

STATE OF MINNESOTA

SEVENTY-FOURTH SESSION - 1985

FIFTY-FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 7, 1985

The House of Representatives convened at 2:00 p.m. and was called to order by David M. Jennings, Speaker of the House.

Prayer was offered by Reverend Howard C. Gravrock, House Chaplain.

The roll was called and the following members were present:

Anderson, G.	Ellingson	Krueger	Pauly	Solberg
Anderson, R.	Erickson	Kvam	Peterson	Sparby
Backlund	Fjoslien	Levi	Piepho	Stanius
Battaglia	Forsythe	Lieder	Piper	Staten
Beard	Frederick	Long	Poppenhagen	Sviggum
Becklin	Frederickson	Marsh	Price	Thiede
Begich	Frerichs	McDonald	Quinn	Thorson
Bennett	Greenfield	McEachern	Quist	Tjornhom
Bishop	Gruenes	McKasy	Redalen	Tomlinson
Blatz	Gutknecht	McLaughlin	Rees	Tompkins
Boerboom	Halberg	McPherson	Rest	Tunheim
Boo	Hartinger	Metzen	Rice	Uphus
Brandl	Hartle	Miller	Richter	Valan
Brinkman	Haukoos	Minne	Riveness	Valento
Brown	Heap	Munger	Rodosovich	Vanasek
Burger	Himle	Murphy	Rose	Vellenga
Carlson, D.	Jacobs	Nelson, D.	Sarna	Voss
Carlson, J.	Jaros	Nelson, K.	Schafer	Waltman
Carlson, L.	Jennings, L.	Neuenschwander	Scheid	Welle
Clark	Johnson	Norton	Schoenfeld	Wenzel
Clausnitzer	Kahn	Olsen, S.	Schreiber	Wynia
Cohen	Kalis	Omann	Seaberg	Zaffke
Dempsey	Kelly	Onnen	Segal	Spk. Jennings, D.
DenOuden	Kiffmeyer	Osthoff	Shaver	
Dimler	Knickerbocker	Otis	Sherman	
Dyke	Knuth	Ozment	Simoneau	
Elioff	Kostohryz	Pappas	Skoglund	

A quorum was present.

O'Connor and Olson, E., were excused.

Ogren was excused until 4:20 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1490, 1596, 1642, 757, 857, 969, 1607, 1623, 5, 130, 856, 1639 and 1641 and S. F. Nos. 1525, 919, 1523 and 1190 have been placed in the members' files.

S. F. No. 1525 and H. F. No. 1640, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Forsythe moved that the rules be so far suspended that S. F. No. 1525 be substituted for H. F. No. 1640 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 115 and H. F. No. 5, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wenzel moved that the rules be so far suspended that S. F. No. 115 be substituted for H. F. No. 5 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1234 and H. F. No. 1171, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Osthoff moved that the rules be so far suspended that S. F. No. 1234 be substituted for H. F. No. 1171 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 1525, 115 and 1234 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Rose introduced:

H. F. No. 1650, A bill for an act relating to highway traffic regulations; authorizing passengers of limousines operated by

chauffeurs to possess and consume intoxicating liquors and non-intoxicating malt liquors; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Murphy, Boo, Jaros and Munger introduced:

H. F. No. 1651, A bill for an act relating to human services; establishing a program of equestrian activities for disabled persons; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rose, Munger, Miller, Forsythe and Carlson, D., introduced:

H. F. No. 1652, A bill for an act relating to natural resources; recodifying laws governing wild animals in general, the taking and possession of game and fish, and the management of natural resources; providing penalties; amending Minnesota Statutes 1984, sections 9.071; 14.02, subdivision 4; 14.38, subdivision 6; 18.021, subdivision 3; 84.0274, subdivision 6; 84.88, subdivision 2; 84.89; 84A.02; 85.018, subdivision 8; 86A.06; 97.42; 98.45, subdivision 1; 105.391, subdivisions 3 and 12; 105.417, subdivision 4; 105.74; 111.81, subdivision 1; 343.21, subdivision 8; 343.30; 347.011; 352B.01, subdivision 2; 361.25; 383C.13; 477A.12; 477A.13; 609.661; 624.719; proposing coding for new law in Minnesota Statutes, chapters 84; 97A; 97B; 97C; 347; 609; and 624; repealing Minnesota Statutes 1984, sections 97.40; 97.41; 97.43 to 97.47; 97.48, subdivisions 1 to 17 and 19 to 28; 97.481 to 97.487; 97.49 to 97.54; 97.55, subdivisions 1 to 6 and 8 to 16; 98.45, subdivisions 2, 3, and 5 to 8; 98.455 to 98.457; 98.46, subdivisions 1 to 2b, 4 to 17, and 19 to 26; 98.465 to 98.47; 98.48, subdivisions 1 to 8 and 10 to 16; 99.25; and 99.26 to 99.29; and chapters 100; 101; and 102.

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

Rest and Scheid introduced:

H. F. No. 1653, A bill for an act relating to human services; requiring the commissioner of human services to make educational resources available to residents in a community where a residential facility for mentally retarded persons is located; amending Minnesota Statutes 1984, section 252.28, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Skoglund introduced:

H. F. No. 1654, A bill for an act relating to labor; prohibiting the charging of a fee in connection with a job application; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Onnen, Kiffmeyer and Vellenga introduced:

H. F. No. 1655, A bill for an act relating to commitment; changing the definitions of mentally ill, and mentally ill and dangerous; amending Minnesota Statutes 1984, sections 253B.02, by adding subdivisions; 526.10; and 624.713, subdivision 1; repealing Minnesota Statutes 1984, section 253B.02, subdivisions 13 and 17.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kvam; Jennings, D.; Norton; Wynia and Levi introduced:

H. F. No. 1656, A bill for an act relating to the legislature; requiring department and agency legislation to be introduced within 30 days after the legislative session convenes; providing for an exception; proposing coding for new law in Minnesota Statutes, chapter 3C.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Battaglia; Jennings, D.; Begich; Bennett and Carlson, J., introduced:

H. F. No. 1657, A resolution memorializing the governments of the United States and Canada to take prompt action to ensure that all travel on water routes between the United States and Canada by motorized watercraft be allowed.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

HOUSE ADVISORIES

The following House Advisories were introduced:

Ozment and Gruenes introduced:

H. A. No. 38, A proposal to investigate allegations of cancer and groundwater contamination in Dakota County.

The advisory was referred to the Committee on Health and Human Services.

Jennings, L., and Carlson, J., introduced:

H. A. No. 39, A proposal to study welfare fraud and child support collections.

The advisory was referred to the Committee on Appropriations.

Price and Beard introduced:

H. A. No. 40, A proposal for an interim study of physical education programs.

The advisory was referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 782, A bill for an act relating to human services; providing for participation by Indian tribes in the placement of their children; proposing coding for new law in Minnesota Statutes, chapter 257.

PATRICK E. FLAHAVEN, Secretary of 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 amendments adopted by the Senate to the following House File:

H. F. No. 756, A bill for an act relating to taxation; simplifying Minnesota income tax law by increasing conformity to federal income tax law; changing income tax rates, rate brackets, credits, and deductions; providing for computation of interest on overpayments; providing for timely payment of certain taxes; changing the estate tax; changing corporate income tax provisions; rescheduling payments and reducing the budget reserve; reducing sales tax rates and providing sales tax exemptions; authorizing lodging taxes for towns; reducing the basic maintenance mill rate; changing the computation of or eliminating certain property tax credits; changing property tax exemptions, classes, and classification ratios; changing the taxation of telephone companies; providing for studies; imposing duties on the commissioner of revenue and commissioner of natural resources; providing for changes in the levy limit base; changing property tax provisions relating to collection of property tax, confessions of judgment, and sale of tax forfeit lands; changing property tax refund benefit schedules, eligible claimants, and definition of property taxes payable; changing local government aids; appropriating money; amending Minnesota Statutes 1984, sections 10A.31, subdivisions 1 and 3; 13.04, subdivision 2; 16A.15, subdivision 6; 41.55; 60A.15, subdivision 12; 60A.199, subdivision 8; 92.46, subdivision 1; 117.55; 124.2137, subdivision 1; 124A.02, subdivision 7; 270A.07, subdivision 5; 271.12; 272.02, subdivision 1; 272.03, subdivision 1; 273.111, subdivision 11; 273.115, subdivisions 2 and 3; 273.116, subdivisions 2 and 3; 273.13, subdivisions 4, 5a, 6, 6a, 7, 7b, 7c, 7d, 8a, 9, 14a, 16, 17, 17b, 17c, 17d, 19, 20, and 21; 273.133, by adding a subdivision; 273.135, subdivisions 1, 2, and 5; 273.1391, subdivisions 1, 2, and 4; 273.1392; 273.40; 273.42, subdivision 2; 275.50, by adding a subdivision; 275.51, subdivision 3h; 277.03; 277.10; 279.37, subdivisions 1, 3, 4, 8, and by adding a subdivision; 281.23, subdivision 1; 281.29; 282.01, subdivision 7a; 282.021; 282.261, by adding a subdivision; 290.01, subdivisions 20, 20a, 20b, 20d, 20e, and 20f; 290.032, subdivision 2; 290.05, subdivision 3; 290.06, subdivisions 2c, 2d, 3f, 3g, 11, and by adding a subdivision; 290.067, subdivision 1; 290.069, subdivision 4; 290.07, subdivision 1; 290.08, subdivision 26, and by adding a subdivision; 290.089, subdivision 2; 290.09, subdivisions 1 and 7; 290.091; 290.095, subdivisions 3, 7, 9, and 11; 290.10; 290.12, subdivision 2; 290.14; 290.17, subdivision 2; 290.175; 290.18, subdivision 2; 290.21, subdivisions 3 and 4; 290.34, subdivision 1, and by adding a subdivision; 290.37, subdivision 1; 290.38; 290.39, subdivision 1a; 290.41, subdivision 2; 290.50, subdivisions 1, 5, and 6; 290.92, subdivisions 2a, 6, 11, 13, and 19; 290.93, subdivision 9; 290.932, subdivision 1; 290.933, subdivision 1; 290.936; 290A.03, subdivisions 3 and 13; 290A.04, subdivisions 1, 2, 3, and by adding a subdivision; 290A.06; 290A.07, subdivisions 2a and 3; 290A.10; 290A.19; 291.005, subdivision 1; 291.03, subdivision 1; 291.075; 291.09, subdivisions 1a, 2a, and 3a; 291.11, subdivision 1; 291.15, subdivisions 1 and 3; 291.18; 291.215, subdivision 1; 291.32; 294.09, subdivision 1; 295.34, subdivision 1; 297A.01, subdivisions 15

