

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 2000

 ONE HUNDRED SIXTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 4, 2000

The House of Representatives convened at 1:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Ross Foley, Faith Covenant Church, Burnsville, Minnesota.

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

The roll was called and the following members were present:

Abeler	Entenza	Howes	Luther	Paulsen	Storm
Abrams	Erhardt	Huntley	Mahoney	Pawlenty	Swapinski
Anderson, B.	Erickson	Jaros	Mares	Paymar	Swenson
Anderson, I.	Finseth	Jennings	Mariani	Pelowski	Sykora
Bakk	Folliard	Johnson	Marko	Peterson	Tingelstad
Biernat	Fuller	Juhnke	McCollum	Pugh	Tomassoni
Boudreau	Gerlach	Kahn	McElroy	Rest	Trimble
Bradley	Gleason	Kalis	McGuire	Reuter	Tuma
Broecker	Goodno	Kelliher	Milbert	Rhodes	Tunheim
Buesgens	Gray	Kielkucki	Molnau	Rifenberg	Van Dellen
Carlson	Greenfield	Knoblach	Mulder	Rostberg	Vandever
Carruthers	Greiling	Koskinen	Mullery	Rukavina	Wagenius
Cassell	Gunther	Krinkie	Murphy	Schumacher	Wejcman
Chaudhary	Haake	Kubly	Ness	Seagren	Wenzel
Clark, J.	Haas	Kuisle	Nornes	Seifert, J.	Westerberg
Daggett	Hackbarth	Larsen, P.	Olson	Seifert, M.	Westfall
Davids	Harder	Larson, D.	Opatz	Skoe	Westrom
Dawkins	Hasskamp	Leighton	Orfield	Skoglund	Wilkin
Dehler	Hausman	Lenczewski	Osskopp	Smith	Winter
Dempsey	Hilty	Leppik	Osthoff	Solberg	Workman
Dorman	Holberg	Lieder	Otremba	Stanek	Spk. Sviggum
Dorn	Holsten	Lindner	Ozment	Stang	

A quorum was present.

Bishop and Wolf were excused.

Clark, K., was excused until 1:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Jaros moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 1, 2000

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 3020, relating to human services; modifying provisions in long-term care.

H. F. No. 3047, relating to real property; title insurance; modifying mortgage release certificate language to include assignment of rents and profits; modifying common interest ownership resale disclosure certificate requirements.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2000 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for

preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2000</i>	<i>Date Filed 2000</i>
	3020	449	2:45 p.m. May 1	May 2
	3047	450	2:47 p.m. May 1	May 2

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 4147, A bill for an act proposing an amendment to the Minnesota Constitution; providing for a unicameral legislature; changing article IV; article V, sections 3 and 5; article VIII, sections 1 and 6; article IX, sections 1 and 2; and article XI, section 5; amending Minnesota Statutes 1998, sections 2.021; and 2.031, subdivision 1.

Reported the same back with the following amendments:

Page 4, line 35, strike "he" and insert "the governor"

Page 4, line 36, after "he" insert "or she"

Page 5, line 2, strike "he vetoes a bill" and insert "the bill is vetoed" and strike "he shall return" and insert "it shall be returned"

Page 5, line 3, strike "it" and strike "his" and insert "the" and after "objections" insert "of the governor"

Page 5, line 4, strike "His" and insert "The"

Page 5, line 15, strike "him becomes a law as if he had signed it" and insert "the governor's office becomes a law as if it had been signed"

Page 5, line 25, strike "he" and insert "the governor"

Page 5, line 26, strike "he signs" and after the second "bill" insert "is signed"

Page 5, line 27, strike "he vetoes" and insert "vetoed"

Page 5, line 29, strike "he shall transmit" and insert "a copy of the statement shall be transmitted"

Page 5, line 30, strike "a copy of the statement"

Page 6, line 2, strike "his" and insert "a"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 3156, A bill for an act relating to health; providing patient protections; requiring coverage for medical clinical trials; amending Minnesota Statutes 1998, sections 62D.17, subdivision 1; 62J.38; 62Q.56; and 62Q.58; Minnesota Statutes 1999 Supplement, sections 45.027, subdivision 6; 245.462, subdivision 18; and 245.4871, subdivision 27; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 45.027, subdivision 6, is amended to read:

Subd. 6. [VIOLATIONS AND PENALTIES.] The commissioner may impose a civil penalty not to exceed \$10,000 per violation upon a person who violates any law, rule, or order related to the duties and responsibilities entrusted to the commissioner unless a different penalty is specified. If a civil penalty is imposed on a health carrier as defined in section 62A.011, the commissioner must divide 50 percent of the amount among any policy holder or certificate holder affected by the violation, unless the commissioner certifies in writing that the division and distribution to enrollees would be too administratively complex or that the number of enrollees affected by the penalty would result in a distribution of less than \$50 per enrollee.

Sec. 2. [62D.021] [ACCREDITATION.]

The commissioner shall accept the results of private accreditation organizations, professional review organizations, and other governmental agencies based upon a determination that the other organization's standards and procedures are no less stringent than state law. Documentation of audit procedures and work papers of these audit organizations must be available to the commissioner. The commissioner may use those results in exercise of regulatory authority. The commissioner may initiate and conduct any investigation deemed necessary if there is suspected violation of law.

Sec. 3. Minnesota Statutes 1998, section 62D.08, is amended by adding a subdivision to read:

Subd. 5a. [PROVIDER TERMINATIONS; NOTICE TO COMMISSIONER.] Every health maintenance organization shall inform the commissioner of any termination of a provider contract within ten days after the date that the health maintenance organization sends out or receives the notice of cancellation, discontinuance, or termination.

Sec. 4. Minnesota Statutes 1998, section 62D.17, subdivision 1, is amended to read:

Subdivision 1. The commissioner of health may, for any violation of statute or rule applicable to a health maintenance organization, or in lieu of suspension or revocation of a certificate of authority under section 62D.15, levy an administrative penalty in an amount up to \$25,000 for each violation. In the case of contracts or agreements

made pursuant to section 62D.05, subdivisions 2 to 4, each contract or agreement entered into or implemented in a manner which violates sections 62D.01 to 62D.30 shall be considered a separate violation. In determining the level of an administrative penalty, the commissioner shall consider the following factors:

- (1) the number of enrollees affected by the violation;
- (2) the effect of the violation on enrollees' health and access to health services;
- (3) if only one enrollee is affected, the effect of the violation on that enrollee's health;
- (4) whether the violation is an isolated incident or part of a pattern of violations; and
- (5) the economic benefits derived by the health maintenance organization or a participating provider by virtue of the violation.

Reasonable notice in writing to the health maintenance organization shall be given of the intent to levy the penalty and the reasons therefor, and the health maintenance organization may have 15 days within which to file a written request for an administrative hearing and review of the commissioner of health's determination. Such administrative hearing shall be subject to judicial review pursuant to chapter 14. If an administrative penalty is levied, the commissioner must divide 50 percent of the amount among any enrollee affected by the violation, unless the commissioner certifies in writing that the division and distribution to enrollees would be too administratively complex or that the number of enrollees affected by the penalty would result in a distribution of less than \$50 per enrollee.

Sec. 5. Minnesota Statutes 1998, section 62E.04, subdivision 4, is amended to read:

Subd. 4. [MAJOR MEDICAL COVERAGE.] Each insurer and fraternal shall affirmatively offer coverage of major medical expenses to every applicant who applies to the insurer or fraternal for a new unqualified policy, which has a lifetime benefit limit of less than \$1,000,000, at the time of application and annually to every holder of such an unqualified policy of accident and health insurance renewed by the insurer or fraternal. The coverage shall provide that when a covered individual incurs out-of-pocket expenses of \$5,000 or more within a calendar year for services covered in section 62E.06, subdivision 1, benefits shall be payable, subject to any copayment authorized by the commissioner, up to a maximum lifetime limit of \$500,000. The offer of coverage of major medical expenses may consist of the offer of a rider on an existing unqualified policy or a new policy which is a qualified plan.

Sec. 6. Minnesota Statutes 1998, section 62J.38, is amended to read:

62J.38 [COST CONTAINMENT DATA FROM GROUP PURCHASERS.]

(a) The commissioner shall require group purchasers to submit detailed data on total health care spending for each calendar year. Group purchasers shall submit data for the 1993 calendar year by April 1, 1994, and each April 1 thereafter shall submit data for the preceding calendar year.

(b) The commissioner shall require each group purchaser to submit data on revenue, expenses, and member months, as applicable. Revenue data must distinguish between premium revenue and revenue from other sources and must ~~also~~ include information on the amount of revenue in reserves and changes in reserves. Expenditure data; ~~including raw data from claims, may~~ must distinguish between expenses incurred for patient care and administrative costs. Expenditure data must be provided separately for the following categories or and for other categories required by the commissioner: physician services, dental services, other professional services, inpatient hospital services, outpatient hospital services, emergency, pharmacy services and other nondurable medical goods, mental health, and chemical dependency services, other expenditures, subscriber liability, and administrative costs. Administrative costs must include costs for marketing; advertising; overhead; salaries and benefits of central office staff who do not provide direct patient care; underwriting; lobbying; claims processing; provider contracting and credentialing; detection and prevention of payment for fraudulent or unjustified requests for reimbursement or services; clinical

quality assurance and other types of medical care quality improvement efforts; concurrent or prospective utilization review as defined in section 62M.02; expenses incurred to acquire a hospital, clinic, health care facility, or the assets thereof; capital costs incurred on behalf of a hospital or clinic; lease payments; or any other expenses incurred to a hospital, clinic, or other health care provider pursuant to a partnership, joint venture, integration, or affiliation agreement. The reports of this data must also separately identify expenses for local, state, and federal taxes, fees, and assessments. The commissioner may require each group purchaser to submit any other data, including data in unaggregated form, for the purposes of developing spending estimates, setting spending limits, and monitoring actual spending and costs.

(c) The commissioner may collect information on:

- (1) premiums, benefit levels, managed care procedures, and other features of health plan companies;
- (2) prices, provider experience, and other information for services less commonly covered by insurance or for which patients commonly face significant out-of-pocket expenses; and
- (3) information on health care services not provided through health plan companies, including information on prices, costs, expenditures, and utilization.

(d) All group purchasers shall provide the required data using a uniform format and uniform definitions, as prescribed by the commissioner.

Sec. 7. Minnesota Statutes 1998, section 62J.51, is amended by adding a subdivision to read:

Subd. 19a. [UNIFORM EXPLANATION OF BENEFITS DOCUMENT.] "Uniform explanation of benefits document" means the document associated with and explaining the details of a group purchaser's claim adjudication for services rendered, which is sent to a patient.

Sec. 8. Minnesota Statutes 1998, section 62J.51, is amended by adding a subdivision to read:

Subd. 19b. [UNIFORM REMITTANCE ADVICE REPORT.] "Uniform remittance advice report" means the document associated with and explaining the details of a group purchaser's claim adjudication for services rendered, which is sent to a provider.

Sec. 9. Minnesota Statutes 1998, section 62J.52, subdivision 1, is amended to read:

Subdivision 1. [UNIFORM BILLING FORM HCFA 1450.] (a) On and after January 1, 1996, all institutional inpatient hospital services, ancillary services, ~~and~~ institutionally owned or operated outpatient services rendered by providers in Minnesota, and institutional or noninstitutional home health services that are not being billed using an equivalent electronic billing format, must be billed using the uniform billing form HCFA 1450, except as provided in subdivision 5.

