Referred to the Committee on Agriculture and Rural Development.

Mrs. Lourey, Mr. Samuelson and Ms. Piper introduced--

S.F. No. 644: A bill for an act relating to the contractual alternative payment demonstration project for community-based services with persons with mental retardation or related condition; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Family Security.

Mrs. Lourey, Ms. Piper, Mr. Sams and Ms. Berglin introduced--

S.F. No. 645: A bill for an act relating to health; modifying requirements relating to home care providers and elderly housing with services establishments; providing for licensure of elderly housing with services home care providers; eliminating licensure requirement for residential care homes; amending Minnesota Statutes 1996, sections 144.057, subdivision 1; 144A.43, subdivision 4, and by adding subdivisions; 144A.45, subdivision 1; 144A.46, subdivisions 1 and 2; 144D.01, subdivisions 4, 5, and 6; 144D.03, subdivision 1; 144D.06; 157.17, subdivisions 2, 3, and 7; 256B.071, subdivision 1; 256I.04, subdivision 2a; 295.50, subdivision 4; 299C.67, subdivision 5; and 609.7495, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 1996, sections 144A.45, subdivision 3; 144B.01; 144B.02; 144B.03; 144B.04; 144B.05; 144B.06; 144B.07; 144B.08; 144B.09; 144B.10; 144B.11; 144B.12; 144B.13; 144B.14; 144B.15; 144B.16; 144B.17; and 157.17, subdivision 4.

Referred to the Committee on Health and Family Security.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, February 20, 1997. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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