and 16; 297A.02, subdivisions 1, 2, and 3; 297A.03, subdivision 2; 297A.14; 297A.25, subdivision 1; 297A.26, subdivision 1, and by adding a subdivision; 297A.27, subdivision 1; 297A.35, subdivision 1; 298.09, subdivision 4; 298.40, by adding a subdivision; 299.05; 299F.26, subdivision 1; 473.556, subdivision 4; 477A.011, subdivision 3, and by adding subdivisions; 477A.013; 477A.018; 524.3-1202; amending Laws 1984, chapter 644, section 85; proposing coding for new law in Minnesota Statutes, chapters 16A; 124A; 270; 290; and 297A; repealing Minnesota Statutes 1984, sections 41.58, subdivision 3; 41.59, subdivisions 2 and 3; 55.10, subdivision 2; 62E.03, subdivision 2; 270.75, subdivision 7; 273.115, subdivisions 1, 5, 6, and 7; 273.116, subdivisions 1, 5, 6, and 7; 273.1311; 273.1315; 290.01, subdivisions 20c and 26; 290.012; 290.06, subdivisions 2f, 3d, 3e, 14, 15, 16, 17, 18, and 19; 290.067, subdivisions 2 and 4; 290.068, subdivision 6; 290.077, subdivision 4; 290.08, subdivisions 23 and 24; 290.089, subdivisions 1, 3, 4, 5, and 6; 290.09, subdivision 29; 290.101; 290.18, subdivision 4; 290.21, subdivision 8; 290.34, subdivision 2; 290.39, subdivision 2; 290.41, subdivision 5; 290A.04, subdivisions 2a and 2b; 291.015; 291.03, subdivisions 3, 4, 5, 6, and 7; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.09, subdivision 5; 291.111; 291.131, subdivisions 5 and 6; 291.132; 291.15, subdivision 2; 291.18; 291.20; 291.29, subdivision 5; 295.34, subdivision 2; 297A.15, subdivision 5; 297A.26, subdivision 3; 297A.275; 385.36; 477A.011, subdivision 10; and 477A.0131; repealing Laws 1982, chapter 523, article 7, section 3.

The Senate has appointed as such Committee Messrs. Johnson, D. J.; Novak; Peterson, C. C.; Merriam and Petty.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of 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. 786, A bill for an act relating to state departments and agencies; transferring authority to make certain appointments to various commissioners; reducing size of alcohol and drug abuse advisory council; abolishing the cable communications board and the telecommunications council; amending Minnesota Statutes 1984, sections 1.22; 4.31, subdivision 5; 14.02, subdivision 4; 16B.20, subdivision 2; 16B.33, subdivision 2; 35.02, subdivision 1; 40.03, subdivision 1; 84B.11, subdivision 1; 115.74, subdivision 1; 116C.41, subdivision 2; 116L.03; 121.82, subdivision 1; 121.83; 129B.01, subdivision 1; 144A.19, subdivision 1; 147.01, subdivisions 1 and 2; 148.03; 148.181; 148.52;

148.90, subdivision 2; 150A.02, subdivision 1; 151.03; 153.02; 154.22; 156.01, subdivisions 1 and 2; 161.1419, subdivision 2; 250.05, subdivision 2; 254A.04; 270.41; 326.04; 326.17; 326.241, subdivision 1; 343.01, subdivision 3; 386.63, subdivision 1; 611.215, subdivision 1; and 626.841; amending Laws 1984, chapter 654, article 2, section 151, subdivision 2; repealing Minnesota Statutes 1984, sections 3.29, subdivisions 1 to 11; 16C.01; 238.01; 238.02, subdivision 4; 238.04 to 238.06; 238.08, subdivision 2; 238.09; 238.10; 238.11, subdivision 1; 238.12, subdivision 3; and 238.13 to 238.17.

The Senate has appointed as such Committee Messrs. Pogemiller, Storm and Dieterich.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of 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. 1382, A bill for an act relating to courts; providing for transcript fees; amending Minnesota Statutes 1984, section 486.06.

The Senate has appointed as such Committee Messrs. Sieloff, Jude and Lessard.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 603, A bill for an act relating to non-intoxicating malt liquor; permitting holders of on-sale and off-sale intoxicating liquor licenses to sell non-intoxicating malt liquor without further license; amending Minnesota Statutes 1984, section 340.02, subdivisions 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Marsh moved that the House concur in the Senate amendments to H. F. No. 603 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 603, A bill for an act relating to non-intoxicating malt liquor; permitting holders of on-sale and off-sale intoxicating liquor licenses to sell non-intoxicating malt liquor without further license; defining low alcohol malt liquor and prescribing labeling; amending Minnesota Statutes 1984, sections 340.02, subdivisions 2 and 3; and 340.07, by adding a subdivision.

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

The question was taken on the repassage of the bill and the roll was called. There were 115 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dyke	Kostohryz	Onnen	Seaberg
Anderson, R.	Elioff	Krueger	Osthoff	Segal
Backlund	Ellingson	Levi	Otis	Sherman
Battaglia	Erickson	Lieder	Ozment	Simoneau
Beard	Fjoslien	Long	Pauly	Solberg
Becklin	Forsythe	Marsh	Peterson	Sparby
Begich	Frederick	McDonald	Piepho	Stanius
Bennett	Frederickson	McEachern	Piper	Staten
Bishop	Frerichs	McKasy	Poppenhagen	Sviggum
Blatz	Gruenes	McLaughlin	Price	Thiede
Boerboom	Gutknecht	McPherson	Quinn	Thorson
Boo	Hartinger	Metzen	Quist	Tomlinson
Brandl	Hartle	Miller	Redalen	Tompkins
Brinkman	Haukoos	Minne	Rees	Tunheim
Brown	Jacobs	Munger	Rest	Uphus
Burger	Jaros	Murphy	Richter	Valan
Carlson, D.	Johnson	Nelson, D.	Riveness	Valento
Carlson, L.	Kahn	Nelson, K.	Rodosovich	Vanasek
Clausnitzer	Kalis	Neuenschwander	Rose	Voss
Cohen	Kelly	Norton	Sarna	Waltman
Dempsey	Kiffmeyer	O'Connor	Schafer	Welle
DenOuden	Knickerbocker	Olsen, S.	Scheid	Wenzel
Dimler	Knuth	Omann	Schoenfeld	Spk. Jennings, D.

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

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1398, A bill for an act relating to deposit and investment of public funds; modifying the collateral requirements for public deposits; amending Minnesota Statutes 1984, sections

118.005, subdivision 1; 118.01; 475.66, subdivision 1; and 475.76, subdivision 1.

And the Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee Messrs. Wegscheid, Freeman and Ms. Olson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Levi moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1398. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 227, A bill for an act relating to horse racing; providing for racing days at county fairs; amending Minnesota Statutes 1984, section 240.14, subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Minne moved that the House refuse to concur in the Senate amendments to H. F. No. 227, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 889, A bill for an act relating to local government; providing for the conduct of the business of towns; providing for certain town debt; authorizing certain towns to provide certain services; revising various other town laws; amending Minnesota Statutes 1984, sections 160.17, subdivision 1; 160.25, subdivision 3; 163.11, subdivision 5a, and by adding a subdivision; 164.06;

365.10; 365.37; 365.44; 366.095; 367.03, subdivision 2; 367.10; 367.23; 444.075; and 471.56, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 379; repealing Minnesota Statutes 1984, section 375.18, subdivisions 4, 5, and 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

Frederickson moved that the House refuse to concur in the Senate amendments to H. F. No. 889, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1037, A bill for an act relating to utilities; exempting small, qualifying energy facilities from the certificate of need process; amending Minnesota Statutes 1984, section 216B.243, subdivision 8.

PATRICK E. FLAHAVEN, Secretary of the Senate

Tjornhom moved that the House refuse to concur in the Senate amendments to H. F. No. 1037, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

S. F. No. 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1187 and 1458.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 583 and 1067.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 401, 806 and 1049.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 5, A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, purchase, consumption, possession, and furnishing of alcoholic beverages; establishing programs for education on avoidable health risks related to alcohol and other drugs; increasing the fee for the reinstatement of drivers licenses revoked for alcohol-related violations; appropriating money; amending Minnesota Statutes 1984, sections 171.29, subdivision 2; 340.02, subdivision 8; 340.035, subdivision 1; 340.039; 340.119, subdivision 2; 340.13, subdivision 12; 340.403, subdivision 3; 340.73, subdivision 1; 340.731; 340.732; 340.79; and 340.80.

The bill was read for the first time.

Schafer moved that S. F. No. 5 and H. F. No. 102, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1187, A bill for an act relating to local government; regulating municipal employee residency requirements; exempting certain firefighters; amending Minnesota Statutes 1984, section 415.16, by adding a subdivision.

The bill was read for the first time.

Blatz moved that S. F. No. 1187 and H. F. No. 1282, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1458, A bill for an act relating to traffic regulations; removing certain restrictions on special permits to move manufactured homes; amending Minnesota Statutes 1984, section 169.86, subdivision 1.

The bill was read for the first time.

Blatz moved that S. F. No. 1458 and H. F. No. 1457, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 583, A bill for an act relating to crimes; making certain trespasses and assaults a gross misdemeanor; providing for the admissibility of certain evidence in domestic abuse prosecutions; amending Minnesota Statutes 1984, sections 609.224 and 609.605; proposing coding for new law in Minnesota Statutes, chapter 634.