(b) The instructions and definitions for the use of the uniform billing form HCFA 1450 shall be in accordance with the uniform billing form manual specified by the commissioner. In promulgating these instructions, the commissioner may utilize the manual developed by the National Uniform Billing Committee, as adopted and finalized by the Minnesota uniform billing committee.

(c) Services to be billed using the uniform billing form HCFA 1450 include: institutional inpatient hospital services and distinct units in the hospital such as psychiatric unit services, physical therapy unit services, swing bed (SNF) services, inpatient state psychiatric hospital services, inpatient skilled nursing facility services, home health services (Medicare part A), and hospice services; ancillary services, where benefits are exhausted or patient has no Medicare part A, from hospitals, state psychiatric hospitals, skilled nursing facilities, and home health (Medicare part B); ~~and~~ institutionally owned or operated outpatient services such as waivered services, hospital outpatient services, including ambulatory surgical center services, hospital referred laboratory services, hospital-based

ambulance services, and other hospital outpatient services, skilled nursing facilities, home health, including infusion therapy, freestanding renal dialysis centers, comprehensive outpatient rehabilitation facilities (CORF), outpatient rehabilitation facilities (ORF), rural health clinics, and community mental health centers; home health services such as home health intravenous therapy providers, waived services, personal care attendants, and hospice; and any other health care provider certified by the Medicare program to use this form.

(d) On and after January 1, 1996, a mother and newborn child must be billed separately, and must not be combined on one claim form.

Sec. 10. Minnesota Statutes 1998, section 62J.52, subdivision 2, is amended to read:

Subd. 2. [UNIFORM BILLING FORM HCFA 1500.] (a) On and after January 1, 1996, all noninstitutional health care services rendered by providers in Minnesota except dental or pharmacy providers, that are not currently being billed using an equivalent electronic billing format, must be billed using the health insurance claim form HCFA 1500, except as provided in subdivision 5.

(b) The instructions and definitions for the use of the uniform billing form HCFA 1500 shall be in accordance with the manual developed by the administrative uniformity committee entitled standards for the use of the HCFA 1500 form, dated February 1994, as further defined by the commissioner.

(c) Services to be billed using the uniform billing form HCFA 1500 include physician services and supplies, durable medical equipment, noninstitutional ambulance services, independent ancillary services including occupational therapy, physical therapy, speech therapy and audiology, podiatry services, optometry services, mental health licensed professional services, substance abuse licensed professional services, nursing practitioner professional services, certified registered nurse anesthetists, chiropractors, physician assistants, laboratories, medical suppliers, and other health care providers such as home health intravenous therapy providers, personal care attendants; day activity centers, waived services, hospice, and other home health services; and freestanding ambulatory surgical centers.

Sec. 11. Minnesota Statutes 1998, section 62J.52, subdivision 5, is amended to read:

Subd. 5. [STATE AND FEDERAL HEALTH CARE PROGRAMS.] (a) Skilled nursing facilities and ICF/MR services billed to state and federal health care programs administered by the department of human services shall use the form designated by the department of human services.

(b) On and after July 1, 1996, state and federal health care programs administered by the department of human services shall accept the HCFA 1450 for community mental health center services and shall accept the HCFA 1500 for freestanding ambulatory surgical center services.

(c) State and federal health care programs administered by the department of human services shall be authorized to use the forms designated by the department of human services for pharmacy services and for child and teen checkup services.

(d) State and federal health care programs administered by the department of human services shall accept the form designated by the department of human services, and the HCFA 1500 for supplies, medical supplies, or durable medical equipment. Health care providers may choose which form to submit.

(e) Personal care attendant and waived services billed on a fee-for-service basis directly to state and federal health care programs administered by the department of human services shall use either the HCFA 1450 or the HCFA 1500 form, as designated by the department of human services.

Sec. 12. [62J.581] [STANDARDS FOR MINNESOTA UNIFORM HEALTH CARE REIMBURSEMENT DOCUMENTS.]

Subdivision 1. [MINNESOTA UNIFORM REMITTANCE ADVICE REPORT.] All group purchasers and payers shall provide a uniform remittance advice report to health care providers when a claim is adjudicated. The uniform remittance advice report shall comply with the standards prescribed in this section.

Subd. 2. [MINNESOTA UNIFORM EXPLANATION OF BENEFITS DOCUMENT.] All group purchasers and payers shall provide a uniform explanation of benefits document to health care patients when a claim is adjudicated. The uniform explanation of benefits document shall comply with the standards prescribed in this section.

Subd. 3. [SCOPE.] For purposes of sections 62J.50 to 62J.61, the uniform remittance advice report and the uniform explanation of benefits document format specified in subdivision 4 shall apply to all health care services delivered by a health care provider or health care provider organization in Minnesota, regardless of the location of the payer. Health care services not paid on an individual claims basis, such as capitated payments, are not included in this section. A health plan company is excluded from the requirements in subdivisions 1 and 2 if it complies with section 62A.01, subdivisions 2 and 3.

Subd. 4. [SPECIFICATIONS.] The uniform remittance advice report and the uniform explanation of benefits document shall be provided by use of a paper document conforming to the specifications in this section or by use of the ANSI X12N 835 standard electronic format as established under United States Code, title 42, sections 1320d to 1320d-8, and as amended from time to time for the remittance advice. The commissioner, after consulting with the administrative uniformity committee, shall specify the data elements and definitions for the uniform remittance advice report and the uniform explanation of benefits document. The commissioner and the administrative uniformity committee must consult with the Minnesota Dental Association and Delta Dental Plan of Minnesota before requiring under this section the use of a paper document for the uniform explanation of benefits document or the uniform remittance advice report for dental care services.

Subd. 5. [EFFECTIVE DATE.] The requirements in subdivisions 1 and 2 are effective 12 months after the date of required compliance with the standards for the electronic remittance advice transaction under United States Code, title 42, sections 1320d to 1320d-8, as amended. The requirements in subdivisions 1 and 2 apply regardless of when the health care service was provided to the patient.

Sec. 13. Minnesota Statutes 1998, section 62J.60, subdivision 1, is amended to read:

Subdivision 1. [MINNESOTA HEALTH CARE IDENTIFICATION CARD.] All individuals with health care coverage shall be issued health care identification cards by group purchasers as of January 1, 1998, unless the requirements of section 62A.01, subdivisions 2 and 3, are met. The health care identification cards shall comply with the standards prescribed in this section.

Sec. 14. Minnesota Statutes 1998, section 62J.75, is amended to read:

62J.75 [CONSUMER ADVISORY BOARD.]

(a) The consumer advisory board consists of 18 members appointed in accordance with paragraph (b). All members must be public, consumer members who:

(1) do not have and never had a material interest in either the provision of health care services or in an activity directly related to the provision of health care services, such as health insurance sales or health plan administration;

(2) are not registered lobbyists; and

(3) are not currently responsible for or directly involved in the purchasing of health insurance for a business or organization.

(b) The governor, the speaker of the house of representatives, and the subcommittee on committees of the committee on rules and administration of the senate shall each appoint six members. Members may be compensated in accordance with section 15.059, subdivision 3, except that members shall not receive per diem compensation or reimbursements for child care expenses.

(c) The board shall advise the commissioners of health and commerce on the following:

(1) the needs of health care consumers and how to better serve and educate the consumers on health care concerns and recommend solutions to identified problems; and

(2) consumer protection issues in the self-insured market, including, but not limited to, public education needs.

The board also may make recommendations to the legislature on these issues.

(d) The board and this section expire June 30, ~~2001~~ 2000.

Sec. 15. Minnesota Statutes 1999 Supplement, section 62M.02, subdivision 21, is amended to read:

Subd. 21. [UTILIZATION REVIEW ORGANIZATION.] "Utilization review organization" means an entity including but not limited to an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a health service plan licensed under chapter 62C; a health maintenance organization licensed under chapter 62D; a community integrated service network licensed under chapter 62N; an accountable provider network operating under chapter 62T; a fraternal benefit society operating under chapter 64B; a joint self-insurance employee health plan operating under chapter 62H; a multiple employer welfare arrangement, as defined in section 3 of the Employee Retirement Income Security Act of 1974 (ERISA), United States Code, title 29, section 1103, as amended; a third party administrator licensed under section 60A.23, subdivision 8, which conducts utilization review and determines certification of an admission, extension of stay, or other health care services for a Minnesota resident; or any entity performing utilization review that is affiliated with, under contract with, or conducting utilization review on behalf of, a business entity in this state. Utilization review organization does not include a clinic or health care system acting pursuant to a written delegation agreement with an otherwise regulated utilization review organization which contracts with the clinic or health care system. The regulated utilization review organization is accountable for the delegated utilization review activities of the clinic or health care system.

Sec. 16. Minnesota Statutes 1998, section 62Q.56, is amended to read:

62Q.56 [CONTINUITY OF CARE.]

Subdivision 1. [CHANGE IN HEALTH CARE PROVIDER.] (a) If enrollees are required to access services through selected primary care providers for coverage, the health plan company shall prepare a written plan that provides for continuity of care in the event of contract termination between the health plan company and any of the contracted primary care providers or general hospital providers. The written plan must explain:

(1) how the health plan company will inform affected enrollees, ~~insureds, or beneficiaries~~ about termination at least 30 days before the termination is effective, if the health plan company or health care network cooperative has received at least 120 days' prior notice;

(2) how the health plan company will inform the affected enrollees about what other participating providers are available to assume care and how it will facilitate an orderly transfer of its enrollees from the terminating provider to the new provider to maintain continuity of care;

(3) the procedures by which enrollees will be transferred to other participating providers, when special medical needs, special risks, or other special circumstances, such as cultural or language barriers, require them to have a longer transition period or be transferred to nonparticipating providers;

(4) who will identify enrollees with special medical needs or at special risk and what criteria will be used for this determination; and

(5) how continuity of care will be provided for enrollees identified as having special needs or at special risk, and whether the health plan company has assigned this responsibility to its contracted primary care providers.

