

(1) A contract to insure, indemnify, guarantee or otherwise compensate another for a harm or loss sustained, even though the loss depends upon chance.

(2) A contract for the purchase or sale at a future date of securities or other commodities.

(3) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest.

(4) The game of bingo when conducted in compliance with sections 349.11 to 349.23.

(5) A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

(6) The operation of a gambling device or the conduct of a raffle as defined in section 3, by an organization licensed for such operation by a local unit of government pursuant to section 3.

Sec. 6. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read:

[609.761] OPERATION PERMITTED. Notwithstanding sections 609.755 and 609.76, a fraternal, religious, veterans or other nonprofit organization may set up or operate a gambling device or conduct a raffle as defined in section 3, if licensed by the local unit of government and conducted pursuant to section 3, and a person may manufacture, sell or offer for sale a gambling device to the organization.

Became law without the governor's signature on March 18, 1978.

CHAPTER 508-S.F.No.2236

[Coded in Part]

An act relating to abortion; declaring a state policy on abortion and childbirth and the medical assistance funding thereof; appropriating money; amending Minnesota Statutes 1976, Sections 256B.02, Subdivision 8; 393.07, by adding a subdivision; Chapters 256B, by adding sections; and 261, by adding a section.

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

Section 1. Minnesota Statutes 1976, Chapter 256B, is amended by adding a section to read:

[256B.011] POLICY FOR CHILDBIRTH AND ABORTION FUNDING. Between normal childbirth and abortion it is the policy of the state of Minnesota that normal

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childbirth is to be given preference, encouragement and support by law and by state action, it being in the best interests of the well being and common good of Minnesota citizens.

Sec. 2. Minnesota Statutes 1976, Section 256B.02, Subdivision 8, is amended to read:

Subd. 8. "Medical assistance" or "medical care" means payment of part or all of the cost of the following care and services for eligible individuals whose income and resources are insufficient to meet all of such cost:

- (1) Inpatient hospital services.
- (2) Skilled nursing home services.
- (3) Physicians' services.
- (4) Outpatient hospital or clinic services.
- (5) Home health care services.
- (6) Private duty nursing services.
- (7) Physical therapy and related services.
- (8) Dental services.
- (9) Laboratory and x-ray services.
- (10) The following if prescribed by a licensed practitioner: drugs, eyeglasses, dentures, and prosthetic devices.
- (11) Diagnostic, screening, and preventive services.
- (12) Health care pre-payment plan premiums and insurance premiums if paid directly to a vendor and supplementary medical insurance benefits under Title XVIII of the Social Security Act.
- (13) Abortion services, but only if one of the following conditions is met:

(a) The abortion is a medical necessity. "Medical necessity" means (1) the signed written statement of two physicians indicating the abortion is medically necessary to prevent the death of the mother, and (2) the patient has given her consent to the abortion in writing unless the patient is physically or legally incapable of providing informed consent to the procedure, in which case consent will be given as otherwise provided by law;

(b) The pregnancy is the result of criminal sexual conduct as defined in section
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609.342, clauses (c), (d), (e)(i), and (f), and the incident is reported within 48 hours after the incident occurs to a valid law enforcement agency for investigation, unless the victim is physically unable to report the criminal sexual conduct, in which case the report shall be made within 48 hours after the victim becomes physically able to report the criminal sexual conduct; or

(c) The pregnancy is the result of incest, but only if the incident and relative are reported to a valid law enforcement agency for investigation prior to the abortion.

(13) 14 Transportation costs incurred solely for obtaining medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services.

(14) 15 Any other medical or remedial care licensed and recognized under state law.

Sec. 3. Minnesota Statutes 1976, Chapter 256B, is amended by adding a section to read:

[256B.40] SUBSIDY FOR ABORTIONS PROHIBITED. No medical assistance funds of this state or any agency, county, municipality or any other subdivision thereof and no federal funds passing through the state treasury or the state agency shall be authorized or paid pursuant to this chapter to any person or entity for or in connection with any abortion that is not eligible for funding pursuant to section 256B.02, subdivision 8.

Sec. 4. Minnesota Statutes 1976, Chapter 261, is amended by adding a section to read:

[261.28] SUBSIDY FOR ABORTIONS PROHIBITED. No funds of this state or any subdivision thereof administered under this chapter shall be authorized for or in connection with any abortion that is not eligible for funding pursuant to section 256B.02, subdivision 8.

Sec. 5. Minnesota Statutes 1976, Section 393.07, is amended by adding a subdivision to read:

Subd. 11. ABORTION SERVICES; POLICY AND POWERS. In keeping with the public policy of Minnesota to give preference to childbirth over abortion, Minnesota county welfare boards shall not provide any medical assistance grant or reimbursement for any abortion not eligible for funding pursuant to section 256B.02, subdivision 8.

Sec. 6. The sum of \$40,000 is appropriated from the general fund to the commissioner of public welfare for the purposes of Laws 1977, Chapter 453, Section 2, Subdivision 3.

Approved March 21, 1978.

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