

FIFTY-FIRST DAY

St. Paul, Minnesota, Tuesday, May 3, 2005

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

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Bob Hart.

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

Anderson	Gaither	Langseth	Olson	Scheid
Bachmann	Gerlach	Larson	Ortman	Senjem
Bakk	Hann	LeClair	Ourada	Skoe
Belanger	Higgins	Limmer	Pappas	Skoglund
Berglin	Hottinger	Lourey	Pariseau	Solon
Betzold	Johnson, D.E.	Marko	Pogemiller	Sparks
Chaudhary	Johnson, D.J.	Marty	Ranum	Stumpf
Cohen	Jungbauer	McGinn	Reiter	Tomassoni
Day	Kelley	Metzen	Rest	Vickerman
Dibble	Kierlin	Michel	Robling	Wergin
Dille	Kiscaden	Moua	Rosen	Wiger
Fischbach	Kleis	Murphy	Ruud	
Foley	Koering	Neuville	Sams	
Frederickson	Kubly	Nienow	Saxhaug	

The President declared a quorum present.

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

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed with the Secretary of the Senate: Iron Range Resources, Biennial Report, 2003-04; Department of Employment and Economic Development, Minnesota Public Facilities Authority, Annual Report, 2004; Department of Health, Building a Solid Foundation for Health, Public Health System Development, 2005; Department of Human Services, Public and Private Financing of Long-Term Care: Options for Minnesota, 2005; Department of Corrections, Performance Report, 2004; Minnesota Housing Finance Agency, Biennial Report, 2005; Department of Health, Recommendations on Systems Improvements to Advance Evidence-Based Health Care, 2005; Pollution Control Agency Activities of the Midwest Interstate Low-Level Radioactive Waste Compact Commission, Biennial Report, 2003-04; Pollution Control Agency, Metropolitan Landfill Contingency Action Trust Account, Fiscal Year, 2004; Minnesota Sentencing Guidelines Commission, Juvenile Out-of-State or Alternative Placement Reports, 2005; Department of Health, Sudden Infant Death Syndrome, 2004; Department of Human Services, Information Technology, Fiscal Year, 2004; Department of

Human Services, Medical Care Surcharge Fund, Quarterly Report, 2004; Departments of Public Safety and Transportation, Joint Report on the Expenditure of Section 164 Transfer Funds, 2004; Minnesota National Guard, Annual Report, 2004; Department of Health, Suicide Prevention Plan, Progress Report, 2005; Department of Finance, Debt Capacity Forecast, 2005; Department of Revenue, This Old House, 2004; Department of Human Services, State Operated Services, Dedicated Revenue Accounts, First Quarter Fiscal Year 2005; Pollution Control Agency, Air Quality in Minnesota, Progress and Priorities, 2005; Department of Commerce, Presumptive Conditions Study; Department of Economic Security, Welfare to Work Program, 2002/2003; Department of Employment and Economic Development, Minnesota Displaced Homemaker Program, 2005; Minnesota Racing Commission, Annual Report, 2004; Metropolitan Radio Board, Cost Allocation, Cost Apportionment and User Fees, 2005; Department of Education, Staff Development Report of District and Site Results and Expenditures for 2003-2004, 2005; Department of Public Safety, the Statewide Radio Board and the Metropolitan Radio Board, Report to the Legislature, 2005; Department of Public Safety and the Statewide Radio Board, Report to Governor Pawlenty and the Minnesota Legislature, 2005; Department of Health, Complaint Investigations of Minnesota Health Care Facilities, Explaining the Investigative Process and Summarizing Investigations from July 1, 2001 to June 30, 2004, 2005; Department of Health, Lead Poisoning Prevention Programs, Biennial Report, 2005; Board on Judicial Standards, Annual Report, 2004; Board of Pardons, Annual Report, 2004; Department of Human Services, Home and Community-Based Services Waiver for Persons with Mental Retardation and Related Conditions, 2005; Department of Human Services, Resource Availability and Utilization in the Home and Community-Based Services Waivers for People Meeting Hospital or Nursing Facility Level of Care, 2005; Department of Education, Advanced Placement and International Baccalaureate Programs, 2005; Department of Corrections, Interstate Compact for the Supervision of Parolees and Probationers, 2005; Department of Administration, 2004 Recycling Recovery Rate Report, 2005; Minnesota Foundation for Student Organizations, Biennium Report, 2003-2005; Department of Education, Dangerous Weapons and Disciplinary Incidents, Fiscal Year 2005; Department of Finance, Certain Expenditures from the Trunk Highway Fund in the FY 2006-2007 Biennial Budget Submission, 2005; University of Minnesota and Minnesota State Colleges and Universities, Postsecondary Planning, 2005; Metropolitan Council, Metropolitan Radio Board, Biennial Report, 2005; Department of Human Services, Licensing Division, Maltreatment Report, 2005; Office of Governor Tim Pawlenty, Department of Administration Reorganization Order No. 193, 2005; Board of Teaching, 2001-2004 State Administration and Performance on the Basic Skills Examination for Teacher Licensure, 2005; Pollution Control Agency, Superfund Program, Annual Report, 2005; Department of Human Services, Case Management for Persons with Disabilities in Minnesota, 2005; Board of Teaching, 2001-2004 State Administration and Performance on the Common Core Assessments of Knowledge and Skills, 2005; Department of Education, Teacher Supply and Demand, 2005.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2112 and 467.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 2, 2005

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 68, 1692, 436 and 894.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 2, 2005

FIRST READING OF HOUSE BILLS

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

H.F. No. 68: A bill for an act relating to education; providing for opportunity to respond to nonrenewal of certain coaching contracts; amending Minnesota Statutes 2004, section 122A.33.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 457, now on General Orders.

H.F. No. 1692: A bill for an act relating to state government; regulating compensation plans of the State Board of Investment; amending Minnesota Statutes 2004, sections 11A.04; 11A.07, subdivision 4; 15A.0815, subdivision 2; 43A.18, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1598, now on General Orders.

H.F. No. 436: A bill for an act relating to natural resources; requiring commissioner's evaluation before vacating certain roads adjacent to public waters; creating right of intervention; amending Minnesota Statutes 2004, sections 164.07, subdivision 2; 412.851; 505.14.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 929, now on General Orders.

H.F. No. 894: A bill for an act relating to waters; modifying authority for public waters inventory; modifying public waters work permit and water use permit provisions; modifying enforcement authority; modifying a restriction on private land sale in Scott County; amending Minnesota Statutes 2004, sections 103G.201; 103G.2372, subdivision 1; 103G.245, subdivision 4; 103G.251, subdivision 2; 103G.301, subdivision 2; Laws 2003, First Special Session chapter 13, section 25.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 935, now on General Orders.

MOTIONS AND RESOLUTIONS

Senator Limmer moved that the name of Senator Metzen be added as a co-author to S.F. No. 910. The motion prevailed.

Senator LeClair moved that the name of Senator Nienow be added as a co-author to S.F. No. 2263. The motion prevailed.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 10:00 a.m. The motion prevailed.

The hour of 10:00 a.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3: A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 2004, section 177.24, subdivision 1.

Senate File No. 3 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Returned May 2, 2005

CONCURRENCE AND REPASSAGE

Senator Anderson moved that the Senate concur in the amendments by the House to S.F. No. 3 and that the bill be placed on its repassage as amended.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate for the balance of the proceedings of S.F. No. 3. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Anderson motion.

The roll was called, and there were yeas 44 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Lourey	Pappas	Skoe
Bakk	Higgins	Marko	Pogemiller	Skoglund
Berglin	Hottinger	Marty	Ranum	Solon
Betzold	Johnson, D.E.	Metzen	Rest	Sparks
Chaudhary	Jungbauer	Moua	Robling	Stumpf
Cohen	Kelley	Murphy	Rosen	Tomassoni
Dibble	Koering	Neuville	Sams	Vickerman
Dille	Kubly	Ortman	Saxhaug	Wiger
Foley	Langseth	Ourada	Scheid	

Those who voted in the negative were:

Bachmann	Gerlach	Larson	Nienow	Senjem
Belanger	Hann	LeClair	Olson	Wergin
Day	Johnson, D.J.	Limmer	Pariseau	
Fischbach	Kierlin	McGinn	Reiter	
Gaither	Kleis	Michel	Ruud	

The motion prevailed.

S.F. No. 3 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 44 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Lourey	Pappas	Skoe
Bakk	Higgins	Marko	Pogemiller	Skoglund
Berglin	Hottinger	Marty	Ranum	Solon
Betzold	Johnson, D.E.	Metzen	Rest	Sparks
Chaudhary	Jungbauer	Moua	Robling	Stumpf
Cohen	Kelley	Murphy	Rosen	Tomassoni
Dibble	Koering	Neuville	Sams	Vickerman
Dille	Kubly	Ortman	Saxhaug	Wiger
Foley	Langseth	Ourada	Scheid	

Those who voted in the negative were:

Bachmann	Gerlach	Larson	Nienow	Senjem
Belanger	Hann	LeClair	Olson	Wergin
Day	Johnson, D.J.	Limmer	Pariseau	
Fischbach	Kierlin	McGinn	Reiter	
Gaither	Kleis	Michel	Ruud	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 2273 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 2273: A bill for an act relating to criminal justice; appropriating money for the courts, public defenders, public safety, corrections, and other criminal justice agencies; establishing, funding, modifying, and regulating public safety, criminal justice, judiciary, law enforcement, corrections, crime victims, and CriMNet policies, programs, duties, activities, or practices; requiring studies and reports; imposing criminal and civil penalties; setting or increasing fines, surcharges, and fees; amending Minnesota Statutes 2004, sections 14.03, subdivision 3; 152.01, subdivision 10; 152.021, subdivisions 2a, 3; 168A.05, subdivision 3; 171.06, by adding a subdivision; 171.20, subdivision 4; 171.26; 237.70, subdivision 7; 241.06; 241.67, subdivisions 7, 8; 243.166; 243.167; 244.04, subdivision 1; 244.05, subdivisions 2, 4, 5, 6, 7; 244.052, subdivisions 3, 4, by adding a subdivision; 244.09, subdivision 11; 244.10, subdivision 2a, by adding a subdivision; 244.18, subdivision 2; 253B.08, subdivision 1; 253B.18, subdivision 5, by adding a subdivision; 260C.171, by adding a subdivision; 299A.38, subdivisions 2, 2a, 3; 299C.65, subdivisions 1, 2, 5, by adding a subdivision; 340A.301, subdivision 6; 340A.302, subdivision 3; 340A.311; 340A.404, subdivision 12; 340A.408, subdivision 4; 340A.414, subdivision 6; 340A.504, subdivisions 3, 7; 357.021, subdivisions 2, 6, 7; 357.18; 403.02, subdivisions 7, 13, 17, by adding a subdivision; 403.025, subdivisions 3, 7; 403.05, subdivision 3; 403.07, subdivision 3; 403.08, subdivision 10; 403.11, subdivisions 1, 3, 3a; 403.113, subdivision 1; 403.27, subdivisions 1, 3; 403.30, subdivision 1; 505.08, subdivision 2; 508.82; 508A.82; 515B.1-116; 518B.01, subdivision 22; 604.15, subdivision 2, by adding a subdivision; 609.108, subdivisions 1, 3, 4, 6; 609.109, subdivisions 2, 5; 609.1095, subdivision 1; 609.115, by adding a subdivision; 609.117, subdivisions 1, 2; 609.119; 609.1351; 609.185; 609.223, by adding a subdivision; 609.2231, by adding a subdivision; 609.229, subdivision 3; 609.321, subdivisions 1, 7, by adding subdivisions; 609.325, by adding a subdivision; 609.341, subdivision 14, by adding a subdivision; 609.342, subdivisions 2, 3; 609.343, subdivisions 2, 3; 609.344, subdivisions 2, 3; 609.345, subdivisions 2, 3; 609.3452, subdivision 1; 609.347; 609.3471; 609.348; 609.353; 609.485, subdivisions 2, 4; 609.50, subdivision 1; 609.527, subdivisions 1, 3, 4, 6, by adding a subdivision; 609.531, subdivision 1; 609.5315, subdivision 1, by adding a subdivision; 609.746, subdivision 1; 609.748, subdivisions 2, 3a; 609.749, subdivision 2; 609.79, subdivision 2; 609.795, by adding a subdivision; 617.81, subdivision 4, by adding a subdivision; 617.85; 626.556, subdivision 3;

628.26; 631.045; proposing coding for new law in Minnesota Statutes, chapters 152; 237; 243; 244; 299A; 299C; 325F; 357; 403; 609; repealing Minnesota Statutes 2004, sections 18C.005, subdivisions 1a, 35a; 18C.201, subdivisions 6, 7; 18D.331, subdivision 5; 243.166, subdivisions 1, 8; 299A.68; 299C.65, subdivisions 3, 4, 6, 7, 8, 8a, 9; 386.30; 403.30, subdivision 3; 609.108, subdivision 2; 609.109, subdivision 7; 609.725.

Senator Ranum moved to amend S.F. No. 2273 as follows:

Page 11, line 26, delete "16" and insert "15"

Page 21, line 11, after "in" insert "paragraph (b);"

Page 21, line 12, after "609.109" insert a semicolon

Page 111, line 32, after "to" insert "sentencing hearings, resentencing hearings, and"

Page 188, line 23, delete "\$43" and insert "\$44"

Page 188, line 25, strike "\$3" and insert "\$4"

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend S.F. No. 2273 as follows:

Page 12, line 25, after "609.106" insert "609.342, subdivision 2, paragraph (b); or 609.343, subdivision 2, paragraph (b);"

Page 12, lines 34 and 35, delete "609.342, subdivision 2, paragraph (b); 609.343, subdivision 2, paragraph (b); or"

Page 13, lines 11 and 12, delete "609.342, subdivision 2, paragraph (b); 609.343, subdivision 2, paragraph (b);"

Page 14, line 2, delete "609.342,"

Page 14, delete line 3

Page 14, line 4, delete "(b); or"

Page 19, delete lines 9 to 36

Page 20, delete lines 1 to 15 and insert:

"(b) The court shall sentence a person to imprisonment for life without the possibility of release if the person is convicted of violating subdivision 1, paragraph (c), (d), (e), (f), or (h), and the fact finder determines beyond a reasonable doubt that any of the following circumstances exist:

(1) the offender tortured the complainant;

(2) the offender intentionally inflicted great bodily harm upon the complainant;

(3) the offender, without the complainant's consent, removed the complainant from one place to another and did not release the complainant in a safe place;

(4) the complainant was aged 13 or younger at the time of the offense;

(5) the complainant was aged 70 or older at the time of the offense;

(6) the offender was armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and used or threatened to use the weapon or article to cause the complainant to submit;

(7) the charged offense involved sexual penetration or sexual contact with more than one victim; or

(8) the offense involved more than one perpetrator engaging in sexual penetration or sexual contact with the complainant.

The fact finder may not consider a circumstance described in clauses (1) to (8), if it is an element of the underlying specified violation of subdivision 1.

As used in this paragraph, "torture" means the intentional infliction of extreme mental anguish, or extreme psychological or physical abuse, when committed in an especially depraved manner."

Page 20, line 16, delete "(d)" and insert "(c)"

Page 20, line 19, delete "(e)" and insert "(d)"

Page 20, line 20, delete "or (b)"

Page 21, line 11, after "in" insert "paragraph (b);"

Page 21, line 12, after "609.109" insert a semicolon

Page 21, delete lines 24 to 36

Page 22, delete lines 1 to 30 and insert:

"(b) The court shall sentence a person to imprisonment for life without the possibility of release if the person is convicted of violating subdivision 1, paragraph (c), (d), (e), (f), or (h), and the fact finder determines beyond a reasonable doubt that any of the following circumstances exist:

(1) the offender tortured the complainant;

(2) the offender intentionally inflicted great bodily harm upon the complainant;

(3) the offender, without the complainant's consent, removed the complainant from one place to another and did not release the complainant in a safe place;

(4) the complainant was aged 13 or younger at the time of the offense;

(5) the complainant was aged 70 or older at the time of the offense;

(6) the offender was armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and used or threatened to use the weapon or article to cause the complainant to submit;

(7) the charged offense involved sexual penetration or sexual contact with more than one victim; or

(8) the offense involved more than one perpetrator engaging in sexual penetration or sexual contact with the complainant.

The fact finder may not consider a circumstance described in clauses (1) to (8), if it is an element of the underlying specified violation of subdivision 1.

As used in this paragraph, "torture" means the intentional infliction of extreme mental anguish, or extreme psychological or physical abuse, when committed in an especially depraved manner."

Page 22, line 31, delete "(d)" and insert "(c)"

Page 22, line 34, delete "(e)" and insert "(d)"

Page 22, line 35, delete "or (b)"

Amend the title accordingly

CALL OF THE SENATE

Senator Kleis imposed a call of the Senate for the balance of the proceedings on S.F. No. 2273. The Sergeant at Arms was instructed to bring in the absent members.

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

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

Those who voted in the affirmative were:

Bachmann	Johnson, D.E.	LeClair	Pariseau	Sparks
Day	Johnson, D.J.	Limmer	Reiter	Vickerman
Fischbach	Jungbauer	McGinn	Robling	Wergin
Frederickson	Kleis	Michel	Rosen	Wiger
Gaither	Koering	Nienow	Ruud	
Gerlach	Kubly	Olson	Sams	
Hann	Larson	Ortman	Senjem	

Those who voted in the negative were:

Anderson	Dibble	Kiscaden	Murphy	Saxhaug
Bakk	Dille	Langseth	Neuville	Scheid
Belanger	Foley	Lourey	Ourada	Skoe
Berglin	Higgins	Marko	Pappas	Skoglund
Betzold	Hottinger	Marty	Pogemiller	Solon
Chaudhary	Kelley	Metzen	Ranum	Stumpf
Cohen	Kierlin	Moua	Rest	Tomassoni

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

Senator Kleis moved to amend S.F. No. 2273 as follows:

Page 12, after line 11, insert:

"Sec. 2. Minnesota Statutes 2004, section 244.05, subdivision 1, is amended to read:

Subdivision 1. [SUPERVISED RELEASE REQUIRED.] Except as provided in subdivisions 1b, 4, and 5, and 5a, every inmate shall serve a supervised release term upon completion of the inmate's term of imprisonment as reduced by any good time earned by the inmate or extended by confinement in punitive segregation pursuant to section 244.04, subdivision 2. Except for a sex offender conditionally released under section 609.108, subdivision 5, the supervised release term shall be equal to the period of good time the inmate has earned, and shall not exceed the length of time remaining in the inmate's sentence.

[EFFECTIVE DATE.] This section is effective August 1, 2005, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2004, section 244.05, subdivision 1b, is amended to read:

Subd. 1b. [SUPERVISED RELEASE; OFFENDERS WHO COMMIT CRIMES ON OR AFTER AUGUST 1, 1993.] (a) Except as provided in subdivisions 4 and 5, and 5a, every inmate sentenced to prison for a felony offense committed on or after August 1, 1993, shall serve a supervised release term upon completion of the inmate's term of imprisonment and any disciplinary confinement period imposed by the commissioner due to the inmate's violation of any disciplinary rule adopted by the commissioner or refusal to participate in a rehabilitative program required under section 244.03. The amount of time the inmate serves on supervised release shall be equal in length to the amount of time remaining in the inmate's executed sentence after the inmate has served the term of imprisonment and any disciplinary confinement period imposed by the commissioner.

(b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative program as required under section 244.03 shall be placed on supervised release until the inmate has served the disciplinary confinement period for that disciplinary sanction or until the inmate is

discharged or released from punitive segregation confinement, whichever is later. The imposition of a disciplinary confinement period shall be considered to be a disciplinary sanction imposed upon an inmate, and the procedure for imposing the disciplinary confinement period and the rights of the inmate in the procedure shall be those in effect for the imposition of other disciplinary sanctions at each state correctional institution."

Page 14, after line 30, insert:

"Sec. 7. Minnesota Statutes 2004, section 244.05, is amended by adding a subdivision to read:

Subd. 5a. [LEVEL III OFFENDERS MUST SERVE ENTIRE EXECUTED SENTENCE.] (a) A predatory offender assigned to risk level III under section 244.052, subdivision 3, must serve the offender's entire executed sentence in prison.

(b) When sentencing an offender to prison for an offense that requires registration as a predatory offender under section 243.166, the court shall inform the offender that if the offender is assigned to risk level III, the offender will be required to serve the offender's entire executed sentence in prison and sentence the offender accordingly. The failure of the court to do this does not affect the applicability of this subdivision to the offender.

[EFFECTIVE DATE.] This section is effective August 1, 2005, and applies to offenders classified as risk level III offenders on or after that date regardless of when they committed the underlying crime."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Limmer	Ourada	Senjem
Day	Jungbauer	McGinn	Pariseau	Sparks
Fischbach	Kierlin	Metzen	Reiter	Vickerman
Frederickson	Kleis	Michel	Robling	Wergin
Gaither	Koering	Nienow	Rosen	Wiger
Gerlach	Larson	Olson	Ruud	
Hann	LeClair	Ortman	Sams	

Those who voted in the negative were:

Anderson	Dibble	Kiscaden	Murphy	Scheid
Bakk	Dille	Kubly	Neuville	Skoe
Belanger	Foley	Langseth	Pappas	Skoglund
Berglin	Higgins	Lourey	Pogemiller	Solon
Betzold	Hottinger	Marko	Ranum	Stumpf
Chaudhary	Johnson, D.E.	Marty	Rest	Tomassoni
Cohen	Kelley	Moua	Saxhaug	

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

Senator Scheid moved to amend S.F. No. 2273 as follows:

Page 132, after line 15, insert:

"Sec. 25. Minnesota Statutes 2004, section 609.487, is amended by adding a subdivision to read:

Subd. 6. [FLEEING, OTHER THAN VEHICLE.] Whoever, for the purpose of avoiding arrest, detention, or investigation, or in order to conceal or destroy potential evidence related to the commission of a crime, attempts to evade or elude a peace officer, who is acting in the lawful discharge of an official duty, by means of running, hiding, or by any other means except fleeing in a motor vehicle, is guilty of a misdemeanor.

[EFFECTIVE DATE.] This section is effective August 1, 2005, and applies to crimes committed on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Tomassoni moved to amend S.F. No. 2273 as follows:

Page 210, after line 3, insert:

"Sec. 37. [ST. LOUIS COUNTY; EXAMINER OF TITLES.]

Notwithstanding Minnesota Statutes, section 508.12, if the St. Louis County examiner of titles or deputy examiner of titles is an included employee as defined in Minnesota Statutes, section 353.01, subdivision 2a, then the examiner of titles or deputy examiner is a St. Louis County employee and shall be subject to the county personnel and compensation policies generally applied to all county employees, except that selection and termination of the examiner of titles and deputy examiners of titles may only be with the concurrence of the judges of the district court within St. Louis County."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Skoglund moved to amend S.F. No. 2273 as follows:

Page 69, after line 8, insert:

"(d) A health care facility that receives notice under this subdivision that a predatory offender has been admitted to the facility shall notify other patients at the facility of this fact. If the facility determines that notice to a patient is not appropriate given the patient's medical, emotional, or mental status, the facility shall notify the patient's next of kin or emergency contact."

The motion prevailed. So the amendment was adopted.

Senator Ruud moved to amend S.F. No. 2273 as follows:

Page 163, after line 29, insert:

"Section 1. Minnesota Statutes 2004, section 16C.09, is amended to read:

16C.09 [PROCEDURE FOR SERVICE CONTRACTS.]

(a) Before entering into or approving a service contract, the commissioner must determine, at least, that:

(1) no current state employee is able and available to perform the services called for by the contract;

(2) the work to be performed under the contract is necessary to the agency's achievement of its statutory responsibilities and there is statutory authority to enter into the contract;

(3) the contract will not establish an employment relationship between the state or the agency and any persons performing under the contract;

(4) the contractor and agents are not employees of the state;

(5) the contracting agency has specified a satisfactory method of evaluating and using the results of the work to be performed; and

(6) the combined contract and amendments will not exceed five years without specific, written approval by the commissioner according to established policy, procedures, and standards, or unless otherwise provided for by law. The term of the original contract must not exceed two years, unless the commissioner determines that a longer duration is in the best interest of the state.

(b) For purposes of paragraph (a), clause (1), employees are available if qualified and:

(1) are already doing the work in question; or

(2) are on layoff status in classes that can do the work in question.

An employee is not available if the employee is doing other work, is retired, or has decided not to do the work in question.

(c) This section does not apply to an agency's use of inmates pursuant to sections 241.20 to 241.23 or to an agency's use of persons required by a court to provide:

(1) community service; or

(2) conservation or maintenance services on lands under the jurisdiction and control of the state.

[EFFECTIVE DATE.] This section is effective July 1, 2005.

Sec. 2. Minnesota Statutes 2004, section 43A.047, is amended to read:

43A.047 [CONTRACTED SERVICES.]

(a) Executive agencies, including the Minnesota State Colleges and Universities system, must demonstrate that they cannot use available staff before hiring outside consultants or services. If use of consultants is necessary, agencies are encouraged to negotiate contracts that will involve permanent staff, so as to upgrade and maximize training of state employees.

(b) If agencies reduce operating budgets, agencies must give priority to reducing spending on professional and technical service contracts before laying off permanent employees.

(c) This section does not apply to an agency's use of inmates pursuant to sections 241.20 to 241.23 or to an agency's use of persons required by a court to provide:

(1) community service; or

(2) conservation or maintenance services on lands under the jurisdiction and control of the state.

[EFFECTIVE DATE.] This section is effective July 1, 2005."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 49 and nays 15, as follows:

Those who voted in the affirmative were:

Bachmann	Higgins	Larson	Olson	Saxhaug
Bakk	Johnson, D.E.	LeClair	Ortman	Scheid
Belanger	Johnson, D.J.	Limmer	Ourada	Senjem
Day	Jungbauer	Marko	Pariseau	Skoe
Dille	Kierlin	McGinn	Reiter	Sparks
Fischbach	Kiscaden	Metzen	Rest	Stumpf
Frederickson	Kleis	Michel	Robling	Vickerman
Gaither	Koering	Murphy	Rosen	Wergin
Gerlach	Kubly	Neuville	Ruud	Wiger
Hann	Langseth	Nienow	Sams	

Those who voted in the negative were:

Anderson	Chaudhary	Foley	Marty	Skoglund
Berglin	Cohen	Kelley	Moua	Solon
Betzold	Dibble	Lourey	Pappas	Tomassoni

The motion prevailed. So the amendment was adopted.

Senator Skoglund moved to amend S.F. No. 2273 as follows:

Page 172, after line 23, insert:

"Sec. 11. [299A.90] [HUNTING LICENSEES; INELIGIBILITY TO POSSESS FIREARMS.]

(a) The commissioner of public safety shall review information on individuals who possess a license to take game by firearm and determine whether any of these individuals are ineligible to possess a firearm under state or federal law.

(b) Each year on a quarterly basis, the commissioner shall forward the names of potential matches and other pertinent information on individuals identified under paragraph (a) to the commissioner of natural resources, the superintendent of the Bureau of Criminal Apprehension, the state court administrator, the commissioner of corrections, the chief law enforcement officer of the law enforcement agency having jurisdiction over where the individual resides, and, if applicable, the individual's correctional agent and the chief law enforcement officer of any law enforcement agency having an outstanding warrant for the individual.

[EFFECTIVE DATE.] This section is effective August 1, 2005."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Olson	Senjem
Bachmann	Gerlach	Larson	Ortman	Skoe
Bakk	Hann	LeClair	Ourada	Skoglund
Belanger	Higgins	Limmer	Pappas	Solon
Berglin	Hottinger	Lourey	Pogemiller	Sparks
Betzold	Johnson, D.E.	Marko	Ranum	Stumpf
Chaudhary	Johnson, D.J.	Marty	Reiter	Tomassoni
Cohen	Jungbauer	McGinn	Rest	Vickerman
Day	Kelley	Metzen	Robling	Wergin
Dibble	Kierlin	Michel	Rosen	Wiger
Dille	Kiscaden	Moua	Ruud	
Fischbach	Kleis	Murphy	Sams	
Foley	Koering	Neuville	Saxhaug	
Frederickson	Kubly	Nienow	Scheid	

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend S.F. No. 2273 as follows:

Page 12, line 25, strike "609.106" and insert "609.185"

Page 12, lines 27 and 28, strike "609.185, clause (1), (3), (5), or (6); or"

Page 13, lines 10 and 11, strike "609.185, clause (1), (3), (5), or (6);"

Page 146, line 8, delete "section" and insert "sections 609.106, subdivision 2, and" and delete "is" and insert "are"

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 43 and nays 22, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	LeClair	Ortman	Scheid
Belanger	Johnson, D.E.	Limmer	Ourada	Senjem
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Day	Jungbauer	McGinn	Reiter	Sparks
Dille	Kierlin	Metzen	Rest	Vickerman
Fischbach	Kleis	Michel	Robling	Wergin
Frederickson	Koering	Neuville	Rosen	Wiger
Gaither	Kubly	Nienow	Ruud	
Gerlach	Larson	Olson	Sams	

Those who voted in the negative were:

Anderson	Dibble	Lourey	Pogemiller	Stumpf
Bakk	Higgins	Marty	Ranum	Tomassoni
Berglin	Hottinger	Moua	Saxhaug	
Betzold	Kelley	Murphy	Skoe	
Cohen	Langseth	Pappas	Skoglund	

The motion prevailed. So the amendment was adopted.

Senator Neuville moved to amend S.F. No. 2273 as follows:

Page 163, after line 29, insert:

"Section 1. Minnesota Statutes 2004, section 16A.151, subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] (a) If a state official litigates or settles a matter on behalf of specific injured persons or entities, this section does not prohibit distribution of money to the specific injured persons or entities on whose behalf the litigation or settlement efforts were initiated. If money recovered on behalf of injured persons or entities cannot reasonably be distributed to those persons or entities because they cannot readily be located or identified or because the cost of distributing the money would outweigh the benefit to the persons or entities, the money must be paid into the general fund.

(b) Money recovered on behalf of a fund in the state treasury other than the general fund may be deposited in that fund.

(c) This section does not prohibit a state official from distributing money to a person or entity other than the state in litigation or potential litigation in which the state is a defendant or potential defendant.

(d) State agencies may accept funds as directed by a federal court for any restitution or monetary penalty under United States Code, title 18, section 3663(a)(3) or United States Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue account and are appropriated to the commissioner of the agency for the purpose as directed by the federal court.

(e) This section does not prohibit the state from participating in multistate class action settlements that involve the distribution of money or in-kind donations to a nonprofit charity in the same manner as other states to the settlement.

(f) This section does not prohibit the state from entering into settlements that provide for distribution of nonmonetary, in-kind donations to nonprofit charities of up to \$500,000.

[EFFECTIVE DATE.] This section is effective July 1, 2005."

Page 210, line 5, after "sections" insert "16A.151, subdivision 5;"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Neuville moved to amend the Neuville amendment to S.F. No. 2273 as follows:

Page 1, line 31, after "settlements" insert "in the same manner as other states to the settlement"

Page 1, line 33, delete everything after "charity" and insert a period

Page 1, delete line 34

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

The question recurred on the Neuville amendment, as amended.

The roll was called, and there were yeas 26 and nays 39, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Limmer	Ortman	Senjem
Belanger	Johnson, D.J.	McGinn	Ourada	Wergin
Dille	Jungbauer	Michel	Pariseau	
Frederickson	Kierlin	Neuville	Reiter	
Gaither	Larson	Nienow	Robling	
Gerlach	LeClair	Olson	Rosen	

Those who voted in the negative were:

Anderson	Fischbach	Kubly	Pogemiller	Skoglund
Bakk	Higgins	Langseth	Ranum	Solon
Berglin	Hottinger	Lourey	Rest	Sparks
Betzold	Johnson, D.E.	Marty	Ruud	Stumpf
Chaudhary	Kelley	Metzen	Sams	Tomassoni
Cohen	Kiscaden	Moua	Saxhaug	Vickerman
Day	Kleis	Murphy	Scheid	Wiger
Dibble	Koering	Pappas	Skoe	

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

Senator Skoglund moved to amend S.F. No. 2273 as follows:

Page 105, line 15, delete "and"

Page 105, line 17, after "section" insert "; and

(6) the offender has not previously been convicted or adjudicated delinquent for a violent crime as defined in section 609.1095 other than a previous conviction or adjudication for a violation of chapter 152"

Page 105, line 29, after the period, insert "The commissioner shall consider whether the offender was involved in criminal gang activity either before or during the offender's prison term."

Page 106, after line 20, insert:

"Subd. 8. [COMMISSIONER'S DUTY.] The commissioner shall personally review and make the final determination regarding conditional release under this section."

Senator Skoglund moved to amend the Skoglund amendment to S.F. No. 2273 as follows:

Page 1, line 14, after "review" insert "the file"

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

The question recurred on the adoption of the Skoglund amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 2273 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Kubly	Olson	Saxhaug
Bachmann	Gerlach	Langseth	Ortman	Scheid
Bakk	Hann	Larson	Ourada	Senjem
Belanger	Higgins	Limmer	Pappas	Skoe
Berglin	Hottinger	Lourey	Pariseau	Skoglund
Betzold	Johnson, D.E.	Marty	Pogemiller	Solon
Chaudhary	Johnson, D.J.	McGinn	Ranum	Sparks
Cohen	Jungbauer	Metzen	Reiter	Stumpf
Day	Kelley	Michel	Rest	Tomassoni
Dibble	Kierlin	Moua	Robling	Vickerman
Dille	Kiscaden	Murphy	Rosen	Wergin
Fischbach	Kleis	Neuville	Ruud	Wiger
Frederickson	Koering	Nienow	Sams	

Those who voted in the negative were:

LeClair

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

Senator Johnson, D.E. moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 2278: A bill for an act relating to state government; modifying licensing fees; expanding health care program eligibility; enacting health care cost containment measures; modifying mental and chemical health programs; adjusting family support programs; reducing certain parental fees; providing a cost-of-living adjustment for certain human services program employees; modifying long-term care programs; modifying continuing care programs; allowing penalties; appropriating money; amending Minnesota Statutes 2004, sections 62A.65, subdivision 3; 62D.12, subdivision 19; 62J.04, subdivision 3, by adding a subdivision; 62J.041; 62J.301, subdivision 3; 62J.38; 62J.692, subdivision 3; 62L.08, subdivision 8; 62M.06, subdivisions 2, 3; 62Q.37, subdivision 7; 103I.101, subdivision 6; 103I.208, subdivisions 1, 2; 103I.235, subdivision 1; 103I.601, subdivision 2; 119B.011, by adding a subdivision; 119B.05, subdivision 1; 144.122; 144.147, subdivision 1; 144.148, subdivision 1; 144.1501, subdivisions 1, 2, 3, 4; 144.226, subdivision 1, by adding subdivisions; 144.3831, subdivision 1; 144.551, subdivision 1; 144.562, subdivision 2; 144.9504, subdivision 2; 144.98, subdivision 3; 144A.073, subdivision 10, by adding a subdivision; 144E.101, by adding a subdivision; 157.15, by adding a subdivision; 157.16, subdivisions 2, 3, by adding subdivisions; 157.20, subdivisions 2, 2a; 241.01, by adding a subdivision; 244.054; 245.4661, by adding subdivisions; 245.4885, subdivisions 1, 2, by adding a subdivision; 252.27, subdivision 2a; 252.291, by adding a subdivision; 254B.03, subdivision 4; 256.01, by adding a subdivision; 256.045, subdivision 3a; 256.741, subdivision 4; 256.9365; 256.969, by adding a subdivision; 256B.02, subdivision 12; 256B.055, by adding a subdivision; 256B.056, subdivisions 5, 5a, 5b, 7, by adding subdivisions; 256B.057, subdivision 1; 256B.0621,

subdivisions 2, 3, 4, 5, 6, 7; 256B.0622, subdivision 2; 256B.0625, subdivisions 2, 9, 13e, as amended, 13f, 19c, by adding subdivisions; 256B.0627, subdivisions 1, 4, 5, 9, by adding a subdivision; 256B.0916, by adding a subdivision; 256B.15, subdivisions 1, 1a, 2; 256B.19, subdivision 1; 256B.431, by adding subdivisions; 256B.434, subdivision 4, by adding a subdivision; 256B.440, by adding a subdivision; 256B.5012, by adding a subdivision; 256B.69, subdivisions 4, 23; 256D.03, subdivision 4; 256D.045; 256D.44, subdivision 5; 256J.021; 256J.08, subdivision 65; 256J.21, subdivision 2; 256J.521, subdivision 1; 256J.53, subdivision 2; 256J.626, subdivisions 1, 2, 3, 4, 7; 256J.95, subdivisions 3, 9; 256L.01, subdivision 4; 256L.03, subdivisions 1, 1b, 5; 256L.04, subdivisions 2, 7, by adding subdivisions; 256L.05, subdivisions 3, 3a; 256L.07, subdivisions 1, 3, by adding a subdivision; 256L.12, subdivision 6; 256L.15, subdivisions 2, 3; 295.582; 326.01, by adding a subdivision; 326.37, subdivision 1, by adding a subdivision; 326.38; 326.40, subdivision 1; 326.42, subdivision 2; 514.981, subdivision 6; 524.3-805; 549.02, by adding a subdivision; 549.04; 641.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62J; 144; 151; 256; 256B; 256J; 256L; 326; 501B; 641; repealing Minnesota Statutes 2004, sections 119B.074; 157.215; 256B.0631; 256J.37, subdivisions 3a, 3b; 256L.035; 326.45; 514.991; 514.992; 514.993; 514.994; 514.995.

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

Page 2, after line 25, insert:

"Section 1. [62J.495] [HEALTH INFORMATION TECHNOLOGY AND INFRASTRUCTURE ADVISORY COMMITTEE.]

Subdivision 1. [ESTABLISHMENT; MEMBERS; DUTIES.] (a) The commissioner shall establish a Health Information Technology and Infrastructure Advisory Committee governed by section 15.059 to advise the commissioner on the following matters:

(1) assessment of the use of health information technology by the state, licensed health care providers and facilities, and local public health agencies;

(2) recommendations for implementing a statewide interoperable health information infrastructure, to include estimates of necessary resources, and for determining standards for administrative data exchange, clinical support programs, and maintenance of the security and confidentiality of individual patient data; and

(3) other related issues as requested by the commissioner.

(b) The members of the Health Information Technology and Infrastructure Advisory Committee shall include the commissioners, or commissioners' designees, of health, human services, and commerce and additional members to be appointed by the commissioner to include persons representing Minnesota's local public health agencies, licensed hospitals and other licensed facilities and providers, the medical and nursing professions, health insurers and health plans, the state quality improvement organization, academic and research institutions, consumer advisory organizations with an interest and expertise in health information technology, and other stakeholders as identified by the Health Information Technology and Infrastructure Advisory Committee.

Subd. 2. [ANNUAL REPORT.] The commissioner shall prepare and issue an annual report not later than January 30 of each year outlining progress to date in implementing a statewide health information infrastructure and recommending future projects.

Subd. 3. [EXPIRATION.] Notwithstanding section 15.059, this section expires June 30, 2009."

Page 11, delete lines 17 to 23

Page 11, after line 35, insert:

"Sec. 9. Minnesota Statutes 2004, section 144.147, subdivision 2, is amended to read:

Subd. 2. [GRANTS AUTHORIZED.] The commissioner shall establish a program of grants to

assist eligible rural hospitals. The commissioner shall award grants to hospitals and communities for the purposes set forth in paragraphs (a) and (b).

(a) Grants may be used by hospitals and their communities to develop strategic plans for preserving or enhancing access to health services. At a minimum, a strategic plan must consist of:

(1) a needs assessment to determine what health services are needed and desired by the community. The assessment must include interviews with or surveys of area health professionals, local community leaders, and public hearings;

(2) an assessment of the feasibility of providing needed health services that identifies priorities and timeliness for potential changes; and

(3) an implementation plan.

The strategic plan must be developed by a committee that includes representatives from the hospital, local public health agencies, other health providers, and consumers from the community.

(b) The grants may also be used by eligible rural hospitals that have developed strategic plans to implement transition projects to modify the type and extent of services provided, in order to reflect the needs of that plan. Grants may be used by hospitals under this paragraph to develop hospital-based physician practices that integrate hospital and existing medical practice facilities that agree to transfer their practices, equipment, staffing, and administration to the hospital. The grants may also be used by the hospital to establish a health provider cooperative, a telemedicine system, an electronic health records system, or a rural health care system or to cover expenses associated with being designated as a critical access hospital for the Medicare rural hospital flexibility program. Not more than one-third of any grant shall be used to offset losses incurred by physicians agreeing to transfer their practices to hospitals. The commissioner shall give priority to grant applications for projects involving electronic health records systems."

Page 15, line 4, before the period, insert ", including establishing an electronic health records system. The commissioner shall give priority to grant applications for projects involving electronic health records systems"

Page 15, after line 4, insert:

"Sec. 12. Minnesota Statutes 2004, section 144.1483, is amended to read:

144.1483 [RURAL HEALTH INITIATIVES.]

The commissioner of health, through the Office of Rural Health, and consulting as necessary with the commissioner of human services, the commissioner of commerce, the Higher Education Services Office, and other state agencies, shall:

(1) develop a detailed plan regarding the feasibility of coordinating rural health care services by organizing individual medical providers and smaller hospitals and clinics into referral networks with larger rural hospitals and clinics that provide a broader array of services;

~~(2) develop and implement a program to assist rural communities in establishing community health centers, as required by section 144.1486;~~

~~(3) develop recommendations regarding health education and training programs in rural areas, including but not limited to a physician assistants' training program, continuing education programs for rural health care providers, and rural outreach programs for nurse practitioners within existing training programs;~~

(4) ~~(3)~~ develop a statewide, coordinated recruitment strategy for health care personnel and maintain a database on health care personnel as required under section 144.1485;

~~(5)~~ (4) develop and administer technical assistance programs to assist rural communities in: (i) planning and coordinating the delivery of local health care services; and (ii) hiring physicians, nurse practitioners, public health nurses, physician assistants, and other health personnel;

(6) (5) study and recommend changes in the regulation of health care personnel, such as nurse practitioners and physician assistants, related to scope of practice, the amount of on-site physician supervision, and dispensing of medication, to address rural health personnel shortages;

(7) (6) support efforts to ensure continued funding for medical and nursing education programs that will increase the number of health professionals serving in rural areas;

(8) (7) support efforts to secure higher reimbursement for rural health care providers from the Medicare and medical assistance programs;

(9) (8) coordinate the development of a statewide plan for emergency medical services, in cooperation with the Emergency Medical Services Advisory Council;

(10) (9) establish a Medicare rural hospital flexibility program pursuant to section 1820 of the federal Social Security Act, United States Code, title 42, section 1395i-4, by developing a state rural health plan and designating, consistent with the rural health plan, rural nonprofit or public hospitals in the state as critical access hospitals. Critical access hospitals shall include facilities that are certified by the state as necessary providers of health care services to residents in the area. Necessary providers of health care services are designated as critical access hospitals on the basis of being more than 20 miles, defined as official mileage as reported by the Minnesota Department of Transportation, from the next nearest hospital, being the sole hospital in the county, being a hospital located in a county with a designated medically underserved area or health professional shortage area, or being a hospital located in a county contiguous to a county with a medically underserved area or health professional shortage area. A critical access hospital located in a county with a designated medically underserved area or a health professional shortage area or in a county contiguous to a county with a medically underserved area or health professional shortage area shall continue to be recognized as a critical access hospital in the event the medically underserved area or health professional shortage area designation is subsequently withdrawn; and

(11) (10) carry out other activities necessary to address rural health problems."

Page 17, line 33, delete "or" and after "area" insert ", or specialty type"

Page 18, line 2, after "communities" insert "and pediatric psychiatry"

Page 18, line 4, after "communities" insert "or pediatric psychiatry"

Page 37, after line 22, insert:

"Sec. 33. Minnesota Statutes 2004, section 145.9268, is amended to read:

145.9268 [COMMUNITY CLINIC GRANTS.]

Subdivision 1. [DEFINITION.] For purposes of this section, "eligible community clinic" means:

(1) a nonprofit clinic that provides is established to provide health services under conditions as defined in Minnesota Rules, part 9505.0255, to low income or rural population groups; provides medical, preventive, dental, or mental health primary care services; and utilizes a sliding fee scale or other procedure to determine eligibility for charity care or to ensure that no person will be denied services because of inability to pay;

(2) a governmental entity or an Indian tribal government or Indian health service unit that provides services and utilizes a sliding fee scale or other procedure as described under clause (1); or

(3) a consortium of clinics comprised of entities under clause (1) or (2); or

(4) a nonprofit, tribal, or governmental entity proposing the establishment of a clinic that will provide services and utilize a sliding fee scale or other procedure as described under clause (1).

Subd. 2. [GRANTS AUTHORIZED.] The commissioner of health shall award grants to

eligible community clinics to plan, establish, or operate services to improve the ongoing viability of Minnesota's clinic-based safety net providers. Grants shall be awarded to support the capacity of eligible community clinics to serve low-income populations, reduce current or future uncompensated care burdens, or provide for improved care delivery infrastructure. The commissioner shall award grants to community clinics in metropolitan and rural areas of the state, and shall ensure geographic representation in grant awards among all regions of the state.

Subd. 3. [ALLOCATION OF GRANTS.] (a) To receive a grant under this section, an eligible community clinic must submit an application to the commissioner of health by the deadline established by the commissioner. A grant may be awarded upon the signing of a grant contract. Community clinics may apply for and the commissioner may award grants for one-year or two-year periods.

(b) An application must be on a form and contain information as specified by the commissioner but at a minimum must contain:

- (1) a description of the purpose or project for which grant funds will be used;
- (2) a description of the problem or problems the grant funds will be used to address; ~~and~~
- (3) a description of achievable objectives, a workplan, and a timeline for implementation and completion of processes or projects enabled by the grant; and
- (4) a process for documenting and evaluating results of the grant.

(c) The commissioner shall review each application to determine whether the application is complete and whether the applicant and the project are eligible for a grant. In evaluating applications according to paragraph (d), the commissioner shall establish criteria including, but not limited to: the ~~priority-level eligibility~~ of the project; the applicant's thoroughness and clarity in describing the problem grant funds are intended to address; a description of the applicant's proposed project; a description of the population demographics and service area of the proposed project; the manner in which the applicant will demonstrate the effectiveness of any projects undertaken; and evidence of efficiencies and effectiveness gained through collaborative efforts. The commissioner may also take into account other relevant factors, including, but not limited to, the percentage for which uninsured patients represent the applicant's patient base and the degree to which grant funds will be used to support services increasing or maintaining access to health care services. During application review, the commissioner may request additional information about a proposed project, including information on project cost. Failure to provide the information requested disqualifies an applicant. The commissioner has discretion over the number of grants awarded.

(d) In determining which eligible community clinics will receive grants under this section, the commissioner shall give preference to those grant applications that show evidence of collaboration with other eligible community clinics, hospitals, health care providers, or community organizations. ~~In addition, the commissioner shall give priority, in declining order, to grant applications for projects that:~~ In addition, the commissioner shall give priority to grant applications for projects involving electronic health records systems.

Subd. 3a. [AWARDING GRANTS.] (a) The commissioner may award grants for activities to:

- (1) provide a direct offset to expenses incurred for services provided to the clinic's target population;
- (2) establish, update, or improve information, data collection, or billing systems, including electronic health records systems;
- (3) procure, modernize, remodel, or replace equipment used in the delivery of direct patient care at a clinic;
- (4) provide improvements for care delivery, such as increased translation and interpretation services; ~~or~~

(5) build a new clinic or expand an existing facility; or

(6) other projects determined by the commissioner to improve the ability of applicants to provide care to the vulnerable populations they serve.

(e) (b) A grant awarded to an eligible community clinic may not exceed \$300,000 per eligible community clinic. For an applicant applying as a consortium of clinics, a grant may not exceed \$300,000 per clinic included in the consortium. The commissioner has discretion over the number of grants awarded.

Subd. 4. [EVALUATION AND REPORT.] The commissioner of health shall evaluate the overall effectiveness of the grant program. The commissioner shall collect progress reports to evaluate the grant program from the eligible community clinics receiving grants. Every two years, as part of this evaluation, the commissioner shall report to the legislature on ~~priority areas for grants set under subdivision 3~~ the needs of community clinics and provide any recommendations for adding or changing ~~priority areas~~ eligible activities."

Page 53, line 9, after "sections" insert "144.1486;"

Page 56, after line 12, insert:

"Sec. 4. Minnesota Statutes 2004, section 256.045, subdivision 3, is amended to read:

Subd. 3. [STATE AGENCY HEARINGS.] (a) State agency hearings are available for the following: (1) any person applying for, receiving or having received public assistance, medical care, or a program of social services granted by the state agency or a county agency or the federal Food Stamp Act whose application for assistance is denied, not acted upon with reasonable promptness, or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly paid; (2) any patient or relative aggrieved by an order of the commissioner under section 252.27; (3) a party aggrieved by a ruling of a prepaid health plan; (4) except as provided under chapter 245C, any individual or facility determined by a lead agency to have maltreated a vulnerable adult under section 626.557 after they have exercised their right to administrative reconsideration under section 626.557; (5) any person whose claim for foster care payment according to a placement of the child resulting from a child protection assessment under section 626.556 is denied or not acted upon with reasonable promptness, regardless of funding source; (6) any person to whom a right of appeal according to this section is given by other provision of law; (7) an applicant aggrieved by an adverse decision to an application for a hardship waiver under section 256B.15; (8) an applicant aggrieved by an adverse decision to an application or redetermination for a Medicare Part D prescription drug subsidy under section 256B.04, subdivision 4a; (9) except as provided under chapter 245A, an individual or facility determined to have maltreated a minor under section 626.556, after the individual or facility has exercised the right to administrative reconsideration under section 626.556; or ~~(9)~~ (10) except as provided under chapter 245C, an individual disqualified under sections 245C.14 and 245C.15, on the basis of serious or recurring maltreatment; a preponderance of the evidence that the individual has committed an act or acts that meet the definition of any of the crimes listed in section 245C.15, subdivisions 1 to 4; or for failing to make reports required under section 626.556, subdivision 3, or 626.557, subdivision 3. Hearings regarding a maltreatment determination under clause (4) or ~~(8)~~ (9) and a disqualification under this clause in which the basis for a disqualification is serious or recurring maltreatment, which has not been set aside under sections 245C.22 and 245C.23, shall be consolidated into a single fair hearing. In such cases, the scope of review by the human services referee shall include both the maltreatment determination and the disqualification. The failure to exercise the right to an administrative reconsideration shall not be a bar to a hearing under this section if federal law provides an individual the right to a hearing to dispute a finding of maltreatment. Individuals and organizations specified in this section may contest the specified action, decision, or final disposition before the state agency by submitting a written request for a hearing to the state agency within 30 days after receiving written notice of the action, decision, or final disposition, or within 90 days of such written notice if the applicant, recipient, patient, or relative shows good cause why the request was not submitted within the 30-day time limit.

The hearing for an individual or facility under clause (4), ~~(8)~~ (9), or ~~(9)~~ (10) is the only

administrative appeal to the final agency determination specifically, including a challenge to the accuracy and completeness of data under section 13.04. Hearings requested under clause (4) apply only to incidents of maltreatment that occur on or after October 1, 1995. Hearings requested by nursing assistants in nursing homes alleged to have maltreated a resident prior to October 1, 1995, shall be held as a contested case proceeding under the provisions of chapter 14. Hearings requested under clause (8) (9) apply only to incidents of maltreatment that occur on or after July 1, 1997. A hearing for an individual or facility under clause (8) (9) is only available when there is no juvenile court or adult criminal action pending. If such action is filed in either court while an administrative review is pending, the administrative review must be suspended until the judicial actions are completed. If the juvenile court action or criminal charge is dismissed or the criminal action overturned, the matter may be considered in an administrative hearing.

For purposes of this section, bargaining unit grievance procedures are not an administrative appeal.

The scope of hearings involving claims to foster care payments under clause (5) shall be limited to the issue of whether the county is legally responsible for a child's placement under court order or voluntary placement agreement and, if so, the correct amount of foster care payment to be made on the child's behalf and shall not include review of the propriety of the county's child protection determination or child placement decision.

(b) A vendor of medical care as defined in section 256B.02, subdivision 7, or a vendor under contract with a county agency to provide social services is not a party and may not request a hearing under this section, except if assisting a recipient as provided in subdivision 4.

(c) An applicant or recipient is not entitled to receive social services beyond the services included in the amended community social services plan.

(d) The commissioner may summarily affirm the county or state agency's proposed action without a hearing when the sole issue is an automatic change due to a change in state or federal law."

Page 57, line 34, delete "PROGRAM" and insert "PROGRAMS"

Page 57, line 35, before "PROGRAM" insert "INSURANCE ASSISTANCE"

Page 59, line 9, before "The" insert "(a) For individuals who are uninsured or insured with 50 percent or less of the premium by an employer,"

Page 59, line 14, after the period, insert:

"(b)"

Page 59, line 15, strike "2" and before "must" insert "1"

Page 59, line 30, after "appropriate" insert "for efficient program administration"

Page 59, line 33, before "The" insert "(a)"

Page 59, line 36, after the period, insert:

"(b)"

Page 60, after line 2, insert:

"(c) Each year following the release of the November revenue forecast, the commissioner shall report to the chairs of the appropriate health and human services finance committees the forecasted need for the HIV health care access programs included in this section. The report shall include information about the anticipated enrollment, service utilization, service costs, state, federal, and special revenue resources available to fund the program needs, and any anticipated funding shortfall."

(d) When a shortfall of funding is projected, recommendations should be included to assure that the program expenditures are maintained within the anticipated available funding."

Page 60, line 3, before "The" insert "(a)"

Page 60, line 6, after the period, insert:

"(b) The policies and procedures shall consider the impacts of continued HIV treatment on:

(1) reducing the risk for HIV transmission;

(2) preventing program recipients from becoming drug resistant; and

(3) the prevention of the development of drug-resistant strains of HIV."

Page 60, line 7, delete "FEDERAL" and insert "FEDERALLY FUNDED HIV HEALTH CARE ACCESS" and before "The" insert "(a)"

Page 60, line 10, after the period, insert:

"(b) Within the limits of the federal funding available for these purposes, the commissioner may provide access to drugs that treat HIV and manage the side effects of HIV treatment to persons who meet the eligibility requirements in subdivision 2.

(c) The commissioner may establish co-payment obligations for drugs purchased under this section."

Page 60, line 22, delete ", effective July 1, 2005"

Page 66, after line 29, insert:

"Sec. 10. Minnesota Statutes 2004, section 256B.04, is amended by adding a subdivision to read:

Subd. 4a. [MEDICARE PRESCRIPTION DRUG SUBSIDY.] The commissioner shall perform all duties necessary to administer eligibility determinations for the Medicare Part D prescription drug subsidy and facilitate the enrollment of eligible medical assistance recipients into Medicare prescription drug plans as required by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA), Public Law 108-173, and Code of Federal Regulations, title 42, sections 423.30 to 423.56 and 423.771 to 423.800."

Page 73, line 12, strike everything after "percent"

Page 73, strike lines 13 to 15

Page 73, line 16, strike everything before the period

Page 78, line 35, after "and" insert "propose a"

Page 79, line 1, before the period, insert ", reporting separately for managed care and fee-for-service recipients"

Page 79, line 3, delete "or single-physician practices"

Page 79, line 11, delete "or single-physician practice"

Page 79, line 17, delete "develop" and insert "advise on the development of"

Page 79, line 27, delete "provide" and insert "propose"

Page 80, delete lines 15 to 17

Page 80, line 18, delete "(e)" and insert "(d)"

Page 80, line 19, after "and" insert "proposed"

Page 80, line 23, delete "(f)" and insert "(e)" and delete "April" and insert "October"

Page 80, line 25, delete ", single-physician practice," and delete "hospital" and insert "hospitals where possible"

Page 80, line 26, after the first "and" insert "when feasible"

Page 80, lines 27 and 28, delete ", single-physician practice,"

Page 83, delete lines 14 to 24 and insert:

"(a) Hennepin County, Hennepin County Medical Center, Ramsey County, Regions Hospital, the University of Minnesota, and Fairview-University Medical Center shall annually report to the commissioner by June 1, beginning June 1, 2005, payments made during the previous calendar year that may qualify for reimbursement under federal law. Subject to the reports due June 1, 2005, the amounts for calendar year 2004 are expected to be as follows:

(1) Hennepin County and Hennepin County Medical Center, \$31,980,000;

(2) Ramsey County and Regions Hospital, \$20,980,000; and

(3) University of Minnesota and Fairview-University Medical Center, \$11,050,000."

Page 91, after line 28, insert:

"Sec. 31. Minnesota Statutes 2004, section 256L.01, subdivision 5, is amended to read:

Subd. 5. [INCOME.] (a) "Income" has the meaning given for earned and unearned income for families and children in the medical assistance program, according to the state's aid to families with dependent children plan in effect as of July 16, 1996. The definition does not include medical assistance income methodologies and deeming requirements. The earned income of full-time and part-time students under age 19 is not counted as income. Public assistance payments and supplemental security income are not excluded income.

(b) For purposes of this subdivision, and unless otherwise specified in this section, the commissioner shall use reasonable methods to calculate gross earned and unearned income including, but not limited to, projecting income based on income received within the past 30 days, the last 90 days, or the last 12 months.

[EFFECTIVE DATE.] This section is effective July 1, 2005."

Page 93, line 13, strike "equal to or"

Page 99, line 29, after the comma, insert "an applicant or enrollee who is entitled to" and after "or" insert "enrolled in Medicare Part"

Page 99, line 31, strike "1395w-4" and insert "1395w-152" and after "considered" insert "to have"

Page 99, line 32, after "enrollee" insert "who is entitled to premium-free Medicare Part A" and after "refuse" insert "to apply for or enroll in"

Page 107, delete lines 19 to 21 and insert:

"(d) This section expires July 1, 2007, or upon the completion of the prior authorization system required under subdivision 1, paragraph (b), whichever is earlier."

Page 108, line 3, delete "later" and insert "earlier"

Page 108, delete section 49 and insert:

"Sec. 52. [ORAL HEALTH CARE PILOT PROJECT.]

The commissioner shall implement a two-year pilot project to provide services for state program recipients through a new oral health care delivery system. The commissioner shall contract with a qualified entity or entities to administer the pilot project."

Page 158, line 20, delete "life"

Page 158, delete lines 21 to 24 and insert "a deceased recipient's life estates and jointly owned interests in farm and income producing real property they own of record on the date they die if their interest in the property ends at their death, the surviving remainderman or surviving joint tenant owns their interest in the property of record on that date, and all of the following conditions apply with respect to the surviving remainderman or the surviving joint tenant and their interest in the property:"

Page 159, line 34, delete everything after "The"

Page 159, delete lines 35 and 36

Page 160, line 1, delete everything before "amendments"

Page 161, line 15, delete "relating"

Page 161, delete line 16 and insert "are effective"

Page 161, line 17, delete "2003" and insert "2005"

Page 161, line 36, delete "retroactively"

Page 162, line 1, delete "from July 1, 2003" and insert "July 1, 2005"

Page 162, line 4, delete "SEPTEMBER" and insert "OCTOBER"

Page 162, lines 6 and 19, delete "September" and insert "October"

Page 163, line 4, delete "December 31 each year" and insert "March 31, 2006, and December 31, 2006, respectively"

Page 167, line 14, delete "SEPTEMBER" and insert "OCTOBER"

Page 167, line 16, delete "September" and insert "October"

Page 168, line 14, delete "December 31 each year" and insert "March 31, 2006, and December 31, 2006, respectively"

Page 175, line 23, delete "life"

Page 175, delete lines 24 to 27 and insert "a deceased recipient's life estates and jointly owned interests in farm and income producing real property they own of record on the date they die if their interest in the property ends at their death, the surviving remainderman or surviving joint tenant owns their interest in the property of record on that date, and all of the following conditions apply with respect to the surviving remainderman or surviving joint tenant and their interest in the property:"

Page 178, line 1, delete "retroactively"

Page 178, line 2, delete "from July 1, 2003" and insert "July 1, 2005"

Page 178, line 6, delete "September" and insert "October"

Page 181, line 31, after "lien" insert "and estate claims recovery"

Page 181, line 35, after "sections" insert "256B.15 and"

Page 182, line 2, delete "retroactively"

Page 182, delete line 3 and insert "July 1, 2005."

Page 182, line 19, delete "retroactively from"

Page 182, delete line 20 and insert "effective July 1, 2005. On and after the repeal date all alternative care liens of record shall be of no force and effect, shall not be liens on real property, and examiners of title shall disregard these liens and shall not carry them forward to subsequent certificates of title."

Page 189, after line 19, insert:

"Sec. 7. Minnesota Statutes 2004, section 245.4874, is amended to read:

245.4874 [DUTIES OF COUNTY BOARD.]

(a) The county board in each county shall use its share of mental health and Community Social Services Act funds allocated by the commissioner according to a biennial children's mental health component of the community social services plan that is approved by the commissioner. The county board must:

(1) develop a system of affordable and locally available children's mental health services according to sections 245.487 to 245.4887;

(2) establish a mechanism providing for interagency coordination as specified in section 245.4875, subdivision 6;

(3) develop a biennial children's mental health component of the community social services plan which considers the assessment of unmet needs in the county as reported by the local children's mental health advisory council under section 245.4875, subdivision 5, paragraph (b), clause (3). The county shall provide, upon request of the local children's mental health advisory council, readily available data to assist in the determination of unmet needs;

(4) assure that parents and providers in the county receive information about how to gain access to services provided according to sections 245.487 to 245.4887;

(5) coordinate the delivery of children's mental health services with services provided by social services, education, corrections, health, and vocational agencies to improve the availability of mental health services to children and the cost-effectiveness of their delivery;

(6) assure that mental health services delivered according to sections 245.487 to 245.4887 are delivered expeditiously and are appropriate to the child's diagnostic assessment and individual treatment plan;

(7) provide the community with information about predictors and symptoms of emotional disturbances and how to access children's mental health services according to sections 245.4877 and 245.4878;

(8) provide for case management services to each child with severe emotional disturbance according to sections 245.486; 245.4871, subdivisions 3 and 4; and 245.4881, subdivisions 1, 3, and 5;

(9) provide for screening of each child under section 245.4885 upon admission to a residential treatment facility, acute care hospital inpatient treatment, or informal admission to a regional treatment center;

(10) prudently administer grants and purchase-of-service contracts that the county board determines are necessary to fulfill its responsibilities under sections 245.487 to 245.4887;

(11) assure that mental health professionals, mental health practitioners, and case managers employed by or under contract to the county to provide mental health services are qualified under section 245.4871;

(12) assure that children's mental health services are coordinated with adult mental health services specified in sections 245.461 to 245.486 so that a continuum of mental health services is available to serve persons with mental illness, regardless of the person's age;

(13) assure that culturally informed mental health consultants are used as necessary to assist the county board in assessing and providing appropriate treatment for children of cultural or racial minority heritage; and

(14) consistent with section 245.486, arrange for or provide a children's mental health screening to a child receiving child protective services or a child in out-of-home placement, a child for whom parental rights have been terminated, a child found to be delinquent, and a child found to have committed a juvenile petty offense for the third or subsequent time, unless a screening has been performed within the previous 180 days, or the child is currently under the care of a mental health professional. The court or county agency must notify a parent or guardian whose parental rights have not been terminated of the potential mental health screening and the option to prevent the screening by notifying the court or county agency in writing. The screening shall be conducted with a screening instrument approved by the commissioner of human services according to criteria that are updated and issued annually to ensure that approved screening instruments are valid and useful for child welfare and juvenile justice populations, and shall be conducted by a mental health practitioner as defined in section 245.4871, subdivision 26, or a probation officer or local social services agency staff person who is trained in the use of the screening instrument. Training in the use of the instrument shall include training in the administration of the instrument, the interpretation of its validity given the child's current circumstances, the state and federal data practices laws and confidentiality standards, the parental consent requirement, and providing respect for families and cultural values. If the screen indicates a need for assessment, the child's family, or if the family lacks mental health insurance, the local social services agency, in consultation with the child's family, shall have conducted a diagnostic assessment, including a functional assessment, as defined in section 245.4871. The administration of the screening shall safeguard the privacy of children receiving the screening and their families and shall comply with the Minnesota Government Data Practices Act, chapter 13, and the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191. Screening results shall be considered private data and the commissioner shall not collect individual screening results.

(b) When the county board refers clients to providers of children's therapeutic services and supports under section 256B.0943, the county board must clearly identify the nonchildren's therapeutic services and supports covered services components and identify the reimbursement source for those requested services, the method of payment, and the payment rate to the provider."

Page 213, line 25, after "(2)" insert "if the adjusted gross income is equal to or greater than 175 percent of the federal poverty guidelines and less than or equal to 200 percent of the federal poverty guidelines, the parental contribution shall be one percent of the adjusted gross income;

(3)"

Page 213, lines 26 and 30, strike "175" and insert "200"

Page 213, lines 27 and 33, strike "375" and insert "420"

Page 213, line 34, strike "(3)" and insert "(4)" and strike "375" and insert "420"

Page 214, line 2, strike "(4)" and insert "(5)"

Page 214, line 6, strike "(5)" and insert "(6)"

Page 216, delete lines 26 to 33

Page 240, line 25, delete "July 1, 2005" and insert "the first day of the second month after the date of approval by the United States Department of Agriculture"

Page 254, after line 11, insert:

"Sec. 9. Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 6, is amended to read:

Sec. 2. COMMISSIONER OF
HUMAN SERVICES

Subd. 6. Basic Health Care Grants

Summary by Fund

General	1,499,941,000	1,533,016,000
Health Care Access	268,151,000	282,605,000

[UPDATING FEDERAL POVERTY GUIDELINES.] Annual updates to the federal poverty guidelines are effective each July 1, following publication by the United States Department of Health and Human Services for health care programs under Minnesota Statutes, chapters 256, 256B, 256D, and 256L.

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) MinnesotaCare Grants

Health Care Access	267,401,000	281,855,000
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[MINNESOTACARE FEDERAL RECEIPTS.] Receipts received as a result of federal participation pertaining to administrative costs of the Minnesota health care reform waiver shall be deposited as nondedicated revenue in the health care access fund. Receipts received as a result of federal participation pertaining to grants shall be deposited in the federal fund and shall offset health care access funds for payments to providers.

[MINNESOTACARE FUNDING.] The commissioner may expend money appropriated from the health care access fund for MinnesotaCare in either fiscal year of the biennium.

(b) MA Basic Health Care Grants -
Families and Children

General	568,254,000	582,161,000
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[SERVICES TO PREGNANT WOMEN.] The commissioner shall use available federal money for the State-Children's Health Insurance Program for medical assistance services provided to pregnant women who are not otherwise eligible for federal financial participation beginning in fiscal year 2003. This federal money shall be deposited in the federal fund and shall offset general funds for payments to providers. Notwithstanding section 14, this paragraph shall not expire.

[MANAGED CARE RATE INCREASE.] (a) Effective January 1, 2004, the commissioner of human services shall increase the total payments to managed care plans under Minnesota Statutes, section 256B.69, by an amount equal to the cost increases to the managed care plans from by the elimination of: (1) the exemption from the taxes imposed under Minnesota Statutes, section 297I.05, subdivision 5, for premiums paid by the state for medical assistance, general assistance medical care, and the MinnesotaCare program; and (2) the exemption of gross revenues subject to the taxes imposed under Minnesota Statutes, sections 295.50 to 295.57, for payments paid by the state for services provided under medical assistance, general assistance medical care, and the MinnesotaCare program. Any increase based on clause (2) must be reflected in provider rates paid by the managed care plan unless the managed care plan is a staff model health plan company.

(b) The commissioner of human services shall increase by ~~two percent~~ the applicable tax rate in effect under Minnesota Statutes, section 295.52, the fee-for-service payments under medical assistance, general assistance medical care, and the MinnesotaCare program for services subject to the hospital, surgical center, or health care provider taxes under Minnesota Statutes, sections 295.50 to 295.57, effective for services rendered on or after January 1, 2004.

(c) The commissioner of finance shall transfer from the health care access fund to the general fund the following amounts in the fiscal years indicated: 2004, \$16,587,000; 2005, \$46,322,000; 2006, \$49,413,000; and 2007, \$52,659,000.

(d) For fiscal years after 2007, the commissioner of finance shall transfer from the health care access fund to the general fund an amount equal to the revenue collected by the commissioner of revenue on the following:

(1) gross revenues received by hospitals, surgical centers, and health care providers as payments for services provided under medical assistance, general assistance medical care, and the MinnesotaCare program, including payments received directly from the state or from a prepaid plan, under Minnesota Statutes, sections 295.50 to 295.57; and

(2) premiums paid by the state under medical assistance, general assistance medical care, and

the MinnesotaCare program under Minnesota Statutes, section 297I.05, subdivision 5.

The commissioner of finance shall monitor and adjust if necessary the amount transferred each fiscal year from the health care access fund to the general fund to ensure that the amount transferred equals the tax revenue collected for the items described in clauses (1) and (2) for that fiscal year.

(e) Notwithstanding section 14, these provisions shall not expire.

(c) MA Basic Health Care Grants - Elderly and Disabled

General	695,421,000	741,605,000
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[DELAY MEDICAL ASSISTANCE FEE-FOR-SERVICE - ACUTE CARE.] The following payments in fiscal year 2005 from the Medicaid Management Information System that would otherwise have been made to providers for medical assistance and general assistance medical care services shall be delayed and included in the first payment in fiscal year 2006:

- (1) for hospitals, the last two payments; and
- (2) for nonhospital providers, the last payment.

This payment delay shall not include payments to skilled nursing facilities, intermediate care facilities for mental retardation, prepaid health plans, home health agencies, personal care nursing providers, and providers of only waiver services. The provisions of Minnesota Statutes, section 16A.124, shall not apply to these delayed payments. Notwithstanding section 14, this provision shall not expire.

[DEAF AND HARD-OF-HEARING SERVICES.] If, after making reasonable efforts, the service provider for mental health services to persons who are deaf or hearing impaired is not able to earn \$227,000 through participation in medical assistance intensive rehabilitation services in fiscal year 2005, the commissioner shall transfer \$227,000 minus medical assistance earnings achieved by the grantee to deaf and hard-of-hearing grants to enable the provider to continue providing services to eligible persons.

(d) General Assistance Medical Care Grants

General	223,960,000	196,617,000
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(e) Health Care Grants - Other Assistance

General	3,067,000	3,407,000
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Health Care Access	750,000	750,000
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[MINNESOTA PRESCRIPTION DRUG DEDICATED FUND.] Of the general fund appropriation, \$284,000 in fiscal year 2005 is appropriated to the commissioner for the prescription drug dedicated fund established under the prescription drug discount program.

[DENTAL ACCESS GRANTS CARRYOVER AUTHORITY.] Any unspent portion of the appropriation from the health care access fund in fiscal years 2002 and 2003 for dental access grants under Minnesota Statutes, section 256B.53, shall not cancel but shall be allowed to carry forward to be spent in the biennium beginning July 1, 2003, for these purposes.

[STOP-LOSS FUND ACCOUNT.] The appropriation to the purchasing alliance stop-loss fund account established under Minnesota Statutes, section 256.956, subdivision 2, for fiscal years 2004 and 2005 shall only be available for claim reimbursements for qualifying enrollees who are members of purchasing alliances that meet the requirements described under Minnesota Statutes, section 256.956, subdivision 1, paragraph (f), clauses (1), (2), and (3).

(f) Prescription Drug Program

General	9,239,000	9,226,000
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[PRESCRIPTION DRUG ASSISTANCE PROGRAM.] Of the general fund appropriation, \$702,000 in fiscal year 2004 and \$887,000 in fiscal year 2005 are for the commissioner to establish and administer the prescription drug assistance program through the Minnesota board on aging.

[REBATE REVENUE RECAPTURE.] Any funds received by the state from a drug manufacturer due to errors in the pharmaceutical pricing used by the manufacturer in determining the prescription drug rebate are appropriated to the commissioner to augment funding of the prescription drug program established in Minnesota Statutes, section 256.955."

Pages 255 to 267, delete article 8 and insert:

"ARTICLE 8

APPROPRIATIONS

Section 1. [HEALTH AND HUMAN SERVICES APPROPRIATIONS.]

The sums in the columns marked "APPROPRIATIONS" are added to, or, if shown in

parentheses, are subtracted from the appropriations to the specified agencies in 2005 S.F. No. 1879, article 11, if enacted. The appropriations are from the general fund, unless another fund is named, and are available for the fiscal year indicated for each purpose. The figures "2006" and "2007," where used in this article, mean that the additions to or subtractions from the appropriations listed under them are for the fiscal year ending June 30, 2006, or June 30, 2007, respectively. The "first year" is fiscal year 2006. The "second year" is fiscal year 2007. The "biennium" is fiscal years 2006 and 2007.

SUMMARY BY FUND

	2006	2007	BIENNIAL TOTAL
General	\$37,776,000	\$64,173,000	\$101,949,000
State Government Special Revenue	7,151,000	12,625,000	19,776,000
Health Care Access	42,451,000	65,060,000	107,511,000
Federal TANF	(3,665,000)	11,064,000	7,399,000
Lottery Prize Fund	400,000	400,000	800,000
TOTAL	\$84,113,000	\$153,322,000	\$237,435,000

APPROPRIATIONS
Available for the Year
Ending June 30
2006 2007

Sec. 2. COMMISSIONER OF
HUMAN SERVICES

Subdivision 1. Total Appropriation	\$75,525,000	\$138,198,000
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Summary by Fund

General	36,409,000	61,744,000
Health Care Access	42,381,000	64,990,000
Federal TANF	(3,665,000)	11,064,000
Lottery Cash Flow	400,000	400,000

Subd. 2. Agency Management

Summary by Fund

General	(165,000)	(231,000)
Health Care Access	1,623,000	1,701,000

The amounts that may be spent from the appropriation for each purpose are as follows:

(a) Financial Operations

General	424,000	424,000
Health Care Access	152,000	183,000

[ADMINISTRATIVE REDUCTION.] The

general fund appropriation in this section includes a department-wide administrative reduction of \$6,885,000 the first year and \$7,201,000 the second year. The commissioner shall ensure that any staff reductions made under this paragraph comply with Minnesota Statutes, section 43A.046.

(b) Legal and
Regulation Operations

General	(5,208,000)	(5,482,000)
Health Care Access	75,000	75,000

(c) Information Technology
Operations

General	4,619,000	4,827,000
Health Care Access	1,396,000	1,443,000

Subd. 3. Revenue and Pass-Through

Federal TANF	(16,956,000)	(5,221,000)
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[REDUCED TANF TRANSFER.] Notwithstanding Laws 2000, chapter 488, article 8, section 2, subdivision 6, with respect to TANF funds used as refinancing for the state share of the child support pass-through under Minnesota Statutes, section 256.741, subdivision 15, and notwithstanding Minnesota Statutes, section 290.0671, subdivision 6a, with respect to the TANF-funded expansion of the Minnesota working family credit, the commissioner shall reduce the combined amount of the TANF funds transferred to the commissioner of revenue for deposit in the general fund by \$11,020,000 in fiscal year 2006, by \$6,860,000 in fiscal year 2007, and by \$7,000,000 in fiscal year 2008 and subsequent years. Notwithstanding section 7, this paragraph shall not expire.

[TANF TRANSFER TO FEDERAL CHILD CARE AND DEVELOPMENT FUND.] The following amounts are appropriated to the commissioner for the purposes of MFIP transition year child care under Minnesota Statutes, section 119B.05; \$756,000 in fiscal year 2006; \$4,831,000 in fiscal year 2007; \$5,183,000 in fiscal year 2008; and \$1,127,000 in fiscal year 2009. The commissioner shall authorize the transfer of sufficient TANF funds to the federal child care and development fund to meet this appropriation and shall ensure that all transferred funds are expended according to the federal child care and development fund regulations. Notwithstanding section 7, this paragraph expires June 30, 2009.

Subd. 4. Economic Support Grants

Summary by Fund

General	1,722,000	7,109,000
Federal TANF	13,291,000	16,285,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Minnesota Family Investment Program

General	-0-	3,740,000
Federal TANF	13,151,000	16,145,000

(b) MFIP Child Care Assistance Grants

-0-	(3,740,000)	
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(c) Children Services Grants

1,119,000	6,074,000	
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(d) Children and Community Services Grants

General Fund	3,000	11,000
Federal TANF	140,000	140,000

[NEW CHANCE PROGRAM.] Of the TANF appropriation, \$140,000 each year is to the commissioner for a grant to the new chance program. The new chance program shall provide comprehensive services through a private, nonprofit agency to young parents in Hennepin County who have dropped out of school and are receiving public assistance. The program administrator shall report annually to the commissioner on skills development, education, job training, and job placement outcomes for program participants.

(e) Minnesota Supplemental Aid Grants

118,000	363,000	
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(f) Group Residential Housing Grants

122,000	301,000	
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(g) Other Children's and Economic Assistance Grants

360,000	360,000	
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[TRANSITIONAL HOUSING.] This appropriation is to the commissioner for the transitional housing program established in the 2005 Environment, Agriculture, and Economic Development omnibus appropriations bill.

Subd. 5. Children and Economic Assistance Management

272,000	261,000	
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Subd. 6. Basic Health Care Grants

Summary by Fund

General	14,000	6,844,000
Health Care Access	30,843,000	51,903,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) MinnesotaCare Grants

Health Care Access	30,843,000	51,903,000
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[HEALTHMATCH DELAY.] Of this appropriation, \$3,112,000 the first year and \$7,541,000 the second year is for the MinnesotaCare program costs related to a one-month delay in implementation of the HealthMatch program.

(b) MA Basic Health Care Grants - Families and Children

339,000	3,746,000
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[GREATER MINNESOTA HOSPITAL PAYMENT ADJUSTMENT.] Of the general fund appropriation for medical assistance basic health care grants - families and children, medical assistance basic health care grants - elderly and disabled, and general assistance medical care, \$400,000 each year is for greater Minnesota payment adjustments under Minnesota Statutes, section 256.969, subdivision 26, for admissions occurring on or after July 1, 2005.

[PROVIDER RATES NOT TO INCREASE.] Provider rates under medical assistance and general assistance medical care, except for rates paid for dental services and pharmacy services, in effect on June 30, 2005, shall not be increased as a result of the repeal of recipient co-payments effective July 1, 2005.

(c) MA Basic Health Care Grants - Elderly and Disabled

(1,146,000)	(727,000)
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(d) General Assistance Medical Care Grants

1,029,000	4,349,000
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(e) Health Care Grants - Other Assistance

(2,500,000)	(1,978,000)
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[PRESCRIPTION DRUG DISCOUNT PROGRAM.] Of the general fund appropriation for the second year, \$1,022,000 is to be transferred to the Minnesota prescription drug

dedicated fund established in Minnesota Statutes, section 156.9545, subdivision 11. This is a onetime appropriation and shall not become part of base level funding for the biennium beginning July 1, 2007.

Subd. 7. Health Care Management

Summary by Fund

General	4,670,000	4,411,000
Health Care Access	9,915,000	11,386,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Health Care Administration

General	4,206,000	4,157,000
Health Care Access	7,465,000	10,693,000

(b) Health Care Operations

General	464,000	254,000
Health Care Access	2,450,000	693,000

Subd. 8. Continuing Care Grants

Summary by Fund

General	6,616,000	36,090,000
Lottery Prize Fund	400,000	400,000

The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Aging and Adult Service Grant

3,000	10,000
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(b) Alternative Care Grants

10,468,000	19,442,000
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(c) Medical Assistance Long-Term Care Facilities Grants

(2,799,000)	(12,569,000)
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[RATE ADJUSTMENTS UNDER NEW NURSING FACILITY REIMBURSEMENT SYSTEM.] Of this appropriation, \$12,992,000 the second year is to adjust nursing facility rates in order to facilitate the transition from the current ratesetting system to the system developed under Minnesota Statutes, section 256B.440.

[NURSING HOME MORATORIUM EXCEPTIONS.] During the first year, the commissioner of health may approve moratorium exception projects under Minnesota Statutes, section 144A.073, for which the full annualized state share of medical assistance costs does not exceed \$3,000,000.

[ICF/MR DOWNSIZING.] Of this appropriation, \$300,000 each year is for rate adjustments for intermediate care facilities for persons with mental retardation that are downsizing.

(d) Medical Assistance Long-Term Care Waivers and Home Care Grants

(4,354,000) (3,279,000)

[LIMITING WAIVER GROWTH.] For each year of the biennium ending June 30, 2007, the commissioner of human services shall make available additional allocations for community alternatives for disabled individuals waived services covered under Minnesota Statutes, section 256B.49, at a rate of 105 per month or 1,260 per year, plus any additional legislatively authorized growth. Priorities for the allocation of funds shall be for individuals anticipated to be discharged from institutional settings or who are at imminent risk of a placement in an institutional setting.

For each year of the biennium ending June 30, 2007, the commissioner shall make available additional allocations for traumatic brain injury waived services covered under Minnesota Statutes, section 256B.49, at a rate of 165 per year. Priorities for the allocation of funds shall be for individuals anticipated to be discharged from institutional settings or who are at imminent risk of a placement in an institutional setting.

Notwithstanding 2005 S.F. No. 1879, article 11, section 2, subdivision 8, paragraph (d), if enacted, for each year of the biennium ending June 30, 2007, the commissioner shall limit the new diversion caseload growth in the mental retardation and related conditions waiver to 75 additional allocations. Notwithstanding Minnesota Statutes, section 256B.0916, subdivision 5, paragraph (b), the available diversion allocations shall be awarded to support individuals whose health and safety needs result in an imminent risk of an institutional placement at any time during the fiscal year.

(e) Mental Health Grants

General	950,000	1,888,000
Lottery Prize Fund	400,000	400,000

[ALTERNATIVES TO ANOKA-METRO REGIONAL TREATMENT CENTER.] Of this appropriation, \$350,000 the first year and

\$145,000 the second year is to the commissioner to develop community alternatives to Anoka-Metro Regional Treatment Center under Minnesota Statutes, section 245.4661, subdivisions 8 to 11. Any amount of this appropriation that is unspent shall not cancel but shall be available until expended. Notwithstanding section 7, this paragraph shall not expire.

(f) Deaf and Hard-of-Hearing
Service Grants

9,000	33,000
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(g) Chemical Dependency
Entitlement Grants

2,144,000	4,762,000
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(h) Other Continuing Care

195,000	665,000
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Subd. 9. Continuing Care Management

599,000	465,000
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[TASK FORCE ON COLLABORATIVE SERVICES.] The commissioner, in collaboration with the commissioner of education, shall create a task force to discuss collaboration between schools and mental health providers to: promote colocation and integrated services; identify barriers to collaboration; develop a model contract; and identify examples of successful collaboration. The task force shall also develop recommendations on how to pay for children's mental health screenings. The task force shall include representatives of school boards; administrative personnel; special education directors; counties; parent advocacy organizations; school social workers, counselors, nurses, and psychologists; community mental health professionals; health plans; and other interested parties. The task force shall present a report to the chairs of the education and health policy committees by February 1, 2006.

Of the general fund appropriation, \$5,000 the first year is to the commissioner to contract with a nonprofit organization that is knowledgeable about children's mental health issues to provide the research necessary for the task force to make recommendations and complete the report.

Subd. 10. State-Operated Services

22,682,000	6,796,000
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[EVIDENCE-BASED PRACTICE FOR

METHAMPHETAMINE TREATMENT.] Of the general fund appropriation, \$300,000 each year is to support development of evidence-based practices for the treatment of methamphetamine abuse at the state-operated services chemical dependency program in Willmar. These funds shall be used to support research on evidence-based practices for the treatment of methamphetamine abuse, dissemination of the results of the evidence-based practice research statewide, and creation of training for addiction counselors specializing in the treatment of methamphetamine abuse.

Sec. 3. COMMISSIONER OF HEALTH

Subdivision 1. Total Appropriation	6,271,000	13,118,000
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Summary by Fund

General	1,367,000	2,429,000
State Government		
Special Revenue	4,834,000	10,619,000
Health Care Access	70,000	70,000

[RENTAL COSTS, ADMINISTRATIVE REDUCTIONS, FEE INCREASES, AND REVENUE TRANSFER.] (a) Of this appropriation, \$722,000 the first year and \$2,583,000 the second year is for rental costs in the new public health laboratory building.

(b) The general fund appropriation in this section includes a department-wide administrative reduction of \$242,000 the first year and \$1,007,000 the second year. The commissioner shall ensure that any staff reductions made under this paragraph comply with Minnesota Statutes, section 43A.046.

(c) The commissioner shall increase all fees levied by the commissioner a pro rata amount in order to generate revenue of \$731,000 the first year and \$1,823,000 the second year. These amounts shall be deposited in the general fund. This paragraph shall not apply to fees paid by occupational therapists.

(d) \$254,000 each year shall be transferred from the state government special revenue fund to the general fund.

Subd. 2. Community and Family Health Improvement

Summary by Fund

General	159,000	(640,000)
State Government Special Revenue	335,000	335,000
Health Care Access	70,000	70,000

[TANF CARRYFORWARD.] Any unexpended balance of the TANF appropriation in the first year of the biennium in this section and 2005 S.F. No. 1879, article 11, section 3, if enacted, does not cancel but is available for the second year.

[WORK GROUP ON CHILDHOOD OBESITY.] (a) Of the general fund appropriation, \$5,000 the first year and \$1,000 the second year is to the commissioner to convene an interagency work group with the commissioners of human services and education to study and make recommendations on reducing the rate of obesity among the children in Minnesota.

(b) The work group shall determine the number of children who are currently obese and set a goal, including measurable outcomes for the state in terms of reducing the rate of childhood obesity. The work group shall make recommendations on how to achieve this goal, including, but not limited to, increasing physical activities; exploring opportunities to promote physical education and healthy eating programs; improving the nutritional offerings through breakfast and lunch menus; and evaluating the availability and choice of nutritional products offered in public schools.

(c) The work group may include representatives of the Minnesota Medical Association; the Minnesota Nurses Association; the Local Public Health Association of Minnesota; the Minnesota Dietetic Association; the Minnesota School Food Service Association; the Minnesota Association of Health, Physical Education, Recreation, and Dance; the Minnesota School Boards Association; the Minnesota School Administrators Association; the Minnesota Secondary Principals Association; the vending industry; and consumers.

(d) The commissioner must submit the recommendations of the work group to the legislature by January 15, 2007.

Subd. 3. Policy Quality and Compliance

Summary by Fund

State Government		
Special Revenue	770,000	770,000

[STATEWIDE TRAUMA SYSTEM.] (a) Of the general fund appropriation, \$382,000 the first year and \$352,000 the second year is for development of a statewide trauma system.

(b) The commissioner shall increase hospital licensing fees a pro rata amount to increase fee revenue by \$382,000 the first year and \$352,000 the second year. This revenue shall be deposited in the general fund.

[AIDS PREVENTION FOR AFRICAN-BORN RESIDENTS.] For fiscal year 2006 only, the commissioner shall reallocate \$300,000 from the grant program under Minnesota Statutes, section 145.928, for grants in accordance with Minnesota Statutes, section 145.924, paragraph (b), for a public education and awareness campaign targeting communities of African-born Minnesota residents. The grants shall be designed to:

- (1) promote knowledge and understanding about HIV and to increase knowledge in order to eliminate and reduce the risk for HIV infection;
- (2) encourage screening and testing for HIV; and
- (3) connect individuals to public health and health care resources. The grants must be awarded to collaborative efforts that bring together nonprofit community-based groups with demonstrated experience in addressing the public health, health care, and social service needs of African-born communities.

[FAMILY PLANNING GRANTS.] Of the general fund appropriation, \$500,000 each year is to the commissioner for grants under Minnesota Statutes, section 145.925, to family planning clinics serving outstate Minnesota that demonstrate financial need.

Subd. 4. Health Protection

Summary by Fund

State Government		
Special Revenue	3,729,000	9,514,000

Subd. 5. Administrative Support Services

1,208,000	3,069,000
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Sec. 4. VETERANS NURSING HOMES BOARD

[VETERANS HOMES SPECIAL REVENUE ACCOUNT.] The general fund appropriations

made to the board in 2005 S.F. No. 1879, if enacted, may be transferred to a veterans homes special revenue account in the special revenue fund in the same manner as other receipts are deposited according to Minnesota Statutes, section 198.34, and are appropriated to the board for the operation of board facilities and programs.

Sec. 5. HEALTH-RELATED BOARDS

Subdivision 1. Total Appropriation	2,317,000	2,006,000
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Summary by Fund

State Government Special Revenue	2,317,000	2,006,000
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[STATE GOVERNMENT SPECIAL REVENUE FUND.] The appropriations in this section are from the state government special revenue fund, except where noted.

[NO SPENDING IN EXCESS OF REVENUES.] The commissioner of finance shall not permit the allotment, encumbrance, or expenditure of money appropriated in this section in excess of the anticipated biennial revenues or accumulated surplus revenues from fees collected by the boards. Neither this provision nor Minnesota Statutes, section 214.06, applies to transfers from the general contingent account.

Subd. 2. Board of Dentistry

Summary by Fund

State Government Special Revenue	150,000	-0-
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[ORAL HEALTH PILOT PROJECT.] Of this appropriation, \$150,000 the first year is to be transferred to the commissioner of human services for an oral health care system pilot project.

Subd. 3. Board of Nursing

1,563,000	1,407,000
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[MINNESOTA CENTER OF NURSING.] (a) Of this appropriation, \$500,000 in fiscal year 2006 is to be used as start-up funding to establish a Minnesota Center of Nursing. The goals of the center shall be to:

- (1) maintain information on the current and projected supply and demand of nurses through the collection and analysis of data on the nursing workforce;

(2) develop a strategic statewide plan for the nursing workforce;

(3) convene work groups of stakeholders to examine issues and make recommendations regarding factors affecting nursing education, recruitment, and retention;

(4) promote recognition, reward, and renewal activities for nurses in Minnesota; and

(5) provide consultation, technical assistance, and data on the nursing workforce to the legislature.

(b) The board shall report to the legislature by January 15, 2007, on the Center of Nursing's progress, the center's collaboration efforts with other organizations and governmental entities, and the activities conducted by the center in achieving the goals outlined.

[TRANSFERS FROM SPECIAL REVENUE FUND.] Of this appropriation, the following transfers shall be made as directed from the state government special revenue fund:

(a) \$938,000 the first year and \$1,207,000 the second year shall be transferred to the commissioner of human services for the long-term care and home and community-based care employee scholarship program. This appropriation shall not become part of base level funding for the biennium beginning July 1, 2007.

(b) \$125,000 the first year and \$200,000 the second year shall be transferred to the health professional education loan forgiveness program account for loan forgiveness for nurses under Minnesota Statutes, section 144.1501. This appropriation shall become part of base level funding for the commissioner for the biennium beginning July 1, 2007, but shall not be part of base level funding for the biennium beginning July 1, 2009. Notwithstanding section 7, this paragraph expires on June 30, 2009.

Subd. 4. Board of Pharmacy

499,000

499,000

[RURAL PHARMACY PROGRAM.] Of this appropriation, \$200,000 each year shall be transferred to the commissioner of health for the rural pharmacy planning and transition grant program under Minnesota Statutes, section 144.1476. Of this transferred amount, \$20,000 each year may be retained by the commissioner for related administrative costs. This

appropriation shall become part of base level funding for the commissioner for the biennium beginning July 1, 2007. Notwithstanding section 7, this paragraph expires on June 30, 2009.

[PHARMACIST LOAN FORGIVENESS.] \$200,000 each year shall be transferred to the health professional education loan forgiveness program account for loan forgiveness for pharmacists under Minnesota Statutes, section 144.501. This appropriation shall become part of base level funding for the commissioner for the biennium beginning July 1, 2007. Notwithstanding section 7, this paragraph expires on June 30, 2009.

[DRUG MANUFACTURER PRICING DISCLOSURE.] (a) The board shall increase the licensing or registration fee for wholesale drug distributors and drug manufacturers required under Minnesota Statutes, chapter 151, by \$65 per year beginning July 1, 2005.

(b) Of the appropriation in this subdivision, \$74,000 each year is to be transferred to the commissioner of human services for the data received under Minnesota Statutes, section 151.52.

[CANCER DRUG REPOSITORY PROGRAM.] Of this appropriation, \$25,000 each year is for the cancer drug repository program under Minnesota Statutes, section 151.55. This appropriation shall become part of base level funding for the board for the biennium beginning July 1, 2007, but shall not be part of the base for the biennium beginning July 1, 2009. Notwithstanding section 7, this paragraph expires June 30, 2009.

Subd. 5. Board of Social Work

105,000

100,000

[ADMINISTRATIVE MANAGEMENT.] This appropriation is to provide administrative management under Minnesota Statutes, section 148B.61, subdivision 4. The following boards shall be assessed a prorated amount depending on the number of licensees under the board's regulatory authority providing mental health services within their scope of practice: Board of Medical Practice, the Board of Nursing, the Board of Psychology, the Board of Social Work, the Board of Marriage and Family Therapy, and the Board of Behavioral Health and Therapy.

Sec. 6. [BASE LEVEL FUNDING ADJUSTMENTS.]

Base level funding for the biennium beginning July 1, 2007, for nonentitlement grants and administration appropriations in this article shall be shown in legislative tracking documents. Notwithstanding section 7, this section shall expire on June 30, 2009.

Sec. 7. [SUNSET OF UNCODIFIED LANGUAGE.]

All uncodified language in this article expires on June 30, 2007, unless a different expiration date is explicit."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 20, delete the first "subdivision 1" and insert "subdivisions 1, 2" and after the second semicolon, insert "144.1483;"

Page 1, line 26, after the second semicolon, insert "145.9268;"

Page 1, line 30, after the semicolon, insert "245.4874;"

Page 1, line 34, delete the second "subdivision" and insert "subdivisions 3,"

Page 1, line 36, after the second semicolon, insert "256B.04, by adding a subdivision;"

Page 2, line 7, delete "subdivision 4" and insert "subdivisions 4, 5"

Page 2, line 17, after the semicolon, insert "Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 6;"

Page 2, line 20, after the first semicolon, insert "144.1486;"

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

SECOND READING OF SENATE BILLS

S.F. No. 2278 was read the second time.

MEMBERS EXCUSED

Senator Kiscaden was excused from the Session of today from 9:00 to 11:55 a.m. and from 1:10 to 1:30 p.m. Senator Foley was excused from the Session of today at 1:20 p.m. Senator Marko was excused from the Session of today at 1:45 p.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 9:00 a.m., Wednesday, May 4, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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