

- (5) dig any holes in any highway; except to locate markers placed to identify sectional corner positions and private boundary corners;
- (6) remove any earth, gravel or rock from any highway;
- (7) obstruct any ditch draining any highway or drain any noisome materials into any ditch;
- (8) place or maintain any building or structure within the limits of any highway;
- (9) place or maintain any advertisement within the limits of any highway, except as provided in subdivision 7;
- (10) paint, print, place, or affix any advertisement or any object within the limits of any highway, except as provided in subdivision 7;
- (11) deface, mar, damage, or tamper with any structure, work, material, equipment, tools, signs, markers, signals, paving, guardrails, drains, or any other highway appurtenance on or along any highway;
- (12) remove, injure, displace, or destroy right-of-way markers, or reference or witness monuments, or markers placed to preserve section or quarter section corners;
- (13) improperly place or fail to place warning signs and detour signs as provided by law;
- (14) drive over, through, or around any barricade, fence, or obstruction erected for the purpose of preventing traffic from passing over a portion of a highway closed to public travel or to remove, deface, or damage any such barricade, fence, or obstruction.

Any violation of this subdivision is a misdemeanor.

Sec. 2. Minnesota Statutes 1996, section 160.27, is amended by adding a subdivision to read:

**Subd. 7. BICYCLE RACKS AND BICYCLE STORAGE FACILITIES.** In cities of the first class, advertisements, public art, and informational signs may be placed and maintained on bicycle racks and bicycle storage facilities, and on any enclosure around them, if (1) a road authority has authorized the bicycle racks and storage facilities to be placed within the right-of-way of a public highway, (2) the city has recommended and the road authority has authorized the placement of advertisements, public art, and informational signs on the bicycle racks and bicycle storage facilities, and (3) the placement does not create an unsafe situation. Advertisements, public art, and information signs authorized under this subdivision are subject to the terms and conditions imposed by the road authority authorizing their placement.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor March 13, 1998

Signed by the governor March 16, 1998, 10:00 a.m.

## CHAPTER 284—S.F.No. 2669

*An act relating to human services; allowing greater use of arrangements with businesses when providing day training and habilitation services; directing the commissioner of human services to*

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

*develop a more flexible rate variance mechanism for day training habilitation services vendors; amending Minnesota Statutes 1996, section 252.451, subdivision 5.*

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

Section 1. Minnesota Statutes 1996, section 252.451, subdivision 5, is amended to read:

Subd. 5. **VENDOR PAYMENT.** (a) For purposes of this section, the vendor shall bill and the commissioner shall reimburse the vendor for full-day or partial-day services to a client that would otherwise have been paid to the vendor for providing direct services, provided that both of the following criteria are met:

(1) the vendor provides services and payments to the qualified business that enable the business to perform support and supervision services for the client that the vendor would otherwise need to perform; and

(2) any client for whom a rate will be billed was receiving full-time services from the vendor on or before July 1, 1993, the client for whom a rate will be billed will receive full-day or partial-day services from the vendor and the rate to be paid the vendor will allow the client to work with this support in a community and supervision at the qualified business instead of receiving any other service these services from the vendor.

(b) Medical assistance reimbursement of services provided to persons receiving day training and habilitation services under this section is subject to the limitations on reimbursement for vocational services under federal law and regulation.

Sec. 2. **PROPOSAL FOR RATE VARIANCES.**

The commissioner of human services, in consultation with an advisory committee including representatives of counties, service consumers, and vendors of day training and habilitation services, including at least one representative from each association representing day training and habilitation vendors, shall develop a rate variance mechanism that identifies medical or behavioral criteria that permit a change in the payment rate when an individual already being served by a vendor of day training and habilitation services experiences a significant decrease in skill functioning that requires additional staffing or services that are not covered by the vendor's current rate. The commissioner shall present proposed legislation amending the existing rate variance criteria to the legislature by January 15, 1999.

Presented to the governor March 13, 1998

Signed by the governor March 16, 1998, 10:04 a.m.

**CHAPTER 285—S.F.No. 2163**

*An act relating to motor vehicles; regulating licensed dealers; providing exceptions; providing for separate form for assignment of vehicle title; amending Minnesota Statutes 1996, sections*

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