The bill was read for the first time.

Blatz moved that S. F. No. 583 and H. F. No. 800, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1067, A bill for an act relating to commerce; requiring certain agreements to extend credit to be in writing; proposing coding for new law in Minnesota Statutes, chapter 513.

The bill was read for the first time.

Dempsey moved that S. F. No. 1067 and H. F. No. 1409, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 401, A bill for an act relating to creditor's remedies; providing for an increase in the amount of farm machines and implements exemption; clarifying the garnishment limitation for the sale of farm products; authorizing the court to allow the respondent in a replevin action to retain or regain possession without posting a bond; authorizing the court to stay an action to recover possession for up to six months; extending the effective period of a garnishee summons; amending Minnesota Statutes 1984, sections 550.37, subdivisions 5, 7, 13, 14, and 24; 565.25, subdivision 2; 571.41, subdivisions 6 and 7; 571.42; 571.495, subdivision 3; and 571.55, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 565.

The bill was read for the first time.

Dempsey moved that S. F. No. 401 and H. F. No. 1097, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 806, A bill for an act relating to the environment; providing for the regulation of underground storage tanks; proposing coding for new law in Minnesota Statutes, chapter 116.

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

S. F. No. 1049, A bill for an act relating to human services; refining the vulnerable adults reporting act; clarifying definitions; requiring reporting of financial exploitation; providing for local welfare agency actions to protect vulnerable adults; amending Minnesota Statutes 1984, section 626.557, subdivisions 2, 3a, 5, 9, and 10, and by adding a subdivision.

The bill was read for the first time.

Burger moved that S. F. No. 1049 and H. F. No. 1437, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Forsythe requested immediate consideration of H. F. No. 88.

The Speaker called Halberg to the Chair.

H. F. No. 88 was reported to the House.

CALL OF THE HOUSE

On the motion of Levi and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Anderson, G.	Dimler	Kelly	Nelson, D.	Rest
Anderson, R.	Dyke	Kiffmeyer	Nelson, K.	Richter
Backlund	Elioff	Knickerbocker	Neuenschwander	Rodosovich
Battaglia	Fjoslien	Knuth	Norton	Rose
Beard	Forsythe	Kostohryz	Olsen, S.	Sarna
Begich	Frederick	Krueger	Omann	Schafer
Bennett	Frederickson	Kvam	Onnen	Scheid
Bishop	Frerichs	Levi	Osthoft	Schoenfeld
Blatz	Greenfield	Lieder	Otis	Schreiber
Boerboom	Gruenes	Long	Ozment	Seaberg
Boo	Gutknecht	Marsh	Pappas	Segal
Brinkman	Halberg	McDonald	Pauly	Shaver
Brown	Hartinger	McEachern	Peterson	Sherman
Carlson, D.	Hartle	McLaughlin	Piepho	Simoneau
Carlson, J.	Heap	McPherson	Piper	Skoglund
Carlson, L.	Himle	Metzen	Poppenhagen	Solberg
Clark	Jaros	Miller	Price	Sparby
Clausnitzer	Jennings, L.	Minne	Quinn	Stanisus
Dempsey	Johnson	Munger	Redalen	Staten
DenOuden	Kalis	Murphy	Rces	Svigum

Thiede	Tompkins	Valento	Waltman	Wynia
Thorson	Tunheim	Vanasek	Welle	Zafke
Tjornhom	Uphus	Vellenga	Wenzel	Spk. Jennings, D.
Tomlinson	Valan	Voss		

Levi moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Olsen, S.; Erickson and Schafer moved to amend H. F. No. 88, the second engrossment.

A roll call was requested and properly seconded.

Nelson, K., requested a division of the Olsen, S., et al. amendment.

POINT OF ORDER

Olsen, S., raised a point of order pursuant to rule 3.6 relating to the division of a question. The Speaker pro tempore Halberg ruled the Olsen, S., point of order not well taken.

The first portion of the Olsen, S., et al. amendment to H. F. No. 88, the second engrossment, reads as follows:

Page 52, line 32, reinstate the stricken language

Page 53, line 4, delete the new language and reinstate the stricken language

Page 53, delete lines 5 to 13

Page 54, lines 25 to 27, delete the new language

Page 54, line 30, delete the new language and reinstate the stricken language

Page 54, delete lines 32 to 36

Page 55, delete line 1

Page 57, lines 17 to 29, delete section 12

Renumber succeeding sections and correct internal references

Page 58, line 32, delete "\$1,467,800" and insert "\$1,671,800"

Page 58, line 33, delete "\$548,500" and insert "\$1,577,300"

Page 58, line 36, delete "\$1,043,600" and insert "\$1,247,600"

Page 59, line 3, delete "\$184,200" and insert "\$220,200"

Page 59, line 4, delete "\$364,300" and insert "\$1,357,100"

Page 59, line 7, delete "\$1,227,800" and insert "\$1,467,800"

Page 59, line 7, delete "\$428,600" and insert "\$1,596,600"

Page 63, line 1, delete "section 4 of"

Page 63, after line 23, insert:

"Sec. 2. Minnesota Statutes 1984, section 124.246, subdivision 2, is amended to read:

Subd. 2. [AID.] An eligible district shall receive (\$1.04 IN FISCAL YEAR 1984 AND) \$1.08 in fiscal (YEAR) *years 1985, 1986 and 1987* for each pupil, in average daily membership, enrolled in a public elementary, secondary or area vocational-technical or nonpublic elementary or secondary school. Aid for nonpublic school pupils shall be paid to the district upon request by or on behalf of the pupils. No district shall receive less than (\$1,040 IN FISCAL YEAR 1984 AND) \$1,080 in fiscal (YEAR) *years 1985, 1986 and 1987.*"

Renumber the sections in sequence

Page 75, line 27, delete "\$153,900" and insert "\$1,023,800" and after "1986" delete the period and insert a comma

Page 75, after line 27, insert "\$1,022,000 1987."

Page 75, line 29, before the period, insert "*and \$869,900 for aid in fiscal year 1986 payable in fiscal year 1986*"

Page 75, after line 29, insert:

"The appropriation for fiscal year 1987 includes \$153,500 for aid for fiscal year 1986 payable in fiscal year 1987 and \$868,500 for fiscal year 1987 payable in fiscal year 1987.

The appropriations are based on aid entitlements of \$1,023,400 for fiscal year 1986 and \$1,021,800 for fiscal year 1987."

Correct internal references

Page 126, delete lines 6 to 8, and insert:

"\$173,400 1986,

\$ 60,000 1987.

The appropriation for fiscal year 1986 includes \$122,400 for grants for fiscal year 1985 payable in fiscal year 1986, and

\$51,000 for mini-grants authorized in Minnesota Statutes, section 129B.04, subdivision 1a, for fiscal year 1986 payable in fiscal year 1986.

The appropriation for fiscal year 1987 includes \$9,000 for fiscal year 1986 payable in fiscal year 1987 and \$51,000 for mini-grants authorized in Minnesota Statutes, section 129B.04, subdivision 1a, for fiscal year 1987 payable in fiscal year 1987."

The Speaker resumed the Chair.

The question was taken on the first portion of the Olsen, S., et al. amendment and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Erickson	Kvam	Pauly	Solberg
Anderson, R.	Fjoslien	Levi	Peterson	Sparby
Backlund	Forsythe	Lieder	Piepho	Stanis
Battaglia	Frederick	Long	Piper	Staten
Beard	Frederickson	Marsh	Poppenhagen	Sviggum
Becklin	Frerichs	McDonald	Price	Thiede
Begich	Greenfield	McEachern	Quinn	Thorson
Bennett	Gruenes	McKasy	Quist	Tjornhom
Bishop	Gutknecht	McLaughlin	Redalen	Tomlinson
Blatz	Hartinger	McPherson	Rees	Tompkins
Boerboom	Hartle	Metzen	Rest	Tunheim
Boo	Haukoos	Miller	Rice	Uphus
Brandl	Heap	Minne	Richter	Valan
Brinkman	Himle	Munger	Riveness	Valento
Brown	Jacobs	Murphy	Rodosovich	Vanasek
Burger	Jaros	Nelson, D.	Rose	Vellenga
Carlson, D.	Jennings, L.	Nelson, K.	Sarna	Voss
Carlson, L.	Johnson	Neuenschwander	Schafer	Waltman
Clark	Kahn	Norton	Scheid	Welle
Clausnitzer	Kalis	Olsen, S.	Schoenfeld	Wenzel
Cohen	Kelly	Omann	Schreiber	Wynia
Dempsey	Kiffmeyer	Onnen	Seaberg	Zafike
DenOuden	Knickerbocker	Osthoff	Segal	Spk. Jennings, D.
Dimler	Knuth	Otis	Shaver	
Dyke	Kostohryz	Ozment	Simoneau	
Elioff	Krueger	Pappas	Skoglund	

The motion prevailed and the first portion of the Olsen, S., et al. amendment was adopted.

The second portion of the Olsen, S., et al. amendment to H. F. No. 88, the second engrossment, as amended, reads as follows:

Page 139, line 17, delete "1.0816" and insert "1.0971"

Page 139, line 25, delete "1.1221" and insert "1.1381"

Page 140, line 8, delete "*actual pupil*" and insert "*pupils in average daily membership*"

Page 140, line 9, delete "*units*"

Page 140, line 13, delete "*actual pupil units*" and insert "*pupils in average daily membership*"

Page 141, line 7, delete "\$360,000" and insert "\$341,725"

Further, amend the title as follows:

Page 1, line 33, after "10;" insert "124.246, subdivision 2;"

The question was taken on the second portion of the Olsen, S., et al. amendment and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Elioff	Knuth	Otis	Shaver
Anderson, R.	Ellingson	Kostohryz	Ozment	Simoncau
Backlund	Erickson	Krueger	Pappas	Skoglund
Battaglia	Fjoslien	Kvam	Pauly	Solberg
Beard	Forsythe	Levi	Peterson	Sparby
Becklin	Frederick	Lieder	Piepho	Stanias
Begich	Frederickson	Long	Piper	Staten
Bennett	Frerichs	Marsh	Poppenhagen	Sviggum
Bishop	Greenfield	McDonald	Price	Thiede
Blatz	Gruenes	McEachern	Quinn	Thorson
Boerboom	Gutknecht	McKasy	Quist	Tjornhom
Boo	Halberg	McLaughlin	Redalen	Tomlinson
Brandl	Hartinger	McPherson	Rees	Tompkins
Brinkman	Hartle	Metzen	Rest	Tunheim
Brown	Haukoos	Miller	Rice	Uphus
Burger	Heap	Minne	Richter	Valan
Carlson, D.	Himle	Munger	Riveness	Valento
Carlson, J.	Jacobs	Murphy	Rodosovich	Vanasek
Carlson, L.	Jaros	Nelson, D.	Rose	Vellenga
Clark	Jennings, L.	Nelson, K.	Sarna	Voss
Clausnitzer	Johnson	Neuenschwander	Schafer	Welle
Cohen	Kahn	Norton	Scheid	Wenzel
Dempsey	Kalis	Olsen, S.	Schoenfeld	Wynia
DenOuden	Kelly	Omann	Schreiber	Zaffke
Dimler	Kiffmeyer	Onnen	Seaberg	Spk. Jennings, D.
Dyke	Knickerbocker	Osthoff	Segal	

The motion prevailed and the second portion of the Olsen, S., et al. amendment was adopted.

Olsen, S., and Quist moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 65, after line 3, insert:

"Sec. 4. [124.252] [TOBACCO USE PREVENTION PROGRAMS.]

Subdivision 1. [ELIGIBILITY AND PURPOSE.] Each school board which develops and adopts a tobacco use prevention program that meets the criteria specified in subdivision 2 and submits the proposed program to the department of education shall be eligible to apply for state aid for the following purposes:

- (1) inservice training for public and nonpublic school staff;*
- (2) tobacco use prevention curriculums including materials;*
- (3) community and parent awareness programs; and*
- (4) evaluation of curriculum and programs for tobacco use prevention.*

Subd. 2. [CRITERIA FOR APPROVAL.] Each tobacco use prevention program proposal must include at least the following components:

- (1) inservice training of teachers and staff;*
- (2) evaluation of programs and curriculum results;*
- (3) a kindergarten through grade 12 continuum of educational intervention related to tobacco use;*
- (4) targeted intervention on tobacco use onset for students who are 12 to 14 years old based on evaluated curriculums that have been shown to reduce tobacco use onset rates; and*
- (5) prohibition of smoking cigarettes and the use of other tobacco products on the school premises by minors.*

Subd. 3. [DISTRICT AID.] An eligible district shall receive 52 cents in fiscal year 1986 and 54 cents in fiscal year 1987 for each pupil, in average daily membership, enrolled in a public elementary, secondary, or area vocational technical institute or nonpublic elementary or secondary school. Aid for nonpublic school pupils shall be paid to the district upon request by or on behalf of the pupils. No school district shall receive less than \$1,000 in fiscal year 1986 and \$1,040 in fiscal year 1987.

Subd. 4. [APPLICATIONS.] A district that is eligible for aid shall apply to the commissioner of education by September 1 of each school year on the form supplied by the commissioner. The commissioner shall approve or disapprove the applications and distribute the aid to the districts by October 31.

Subd. 5. [ASSISTANCE TO DISTRICTS.] The department of education in consultation with the department of health shall:

(1) provide technical assistance to districts for the development, implementation, and evaluation of tobacco use prevention curriculum and programs;

(2) provide to districts information about evaluation results of various curriculums as reported in the scientific literature and elsewhere; and

(3) collect information from districts about prevention programs and evaluation results.

The commissioner of health shall assist the commissioner of education in implementing this section."

Renumber succeeding sections

Page 83, line 15, before "Section" insert "Subdivision 1."

Page 83, after line 16, insert:

"Subd. 2. Section 4 is effective upon enactment of an increase in the rate of the special sales and use tax imposed upon cigarettes, which provides that the proceeds shall be deposited in a public health fund and which appropriates money to fund the program established in section 4."

Correct internal references

The motion prevailed and the amendment was adopted.

Quist moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 34, after line 30, insert:

"Sec. 10. [TEMPORARY DEFINITION OF SCHOOL BUS.]

Notwithstanding Minnesota Statutes 1984, section 169.01, subdivision 6 to the contrary, the definition of school bus does not include a motor vehicle designed to carry fewer than 16 passengers and which does not, at any time, take on or let off passengers from the right-of-way of a public highway, street, or road."

Page 38, line 30, delete ", section 4,"

Page 39, line 11, before "Minnesota" insert "Subdivision 1."

Page 39, after line 12, insert:

"Subd. 2. Section 10 is repealed September 1, 1986.

Sec. 15. [EFFECTIVE DATE.]

Section 10 is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, after the semicolon insert "providing for a temporary definition of school bus;"

A roll call was requested and properly seconded.

The question was taken on the Quist amendment and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 65 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Fjoslien	Kiffmeyer	Ozment	Shaver
Becklin	Forsythe	Knickerbocker	Pauly	Stanius
Blatz	Frederick	Kvam	Piepho	Svigum
Boerboom	Frerichs	Levi	Poppenhagen	Thiede
Boo	Gruenes	Marsh	Quist	Thorson
Burger	Gutknecht	McDonald	Redalen	Tjornhom
Carlson, J.	Halberg	McEachern	Rees	Tompkins
Clausnitzer	Hartinger	McKasy	Richter	Uphus
Dempsey	Haukoos	McPherson	Rose	Valan
DenOuden	Heap	Miller	Sarna	Valento
Dimler	Himle	Olsen, S.	Schafer	Waltman
Dyke	Johnson	Omann	Schreiber	Zaffke
Erickson	Kelly	Onnen	Seaberg	Spk. Jennings, D.

Those who voted in the negative were:

Anderson, G.	Greenfield	McLaughlin	Price	Tomlinson
Backlund	Hartle	Metzen	Quinn	Tunheim
Battaglia	Jacobs	Minne	Rest	Vanasek
Beard	Jaros	Munger	Riveness	Vellenga
Begich	Jennings, L.	Murphy	Rodosovich	Voss
Brandl	Kahn	Nelson, D.	Scheid	Welle
Brinkman	Kalis	Nelson, K.	Schoenfeld	Wenzel
Brown	Knuth	Norton	Segal	Wynia
Carlson, L.	Kostohryz	Osthoft	Simoneau	
Clark	Krueger	Otis	Skoglund	
Cohen	Lieder	Peterson	Sparby	
Elioff	Long	Piper	Staten	

The motion prevailed and the amendment was adopted.

Dempsey was excused between the hours of 3:30 p.m. and 5:00 p.m.

Nelson, K., moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 40, line 19, delete "*but this amount*"

Page 40, line 20, delete "*shall not exceed \$15,000 for the regular school year*"

Page 40, line 25, delete "*but this amount shall not*"

Page 40, line 26, delete "*exceed \$7,500,*"

Page 40, line 32, delete "*(a)*"

Page 40, line 35, delete "*but this amount shall not exceed \$20,000*"

Page 41, line 1, delete "*except for the personnel under paragraph (b),*"

Page 41, lines 5 to 13, delete the new language

Page 43, lines 7 to 10, reinstate the stricken language

Page 43, lines 10 to 17, delete the new language

Page 43, after line 25, delete sections 9 and 10

Renumber succeeding sections

Page 138, after line 23, insert sections to read:

"Sec. 7. [EDUCATION PROTECTION FUND; APPROPRIATIONS.]

Subdivision 1. [ESTABLISHMENT.] There is established an education protection fund in the state treasury for the deposit of funds to insure adequate funding for certain aids to school districts. \$60,673,052 is transferred from the general fund to the education protection fund in fiscal year 1985. Appropriations from the education protection fund shall not expire until expended.

Subd. 2. [SPECIAL EDUCATION AID.] \$17,423,198 is appropriated from the education protection fund established in subdivision 1 to the department of education for the purposes of providing special education salary aid authorized pursuant to section 124.32, subdivision 1b.

Subd. 3. [SUMMER SCHOOL SPECIAL EDUCATION AID.] \$594,558 is appropriated from the education protection

fund established in subdivision 1 to the department of education for the purpose of providing summer school special education aid authorized pursuant to section 124.32, subdivision 10.

Subd. 4. [LIMITED ENGLISH PROFICIENCY PUPILS PROGRAM AID.] *\$1,150,496 is appropriated from the education protection fund established in subdivision 1 to the department of education for the purposes of providing aid to educational programs for pupils of limited English proficiency authorized pursuant to section 124.273.*

Subd. 5. [TEACHER RETIREMENT.] *\$41,504,800 is appropriated from the education protection fund established in subdivision 1 for payment of the state's obligations prescribed in Minnesota Statutes, sections 354.43, 354.55, subdivision 5; 354A.12, subdivision 2; 355.46; and 355.49.*

Sec. 8. [EFFECTIVE DATE.]

Section 7 is effective the day following final enactment."

Page 138, after line 25, delete sections 1 to 14 and insert new sections to read:

"Section 1. [APPROPRIATIONS; 1986-1987.]

There is appropriated from the general fund to the commissioner of finance the sums of \$214,725,900 for fiscal year 1986 and \$194,241,300 for fiscal year 1987, for payment of the state's obligations prescribed in Minnesota Statutes, sections 354.43; 354.55, subdivision 5; 354A.12, subdivision 2; 355.46; and 355.49."

A roll call was requested and properly seconded.

The question was taken on the Nelson, K., amendment and the roll was called.

Vanasek moved that those not voting be excused from voting. The motion did not prevail.

Levi moved that those not voting be excused from voting.

A roll call was requested and properly seconded.