~~(b) If the contract termination was not for cause, enrollees can request a referral to the terminating provider for up to 120 days if they have special medical needs or have other special circumstances, such as cultural or language barriers. The terminated provider must be notified of the enrollee's rights to continuity of care with the terminated provider and the health plan company must provide, upon request, authorization to receive services that are otherwise covered under the terms of the health plan through the enrollee's current provider for the remainder of the enrollee's life if the enrollee has a medical prognosis of a terminal condition with a life expectancy of 180 days or less as determined by the enrollee's primary care provider or, if the enrollee does not have such a medical prognosis, for up to 120 days if the enrollee is engaged in a current course of treatment for one or more of the following conditions:~~

- ~~(1) an acute condition;~~
- ~~(2) a life-threatening mental or physical illness;~~
- ~~(3) pregnancy beyond the first trimester of pregnancy; or~~
- ~~(4) a disabling or chronic condition that is in an acute phase.~~

~~For all requests for authorization to receive services under this paragraph, the health plan company must grant the request unless the enrollee does not meet the criteria provided in this paragraph.~~

~~(c) The health plan company shall prepare a written plan that provides a process for coverage determinations regarding continuity of care of up to 120 days for enrollees who request continuity of care with their former provider, if the enrollee:~~

~~(1) is receiving culturally appropriate services and the health plan company does not have a provider in its preferred provider network with special expertise in the delivery of these culturally appropriate services within the time and distance requirements of section 62D.124, subdivision 1; or~~

~~(2) does not speak English and the health plan company does not have a provider in its preferred provider network who can communicate with the enrollee, either directly or through an interpreter, within the time and distance requirements of section 62D.124, subdivision 1.~~

~~The written plan must explain the criteria that will be used to determine whether a need for continuity of care exists and how it will be provided.~~

~~(d) This paragraph applies to requests under paragraph (b) or (c). The health plan company may require medical records and other supporting documentation to be submitted with the request for authorization. The health plan company must explain the criteria it used to make its decision on the request for authorization. If an authorization is granted, the health plan company must explain how continuity of care will be provided.~~

~~The health plan company can require medical records and other supporting documentation in support of the requested referral. Each request for referral to a terminating provider shall be considered by the health plan company on a case-by-case basis.~~

~~(e) (e) If the contract termination was for cause, enrollees must be notified of the change and transferred to participating providers in a timely manner so that health care services remain available and accessible to the affected enrollees. The health plan company is not required to refer an enrollee back to the terminating provider if the termination was for cause.~~

Subd. 2. [CHANGE IN HEALTH PLANS.] (a) The health plan company shall prepare a written plan that provides a process for coverage determinations for continuity of care for new enrollees with special needs, special risks, or other special circumstances, such as cultural or language barriers, who request continuity of care with their former provider for up to 120 days. The written plan must explain the criteria that will be used for determining special needs cases, and how continuity of care will be provided. If enrollees are subject to a change in health plans, the health plan company must provide, upon request, authorization to receive services that are otherwise covered under the terms of the new health plan through the enrollee's current provider for the remainder of the enrollee's life if the enrollee has a medical prognosis of a terminal condition with a life expectancy of 180 days or less as determined by the enrollee's primary care provider or, if the enrollee does not have such a medical prognosis, for up to 120 days if the enrollee is engaged in a current course of treatment for one or more of the following conditions:

- (1) an acute condition;
- (2) a life-threatening mental or physical illness;
- (3) pregnancy beyond the first trimester of pregnancy; or
- (4) a disabling or chronic condition that is in an acute phase.

For all requests for authorization under this paragraph, the health plan company must grant the request for authorization unless the enrollee does not meet the criteria provided in this paragraph.

(b) The health plan company shall prepare a written plan that provides a process for coverage determinations regarding continuity of care of up to 120 days for new enrollees who request continuity of care with their former provider, if the new enrollee:

(1) is receiving culturally appropriate services and the health plan company does not have a provider in its preferred provider network with special expertise in the delivery of these culturally appropriate services within the time and distance requirements of section 62D.124, subdivision 1; or

(2) does not speak English and the health plan company does not have a provider in its preferred provider network who can communicate with the enrollee, either directly or through an interpreter, within the time and distance requirements of section 62D.124, subdivision 1.

The written plan must explain the criteria that will be used to determine whether a need for continuity of care exists and how it will be provided.

(c) This paragraph applies to requests under paragraph (a) or (b). The health plan company may require medical records and other supporting documentation to be submitted with the request for authorization. The health plan company must explain the criteria it used to make its decision on the request for authorization. If an authorization is granted, the health plan company must explain how continuity of care will be provided.

~~(b)~~ (d) This subdivision applies only to group coverage and continuation and conversion coverage, and applies only to changes in health plans made by the employer.

Subd. 2a. [LIMITATIONS.] (a) Subdivisions 1 and 2 apply only if the enrollee's health care provider agrees to:

(1) accept as payment in full the lesser of the health plan company's reimbursement rate for in-network providers for the same or similar service or the enrollee's health care provider's regular fee for that service;

(2) adhere to the health plan company's preauthorization requirements; and

(3) provide the health plan company with all necessary medical information related to the care provided to the enrollee.

(b) Nothing in this section requires a health plan company to provide coverage for a health care service or treatment that is not covered under the enrollee's health plan.

Subd. 3. ~~[DISCLOSURES DISCLOSURE.]~~ The written plans required under this section must be made available upon request to enrollees or prospective enrollees. Information regarding an enrollee's rights under this section must be included in member contracts or certificates of coverage and must be provided by a health plan company upon request of an enrollee or prospective enrollee.

Sec. 17. Minnesota Statutes 1998, section 62Q.58, is amended to read:

62Q.58 [ACCESS TO SPECIALTY CARE.]

Subdivision 1. [STANDING REFERRAL.] A health plan company shall establish a procedure by which an enrollee may apply for and, if appropriate, receive a standing referral to a health care provider who is a specialist if a referral to a specialist is required for coverage. This procedure for a standing referral must specify the necessary criteria and conditions, which must be met in order for an enrollee to obtain a standing referral managed care review and approval an enrollee must obtain before such a standing referral is permitted.

Subd. 1a. [MANDATORY STANDING REFERRAL.] An enrollee who requests a standing referral to a specialist qualified to treat the specific condition described in clauses (1) to (5) must be given a standing referral for visits to such a specialist if benefits for such treatment are provided under the health plan and the enrollee meets any of the following conditions:

- (1) a chronic health condition that is in an acute phase;
- (2) a life-threatening mental or physical illness;
- (3) pregnancy beyond the first trimester of pregnancy;
- (4) a degenerative disease or disability; or
- (5) other condition or disease of sufficient seriousness and complexity to require treatment by a specialist.

Subd. 2. [COORDINATION OF SERVICES.] A primary care provider or primary care group shall remain responsible for coordinating the care of an enrollee who has received a standing referral to a specialist. The specialist shall not make any secondary referrals related to primary care services without prior approval by the primary care provider or primary care group. However, An enrollee with a standing referral to a specialist may request primary care services from that specialist. The specialist, in agreement with the enrollee and primary care provider or primary care group, may elect to provide primary care services to that the enrollee, authorize tests and services, and make secondary referrals according to procedures established by the health plan company. The health plan company may limit the primary care services, tests and services, and secondary referrals authorized under this subdivision to those that are related to the specific condition or conditions for which the standing referral was made.

Subd. 3. [DISCLOSURE.] Information regarding referral procedures must be included in member contracts or certificates of coverage and must be provided to an enrollee or prospective enrollee by a health plan company upon request.

Subd. 4. [REFERRAL.] (a) If a standing referral is authorized under subdivision 1 or is mandatory under subdivision 1a, the health plan company must provide a referral to an appropriate participating specialist who is reasonably available and accessible to provide the treatment or to a nonparticipating specialist if the health plan company does not have an appropriate participating specialist that is reasonably available and accessible to treat the enrollee's condition or disease.

(b) If an enrollee receives services from a nonparticipating specialist because a participating specialist is not available, services must be provided at no additional cost to the enrollee beyond what the enrollee would otherwise pay for services received from a participating specialist.

Sec. 18. [QUALITY OF PATIENT CARE.]

The commissioner of health shall evaluate the feasibility of collecting data on the quality of patient care provided in hospitals, outpatient surgical centers, and other health care facilities. In this evaluation, the commissioner shall examine the appropriate roles of the public and private sectors and the need for risk adjusting data. The evaluation must consider mechanisms to identify the quality of nursing care provided to consumers by examining variables such as skin breakdown and patient injuries. Any plan developed to collect data must also address issues related to the release of this data in a useful form to the public.

Sec. 19. [FISCAL PROVISIONS.]

Any increased costs incurred by any state agency as a result of this act must be absorbed internally by the state agency within its appropriations and must not be treated as a base adjustment for fiscal years 2002 and 2003.

Sec. 20. [REPEALER.]

Minnesota Statutes 1998, sections 16B.93; 16B.94; 16B.95; 16B.96; and 62D.08, subdivision 5, are repealed.

Sec. 21. [EFFECTIVE DATE.]

Sections 1, 4, 16, and 17 are effective for all policies, contracts, or health benefit plans issued or renewed on or after July 1, 2001. Section 6 is effective January 1, 2001."

Delete the title and insert:

"A bill for an act relating to health; providing patient protections; modifying the Health Care Administrative Simplification Act; modifying comprehensive health insurance provisions; advancing the expiration date for the consumer advisory board; amending Minnesota Statutes 1998, sections 62D.08, by adding a subdivision; 62D.17, subdivision 1; 62E.04, subdivision 4; 62J.38; 62J.51, by adding subdivisions; 62J.52, subdivisions 1, 2, and 5; 62J.60, subdivision 1; 62J.75; 62Q.56; and 62Q.58; Minnesota Statutes 1999 Supplement, sections 45.027, subdivision 6; and 62M.02, subdivision 21; proposing coding for new law in Minnesota Statutes, chapters 62D; and 62J; repealing Minnesota Statutes 1998, sections 16B.93; 16B.94; 16B.95; 16B.96; and 62D.08, subdivision 5."

With the recommendation that when so amended the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy reported on the following appointment which had been referred to the committee by the Speaker:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

DOUGLAS KELLEY

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

Rhodes moved that the report of the Committee on Governmental Operations and Veterans Affairs Policy relating to the appointment of Douglas Kelley to the Campaign Finance and Public Disclosure Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Rhodes moved that the House, having advised, do now consent to and confirm the appointment of Douglas Kelley, 9024 West Bush Lake Road, Bloomington, Minnesota 55438, in the county of Hennepin, effective April 18, 2000, for a term expiring January 5, 2004. The motion prevailed and the appointment of Douglas Kelley was confirmed by the House.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy reported on the following appointment which had been referred to the committee by the Speaker:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**SIDNEY PAULY**

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

Rhodes moved that the report of the Committee on Governmental Operations and Veterans Affairs Policy relating to the appointment of Sidney Pauly to the Campaign Finance and Public Disclosure Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Rhodes moved that the House, having advised, do now consent to and confirm the appointment of Sidney Pauly, 17450 West 78th Street, Eden Prairie, Minnesota 55346, in the county of Hennepin, effective April 18, 2000, for a term expiring January 5, 2004. The motion prevailed and the appointment of Sidney Pauly was confirmed by the House.

SECOND READING OF SENATE BILLS

S. F. No. 3156 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Greiling, McCollum, Jennings, Huntley and Vandeverer introduced:

H. F. No. 4172, A bill for an act relating to railroads; appropriating money for commuter rail line between Forest Lake and St. Paul.

The bill was read for the first time and referred to the Committee on Transportation Finance.

Dawkins introduced:

H. F. No. 4173, A bill for an act relating to consumer protection; providing for a duty to repair, refund, or replace certain new computers; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Commerce.

Orfield introduced:

H. F. No. 4174, A bill for an act relating to natural resources; prohibiting the discharge of unsterilized ballast water; requiring a permit; amending Minnesota Statutes 1998, section 84D.01, by adding subdivisions; Minnesota Statutes 1999 Supplement, section 84D.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84D.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 3501, A bill for an act relating to labor; modifying a provision governing exchange of information between the departments of labor and industry and revenue; amending Minnesota Statutes 1998, section 270B.14, subdivision 8.

