

contaminated media may be land applied without prior written approval, providing that the land application is orally approved by the commissioner prior to the application. The commissioner shall confirm the oral approval in writing within three business days of an oral approval.

Sec. 7. Minnesota Statutes 1994, section 171.02, subdivision 2a, is amended to read:

Subd. 2a. ~~EXCEPTION TO HAZARDOUS MATERIALS ENDORSEMENT EXCEPTIONS.~~ Notwithstanding subdivision 2, (1) a hazardous materials endorsement is not required to operate a vehicle having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 200 gallons of petroleum products and (2) a class CC license or hazardous materials endorsement is not required to operate a farm vehicle as defined in Code of Federal Regulations, title 49, section 390.5, having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 1,500 gallons of liquid fertilizer.

Sec. 8. **EFFECTIVE DATE.**

This act is effective the day after final enactment.

Presented to the governor April 25, 1995

Signed by the governor April 26, 1995, 2:10 p.m.

CHAPTER 96—S.F.No. 893

An act relating to insurance; the comprehensive health association; changing benefits; changing the association's enrollment freeze date; amending Minnesota Statutes 1994, sections 62E.12; and 62Q.18, subdivision 8.

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

Section 1. Minnesota Statutes 1994, section 62E.12, is amended to read:

62E.12 MINIMUM BENEFITS OF COMPREHENSIVE HEALTH INSURANCE PLAN.

The association through its comprehensive health insurance plan shall offer policies which provide the benefits of a number one qualified plan and a number two qualified plan, except that the maximum lifetime benefit on these plans shall be \$1,000,000, and an extended basic plan and a basic Medicare plan as described in sections 62A.31 to 62A.44 and 62E.07. The requirement that a policy issued by the association must be a qualified plan is satisfied if the association contracts with a preferred provider network and the level of benefits for services provided within the network satisfies the requirements of a qualified

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plan. If the association uses a preferred provider network, payments to nonparticipating providers must meet the minimum requirements of section 72A.20, subdivision 15. They shall offer health maintenance organization contracts in those areas of the state where a health maintenance organization has agreed to make the coverage available and has been selected as a writing carrier. Notwithstanding the provisions of section 62E.06 and unless those charges are billed by a provider that is part of the association's preferred provider network, the state plan shall exclude coverage of services of a private duty nurse other than on an inpatient basis and any charges for treatment in a hospital located outside of the state of Minnesota in which the covered person is receiving treatment for a mental or nervous disorder, unless similar treatment for the mental or nervous disorder is medically necessary, unavailable in Minnesota and provided upon referral by a licensed Minnesota medical practitioner.

Sec. 2. Minnesota Statutes 1994, section 62Q.18, subdivision 8, is amended to read:

Subd. 8. **COMPREHENSIVE HEALTH ASSOCIATION.** Effective ~~July 1, 1997~~ on the date specified by law enacted after January 1, 1995, pursuant to subdivision 9, the comprehensive health association created in section 62E.10 shall not accept new applicants for enrollment, except for Medicare-related coverage described in section 62E.12 and for coverage described in section 62E.18.

Presented to the governor April 25, 1995

Signed by the governor April 26, 1995, 2:05 p.m.

CHAPTER 97—H.F.No. 377

An act relating to driving while intoxicated; extending vehicle forfeiture penalties to include failure to appear at trial for designated driving while intoxicated offenses; amending Minnesota Statutes 1994, section 169.1217, subdivisions 7, 8, and 9.

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

Section 1. Minnesota Statutes 1994, section 169.1217, subdivision 7, is amended to read:

Subd. 7. **LIMITATIONS ON FORFEITURE OF MOTOR VEHICLES.**

(a) A vehicle is subject to forfeiture under this section only if:

(1) the driver is convicted of the designated offense upon which the forfeiture is based; or

(2) the driver fails to appear with respect to the designated offense charge in violation of section 609.49.

New language is indicated by underline, deletions by ~~strikeout~~.