The question was taken on the Levi motion to excuse members from voting and the roll was called. There were 69 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Anderson, R.
Backlund
Becklin

Bennett
Bishop
Blatz

Boerboom
Boo
Burger

Carlson, D.
Carlson, J.
Clausnitzer

Dempsey
DenOuden
Dimler

Dyke	Hartle	McKasy	Redalen	Thiede
Erickson	Haukoos	McPherson	Rees	Thorson
Fjoslien	Heap	Miller	Richter	Tjornhom
Forsythe	Himle	Olsen, S.	Rose	Tompkins
Frederick	Johnson	Omann	Schafer	Uphus
Frederickson	Kiffmeyer	Onnen	Schreiber	Valan
Frerichs	Knickerbocker	Ozment	Seaberg	Valento
Gruenes	Kvam	Pauly	Shaver	Waltman
Gutknecht	Levi	Piepho	Sherman	Zaffke
Halberg	Marsh	Poppenhagen	Stanisus	Spk. Jennings, D.
Harteringer	McDonald	Quist	Sviggum	

Those who voted in the negative were:

Anderson, G.	Jacobs	Metzen	Piper	Solberg
Battaglia	Jaros	Minne	Price	Sparby
Beard	Jennings, L.	Munger	Quinn	Staten
Begich	Kahn	Murphy	Rest	Tomlinson
Brandl	Kalis	Nelson, D.	Rice	Tunheim
Brinkman	Kelly	Nelson, K.	Riveness	Vanasek
Brown	Knuth	Neuenschwander	Rodosovich	Vellenga
Carlson, L.	Kostohryz	Norton	Sarna	Voss
Clark	Krueger	Ogren	Scheid	Welle
Cohen	Lieder	Osthoft	Schoenfeld	Wenzel
Elioff	Long	Otis	Segal	Wynia
Ellingson	McEachern	Pappas	Simoneau	
Greenfield	McLaughlin	Peterson	Skoglund	

The motion to excuse members from voting prevailed.

POINT OF ORDER

Vanasek raised a point of order pursuant to rule 2.5 relating to every unexcused member to vote. The Speaker ruled the point of order not well taken.

The roll was called on the Nelson, K., amendment to H. F. No. 88, the second engrossment, as amended. There were 63 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jacobs	Metzen	Piper	Solberg
Battaglia	Jaros	Minne	Price	Sparby
Beard	Jennings, L.	Munger	Quinn	Staten
Begich	Kahn	Murphy	Rest	Tomlinson
Brandl	Kalis	Nelson, D.	Rice	Tunheim
Brinkman	Kelly	Nelson, K.	Riveness	Vanasek
Brown	Knuth	Neuenschwander	Rodosovich	Vellenga
Carlson, L.	Kostohryz	Norton	Sarna	Voss
Clark	Krueger	Ogren	Scheid	Welle
Cohen	Lieder	Osthoft	Schoenfeld	Wenzel
Elioff	Long	Otis	Segal	Wynia
Ellingson	McEachern	Pappas	Simoneau	
Greenfield	McLaughlin	Peterson	Skoglund	

Those who voted in the negative were:

Backlund	Bishop	Boo	Clausnitzer	Dimler
Becklin	Blatz	Burger	Dempsey	Dyke
Bennett	Boerboom	Carlson, J.	DenOuden	Erickson

Fjoslien	Heap	Miller	Rose	Tompkins
Forsythe	Himle	Olsen, S.	Schafer	Uphus
Frederick	Johnson	Onnen	Schreiber	Valan
Frederickson	Kiffmeyer	Ozuent	Seaberg	Valento
Frerichs	Knickerbocker	Pauly	Shaver	Waltman
Gruenes	Kvam	Piepho	Sherman	Zaffke
Gutknecht	Levi	Poppenhagen	Stanis	Spk. Jennings, D.
Halberg	Marsh	Quist	Swiggum	
Hartinger	McDonald	Redalen	Thiede	
Hartle	McKasy	Rees	Thorson	
Haukoos	McPherson	Richter	Tjornhom	

The motion did not prevail and the amendment was not adopted.

Bishop moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 88, after line 26, insert:

"Sec. 12. [123.75] [MISSING CHILDREN; VOLUNTARY FINGERPRINTING PROGRAMS.]

Subdivision 1. [DEFINITION.] For purposes of this section and section 14:

(a) *"child" means a person under 18 years old; and*

(b) *"missing child" means a child who has run away or is otherwise missing from the home or the care, custody, and control of his or her parents, guardian, legal custodian, or other person having responsibility for the child.*

Subd. 2. [AUTHORITY.] Each school district may develop a fingerprinting program for students and children who reside in the district. The principal or chief administrative officer of a nonpublic school may develop a fingerprinting program for students of the school. If developed, the program must be developed in conjunction with law enforcement agencies having jurisdiction within the school district or the place where the nonpublic school is located. The law enforcement agencies must cooperate fully with the school district or the nonpublic school in the development of its fingerprinting program.

Subd. 3. [LIMITATIONS AND PROCEDURES.] If developed, the fingerprinting program may be developed only for the purpose of assisting in the location and identification of missing children, and must be operated according to the following procedures:

(a) *No child may be required to participate in the program.*

(b) *Before a child may participate in the program, the child's parents, guardian, legal custodian, or other person responsible*

for the child must authorize the child's participation by signing a form developed by the school district or the principal or chief administrative officer of the nonpublic school.

(c) Fingerprinting of children must be done by law enforcement personnel on fingerprint cards provided to the school district or nonpublic school by the commissioner of public safety or on fingerprint cards acquired elsewhere.

(d) The school must give the fingerprint card to the child's parents, guardian, legal custodian, or other person responsible for the child. No copy of the fingerprint card may be retained by the law enforcement agency, school, or school district.

(e) The child's name, sex, hair and eye color, height, weight, and date and place of birth must be written on the fingerprint card.

School districts and nonpublic schools that develop fingerprinting programs under this section shall offer them on a periodic basis, and shall notify parents, guardians, legal custodians, and residents of the district or communities served by the school of the program and its purpose. Notification may be made by means of memoranda, letters, newspaper articles, or other reasonable means.

Subd. 4. [EVIDENTIARY USE OF FINGERPRINTS.] *Fingerprints of a child obtained pursuant to this section are inadmissible as evidence against the child in any criminal or juvenile court proceeding.*

Subd. 5. [OTHER FINGERPRINTING PROGRAMS UNAFFECTED.] *This section does not apply to fingerprinting programs for children that are provided by private organizations other than nonpublic schools, or governmental entities other than school districts.*

Sec. 13. [123.751] [NOTIFICATION TO PARENTS REGARDING ABSENT OR TARDY STUDENTS.]

Each school district must adopt a written policy with respect to notification of a student's parents, guardian, legal custodian, or other person responsible for the student when the student is absent from or late in arriving at school.

Sec. 14. [123.752] [DOCUMENTS REQUIRED FOR SCHOOL ADMISSION.]

At the time of initial enrollment in a public or nonpublic school, a child must present to the person in charge of admission a copy of the child's original birth certificate or a copy of the enroll-

ment record maintained by the school that the child most recently attended. If the child does not present copies of either the birth certificate or the enrollment record, the school's principal or chief administrative officer must inform the law enforcement agency with jurisdiction in the area where the child resides that the child has failed to present the required documents and that the child may be a missing child. The law enforcement agency must then investigate the report in the way provided in section 299C.-53, subdivision 1."

Renumber succeeding sections

Correct internal references

The Speaker called Halberg to the Chair.

POINT OF ORDER

McEachern raised a point of order pursuant to rule 3.10 that the Bishop amendment was not in order. The Speaker pro tempore Halberg ruled the McEachern point of order not well taken and the Bishop amendment in order.

The question recurred on the adoption of the Bishop amendment to H. F. No. 88, the second engrossment, as amended. The motion prevailed and the amendment was adopted.

McDonald, Wenzel and Richter moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 75, after line 18, insert:

"Participating schools are encouraged to promote the regular consumption of milk through the school's lunch and nutrition education programs. Every effort should also be made to promote milk and other wholesome dairy products wherever and whenever foods are sold within the context of school activities."

Krueger moved to amend the McDonald, Wenzel and Richter amendment to H. F. No. 88, the second engrossment, as amended, as follows:

After the last line of the amendment add:

"It is legislative intent to adequately fund a milk in schools program for students in grades K-3."

A roll call was requested and properly seconded.

The question was taken on the Krueger amendment to the McDonald et al. amendment and the roll was called.

Levi moved that those not voting be excused from voting.

A roll call was requested and properly seconded.

The question was taken on the Levi motion to excuse members from voting and the roll was called. There were 73 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dimler	Himle	Ozment	Stanisus
Backlund	Dyke	Johnson	Pauly	Svigggum
Becklin	Erickson	Kiffmeyer	Piepho	Thiede
Bennett	Fjoslien	Knickerbocker	Popenhagen	Thorson
Bishop	Forsythe	Kvam	Quist	Tjornhom
Blatz	Frederick	Levi	Redalen	Tompkins
Boerboom	Frederickson	Marsh	Rees	Uphus
Boo	Frerichs	McDonald	Richter	Valan
Brandl	Gruenes	McKasy	Rose	Valento
Burger	Gutknecht	McPherson	Schafer	Vellenga
Carlson, D.	Halberg	Miller	Schreiber	Waltman
Carlson, J.	Hartinger	Murphy	Seaberg	Zaffke
Clausnitzer	Hartle	Olsen, S.	Shaver	Spk. Jennings, D.
Dempsey	Haukoos	Omann	Sherman	
DenOuden	Heap	Onnen	Sparby	

Those who voted in the negative were:

Anderson, G.	Jacobs	McLaughlin	Peterson	Skoglund
Battaglia	Jaros	Metzen	Piper	Solberg
Beard	Jennings, L.	Minne	Price	Staten
Begich	Kahn	Munger	Rest	Tomlinson
Brinkman	Kalis	Nelson, D.	Rice	Tunheim
Brown	Kelly	Nelson, K.	Riveness	Vanasek
Carlson, L.	Knuth	Neuenschwander	Rodosovich	Voss
Clark	Kostohryz	Norton	Sarna	Welle
Cohen	Krueger	Ogren	Scheid	Wenzel
Elioff	Lieder	Osthoff	Schoenfeld	Wynia
Ellingson	Long	Otis	Segal	
Greenfield	McEachern	Pappas	Simoneau	

The motion to excuse members from voting prevailed.

The roll was called on the Krueger amendment to the McDonald et al. amendment to H. F. No. 88, the second engrossment, as amended.

There were 65 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Cohen	Knuth	Murphy	Peterson
Battaglia	Elioff	Kostohryz	Nelson, D.	Piper
Beard	Ellingson	Krueger	Nelson, K.	Price
Begich	Greenfield	Lieder	Neuenschwander	Quinn
Brandl	Jacobs	Long	Norton	Rest
Brinkman	Jaros	McEachern	Ogren	Rice
Brown	Jennings, L.	McLaughlin	Omann	Riveness
Carlson, D.	Kahn	Metzen	Osthoff	Rodosovich
Carlson, L.	Kalis	Minne	Otis	Sarna
Clark	Kelly	Munger	Pappas	Scheid

Schoenfeld	Skoglund	Staten	Vanasek	Welle
Segal	Solberg	Tomlinson	Vellenga	Wenzel
Simoneau	Sparby	Tunheim	Voss	Wynia

Those who voted in the negative were:

Anderson, R.	Dimler	Haukoos	Olsen, S.	Shaver
Backlund	Dyke	Heap	Onnen	Sherman
Becklin	Erickson	Himle	Ozment	Stanis
Bennett	Fjoslien	Johnson	Pauly	Sviggum
Bishop	Forsythe	Kiffmeyer	Piepho	Thiede
Blatz	Frederick	Knickerbocker	Poppenhagen	Thorson
Boerboom	Frederickson	Kvam	Quist	Tjornhom
Boo	Frerichs	Levi	Rees	Tompkins
Burger	Gruenes	Marsh	Richter	Valan
Carlson, J.	Cutknecht	McDonald	Rose	Valento
Clausnitzer	Halberg	McKasy	Schafer	Waltman
Dempsey	Hartinger	McPherson	Schreiber	Zaffke
DenOuden	Hartle	Miller	Seaberg	Spk. Jennings, D.

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the adoption of the McDonald et al. amendment to H. F. No. 88, the second engrossment, as amended. The motion prevailed and the amendment was adopted.

Rose, Haukoos, Brandl, Osthoff and Scheid moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 118, line 30, delete "*made*"

Page 118, line 31, delete everything before the period

Page 119, line 1, delete "*April 1*" and insert "*February 1*"

Page 119, line 4, delete "*July 1*" and insert "*March 1*"

Page 119, line 10, delete "*August 1*" and insert "*April 1*"

Page 119, line 25, delete "*or at least*" and insert "*but not to exceed*"

Page 119, line 26, delete "*section 40*" and insert "*subdivision 13*"

Page 119, line 30, delete "*section 40*" and insert "*subdivision 13*"

Page 120, after line 5, insert:

"Subd. 12. [ANTI-DISCRIMINATION REQUIREMENTS.]
In order to qualify as a high school eligible for payments under

subdivision 7 or as an eligible Minnesota institution in which the recipient enrolls under subdivision 5, the school:

(a) must meet all education, health, and safety standards required by law, and

(b) must not discriminate in the admission of students and the hiring of teachers on the basis of race, sex, disability, color, or economic status and must have filed a certificate with the state board of education, in the case of an elementary or secondary school, or with the higher education coordinating board, in the case of a post-secondary institution, that the school is in compliance with title VI and title IX of the Civil Rights Act of 1974.

Subd. 13. [CONTRIBUTIONS; APPROPRIATION.] The board may accept contributions for purposes of the scholarship for excellence program. The amounts contributed must be deposited in the general fund. The amounts so contributed are annually appropriated from the general fund to the board for purposes of the program."

Page 121, lines 3 to 17, delete section 40 and insert:

"Sec. 40. Minnesota Statutes 1984, section 290.06, is amended by adding a subdivision to read:

Subd. 20. [CONTRIBUTIONS TO POST-SECONDARY EDUCATIONAL INSTITUTIONS.] (a) A credit of 50 percent of the amount contributed to a Minnesota post-secondary educational institution or to the Minnesota higher education coordinating board for purposes of the scholarship for excellence program may be deducted from the tax due under this chapter for the taxable year in which the contribution was made. The credit for an individual, estate, or trust may not exceed the lesser of: (1) \$100 and, for a married couple filing a joint return, \$200; or (2) the tax liability for the taxable year. The credit for a corporation may not exceed the lesser of \$1,000 or ten percent of the corporation's net income tax liability for the taxable year.

(b) For purposes of this subdivision, a "Minnesota post-secondary educational institution" is

(1) an educational institution located in Minnesota that

(i) normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are conducted; and

(ii) regularly offers education at a level above the twelfth grade; and

(iii) regularly awards either associate, bachelors, masters, or doctoral degrees, or any combination thereof; and

(iv) is duly accredited by the North Central Association of Colleges and registered by the Minnesota higher education coordinating board; or

(2) an area vocational technical institute subject to the provisions of chapter 136C.

(c) In the case of a taxpayer who takes a credit pursuant to this subdivision and has also deducted the amount of that contribution as a charitable contribution for federal income tax purposes, the amount of the contribution used to compute the credit must be subtracted from the taxpayer's excess itemized deductions under section 290.089, subdivision 2, or, in the case of a corporation, the deduction under section 290.21, subdivision 3.

Page 130, line 25, before "Section" insert "Subdivision 1."

Page 130, after line 26, insert:

"Subd. 2. Section 40 is effective for taxable years beginning after December 31, 1985."

Amend the title as follows:

Page 2, line 9, after the first semicolon insert "290.06, by adding a subdivision;"

Page 2, line 18, before "136A" insert "and" and delete "and 290.;"

The motion prevailed and the amendment was adopted.

McEachern moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 63, line 31, delete "and"

Page 63, line 32, delete "later school years"

Page 63, line 33, after the period, insert:

"In the 1986-87 school year, a district shall receive the greater of \$41.20 per gifted and talented student or \$515."

Page 73, delete section 21

Renumber sections accordingly

Page 76, line 29, delete "\$1,395,500" and insert "\$1,431,000"

Page 76, line 36, delete "\$1,186,600" and insert "\$1,222,100"

Page 77, line 3, delete "\$1,396,000" and insert "\$1,683,500"

Page 81, delete subdivision 20

Renumber subdivisions accordingly

A roll call was requested and properly seconded.

The question was taken on the McEachern amendment and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 56 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jaros	Minne	Piper	Solberg
Battaglia	Jennings, L.	Munger	Price	Sparby
Beard	Kahn	Murphy	Quinn	Tomlinson
Begich	Kalis	Nelson, D.	Rice	Tunheim
Brandl	Kelly	Nelson, K.	Riveness	Vellenga
Brinkman	Kostohryz	Neuenschwander	Rodosovich	Voss
Brown	Krueger	Norton	Sarna	Welle
Cohen	Lieder	Ogren	Scheid	Wynia
Elioff	Long	Osthoff	Schoenfeld	
Ellingson	McEachern	Otis	Segal	
Greenfield	McLaughlin	Pappas	Simoneau	
Jacobs	Metzen	Peterson	Skoglund	

Those who voted in the negative were:

Anderson, R.	DenOuden	Heap	Onnen	Sherman
Backlund	Dimler	Himle	Ozment	Stanis
Becklin	Dyke	Johnson	Pauly	Sviggum
Bennett	Erickson	Kiffmeyer	Piepho	Thiede
Bishop	Fjoslien	Knickerbocker	Poppenhagen	Thorson
Blatz	Forsythe	Knuth	Quist	Tjornhom
Boerboom	Frederick	Kvam	Redalen	Tompkins
Boo	Frederickson	Levi	Rees	Uphus
Burger	Frerichs	Marsh	Rest	Valan
Carlson, D.	Gruenes	McDonald	Richter	Valento
Carlson, J.	Gutknecht	McKasy	Rose	Vanasek
Carlson, L.	Halberg	McPherson	Schafer	Waltman
Clark	Hartinger	Miller	Schreiber	Wenzel
Clausnitzer	Hartle	Olsen, S.	Seaberg	Zaffke
Dempsey	Haukoos	Omann	Shaver	Spk. Jennings, D.

The motion did not prevail and the amendment was not adopted.

McEachern moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 3, delete section 3

Page 4, lines 20 to 21, delete new language

Page 5, line 26, strike "\$1,585" and insert "\$1,587"

Page 5, line 28, delete "\$1,675" and insert "\$1,681"

Page 6, delete section 10

Page 7, line 1, delete new language

Renumber sections accordingly

A roll call was requested and properly seconded.

The question was taken on the McEachern amendment and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 56 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Battaglia	Jaros	Munger	Piper	Staten
Begich	Jennings, L.	Murphy	Price	Tomlinson
Brandl	Kahn	Nelson, D.	Quinn	Tunheim
Brinkman	Kelly	Nelson, K.	Rice	Vanasek
Brown	Kostohryz	Neuenschwander	Rodosovich	Vellenga
Carlson, D.	Krueger	Norton	Sarna	Voss
Clark	Lieder	Ogren	Scheid	Welle
Cohen	Long	Omann	Schoenfeld	Wynia
Elioff	McEachern	Osthoff	Simoneau	
Ellingson	McLaughlin	Otis	Skoglund	
Greenfield	Metzen	Pappas	Solberg	
Jacobs	Minne	Peterson	Sparby	

Those who voted in the negative were:

Anderson, G.	Dimler	Johnson	Pauly	Stanis
Anderson, R.	Dyke	Kalis	Piepho	Sviggum
Backlund	Erickson	Kiffmeyer	Poppenhagen	Thiede
Becklin	Fjoslien	Knickerbocker	Quist	Thorson
Bennett	Forsythe	Knuth	Redalen	Tjornhom
Bishop	Frederick	Kvam	Rees	Tompkins
Blatz	Frederickson	Levi	Rest	Uphus
Boerboom	Gruenes	Marsh	Richter	Valan
Boo	Gutknecht	McDonald	Riveness	Valento
Burger	Halberg	McKasy	Rose	Waltman
Carlson, J.	Hartinger	McPherson	Schafer	Wenzel
Carlson, L.	Hartle	Miller	Schreiber	Zaffke
Clausnitzer	Haukoos	Olsen, S.	Seaberg	Spk. Jennings, D.
Dempsey	Heap	Onnen	Shaver	
DenOuden	Himle	Ozment	Sherman	

The motion did not prevail and the amendment was not adopted.

Nelson, K., and Welle moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 39, line 20, reinstate the stricken language

Page 39, lines 27 to 33, delete the new language

A roll call was requested and properly seconded.

The question was taken on the Nelson, K., and Welle amendment and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	Long	Otis	Segal
Battaglia	Greenfield	McEachern	Pappas	Simoneau
Beard	Hartinger	McLaughlin	Peterson	Skoglund
Begich	Jacobs	Metzen	Piper	Sparby
Blatz	Jaros	Minne	Price	Staten
Boo	Jennings, L.	Munger	Quinn	Tomlinson
Brandl	Kahn	Murphy	Rest	Tunheim
Brinkman	Kalis	Nelson, D.	Rice	Vanasek
Brown	Kelly	Nelson, K.	Riveness	Vellenga
Carlson, L.	Knuth	Neuenschwander	Rodosovich	Voss
Clark	Kostohryz	Norton	Sarna	Welle
Cohen	Krueger	Ogren	Scheid	Wenzel
Elioff	Lieder	Osthoff	Schoenfeld	Wynia

Those who voted in the negative were:

Anderson, R.	Erickson	Kiffmeyer	Piepho	Svigum
Backlund	Fjoslien	Knickerbocker	Poppenhagen	Thiede
Becklin	Forsythe	Kvam	Quist	Thorson
Bennett	Frederick	Levi	Redalen	Tjornhom
Bishop	Frederickson	Marsh	Rees	Tompkins
Boerboom	Frerichs	McDonald	Richter	Uphus
Burger	Gruenes	McKasy	Rose	Valan
Carlson, D.	Gutknecht	McPherson	Schafer	Valento
Carlson, J.	Halberg	Miller	Schreiber	Waltman
Clausnitzer	Hartle	Olsen, S.	Seaberg	Zaffke
Dempsey	Haukoos	Omann	Shaver	Spk. Jennings, D.
DenOuden	Heap	Onnen	Sherman	
Dimler	Himle	Ozment	Solberg	
Dyke	Johnson	Pauly	Stanuis	

The motion did not prevail and the amendment was not adopted.

Price offered an amendment to H. F. No. 88, the second engrossment, as amended.

POINT OF ORDER

Olsen, S., raised a point of order pursuant to rule 5.10 that the Price amendment was out of order. The Speaker ruled the Olsen,

S., point of order well taken and the Price amendment out of order.

Norton appealed the decision of the Chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 70 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dyke	Heap	Onnen	Shaver
Backlund	Elioff	Himle	Ozment	Sherman
Becklin	Erickson	Johnson	Pauly	Stanisus
Bennett	Fjoslien	Kiffmeyer	Peterson	Sviggum
Bishop	Forsythe	Knickerbocker	Piepho	Thiede
Blatz	Frederick	Kvam	Poppenhagen	Thorson
Boerboom	Frederickson	Levi	Quist	Tjornhom
Boo	Frerichs	Marsh	Redalen	Tompkins
Burger	Gruenes	McDonald	Rees	Uphus
Carlson, J.	Gutknecht	McKasy	Richter	Valan
Clausnitzer	Halberg	McPherson	Rose	Valento
Dempsey	Hartinger	Miller	Schafer	Waltman
DenOuden	Hartle	Olsen, S.	Schreiber	Zaffke
Dimler	Haukoos	Omann	Seaberg	Spk. Jennings, D.

Those who voted in the negative were:

Anderson, G.	Greenfield	McLaughlin	Price	Skoglund
Battaglia	Jennings, L.	Minne	Quinn	Solberg
Beard	Kahn	Murphy	Rest	Sparby
Begich	Kelly	Nelson, D.	Rice	Staten
Brandl	Knuth	Nelson, K.	Rivencess	Tomlinson
Brown	Kostohryz	Norton	Rodosovich	Vanasek
Carlson, L.	Krueger	Ogren	Sarna	Vellenga
Clark	Lieder	Osthoff	Scheid	Voss
Cohen	Long	Pappas	Schoenfeld	Wynia
Ellingson	McEachern	Piper	Simoneau	

So it was the judgment of the House that the decision of the Speaker should stand.

Carlson, L., moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 3, line 13, delete "fifteen" and insert "twelve"

Page 3, line 14, after "weightings." delete the balance of the line

Page 3, delete lines 15 and 16

A roll call was requested and properly seconded.

The question was taken on the Carlson, L., amendment and the roll was called.

Levi moved that those not voting be excused from voting.

A roll call was requested and properly seconded.

The question was taken on the Levi motion to excuse members from voting and the roll was called. There were 75 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dyke	Kiffmeyer	Onnen	Sherman
Backlund	Erickson	Knickerbocker	Ozment	Stanius
Becklin	Fjoslien	Krueger	Pauly	Sviggum
Bennett	Forsythe	Kvam	Piepho	Thiede
Bishop	Frederick	Levi	Poppenhagen	Thorson
Blatz	Frederickson	Marsh	Quist	Tjornhom
Boerboom	Frerichs	McDonald	Redalen	Tompkins
Boo	Gruenes	McKasy	Rees	Uphus
Burger	Gutknecht	McPherson	Richter	Valan
Carlson, D.	Halberg	Miller	Rodosovich	Valento
Carlson, J.	Hartinger	Murphy	Rose	Vellenga
Clausnitzer	Hartie	Nelson, K.	Schafer	Waltman
Dempsey	Haukoos	Neuenschwander	Schreiber	Welle
DenOuden	Himle	Olsen, S.	Seaberg	Zaffke
Dimler	Johnson	Omann	Shaver	Spk. Jennings, D.

Those who voted in the negative were:

Anderson, G.	Jaros	Minne	Quinn	Sparby
Battaglia	Jennings, L.	Munger	Rest	Tomlinson
Beard	Kahn	Nelson, D.	Rice	Tunheim
Begich	Kalis	Norton	Riveness	Vanasek
Brown	Kelly	Ogren	Sarna	Voss
Carlson, L.	Knuth	Osthoff	Scheid	Wenzel
Clark	Lieder	Pappas	Schoenfeld	Wynia
Cohen	McEachern	Peterson	Simoneau	
Elioff	McLaughlin	Piper	Skoglund	
Greenfield	Metzen	Price	Solberg	

The motion to excuse members from voting prevailed.

There being no objection Long was excused from voting.

The roll was called on the Carlson, L., amendment to H. F. No. 88, the second engrossment, as amended. There were 51 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Battaglia	Brandl	Clark	Ellingson	Jennings, L.
Beard	Brinkman	Cohen	Greenfield	Kahn
Begich	Carlson, L.	Elioff	Jaros	Kelly

Knuth	Nelson, D.	Pappas	Riveness	Solberg
Kostohryz	Nelson, K.	Peterson	Rodosovich	Staten
McEachern	Neuenschwander	Piper	Sarna	Tomlinson
McLaughlin	Norton	Price	Scheid	Tunheim
Metzen	Ogren	Quinn	Schoenfeld	Vellenga
Minne	Osthoff	Rest	Simoneau	Voss
Munger	Otis	Rice	Skoglund	Wynia
Murphy				

Those who voted in the negative were:

Anderson, G.	Dimler	Johnson	Ozment	Sviggum
Anderson, R.	Dyke	Kalis	Pauly	Thiede
Backlund	Erickson	Kiffmeyer	Piepho	Thorson
Becklin	Fjoslien	Knickerbocker	Poppenhagen	Tjornhom
Bennett	Forsythe	Krueger	Quist	Tompkins
Bishop	Frederick	Kvam	Redalen	Uphus
Blatz	Frederickson	Levi	Rees	Valan
Boerboom	Frerichs	Lieder	Richter	Valento
Boo	Gruenes	Marsh	Rose	Vanasek
Brown	Gutknecht	McDonald	Schafer	Waltman
Burger	Halberg	McKasy	Schreiber	Welle
Carlson, D.	Hartinger	McPherson	Seaberg	Wenzel
Carlson, J.	Hartle	Miller	Shaver	Zaffke
Clausnitzer	Haukoos	Olsen, S.	Sherman	Spk. Jennings, D.
Dempsey	Himle	Omman	Sparby	
DenOuden	Jacobs	Onnen	Stanius	

The motion did not prevail and the amendment was not adopted.

Price moved to amend H. F. No. 88, the second engrossment, as amended, as follows:

Page 146, after line 28, insert:

"Sec. 12. [LEGISLATIVE INTENT.]

It is legislative intent to improve the education of public school pupils in kindergarten through grade 3 by encouraging school districts to reach the goal of no more than 20 elementary pupils in grades kindergarten through 3 for each teacher and that the legislature adequately fund such a program."

Renumber the sections in sequence and amend internal cross references

A roll call was requested and properly seconded.

The question was taken on the Price amendment and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 61 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jacobs	Metzen	Piper	Sparby
Battaglia	Jaros	Minne	Price	Staten
Beard	Jennings, L.	Munger	Quinn	Tomlinson
Begich	Kahn	Murphy	Rest	Tunheim
Brandl	Kalis	Nelson, D.	Rice	Vanasek
Brinkman	Kelly	Nelson, K.	Riveness	Voss
Brown	Knuth	Norton	Rodosovich	Welle
Carlson, L.	Kostohryz	Ogren	Sarna	Wenzel
Clark	Krueger	Osthoff	Scheid	Wynia
Cohen	Lieder	Otis	Segal	
Elioff	Long	Ozment	Simoneau	
Ellingson	McEachern	Pappas	Skoglund	
Greenfield	McLaughlin	Peterson	Solberg	

Those who voted in the negative were:

Backlund	Erickson	Himle	Onnen	Sherman
Becklin	Fjoslien	Johnson	Pauly	Stanis
Bennett	Forsythe	Kiffmeyer	Piepho	Sviggum
Blatz	Frederick	Knickerbocker	Poppenhagen	Thorson
Boerboom	Frederickson	Kvam	Quist	Tjornhom
Boo	Frerichs	Levi	Redalen	Tompkins
Burger	Gruenes	Marsh	Rees	Uphus
Carlson, J.	Gutknecht	McDonald	Richter	Valan
Clausnitzer	Halberg	McKasy	Rose	Valento
Dempsey	Hartinger	McPherson	Schafer	Waltman
DenOuden	Hartle	Miller	Schreiber	Zaffke
Dimler	Haukoos	Olsen, S.	Seaberg	Spk. Jennings, D.
Dyke	Heap	Omann	Shaver	

The motion did not prevail and the amendment was not adopted.

H. F. No. 88, A bill for an act relating to education; providing for aids to education, aids to libraries, state payments for teacher retirement contributions, and the distribution of tax revenues; granting certain powers and duties to school boards, school districts, the state board of education, the board of teaching, and the higher education coordinating board; modifying certain components of foundation aid; modifying the basic maintenance mill rate; modifying computation of pupil units; repealing revenue equity; modifying the computation of summer program aid, transportation aid, special education aid, secondary vocational aid, and other aids; establishing an aid and levy formula for excellence in teaching and curriculum; providing for a temporary definition of school bus; providing for measurement of pupil progress; establishing mastery learning pilot projects; requiring state board of teaching to field test plans for assessment of new teachers; appropriating money; amending Minnesota Statutes 1984, sections 120.06, subdivision 1; 120.10, subdivision 1; 120.11; 120.15; 120.17, subdivision 3, and by adding a subdivision; 121.88; 121.882, subdivision 2, and by adding a subdivision; 121.904, subdivi-

sions 4a and 4c; 121.912, subdivision 1; 122.86, subdivision 1; 123.33, by adding a subdivision; 123.36, subdivision 1; 123.58, by adding a subdivision; 123.705, subdivision 1; 123.742, subdivision 7, and by adding subdivisions; 123.7431, subdivision 1; 124.09; 124.14, subdivision 4; 124.17, by adding subdivisions; 124.19, subdivision 1; 124.195, subdivision 9; 124.2138, subdivision 2; 124.223; 124.225, subdivisions 1, 3, 4b, 7a, 7b, 8a, 8b, and 10; 124.246, subdivision 2; 124.247, subdivision 3; 124.26, subdivisions 1 and 6; 124.271, subdivision 2b, and by adding a subdivision; 124.2711, subdivision 1; 124.272, subdivision 3; 124.273, subdivision 1b; 124.32, subdivisions 1b, 1d, 2, 5, and 10; 124.48, by adding a subdivision; 124.573, subdivision 2; 124.574, subdivision 2b; 124.646, subdivision 1; 124A.02, subdivisions 6, 7, 8, 9, 16, and by adding a subdivision; 124A.03, subdivisions 3, 4, and by adding a subdivision; 124A.033, subdivisions 2 and 3, and by adding a subdivision; 124A.037; 124A.06, subdivisions 1 and 3a; 124A.08, subdivisions 3a and 5; 124A.10, subdivision 3a; 124A.12, subdivision 3a; 124A.14, subdivision 5a; 124A.16, subdivisions 2 and 4; 125.05, subdivisions 1 and 5; 125.12, by adding a subdivision; 125.17, by adding a subdivision; 125.185, subdivision 4; 125.60, subdivisions 3 and 7; 126.64, subdivision 2; 129B.17; 129B.20; 129B.21; 129B.35; 129B.36; 129B.38, subdivision 1; 129B.39; 129B.40; 134.31, subdivisions 2 and 3; 134.35; 134.351, subdivision 1; 136D.27; 136D.74, subdivision 2; 136D.87; 275.125, subdivisions 5b, 5d, 8, 8a, and 8b, and by adding subdivisions; 298.28, subdivision 1; 354.06, subdivision 1; 354.43, subdivision 3; 354A.12, subdivision 2; 355.208; 355.209; 355.287; 355.288; 355.46, subdivision 3; and Laws 1973, chapter 683, section 26, subdivision 17, as amended; Laws 1984, chapter 463, article 9, section 9; proposing coding for new law in Minnesota Statutes, chapters 121; 123; 124; 124A; 126; 129B; 134; 136A; and 290; repealing Minnesota Statutes 1984, sections 120.17, subdivision 1a; 120.172, subdivision 3; 122.84; 122.85; 122.89; 123.3511; 123.3512; 123.3513; 124.201, subdivisions 3, 4, and 5; 124.2138, subdivision 2; 124.225, subdivisions 4a, 8c, 8d, 8e, 8f, 8g, and 8h; 124.247, subdivision 6; 124.271, subdivisions 2 and 2a; 124.273, subdivisions 2b and 5; 124.32, subdivision 9a; 124A.03, subdivision 5; 124A.035, subdivision 6; 124A.037; 125.611, subdivisions 3, 4, 5, 6, and 7; 126.64, subdivision 1; 129B.03; 129B.33; 129B.34; 275.125, subdivision 2j; 354.43, subdivisions 1, 4, and 5; 354A.12, subdivision 3; 355.46, subdivisions 1, 2, and 5; and 355.47.

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

The question was taken on the passage of the bill and the roll was called.

Levi moved that those not voting be excused from voting. The motion prevailed.

There were 90 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Erickson	Knuth	Pauly	Shaver
Backlund	Fjoslien	Kostohryz	Peterson	Sherman
Beard	Forsythe	Krueger	Piepho	Sparby
Becklin	Frederick	Kvam	Piper	Stanius
Bennett	Frederickson	Levi	Poppenhagen	Swiggum
Bishop	Frerichs	Lieder	Price	Thiede
Blaiz	Gruenes	Marsh	Quinn	Thorson
Boerboom	Gutknecht	McDonald	Redalen	Tjornhom
Boo	Halberg	McEachern	Rees	Tompkins
Brown	Hartinger	McKasy	Rest	Tunheim
Burger	Hartle	McPherson	Richter	Uphus
Carlson, J.	Haukoos	Metzen	Riveness	Valan
Carlson, L.	Heap	Miller	Rose	Valento
Clausnitzer	Himle	Nelson, D.	Schafer	Vanasek
Dempsey	Jacobs	Olson, S.	Schoenfeld	Waltman
DenOuden	Johnson	Omann	Schreiber	Wenzel
Dimler	Kiffmeyer	Onnen	Seaberg	Zaffke
Dyke	Knickerbocker	Ozment	Segal	Spk. Jennings, D.

Those who voted in the negative were:

Anderson, R.	Greenfield	Munger	Quist	Tomlinson
Battaglia	Jaros	Murphy	Rice	Vellenga
Begich	Jennings, L.	Nelson, K.	Rodosovich	Voss
Brandl	Kahn	Neuenschwander	Sarna	Welle
Brinkman	Kalis	Norton	Scheid	Wynia
Carlson, D.	Kelly	Ogren	Simoneau	
Clark	Long	Osthoff	Skoglund	
Cohen	McLaughlin	Otis	Solberg	
Elioff	Minne	Pappas	Staten	

The bill was passed, as amended, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Levi, from the Committee on Rules and Legislative Administration, pursuant to Rule 1.9, designated the following bills as Special Orders to be acted upon immediately preceding General Orders pending for today, Tuesday, May 7, 1985:

S. F. No. 563; H. F. No. 102; S. F. Nos. 693, 1202, 661, 664 and 1077; H. F. No. 1107; S. F. No. 196; H. F. No. 323; S. F. Nos. 658 and 676; H. F. No. 800; S. F. Nos. 825, 207 and 557; H. F. Nos. 563 and 671; S. F. No. 566; H. F. No. 957; S. F. No. 709; H. F. No. 1129; S. F. Nos. 986, 862 and 1362; H. F. Nos. 229 and 237; S. F. Nos. 1131 and 609; H. F. Nos. 607 and 784; S. F. Nos. 1485 and 954; H. F. Nos. 1040 and 1165; S. F. No. 1254; H. F. No. 1369; S. F. Nos. 374, 1238 and 650; H. F. Nos. 1097 and 1116; S. F. Nos. 1029, 33, 547, 675, 364 and 863; H. F. No. 1437; S. F. No. 276; H. F. No. 601; S. F. Nos. 1244, 1148, 1356, 1358, 1278, 1388, 71, 1183, 243, 615, 781 and 901; H. F. No. 922; S. F. No. 904; H. F. Nos. 984 and 1018; S. F. Nos. 35 and 952; H. F. Nos. 1205, 1227 and 1282; S. F. Nos. 1353, 1347, 43, 448, 455, 542 and 623.

SPECIAL ORDERS

Levi moved that the bills on Special Orders for today be continued one day. The motion prevailed.

GENERAL ORDERS

Levi moved that the bills on General Orders for today be continued one day. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 227:

Minne, Redalen and Frerichs.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 889:

Frederickson, Solberg and Uphus.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1037:

Tjornhom, Redalen and Jacobs.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1398:

Schreiber, Knickerbocker and Voss.

MOTIONS AND RESOLUTIONS

Peterson moved that the name of Rose be added as chief author and that the name of Peterson be shown as second author on H. F. No. 409. The motion prevailed.

Begich moved that his name be stricken as an author on H. F. No. 774. The motion prevailed.

Sviggum moved that H. F. No. 1184 be returned to its author. The motion prevailed.

Forsythe moved that H. F. No. 1638 be returned to its author. The motion prevailed.

Skoglund moved that H. F. No. 790 be returned to its author. The motion prevailed.

ADJOURNMENT

Levi moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, May 8, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives