

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2325

(SENATE AUTHORS: BENSON and Nienow)

DATE	D-PG	OFFICIAL STATUS
03/06/2014	5984	Introduction and first reading Referred to Health, Human Services and Housing

A bill for an act

1.1 relating to health insurance; requiring the legislature to appropriate funds to
 1.2 MNsure; requiring the Legislative Oversight Committee to review proposed
 1.3 rules for MNsure before the rules are effective; requiring the Legislative
 1.4 Oversight Committee to review and make recommendations to the legislature
 1.5 on MNsure's budget; amending Minnesota Statutes 2013 Supplement, sections
 1.6 62V.05, subdivision 8; 62V.07; 62V.11, subdivisions 3, 4.
 1.7

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2013 Supplement, section 62V.05, subdivision 8, is
 1.10 amended to read:

1.11 Subd. 8. **Rulemaking.** (a) If the board's policies, procedures, or other statements are
 1.12 rules, as defined in section 14.02, subdivision 4, the requirements in either paragraph (b)
 1.13 or (c) apply, as applicable.

1.14 (b) Effective upon enactment until January 1, 2015:

1.15 (1) the board shall publish notice of proposed rules in the State Register after
 1.16 complying with section 14.07, subdivision 2;

1.17 (2) interested parties have 21 days to comment on the proposed rules. The board
 1.18 must consider comments it receives. After the board has considered all comments and
 1.19 has complied with section 14.07, subdivision 2, the board shall publish notice of the
 1.20 final rule in the State Register;

1.21 (3) if the adopted rules are the same as the proposed rules, the notice shall state that
 1.22 the rules have been adopted as proposed and shall cite the prior publication. If the adopted
 1.23 rules differ from the proposed rules, the portions of the adopted rules that differ from the
 1.24 proposed rules shall be included in the notice of adoption, together with a citation to the
 1.25 prior State Register that contained the notice of the proposed rules; and

2.1 (4) rules published in the State Register before January 1, 2014, take effect upon
 2.2 publication of the notice. Rules published in the State Register on and after January 1,
 2.3 2014, take effect 30 days after publication of the notice, unless a majority of the members
 2.4 of the Legislative Oversight Committee objects in accordance with section 62V.11,
 2.5 subdivision 3. If there is an objection, the rule shall go into effect upon compliance with
 2.6 section 62V.11, subdivision 3.

2.7 (c) Beginning January 1, 2015, the board may adopt rules to implement any
 2.8 provisions in this chapter using the expedited rulemaking process in section 14.389.
 2.9 No rule shall go into effect if a majority of the members of the Legislative Oversight
 2.10 Committee objects in accordance with section 62V.11, subdivision 11. If there is an
 2.11 objection, the rule shall go into effect upon compliance with section 62V.11, subdivision 3.

2.12 (d) The notice of proposed rules required in paragraph (b) must provide information
 2.13 as to where the public may obtain a copy of the rules. The board shall post the proposed
 2.14 rules on the MNsure Web site at the same time the notice is published in the State Register.

2.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.16 Sec. 2. Minnesota Statutes 2013 Supplement, section 62V.07, is amended to read:

2.17 **62V.07 FUNDS.**

2.18 (a) The MNsure account is created in the special revenue fund of the state treasury.
 2.19 All funds received by MNsure shall be deposited in the account. Funds in the account
 2.20 ~~are~~ shall be appropriated to MNsure for the operation of MNsure by the legislature.
 2.21 Notwithstanding section 11A.20, all investment income and all investment losses
 2.22 attributable to the investment of the MNsure account not currently needed, shall be
 2.23 credited to the MNsure account.

2.24 (b) The budget submitted to the legislature under section 16A.11 must include
 2.25 budget information for MNsure.

2.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.27 Sec. 3. Minnesota Statutes 2013 Supplement, section 62V.11, subdivision 3, is
 2.28 amended to read:

2.29 Subd. 3. **Review of proposed rules.** (a) Prior to the implementation of rules
 2.30 proposed under section 62V.05, subdivision 8, ~~paragraph~~ paragraphs (b) and (c), the board
 2.31 shall submit the proposed rules to the committee at the same time the proposed rules are
 2.32 published in the State Register.

3.1 (b) When the legislature is in session, the rule may be adopted, but, if within ten
3.2 days of receipt of the proposed rule a majority of the committee members ~~appointed by the~~
3.3 ~~senate and a majority of the committee members appointed by the house of representatives~~
3.4 request further review of the proposed rule, the rule shall not be effective until the request
3.5 has been satisfied and withdrawn, the rule is approved in law, or the regular session of
3.6 the legislature is adjourned for the year.

3.7 (c) If the legislature is not in session, the rule may be adopted, but, if within ten days
3.8 of receipt of the proposed rule a majority of the committee members ~~appointed by the~~
3.9 ~~senate and a majority of the committee members appointed by the house of representatives~~
3.10 request further review of the proposed rule, the rule shall not be effective until the request
3.11 has been satisfied and withdrawn, ~~or February 1, whichever occurs first~~ or until the
3.12 adjournment of the next legislative session.

3.13 (d) If no request for review is made by the committee, the rule may go into effect
3.14 upon compliance with section 62V.05, subdivision 8.

3.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.16 Sec. 4. Minnesota Statutes 2013 Supplement, section 62V.11, subdivision 4, is
3.17 amended to read:

3.18 Subd. 4. **Review of costs.** The board shall submit for review the annual budget of
3.19 MNsure for the next fiscal year by March 15 of each year, beginning March 15, 2014.

3.20 The committee shall review the budget and make recommendations to the chairs and
3.21 ranking minority members of the legislative finance committees on recommended changes
3.22 to the budget.

3.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.