The Senate has appointed as such committee:

Senators Betzold, Ranum and Knutson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3016.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3016

A bill for an act relating to family law; changing certain child support enforcement provisions; providing for notices; clarifying certain delegation of powers provisions; amending Minnesota Statutes 1998, sections 256.979, by adding a subdivision; 518.255; 518.64, subdivision 5; 518.68, subdivision 2; 524.5-505; 552.01, subdivision 3, and by adding a subdivision; 552.03; and 552.04, subdivisions 4, 6, 11, and 16; Minnesota Statutes 1999 Supplement, section 13B.06, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 518 and 552; repealing Minnesota Statutes 1998, section 552.05, subdivisions 1, 2, 3, 6, 7, 8, and 9; Minnesota Statutes 1999 Supplement, section 552.05, subdivisions 4, 5, and 10; Minnesota Rules, parts 9500.1800; 9500.1805; 9500.1810; 9500.1811; 9500.1812; 9500.1815; 9500.1817; 9500.1820; and 9500.1821.

April 27, 2000

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 3016, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 3016 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 13B.06, subdivision 1, is amended to read:

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

(a) "Account" means a demand deposit account, checking or negotiable withdraw order account, savings account, time deposit account, or money market mutual fund.

(b) "Account information" means the type of account, the account number, whether the account is singly or jointly owned, and in the case of jointly owned accounts the name and address of the nonobligor account owner if available.

(c) "Financial institution" means any of the following that do business within the state:

(1) federal or state commercial banks and federal or state savings banks, including savings and loan associations and cooperative banks;

(2) federal and state chartered credit unions;

(3) benefit associations;

(4) life insurance companies;

(5) safe deposit companies; and

(6) money market mutual funds.

(d) "Obligor" means an individual who is in arrears in court-ordered child support or maintenance payments, or both, in an amount equal to or greater than ~~three~~ five times the obligor's total monthly support and maintenance payments, ~~and is not in compliance with a written payment agreement regarding both current support and arrearages approved by the court, a child support magistrate, or the public authority.~~

(e) "Public authority" means the public authority responsible for child support enforcement.

Sec. 2. Minnesota Statutes 1999 Supplement, section 256.978, subdivision 1, is amended to read:

Subdivision 1. [REQUEST FOR INFORMATION.] (a) The public authority responsible for child support in this state or any other state, in order to locate a person or to obtain information necessary to establish paternity and child support or to modify or enforce child support or distribute collections, may request information reasonably necessary to the inquiry from the records of (1) ~~all departments, boards, bureaus, or other agencies of this state agencies or political subdivisions of this state, as defined in section 13.02,~~ which shall, notwithstanding the provisions of section 268.19 or any other law to the contrary, provide the information necessary for this purpose; and (2) employers, utility companies, insurance companies, financial institutions, credit grantors, and labor associations doing business in this state. They shall provide a response upon written or electronic request within 30 days of service of the request made by the public authority. Information requested and used or transmitted by the commissioner according to the authority conferred by this section may be made available to other agencies, statewide systems, and political subdivisions of this state, and agencies of other states, interstate information networks, federal agencies, and other entities as required by federal regulation or law for the administration of the child support enforcement program.

(b) For purposes of this section, "state" includes the District of Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

Sec. 3. Minnesota Statutes 1998, section 256.979, is amended by adding a subdivision to read:

Subd. 11. [FEDERAL CHILD SUPPORT INCENTIVES.] (a) The commissioner of human services shall distribute to the counties the earned federal child support incentive payments using the methodology specified in Title IV-D of the Social Security Act and applicable federal regulations for earning federal incentives by the states except for the paternity portion of the incentive. The commissioner shall distribute the federal paternity incentive earned using the IV-D paternity establishment percentage. The commissioner shall follow the federal transition plans in distributing the incentives to the counties. The commissioner shall distribute to the county child support agency estimated federal incentive payments within 60 days after the end of each calendar quarter. The commissioner shall issue actual federal incentive payments to the county agency within 60 days of receiving the final federal incentive grant award from the federal agency.

(b) The county child support agency shall reinvest incentive funds disbursed under this section in the county child support enforcement program. These funds may not be used by a county to reduce funding of the child support enforcement program by the amount of the incentive earned below the base amount allowed under the applicable federal regulations. The county agency shall maintain a record of incentives earned and expended according to a procedure approved by the commissioner. The county agency shall repay any incentive erroneously issued.

Sec. 4. Minnesota Statutes 1998, section 518.255, is amended to read:

518.255 [PROVISION OF LEGAL SERVICES BY THE PUBLIC AUTHORITY.]

Subdivision 1. [GENERAL.] (a) The provision of services under the child support enforcement program that includes services by an attorney or an attorney's representative employed by, under contract to, or representing the public authority does not create an attorney-client relationship with any party other than the public authority. Attorneys employed by or under contract with the public authority have an affirmative duty to inform applicants and recipients of services under the child support enforcement program that no attorney-client relationship exists between the attorney and the applicant or recipient. This section applies to all legal services provided by the child support enforcement program.

(b) The written notice must inform the individual applicant or recipient of services that no attorney-client relationship exists between the attorney and the applicant or recipient; the rights of the individual as a subject of data under section 13.04, subdivision 2; and that the individual has a right to have an attorney represent the individual.

(c) Data disclosed by an applicant for, or recipient of, child support services to an attorney employed by, or under contract with, the public authority is private data on an individual. However, the data may be disclosed under section 13.46, subdivision 2, clauses (1) to (3) and (6) to (19), under subdivision 2, and in order to obtain, modify or enforce child support, medical support, and parentage determinations.

(d) An attorney employed by, or under contract with, the public authority may disclose additional information received from an applicant for, or recipient of, services for other purposes with the consent of the individual applicant for, or recipient of, child support services.

Subd. 2. [ACCESS TO ADDRESS FOR SERVICE OF PROCESS.] (a) If there is a IV-D case as defined in section 518.54, a party may obtain an ex parte order under this subdivision. The party may obtain an ex parte order requiring the public authority to serve legal documents on the other party by mail if the party submits a sworn affidavit to the court stating that:

(1) the party needs to serve legal process in a support proceeding and does not have access to the address of the other party;

(2) the party has made reasonable efforts to locate the other party; and

(3) the other party is not represented by counsel.

(b) The public authority shall serve legal documents provided by the moving party at the last known address of the other party upon receipt of a court order under paragraph (a). The public authority shall provide for appropriate service and shall certify to all parties the date of service by mail. The public authority's proof of service must not include the place or address of service.

(c) The state court administrator shall prepare and make available forms for use in seeking access to an address under this subdivision.

Sec. 5. Minnesota Statutes 1998, section 518.64, subdivision 5, is amended to read:

Subd. 5. [FORM.] ~~The department of human services~~ state court administrator's office shall prepare and make available to ~~courts~~ court administrators, obligors, and persons to whom child support is owed a form to be submitted by the obligor or the person to whom child support is owed in support of a motion for a modification of an order for support or maintenance or for contempt of court.

Sec. 6. Minnesota Statutes 1998, section 518.68, subdivision 2, is amended to read:

Subd. 2. [CONTENTS.] The required notices must be substantially as follows:

IMPORTANT NOTICE

1. PAYMENTS TO PUBLIC AGENCY

According to Minnesota Statutes, section 518.551, subdivision 1, payments ordered for maintenance and support must be paid to the public agency responsible for child support enforcement as long as the person entitled to receive the payments is receiving or has applied for public assistance or has applied for support and maintenance collection services. MAIL PAYMENTS TO:

2. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS -- A FELONY

A person may be charged with a felony who conceals a minor child or takes, obtains, retains, or fails to return a minor child from or to the child's parent (or person with custodial or visitation rights), according to Minnesota Statutes, section 609.26. A copy of that section is available from any district court clerk.

3. RULES OF SUPPORT, MAINTENANCE, VISITATION

(a) Payment of support or spousal maintenance is to be as ordered, and the giving of gifts or making purchases of food, clothing, and the like will not fulfill the obligation.

(b) Payment of support must be made as it becomes due, and failure to secure or denial of rights of visitation is NOT an excuse for nonpayment, but the aggrieved party must seek relief through a proper motion filed with the court.

(c) Nonpayment of support is not grounds to deny visitation. The party entitled to receive support may apply for support and collection services, file a contempt motion, or obtain a judgment as provided in Minnesota Statutes, section 548.091.

(d) The payment of support or spousal maintenance takes priority over payment of debts and other obligations.

(e) A party who accepts additional obligations of support does so with the full knowledge of the party's prior obligation under this proceeding.

(f) Child support or maintenance is based on annual income, and it is the responsibility of a person with seasonal employment to budget income so that payments are made throughout the year as ordered.

(g) If there the obligor is a layoff laid off from employment or receives a pay reduction, support may be reduced as of the time of the layoff or pay reduction, but only if a motion to reduce the support is served and filed with the court at that time, but. Any such reduction must be will take effect only if ordered by the court and may only relate back to the time that the motion is filed. If a motion is not filed, the support obligation will continue at the current level. The court is not permitted to reduce support retroactively, except as provided in Minnesota Statutes, section 518.64, subdivision 2, paragraph (c).

(h) Reasonable visitation guidelines are contained in Appendix B, which is available from the court administrator.

(i) The nonpayment of support may be enforced through the denial of student grants; interception of state and federal tax returns; suspension of driver's, recreational, and occupational licenses; referral to the department of revenue or private collection agencies; seizure of assets, including bank accounts and other assets held by financial institutions; reporting to credit bureaus; interest charging, income withholding, and contempt proceedings; and other enforcement methods allowed by law.

4. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17, SUBDIVISION 3

Unless otherwise provided by the Court:

(a) Each party has the right of access to, and to receive copies of, school, medical, dental, religious training, and other important records and information about the minor children. Each party has the right of access to information regarding health or dental insurance available to the minor children. Presentation of a copy of this order to the custodian of a record or other information about the minor children constitutes sufficient authorization for the release of the record or information to the requesting party.

(b) Each party shall keep the other informed as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent teacher conferences. The school is not required to hold a separate conference for each party.

(c) In case of an accident or serious illness of a minor child, each party shall notify the other party of the accident or illness, and the name of the health care provider and the place of treatment.

(d) Each party has the right of reasonable access and telephone contact with the minor children.

5. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE

Child support and/or spousal maintenance may be withheld from income, with or without notice to the person obligated to pay, when the conditions of Minnesota Statutes, section 518.6111 have been met. A copy of those sections is available from any district court clerk.

6. CHANGE OF ADDRESS OR RESIDENCE

Unless otherwise ordered, each party shall notify the other party, the court, and the public authority responsible for collection, if applicable, of the following information within ten days of any change: the residential and mailing address, telephone number, driver's license number, social security number, and name, address, and telephone number of the employer.

7. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE

Child support and/or spousal maintenance may be adjusted every two years based upon a change in the cost of living (using Department of Labor Consumer Price Index , unless otherwise specified in this order) when the conditions of Minnesota Statutes, section 518.641, are met. Cost of living increases are compounded. A copy of Minnesota Statutes, section 518.641, and forms necessary to request or contest a cost of living increase are available from any district court clerk.

8. JUDGMENTS FOR UNPAID SUPPORT

If a person fails to make a child support payment, the payment owed becomes a judgment against the person responsible to make the payment by operation of law on or after the date the payment is due, and the person entitled to receive the payment or the public agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the person responsible to make the payment under Minnesota Statutes, section 548.091. Interest begins to accrue on a payment or installment of child support whenever the unpaid amount due is greater than the current support due, according to Minnesota Statutes, section 548.091, subdivision 1a.

9. JUDGMENTS FOR UNPAID MAINTENANCE

A judgment for unpaid spousal maintenance may be entered when the conditions of Minnesota Statutes, section 548.091, are met. A copy of that section is available from any district court clerk.

10. ATTORNEY FEES AND COLLECTION COSTS FOR ENFORCEMENT OF CHILD SUPPORT

A judgment for attorney fees and other collection costs incurred in enforcing a child support order will be entered against the person responsible to pay support when the conditions of section 518.14, subdivision 2, are met. A copy of section 518.14 and forms necessary to request or contest these attorney fees and collection costs are available from any district court clerk.

11. VISITATION EXPEDITOR PROCESS

On request of either party or on its own motion, the court may appoint a visitation expeditor to resolve visitation disputes under Minnesota Statutes, section 518.1751. A copy of that section and a description of the expeditor process is available from any district court clerk.

12. VISITATION REMEDIES AND PENALTIES

Remedies and penalties for the wrongful denial of visitation rights are available under Minnesota Statutes, section 518.175, subdivision 6. These include compensatory visitation; civil penalties; bond requirements; contempt; and reversal of custody. A copy of that subdivision and forms for requesting relief are available from any district court clerk.

Sec. 7. Minnesota Statutes 1998, section 524.5-505, is amended to read:

524.5-505 [DELEGATION OF POWERS BY PARENT OR GUARDIAN.]

(a) A parent or a guardian of a minor or incapacitated person, by a properly executed power of attorney, may delegate to another person, for a period not exceeding six months, any powers regarding care, custody, or property of the minor or ward, except the power to consent to marriage or adoption of a minor ward.

(b) A parent who executes a delegation of powers under this section must mail or give a copy of the document to any other parent within 30 days of its execution unless:

(1) the other parent does not have visitation rights or has supervised visitation rights; or

(2) there is an existing order for protection under chapter 518B or a similar law of another state in effect against the other parent to protect the parent executing the delegation of powers or the child.

(c) A parent of a minor child may delegate those powers for a period not exceeding one year by a designated caregiver agreement under chapter 257A.

Sec. 8. Minnesota Statutes 1998, section 552.01, subdivision 3, is amended to read:

Subd. 3. [JUDGMENT DEBTOR.] "Judgment debtor" means ~~a party~~ an obligor against whom the public authority has a judgment for the recovery of money owed pursuant to a support order as defined in section 518.54.

Sec. 9. Minnesota Statutes 1998, section 552.01, is amended by adding a subdivision to read:

Subd. 7. [JUDGMENT.] "Judgment" means a child support judgment by operation of law under section 548.091, subdivision 1a, or under a proceeding under section 548.091, subdivision 2a.

Sec. 10. Minnesota Statutes 1998, section 552.03, is amended to read:

552.03 [SCOPE OF GENERAL AND SPECIFIC PROVISIONS.]

General provisions relating to the public authority's summary execution as authorized in this chapter are set forth in section 552.04. Specific provisions relating to summary execution on funds at a financial institution are set forth in section ~~552.05~~ 552.06. When the public authority levies against funds at a financial institution, the specific provisions of section ~~552.05~~ 552.06 must be complied with in addition to the general provisions of section 552.04 that are not inconsistent with the specific provisions of section 552.06. Provisions contained in the statutory forms are incorporated in this chapter and have the same force of law as any other provisions in this chapter.

Sec. 11. Minnesota Statutes 1998, section 552.04, subdivision 4, is amended to read:

Subd. 4. [~~SERVICE OF THIRD PARTY LEVY; NOTICE AND DISCLOSURE FORMS.~~] When levying upon money owed to the judgment debtor by a third party, the public authority shall serve a copy of the notice of support judgment levy upon the third party either by registered or certified mail, by personal service, or by electronic transmission. Along with a copy of the notice of support judgment levy, the public authority shall serve upon the third party a notice of support judgment levy and disclosure form that must be substantially in the form set forth below.

~~OFFICE OF ADMINISTRATIVE HEARINGS~~ DISTRICT COURT

File No.

. (Public authority)
against
. (Judgment Debtor)
and
. (Third Party)

NOTICE OF SUPPORT JUDGMENT
LEVY AND DISCLOSURE
(OTHER THAN EARNINGS)

PLEASE TAKE NOTICE that pursuant to Minnesota Statutes, chapters 518 and ~~522~~ 552, the undersigned, as representative of the public authority responsible for child support enforcement, makes demand and levies execution upon all money due and owing by you to the judgment debtor for the amount of the judgment specified below. A copy of the notice of support judgment levy is enclosed. The unpaid judgment balance is \$.

In responding to this levy, you are to complete the attached disclosure form and mail it to the public authority, together with your check payable to the public authority, for the nonexempt amount owed by you to the judgment debtor or for which you are obligated to the judgment debtor, within the time limits in chapter 552.

Public Authority
Address
(.)
Phone number

DISCLOSURE

On the . . . day of,, the time of service of the execution levy herein, there was due and owing the judgment debtor from the third party the following:

(1) Money. Enter on the line below any amounts due and owing the judgment debtor, except earnings, from the third party.

.

(2) Setoff. Enter on the line below the amount of any setoff, defense, lien, or claim which the third party claims against the amount set forth on line (1). State the facts by which the setoff, defense, lien, or claim is claimed. (Any indebtedness to you incurred by the judgment debtor within ten days prior to the receipt of the first execution levy on a debt may not be claimed as a setoff, defense, lien, or claim against the amount set forth on line (1).)

.

(3) Exemption. Financial institutions shall not complete this line. Enter on the line below any amounts or property claimed by the judgment debtor to be exempt from execution.

.

(4) Adverse Interest. Enter on the line below any amounts claimed by other persons by reason of ownership or interest in the judgment debtor's property.

.....

(5) Enter on the line below the total of lines (2), (3), and (4).

.....

(6) Enter on the line below the difference obtained (never less than zero when line (5) is subtracted from the amount on line (1)).

.....

(7) Enter on the line below 100 percent of the amount of the public authority's claim which remains unpaid.

.....

(8) Enter on the line below the lesser of line (6) and line (7). You are instructed to remit this amount only if it is \$10 or more.

.....

AFFIRMATION

I, (person signing Affirmation), am the third party or I am authorized by the third party to complete this nonearnings disclosure, and have done so truthfully and to the best of my knowledge.

Dated:.....

Signature

.....

Title

.....

Telephone Number

Sec. 12. Minnesota Statutes 1998, section 552.04, subdivision 6, is amended to read:

Subd. 6. [ORAL DISCLOSURE.] Before or after the service of a written disclosure by a third party under subdivision 5, upon a showing by affidavit upon information and belief that an oral examination of the third party would provide a complete disclosure of relevant facts, any party to the execution proceedings may obtain an ex parte order requiring the third party, or a representative of the third party designated by name or by title, to appear for oral examination before the court or a referee appointed by the court. Notice of the examination must be given to all parties. This subdivision does not apply to financial institutions complying with section 552.06.

Sec. 13. Minnesota Statutes 1998, section 552.04, subdivision 11, is amended to read:

Subd. 11. [BAD FAITH CLAIM.] If, in a proceeding ~~brought under section 552.05, subdivision 9, or a similar proceeding under this chapter~~ to determine a claim of exemption, the claim of exemption is not upheld, and the court finds that it was asserted in bad faith, the public authority shall be awarded actual damages, costs, reasonable attorney's fees resulting from the additional proceedings, and an amount not to exceed \$100. If the claim of exemption is upheld, and the court finds that the public authority disregarded the claim of exemption in bad faith, the judgment debtor shall be awarded actual damages, costs, reasonable attorney's fees resulting from the additional proceedings, and an amount not to exceed \$100. If the exemption claim of the judgment debtor is found to be in bad faith, the underlying judgment shall be modified to reflect assessment of damages, costs, and attorney's fees. However, if the party in whose favor a penalty assessment is made is not actually indebted to that party's attorney

for fees, the attorney's fee award shall be made directly to the attorney, and if not paid, an appropriate judgment in favor of the attorney shall be entered. Any action by a public authority made in bad faith and in violation of this chapter renders the execution levy void and the public authority liable to the judgment debtor named in the execution levy in the amount of \$100, actual damages, and reasonable attorney's fees and costs.

Sec. 14. Minnesota Statutes 1998, section 552.04, subdivision 16, is amended to read:

Subd. 16. [PRIORITY OF LEVY.] Notwithstanding section 52.12, a levy by the public authority made under this section on ~~an obligor's~~ a judgment debtor's funds on deposit in a financial institution located in this state has priority over any unexercised right of setoff of the financial institution to apply the levied funds toward the balance of an outstanding loan or loans owed by the ~~obligor~~ judgment debtor to the financial institution. A claim by the financial institution that it exercised its right to setoff prior to the levy by the public authority must be substantiated by evidence of the date of the setoff and must be verified by the sworn statement of a responsible corporate officer of the financial institution. For purposes of determining the priority of a levy made under this section, the levy must be treated as if it were an execution made under chapter 550.

Sec. 15. [552.06] [SUMMARY EXECUTION OF SUPPORT JUDGMENT UPON FUNDS AT A FINANCIAL INSTITUTION.]

Subdivision 1. [COMMENCEMENT OF SUMMARY EXECUTION.] (a) This section applies to a judgment debtor who is in arrears in court-ordered support payments in an amount equal to or greater than five times the judgment debtor's total support order.

(b) Section 518.5513 applies to this section, except if it conflicts with the specific provisions of this section, this section applies.

(c) Time frames set out in the rules of civil procedure that are inconsistent with this section do not apply to this section.

(d) The public authority may not proceed with a summary execution of support judgment proceeding:

(1) if the judgment debtor is in compliance with a previously executed written payment agreement approved by the public authority or the court; and

(2) until after the judgment has been submitted for federal or state tax intercept.

(e) Upon receipt of information under section 13B.06 that a judgment debtor holds an account at the financial institution, the public authority may send the financial institution a notice of support judgment levy.

(f) The support judgment levy and accompanying documentation must contain the name of the judgment debtor, the judgment debtor's social security number, any necessary verifying information, the amount of the judgment, and the procedures necessary for the financial institution to process the notice of support judgment levy and complete the disclosure form.

(g) Notice of support judgment levy under this section commences without notice to the judgment debtor and without the need for prior judicial notice or hearing.

(h) Within three business days after the public authority sends the notice of support judgment levy to the financial institution, the public authority shall send the judgment debtor a copy of the notice of support judgment levy by first class mail at the judgment debtor's last known address. In addition to the copy of the notice of support judgment levy, information must be provided that describes the exemptions a judgment debtor may claim and the form and procedure for claiming an exemption, the informal resolution process, the responsibilities of the judgment debtor, and the procedure and time frames to contest the levy.

Subd. 2. [RESPONSIBILITIES OF THE FINANCIAL INSTITUTION.] (a) Upon receipt by the financial institution of a notice of support judgment levy, the financial institution shall seize all funds up to and including the amount contained in the notice from the judgment debtor's account.

(b) Forty-five days after receiving the levy, the financial institution shall complete the notice of support judgment levy and disclosure form and forward it together with the amount indicated on line 8 of the disclosure form, not to exceed the total amount seized, to the public authority at the address indicated in the notice of support judgment levy.

(c) When the judgment debtor and the public authority informally resolve a dispute under subdivision 3 and the public authority sends a notice of release to the financial institution, the financial institution shall release seized funds in accordance with the notice of release.

(d) If the financial institution receives notice of a contest of the summary execution of support judgment, the financial institution shall continue to hold the funds during the period of contest inclusive of any applicable appeal period and, upon receipt of notice to release from the public authority, shall send the lesser of the amount indicated in the notice of release, or the amount indicated on line 8 of the notice of support judgment levy and disclosure form not to exceed the total amount seized.

(e) If a judgment debtor has multiple accounts within the financial institution, the financial institution shall seize funds in as many accounts of the judgment debtor as is necessary to equal the amount contained in the notice of support judgment levy.

(f) A financial institution that receives more than one notice of support judgment levy under this section shall withhold sufficient funds to satisfy all notices of support judgment levy, if possible.

(g) The Consumer Credit Protection Act, United States Code, title 15, section 1673(b), does not apply to funds withheld by a financial institution under this section.

(h) The public authority shall pay a fee of \$15 per levy to the financial institution. Financial institutions and the commissioner of human services shall establish procedures to automate the payment of this fee to the maximum extent possible. The fee may be recovered by the public authority from the judgment debtor as an allowable cost.

(i) No financial institution is liable for damages for complying with this section. The financial institution may rely on the date of mailing or delivery of a notice to it in computing any time periods in this section.

Subd. 3. [INFORMAL RESOLUTIONS OF DISPUTES.] (a) After the judgment debtor receives a notice of support judgment levy, the judgment debtor may contact the public authority with information regarding a mistake of fact or claim of exemption. In the event the matter is resolved, the public authority shall contact the financial institution and forward to the financial institution a notice of release regarding the appropriate transfer of funds and send a copy to the judgment debtor.

(b) Contact by the judgment debtor under this subdivision does not constitute a contest to the levy under subdivision 5. The time frame to contest the support judgment levy under subdivision 5 is not stayed while the judgment debtor contacts the public authority. The judgment debtor may contest the levy under subdivision 5.

Subd. 4. [RESPONSIBILITIES OF THE PUBLIC AUTHORITY.] (a) If a judgment debtor serves the public authority with a notice of motion and motion under subdivision 5, the public authority shall immediately notify:

(1) the financial institution, directing the financial institution to continue holding the funds pending resolution of the matter; and

(2) the obligee, by mailing by first class mail a copy of the notice of motion and motion.

(b) Upon final resolution of the matter, including the applicable appeal times, the public authority shall forward to the financial institution a notice of release regarding the appropriate transfer of funds.

(c) Funds received by the public authority must be applied to the judgment identified in the support judgment levy notice in compliance with federal regulations.

(d) In the event that multiple notices result in an amount of seized funds that is insufficient to satisfy all of the support judgment levies, the public authority shall distribute funds to satisfy each support judgment levy in the order in which they were sent to the financial institution.

Subd. 5. [EXEMPTION AND CONTEST.] (a) [PROCESS TO CLAIM EXEMPTION.] If the judgment debtor elects to claim an exemption, the judgment debtor shall complete the applicable portion of the exemption form, sign it under penalty of perjury, and deliver one copy to the public authority within 20 calendar days of the date postmarked on the correspondence mailed to the judgment debtor. Failure of the judgment debtor to deliver the executed exemption does not constitute a waiver of any claimed right to an exemption. Upon timely receipt of a claim of exemption by the public authority, funds not claimed to be exempt by the judgment debtor remain subject to the support judgment levy. If a claim of exemption is resolved informally, the public authority shall proceed according to subdivision 3.

(b) [PROCESS TO CONTEST.] (1) The judgment debtor may contest a support judgment levy on the limited grounds that the seizure or the amount seized is improper due to mistake of fact or that the funds held in the account are exempt from levy for child support purposes under state or federal law.

(2) If the judgment debtor chooses to contest the withholding, within 30 calendar days of notice of support judgment levy, the debtor shall:

(i) file a motion with the court administrator, including in the motion the alleged mistake of fact or the basis for any claim that the funds are exempted from withholding;

(ii) obtain a hearing date from the court administrator; and

(iii) serve the public authority, either personally or by fax, with a copy of the notice of motion and motion no later than two business days after obtaining a hearing date.

(c) [HEARING.] The hearing date shall be set at the earliest practicable time, but the matter must be heard no later than ten calendar days from the date a request for hearing is made. The court administrator shall schedule these matters to be heard in the expedited process before a child support magistrate, but may schedule these cases in district court if the availability of child support magistrate does not permit a hearing to occur within the time frames of this section.

Subd. 6. [FORM.] The state court administrator's office shall prepare and make available to the court administrators and judgment debtors a form to be submitted by the judgment debtor in support of a motion to contest the support judgment levy under this section.

Sec. 16. [INSTRUCTION TO REVISOR.]

In the next edition of Minnesota Statutes, the revisor of statutes shall change references to section 552.05 to section 552.06.

Sec. 17. [REPEALER.]

(a) Minnesota Statutes 1998, section 552.05, subdivisions 1, 2, 3, 6, 7, 8, and 9, are repealed.

(b) Minnesota Statutes 1999 Supplement, section 552.05, subdivisions 4, 5, and 10, are repealed.

(c) Minnesota Rules, parts 9500.1800; 9500.1805; 9500.1810; 9500.1811; 9500.1812; 9500.1815; 9500.1817; 9500.1820; and 9500.1821, are repealed effective October 1, 2001."

Delete the title and insert:

"A bill for an act relating to family law; changing certain child support enforcement provisions; providing for notices; clarifying certain delegation of powers provisions; amending Minnesota Statutes 1998, sections 256.979, by adding a subdivision; 518.255; 518.64, subdivision 5; 518.68, subdivision 2; 524.5-505; 552.01, subdivision 3, and by adding a subdivision; 552.03; and 552.04, subdivisions 4, 6, 11, and 16; Minnesota Statutes 1999 Supplement, sections 13B.06, subdivision 1; and 256.978, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 552; repealing Minnesota Statutes 1998, section 552.05, subdivisions 1, 2, 3, 6, 7, 8, and 9; Minnesota Statutes 1999 Supplement, section 552.05, subdivisions 4, 5, and 10; Minnesota Rules, parts 9500.1800; 9500.1805; 9500.1810; 9500.1811; 9500.1812; 9500.1815; 9500.1817; 9500.1820; and 9500.1821."

We request adoption of this report and repassage of the bill.

Senate Conferees: DAVID L. KNUTSON, DON BETZOLD AND RICHARD J. COHEN.

House Conferees: MATT ENTENZA, JIM SEIFERT AND SHERRY BROECKER.

Entenza moved that the report of the Conference Committee on S. F. No. 3016 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3016, A bill for an act relating to family law; changing certain child support enforcement provisions; providing for notices; clarifying certain delegation of powers provisions; amending Minnesota Statutes 1998, sections 256.979, by adding a subdivision; 518.255; 518.64, subdivision 5; 518.68, subdivision 2; 524.5-505; 552.01, subdivision 3, and by adding a subdivision; 552.03; and 552.04, subdivisions 4, 6, 11, and 16; Minnesota Statutes 1999 Supplement, section 13B.06, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 518 and 552; repealing Minnesota Statutes 1998, section 552.05, subdivisions 1, 2, 3, 6, 7, 8, and 9; Minnesota Statutes 1999 Supplement, section 552.05, subdivisions 4, 5, and 10; Minnesota Rules, parts 9500.1800; 9500.1805; 9500.1810; 9500.1811; 9500.1812; 9500.1815; 9500.1817; 9500.1820; and 9500.1821.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Carruthers	Erhardt	Gunther	Jaros	Kuisle
Abrams	Cassell	Erickson	Haake	Johnson	Larsen, P.
Anderson, B.	Chaudhary	Finseth	Haas	Juhnke	Larson, D.
Anderson, I.	Clark, J.	Folliard	Hackbarth	Kahn	Leighton
Bakk	Daggett	Fuller	Harder	Kalis	Lenczewski
Biernat	Dauids	Gerlach	Hasskamp	Kelliher	Leppik
Boudreau	Dehler	Gleason	Hilty	Kielkucki	Lieder
Bradley	Dempsey	Goodno	Holberg	Knoblach	Lindner
Broecker	Dorman	Gray	Holsten	Koskinen	Luther
Buesgens	Dorn	Greenfield	Howes	Krinkie	Mahoney
Carlson	Entenza	Greiling	Huntley	Kubly	Mares

Mariani	Nornes	Pelowski	Seifert, J.	Sykora	Westerberg
Marko	Olson	Peterson	Seifert, M.	Tingelstad	Westfall
McCollum	Opatz	Pugh	Skoe	Tomassoni	Westrom
McElroy	Orfield	Rest	Skoglund	Trimble	Wilkin
McGuire	Osskopp	Reuter	Smith	Tuma	Winter
Milbert	Osthoff	Rhodes	Solberg	Tunheim	Workman
Molnau	Otremba	Rifenberg	Stanek	Van Dellen	Spk. Sviggum
Mulder	Ozment	Rostberg	Stang	Vandever	
Mullery	Paulsen	Rukavina	Storm	Wagenius	
Murphy	Pawlenty	Schumacher	Swapinski	Wejcman	
Ness	Paymar	Seagren	Swenson	Wenzel	

Those who voted in the negative were:

Dawkins Hausman Jennings

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3160.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3160

A bill for an act relating to drivers' licenses; extending ignition interlock pilot program; making clarifying and technical changes; amending Minnesota Statutes 1998, section 171.305, as amended; repealing Minnesota Rules, parts 7409.3700; 7409.3710; 7409.3720; 7409.3730; 7409.3740; 7409.3750; 7409.3760; and 7409.3770.

April 19, 2000

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 3160, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 3160 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 161.14, is amended by adding a subdivision to read:

Subd. 45. [DIANA L. KOSKI MEMORIAL BRIDGE.] The bridge over marked trunk highway No. 5 on Prairie Center Drive in Eden Prairie is hereby named and designated the Diana L. Koski Memorial Bridge. The commissioner shall erect one sign on this bridge in each direction, visible to vehicles on the trunk highway, to mark the bridge, subject to the provisions of section 161.139.

Sec. 2. Minnesota Statutes 1998, section 169.122, subdivision 1, is amended to read:

Subdivision 1. [ACT PROHIBITED.] No person shall drink or consume ~~intoxicating liquors~~ an alcoholic beverage, distilled spirit, or 3.2 percent malt ~~liquors~~ liquor in any motor vehicle when ~~such~~ the vehicle is upon a public highway.

Sec. 3. Minnesota Statutes 1998, section 169.122, subdivision 2, is amended to read:

Subd. 2. [POSSESSION PROHIBITED.] (a) No person shall have in possession while in a private motor vehicle upon a public highway, any bottle or receptacle containing ~~intoxicating liquor~~ an alcoholic beverage, distilled spirit, or 3.2 percent malt liquor ~~which~~ that has been opened, or the seal broken, or the contents of which have been partially removed.

(b) For purposes of this section, "possession" means either that the person had actual possession of the bottle or receptacle or that the person consciously exercised dominion and control over the bottle or receptacle. This subdivision does not apply to a bottle or receptacle that is in the trunk of the vehicle if it is equipped with a trunk, or that is in another area of the vehicle not normally occupied by the driver and passengers if the vehicle is not equipped with a trunk.

Sec. 4. Minnesota Statutes 1998, section 169.122, subdivision 3, is amended to read:

Subd. 3. [LIABILITY OF NONPRESENT OWNER.] (a) ~~It shall be~~ is unlawful for the owner of any private motor vehicle or the driver, if the owner ~~be~~ is not then present in the motor vehicle, to keep or allow to be kept in a motor vehicle when ~~such~~ the vehicle is upon the public highway any bottle or receptacle containing ~~intoxicating liquors~~ an alcoholic beverage, distilled spirit, or 3.2 percent malt ~~liquors~~ liquor ~~which~~ that has been opened, or the seal broken, or the contents of which have been partially removed ~~except when such.~~

(b) ~~This subdivision does not apply to a~~ bottle or receptacle ~~shall be kept~~ that is in the trunk of the motor vehicle when ~~such~~ the vehicle is equipped with a trunk, or ~~kept~~ that is in some other area of the vehicle not normally occupied by the driver or passengers; if the motor vehicle is not equipped with a trunk.

(c) A utility compartment or glove compartment ~~shall be~~ is deemed to be within the area occupied by the driver and passengers.

Sec. 5. Minnesota Statutes 1999 Supplement, section 169.974, subdivision 2, is amended to read:

Subd. 2. [LICENSE ENDORSEMENT AND PERMIT REQUIREMENTS.] (a) No person shall operate a motorcycle on any street or highway without having a valid standard driver's license with a two-wheeled vehicle endorsement as provided by law. ~~No such~~ The commissioner of public safety shall issue a two-wheeled vehicle endorsement ~~shall be issued unless the person applying therefor~~ only if the applicant (1) has in possession a valid two-wheeled vehicle instruction permit as provided ~~herein in~~ paragraph (b), (2) has passed a written examination and road test administered by the department of public safety for ~~such~~ the endorsement, and; (3) in the case of applicants under 18 years of age, ~~shall present~~ presents a certificate or other evidence of having successfully completed an approved two-wheeled vehicle driver's safety course in this or another state, in accordance with rules ~~promulgated~~ adopted by the commissioner of children, families, and learning for courses offered through the public schools, or rules ~~promulgated~~ adopted by the commissioner of public safety for courses offered by a public, private, or

commercial school or institute. The commissioner of public safety may waive the road test for any applicant on determining that the applicant possesses a valid license to operate a two-wheeled vehicle issued by a jurisdiction that requires a comparable road test for license issuance.

(b) ~~The commissioner of public safety shall issue~~ a two-wheeled vehicle instruction permit ~~shall be issued~~ to any person over 16 years of age, who (1) is in possession of a valid driver's license, ~~who~~ (2) is enrolled in an approved two-wheeled vehicle driver's safety course, and ~~who~~ (3) has passed a written examination for ~~such the~~ permit and ~~has paid such a fee as prescribed by~~ the commissioner of public safety ~~shall prescribe~~. A two-wheeled vehicle instruction permit ~~shall be~~ is effective for one year; and may be renewed under rules ~~to be~~ prescribed by the commissioner of public safety.

(c) No person who is operating by virtue of a two-wheeled vehicle instruction permit shall:

(a) (1) carry any passengers on the streets and highways of this state on the motorcycle ~~which~~ while the person is operating the motorcycle;

(b) (2) drive the motorcycle at ~~nighttime~~ night-time;

(c) (3) drive the motorcycle on any highway marked ~~by the commissioner~~ as an interstate highway pursuant to title 23 of the United States Code; or

(d) (4) drive the motorcycle without wearing protective headgear that complies with standards established by the commissioner of public safety.

(d) Notwithstanding ~~the provisions of this subdivision paragraph (a), (b), or (c),~~ the commissioner of public safety may, ~~however,~~ issue a special motorcycle permit, restricted or qualified ~~in such manner~~ as the commissioner of public safety ~~shall deem~~ deems proper, to any person demonstrating a need ~~therefor~~ for the permit and unable to qualify for a standard driver's license.

Sec. 6. Minnesota Statutes 1999 Supplement, section 171.05, subdivision 2, is amended to read:

Subd. 2. [PERSON LESS THAN 18 YEARS OF AGE.] (a) Notwithstanding any provision in subdivision 1 to the contrary, the department, ~~upon application therefor,~~ may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and ~~the applicant who:~~

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or is enrolled in ~~one of the following types of driver education programs either:~~

(i) a public, private, or commercial driver education program ~~offered through the public schools that is approved by the commissioner of public safety and that includes classroom and behind-the-wheel training and that has been approved by the commissioner of children, families, and learning; or~~

(ii) ~~a course offered by a private, commercial driver education school or institute that includes classroom and behind-the-wheel training and that has been approved by the department of public safety; or~~

(iii) an approved behind-the-wheel driver education program when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a home-school diploma, the student's status as a home-school student has been certified by the superintendent of the school district in which the student resides, and the student is taking home-classroom driver training with classroom materials approved by the commissioner of public safety;

(2) has completed the classroom phase of instruction in the driver education program;

(3) has passed a test of the applicant's eyesight;

(4) has passed a department-administered test of the applicant's knowledge of traffic laws, ~~which test must be administered by the department;~~

(5) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor or, in the event a person under the age of 18 has no living father, mother, or guardian, then (v) the applicant's employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, or employer; and

(6) has paid the fee required in section 171.06, subdivision 2.

(b) The instruction permit is valid for one year from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

Sec. 7. Minnesota Statutes 1998, section 171.183, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] For the purposes of sections 171.182 to 171.184, a judgment is satisfied if:

(1) ~~\$25,000~~ \$30,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

(2) subject to the limit of ~~\$25,000~~ \$30,000 because of bodily injury to or death of one person, the sum of ~~\$50,000~~ \$60,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

(3) \$10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of damage to or destruction of property of others as a result of any one accident.

EFFECTIVE DATE: This section is effective the day following final enactment and applies to judgments rendered on or after that date.

Sec. 8. Minnesota Statutes 1998, section 171.27, is amended to read:

171.27 [EXPIRATION OF LICENSE.]

(a) The expiration date for each driver's license, other than under-21 licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver ~~shall~~ must be as indicated on the application for a driver's license. A license may be renewed on or before expiration or within ~~one year~~ five years after expiration upon application, payment of the required fee, and passing the examination required ~~of all drivers for renewal by the commissioner of public safety. The commissioner shall extend or renew driving privileges shall be extended or renewed~~ on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

(b) The expiration date for each under-21 license ~~shall be~~ is the 21st birthday of the licensee. Upon the licensee attaining the age of 21 and upon ~~the~~ application, payment of the required fee, and passing the examination required of all drivers for renewal, the commissioner shall issue a driver's license ~~shall be issued~~ unless the commissioner determines that the licensee is no longer qualified as a driver.

(c) The expiration date for each provisional license is two years after the date of application for the provisional license.

(d) Any valid Minnesota driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States, or the person's spouse, ~~shall continue~~ continues in full force and effect without requirement for renewal until 90 days after the date of the person's discharge from ~~such service~~ active duty, provided that a spouse's license must be renewed if the spouse is residing within the state at the time the license expires or within 90 days after the spouse returns to Minnesota and resides within the state.

Sec. 9. Minnesota Statutes 1998, section 171.305, as amended by Laws 1999, chapter 238, article 2, section 9, is amended to read:

171.305 [IGNITION INTERLOCK DEVICE; PILOT PROGRAM; LICENSE CONDITION.]

Subdivision 1. [DEFINITION.] "Ignition interlock device" or "device" means breath alcohol ignition equipment designed to prevent a motor vehicle's ignition from being started by a person whose alcohol concentration exceeds the calibrated setting on the device.

Subd. 2. [PILOT PROGRAM.] The commissioner of public safety shall establish a ~~statewide~~ pilot program for the use of an ignition interlock device by a person whose driver's license or driving privilege has been canceled and denied by the commissioner for an alcohol or controlled substance-related incident. The commissioner shall conduct the program from October 1, 2000, until December 31, 2001. ~~December 31, 1995~~ The commissioner shall evaluate the program and shall report to the legislature by February 1, ~~1995~~ 2002, on whether changes in the program are necessary and whether the program should be permanent. No limited license shall be issued under this program after ~~August 1, 1995~~ October 1, 2001. For purposes of a pilot program established by this subdivision, the department is exempt from rulemaking requirements found in Minnesota Statutes, chapter 14.

Subd. 3. [PERFORMANCE STANDARDS.] The commissioner shall specify performance standards for ignition interlock devices, including standards relating to accuracy, safe operation of the vehicle, and degree of difficulty rendering the device inoperative. The interlock ignition device must be designed to operate from a 12-volt DC vehicle battery and be capable of locking a motor vehicle's ignition when a minimum alcohol concentration of 0.020 grams of ethyl alcohol per 210 liters of breath is introduced into the device. The device must also require a breath sample to determine alcohol concentration at variable time intervals ranging from five to 30 minutes while the engine is running. The device must also be capable of recording information for later review that includes the date and time of any use of the vehicle or any attempt to use the vehicle, including all times that the vehicle engine was started or stopped and the alcohol concentration of each breath sample provided.

Subd. 4. [CERTIFICATION.] The commissioner shall certify ignition interlock devices that meet the performance standards and may charge the manufacturer of the ignition interlock device a certification fee. A manufacturer who submits a device for certification must provide an application for certification on a form prescribed by the department.

Subd. 5. [ISSUANCE OF LIMITED LICENSE.] The commissioner may issue a limited license to a person whose driver's license has been canceled and denied due to an alcohol or controlled substance-related incident under section 171.04, subdivision 1, clause (10), under the following conditions:

- (1) at least one-half of the person's required abstinence period has expired;
- (2) the person has successfully completed all rehabilitation requirements chemical dependency treatment and is currently participating in a generally recognized support group based on ongoing abstinence; and
- (3) the person agrees to drive only a motor vehicle equipped with a functioning and certified ignition interlock device.

Subd. 6. [MONITORING.] The ignition interlock device must be monitored for proper use and accuracy by an entity approved by the commissioner.

Subd. 7. [PAYMENT.] The commissioner shall require that the person issued a limited license under subdivision 5 pay all costs associated with use of the device.

Subd. 8. [PROOF OF INSTALLATION.] A person approved for a limited license must provide proof of installation prior to issuance of the limited license.

Subd. 9. [MISDEMEANOR.] (a) A person who knowingly lends, rents, or leases a motor vehicle that is not equipped with a functioning ignition interlock device to a person with a limited license issued under subdivision 5 is guilty of a misdemeanor.

(b) A person who tampers with, circumvents, or bypasses the ignition interlock device, or assists another to tamper with, circumvent, or bypass the device, is guilty of a misdemeanor.

(c) The penalties of this subdivision do not apply if the action was taken for emergency purposes or for mechanical repair, and the person limited to the use of an ignition interlock device does not operate the motor vehicle while the device is disengaged.

Subd. 10. [CANCELLATION OF LIMITED LICENSE.] The commissioner shall cancel a limited license issued under this section if the device registers a positive reading for use of alcohol or the person violates any conditions of the limited license.

Sec. 10. [REPEALER.]

Minnesota Rules, parts 7409.3700; 7409.3710; 7409.3720; 7409.3730; 7409.3740; 7409.3750; 7409.3760; and 7409.3770, are repealed."

Delete the title and insert:

"A bill for an act relating to transportation; designating the Diana L. Koski Memorial Bridge; conforming state "open bottle" law to federal provisions; combining responsibility for all driver education programs with commissioner of public safety; regulating satisfactions of judgment on automobile liability claims; allowing drivers' license to be renewed within five years of expiration without written examination; modifying ignition interlock pilot program; making clarifying and technical changes; amending Minnesota Statutes 1998, sections 161.14, by adding a subdivision; 169.122, subdivisions 1, 2, and 3; 171.183, subdivision 1; 171.27; and 171.305, as amended; Minnesota Statutes 1999 Supplement, sections 169.974, subdivision 2; and 171.05, subdivision 2; repealing Minnesota Rules, parts 7409.3700; 7409.3710; 7409.3720; 7409.3730; 7409.3740; 7409.3750; 7409.3760; and 7409.3770."

We request adoption of this report and repassage of the bill.

Senate Conferees: THOMAS M. NEUVILLE, JOHN MARTY AND STEVE MURPHY.

House Conferees: LOREN JENNINGS, CAROL L. MOLNAU AND TOM WORKMAN.

Jennings moved that the report of the Conference Committee on S. F. No. 3160 be adopted and that the bill be repassed as amended by the Conference Committee.

Cassell moved that the House refuse to adopt the Conference Committee report on S. F. No. 3160 and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Cassell motion and the roll was called. There were 109 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeler	Erickson	Jaros	Mariani	Paymar	Swenson
Anderson, B.	Finseth	Jennings	Marko	Pelowski	Tingelstad
Anderson, I.	Folliard	Johnson	McCollum	Peterson	Tomassoni
Bakk	Fuller	Juhnke	McElroy	Pugh	Trimble
Boudreau	Gleason	Kahn	McGuire	Rest	Tuma
Bradley	Gray	Kalis	Milbert	Rhodes	Tunheim
Carlson	Greenfield	Kelliher	Molnau	Rifenberg	Wagenius
Carruthers	Greiling	Kielkucki	Mulder	Rostberg	Wejcman
Cassell	Gunther	Koskinen	Mullery	Rukavina	Wenzel
Chaudhary	Haake	Kubly	Murphy	Schumacher	Westerberg
Clark, J.	Haas	Larson, D.	Ness	Seagren	Westfall
Clark, K.	Hackbarth	Leighton	Nornes	Seifert, M.	Westrom
Daggett	Harder	Lenczewski	Olson	Skoe	Winter
Davids	Hasskamp	Leppik	Opatz	Skoglund	Spk. Sviggum
Dawkins	Hausman	Lieder	Orfield	Smith	
Dehler	Hilty	Lindner	Osskopp	Solberg	
Dempsey	Holsten	Luther	Osthoff	Stang	
Dorn	Howes	Mahoney	Otremba	Storm	
Entenza	Huntley	Mares	Ozment	Swapinski	

Those who voted in the negative were:

Abrams	Dorman	Holberg	Larsen, P.	Seifert, J.	Vandever
Biernat	Erhardt	Knoblach	Paulsen	Stanek	Wilkin
Broecker	Gerlach	Krinkie	Pawlenty	Sykora	Workman
Buesgens	Goodno	Kuise	Reuter	Van Dellen	

The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3100.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3100, A bill for an act relating to natural resources; modifying provisions for designating experimental waters; modifying provisions for fishing contests; providing that smokechasers employed by the department are not covered by unemployment insurance laws; appropriating money for certain wildfire equipment, training, and planning grants; amending Minnesota Statutes 1998, sections 97C.001, subdivision 1; and 97C.081, subdivisions 2, 3, and by adding subdivisions; Minnesota Statutes 1999 Supplement, section 268.035, subdivision 20.

The bill was read for the first time.

Skoe moved that S. F. No. 3100 and H. F. No. 3349, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day, immediately preceding the remaining bills on the Calendar for the Day, for Thursday, May 4, 2000:

S. F. Nos. 2956 and 2826; H. F. Nos. 3986 and 2952; S. F. Nos. 702, 3768 and 3107; H. F. No. 616; S. F. No. 3216; and H. F. Nos. 3965 and 3668.

SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended and that H. F. No. 2216 be given immediate consideration on the Calendar for the Day. The motion prevailed.

CALENDAR FOR THE DAY

The Speaker called Abrams to the Chair.

H. F. No. 2216, A resolution memorializing the President and Congress to honor Hmong and Lao combat veterans by easing naturalization requirements for those who served in the U.S. Secret Army during the Vietnam War and enacting H.R. 371, the Hmong Veterans' Naturalization Act of 1999.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Howes	Mahoney	Pawlenty	Swenson
Abrams	Entenza	Huntley	Mares	Paymar	Sykora
Anderson, B.	Erhardt	Jaros	Mariani	Pelowski	Tingelstad
Anderson, I.	Erickson	Jennings	Marko	Peterson	Tomassoni
Bakk	Folliard	Johnson	McCollum	Pugh	Trimble
Biernat	Fuller	Juhnke	McElroy	Rest	Tuma
Boudreau	Gerlach	Kahn	McGuire	Rhodes	Tunheim
Bradley	Gleason	Kalis	Milbert	Rifenberg	Van Dellen
Broecker	Goodno	Kelliher	Molnau	Rostberg	Vandever
Buesgens	Gray	Kielkucki	Mulder	Rukavina	Wagenius
Carlson	Greenfield	Knobloch	Mullery	Schumacher	Wejcmán
Carruthers	Greiling	Koskinen	Murphy	Seagren	Wenzel
Cassell	Gunther	Kubly	Ness	Seifert, J.	Westerberg
Chaudhary	Haake	Kuisle	Nornes	Seifert, M.	Westfall
Clark, J.	Haas	Larsen, P.	Olson	Skoe	Westrom
Clark, K.	Hackbarth	Larson, D.	Opatz	Skoglund	Wilkin
Daggett	Harder	Leighton	Orfield	Smith	Winter
Davids	Hasskamp	Lenczewski	Osskopp	Solberg	Workman
Dawkins	Hausman	Leppik	Osthoff	Stanek	Spk. Sviggum
Dehler	Hilty	Lieder	Ottemba	Stang	
Dempsey	Holberg	Lindner	Ozment	Storm	
Dorman	Holsten	Luther	Paulsen	Swapinski	

The bill was passed and its title agreed to.

S. F. No. 2956, A bill for an act relating to transportation; adopting Midwest Interstate Passenger Rail Compact; amending Minnesota Statutes 1998, section 218.011, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 218.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Entenza	Howes	Mahoney	Paymar	Sykora
Abrams	Erhardt	Huntley	Mares	Pelowski	Tingelstad
Anderson, I.	Erickson	Jaros	Mariani	Peterson	Tomassoni
Bakk	Finseth	Jennings	Marko	Pugh	Trimble
Biernat	Folliard	Juhnke	McCollum	Rest	Tuma
Boudreau	Fuller	Kahn	McElroy	Reuter	Tunheim
Bradley	Gerlach	Kalis	McGuire	Rhodes	Van Dellen
Broecker	Gleason	Kelliher	Milbert	Rifenberg	Vandever
Buesgens	Goodno	Kielkucki	Molnau	Rostberg	Wagenius
Carlson	Gray	Knoblach	Mulder	Rukavina	Wejzman
Carruthers	Greenfield	Koskinen	Mullery	Schumacher	Wenzel
Cassell	Greiling	Krinkie	Murphy	Seagren	Westerberg
Chaudhary	Gunther	Kubly	Ness	Seifert, J.	Westfall
Clark, J.	Haake	Kuisle	Nornes	Seifert, M.	Westrom
Clark, K.	Haas	Larsen, P.	Olson	Skoe	Wilkin
Daggett	Hackbarth	Larson, D.	Orfield	Skoglund	Winter
Davids	Harder	Leighton	Osskopp	Solberg	Workman
Dawkins	Hasskamp	Lenczewski	Osthoff	Stanek	Spk. Sviggum
Dehler	Hausman	Leppik	Otremba	Stang	
Dempsey	Hilty	Lieder	Ozment	Storm	
Dorman	Holberg	Lindner	Paulsen	Swapinski	
Dorn	Holsten	Luther	Pawlenty	Swenson	

Those who voted in the negative were:

Anderson, B. Smith

The bill was passed and its title agreed to.

Pawlenty moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Seifert, M., moved that his name be stricken as an author on H. F. No. 2190. The motion prevailed.

Holberg moved that the name of Bishop be added as chief author on H. F. No. 3149. The motion prevailed.

McElroy moved that the name of Abrams be added as chief author on H. F. No. 4102. The motion prevailed.

Sviggum moved that the name of Carruthers be added as an author on H. F. No. 4147. The motion prevailed.

McElroy moved that S. F. No. 2693 be recalled from the Committee on Taxes and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Boudreau introduced:

House Resolution No. 23, A house resolution recognizing May 4, 2000, as a Day of Prayer in Minnesota.

SUSPENSION OF RULES

Boudreau moved that the rules be so far suspended that House Resolution No. 23 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 23

A house resolution recognizing May 4, 2000, as a Day of Prayer in Minnesota.

Whereas, the citizens of the state of Minnesota are a diverse group of people, with nearly every nationality and a variety of religious traditions being represented; and

Whereas, the history of our state is replete with leaders who voluntarily called upon their God, whether the need was great or small; and

Whereas, civic and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

Whereas, the Declaration of Independence, our first statement as Americans of national purpose and identity, made "the laws of Nature and of Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

Whereas, in 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

Whereas, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and its citizens; and

Whereas, May 4, 2000, marks the fiftieth consecutive observance of the National Day of Prayer in cities and towns throughout the United States; and

Whereas, the citizens of Minnesota should gather together on this day in their homes, churches, synagogues, meeting places, and chosen places of worship to pray in their own way for unity of the hearts of all humankind and for strong moral character in the lives of the people of all nations, as well as peace and understanding throughout the world; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it recognizes May 4, 2000, as a Day of Prayer in the state of Minnesota and commends this observance to all citizens.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the National Prayer Committee.

Boudreau moved that House Resolution No. 23 be now adopted. The motion prevailed and House Resolution No. 23 was adopted.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 12, A senate concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Pawlenty moved that the rules be so far suspended that Senate Concurrent Resolution No. 12 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 12

A senate concurrent resolution relating to adjournment for more than three days.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon their adjournments on May 4, 2000, the Senate and House of Representatives may each set its next day of meeting for May 9, 2000.
2. Each house consents to adjournment of the other house for more than three days.

Pawlenty moved that Senate Concurrent Resolution No. 12 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 12 was adopted.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 11:00 a.m., Tuesday, May 9, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 11:00 a.m., Tuesday, May 9, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives