

STATE OF MINNESOTA

SEVENTY-EIGHTH SESSION — 1994

EIGHTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 12, 1994

The House of Representatives convened at 11:00 a.m. and was called to order by Irv Anderson, Speaker of the House.

Prayer was offered by Monsignor James D. Habiger, House Chaplain.

The roll was called and the following members were present:

Abrams	Dawkins	Hausman	Koppendrayner	Morrison	Pelowski	Swenson
Anderson, R.	Dehler	Holsten	Krinkie	Mosel	Perlt	Tomassoni
Asch	Delmont	Hugoson	Krueger	Munger	Peterson	Tompkins
Battaglia	Dempsey	Huntley	Lasley	Murphy	Pugh	Trimble
Bauerly	Dorn	Jacobs	Leppik	Neary	Reding	Tunheim
Beard	Erhardt	Jaros	Lieder	Nelson	Rhodes	Van Dellen
Bergson	Evans	Jefferson	Limmer	Ness	Rice	Van Engen
Bertram	Farrell	Jennings	Lindner	Olson, E.	Rodosovich	Vellenga
Bettermann	Finseth	Johnson, A.	Long	Olson, K.	Rukavina	Vickerman
Bishop	Frerichs	Johnson, R.	Lourey	Olson, M.	Sarna	Wagenius
Brown, C.	Garcia	Johnson, V.	Luther	Onnen	Seagren	Waltman
Brown, K.	Girard	Kahn	Lynch	Opatz	Sekhon	Weaver
Carlson	Goodno	Kalis	Macklin	Orenstein	Simoneau	Wejzman
Carruthers	Greenfield	Kelley	Mahon	Orfield	Skoglund	Wenzel
Clark	Greiling	Kelso	Mariani	Osthoff	Smith	Winter
Commers	Gruenes	Kinkel	McCollum	Ostrom	Solberg	Wolf
Cooper	Gutknecht	Klinzing	McGuire	Ozment	Stanius	Worke
Dauner	Hasskamp	Knickerbocker	Milbert	Pauly	Steensma	Workman
Davids	Haukoos	Knight	Molnau	Pawlenty	Sviggum	Spk. Anderson, I.

A quorum was present.

Rest was excused until 4:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Asch 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

S. F. No. 2900 and H. F. No. 3178, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Pelowski moved that the rules be so far suspended that S. F. No. 2900 be substituted for H. F. No. 3178 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 2351, A bill for an act relating to crime and crime prevention; appropriating money for the attorney general, public defense, courts, corrections, criminal justice, and crime prevention and education programs; increasing penalties for a variety of violent crimes; increasing regulation of and penalties for unlawful possession or use of firearms and other dangerous weapons; providing for access to and sharing of government data relating to criminal investigations; improving law enforcement investigations of reports of missing and endangered children; enhancing 911 telephone service; providing a number of new investigative tools for law enforcement agencies; regulating explosives and blasting agents; modifying programs in state and local correctional facilities; increasing crime victim rights and protections; increasing court witness fees; requiring a study of civil commitment laws; completing the state takeover of public defender services; authorizing a variety of crime prevention programs; amending Minnesota Statutes 1992, sections 2.722, subdivision 1; 8.06; 13.99, subdivision 79; 84.9691; 123.3514, subdivision 3; 126.02, subdivision 1; 145A.05, by adding a subdivision; 152.01, by adding a subdivision; 152.021, subdivision 1; 152.024, subdivision 1; 169.89, subdivision 2; 171.18, subdivision 1; 241.26, subdivision 7; 243.05, by adding a subdivision; 243.166, subdivision 5; 243.18, subdivision 1; 243.23, subdivision 2; 243.24, subdivision 1; 244.09, by adding a subdivision; 244.12, subdivisions 1 and 2; 244.15, subdivision 4; 253B.19, subdivision 2; 260.161, by adding a subdivision; 299A.31; 299A.32, subdivision 3; 299A.38, subdivision 3; 299C.065, as amended; 299C.11; 299C.14; 299C.52, subdivision 1; 299C.53, subdivision 1, and by adding a subdivision; 299D.07; 299F.71; 299F.72, subdivision 2, and by adding subdivisions; 299F.73; 299F.74; 299F.75; 299F.77; 299F.78, subdivision 1; 299F.79; 299F.80; 299F.82; 299F.83; 352.91, by adding subdivisions; 352.92, subdivision 2; 357.22; 357.241; 357.242; 383B.225, subdivision 6; 388.051, by adding a subdivision; 403.02, by adding a subdivision; 403.11, subdivisions 1 and 4; 477A.012, by adding a subdivision; 480.09, by adding a subdivision; 485.06; 494.05; 508.11; 600.23, subdivision 1; 609.0331; 609.0332; 609.165, by adding a subdivision; 609.185; 609.2231, subdivision 2; 609.224, by adding a subdivision; 609.245; 609.25, subdivision 2; 609.321, subdivision 12; 609.3241; 609.325, subdivision 2; 609.341, subdivisions 11, 12, and by adding subdivisions; 609.342, subdivision 1; 609.3451, subdivision 1; 609.377; 609.485, subdivisions 2 and 4; 609.497, subdivision 1, and by adding a subdivision; 609.506, by adding a subdivision; 609.5315, subdivision 3; 609.5316, subdivision 1; 609.561, by adding a subdivision; 609.611; 609.66, subdivisions 1, 1b, 1c, and by adding a subdivision; 609.713, subdivision 3; 609.72, subdivision 1; 609.855; 609.87, by adding a subdivision; 609.88, subdivision 1; 609.89, subdivision 1; 611.21; 611.26, subdivisions 4 and 6; 611A.036; 611A.045, subdivision 3; 611A.19; 611A.53, subdivision 2; 617.23; 624.714, subdivision 3; 626.556, subdivision 3a; 626.557, subdivisions 2, 10a, and 12; 626.76; 626.846, subdivision 6; 626A.05, subdivision 2; 629.471; 629.73; and 631.425, subdivision 6; Minnesota Statutes 1993 Supplement, sections 8.15; 13.46, subdivision 2; 13.82, subdivision 10; 144.651, subdivisions 2, 21, and 26; 152.022, subdivision 1; 152.023, subdivision 2; 171.24; 242.51; 243.166, subdivisions 1, 2, 3, 4, 6, and 9; 243.18, subdivision 2; 244.05, subdivisions 4 and 5; 244.14, subdivision 3; 253B.03, subdivisions 3 and 4; 260.161, subdivisions 1 and 3; 299C.10, subdivision 1; 299C.65, subdivision 1; 357.021, subdivision 2; 357.24; 388.23, subdivision 1; 401.13; 462A.202, by adding a subdivision; 473.407, subdivision 1; 480.30; 518B.01, subdivisions 6 and 14; 593.48; 609.11, subdivisions 4, 5, 8, and by adding a subdivision; 609.14, subdivision 1; 609.344, subdivision 1; 609.345, subdivision 1; 609.346, subdivision 2; 609.531, subdivision 1; 609.5315, subdivisions 1 and 2; 609.66, subdivision 1a; 609.685, subdivision 3; 609.713, subdivision 1; 609.748, subdivision 5; 609.902, subdivision 4; 611.17; 611.20, subdivision 2; 611.27, subdivision 4; 611A.04, subdivision 1; 611A.06, subdivision 1; 611A.52, subdivision 8; 624.712, subdivision 5; 624.713, subdivision 1; 624.7131, subdivision 1; 624.7132, subdivisions 1 and 12; 624.7181; and 626.556, subdivision 2; Laws 1993, chapter 146, article 2, section 32; proposing coding for new law in Minnesota Statutes, chapters 8; 16B; 116; 126; 144; 241; 245; 253B; 268; 299C; 299F; 403; 609; 611A; 626; and 629; repealing Minnesota Statutes 1992, sections 152.01, subdivision 17; 260.315; 299F.72, subdivisions 3 and 4; 299F.78, subdivision 2; 299F.815, as amended; 609.0332, subdivision 2; and 629.69; Minnesota Statutes 1993 Supplement, sections 243.18, subdivision 3; and 299F.811.

Reported the same back with the following amendments:

Page 3, line 7, delete "42,473,000" and insert "42,433,000"

Page 3, line 7, delete "44,022,000" and insert "43,982,000"

Page 3, line 37, delete "4,454,000" and insert "4,414,000"

Page 3, line 38, delete "\$4,426,000" and insert "\$4,386,000"

Page 3, line 45, delete "\$28,000" and insert "\$23,000"

Page 3, after line 46, insert:

"\$5,000 is for a criminal trial certification program for defense attorneys and prosecutors regarding misdemeanor, gross misdemeanor, and felony criminal cases. The board shall develop the trial certification program in conjunction with the Minnesota state bar association and shall submit it to the Minnesota board of legal certification for approval."

Page 17, line 28, delete ", or persons designated by the county attorney"

Page 107, after line 31, insert:

"(e) This subdivision does not apply to customers of a telecommunications carrier as defined in section 237.01, subdivision 6."

Page 184, line 15, delete "\$80,000" and insert "\$68,000"

Page 185, line 26, delete "\$386,000" and insert "\$306,000"

With the recommendation that when so amended the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 3209, A bill for an act relating to the financing and operation of state and local government; conforming with changes in the federal income tax law; changing tax brackets, rates, bases, exemptions, withholding, payments, and refunds; allowing tax credits; providing aids to local governments; changing the calculation of property tax refunds; modifying property tax provisions relating to petitions, procedures, valuation, levies, classifications, homesteads, credits, and exemptions; abolishing limited market value; changing certain tax return or report requirements; changing operation of the local government trust fund; authorizing special assessments; authorizing local taxes; enacting provisions relating to certain cities, counties, special taxing districts, and towns; changing certain redemption provisions; reforming state budget procedures; changing the deposit of certain revenues; changing certain bonding provisions and authorizing bonding; modifying tax increment financing requirements; requiring certain permits and permit fees; requiring certain disclosures; requiring studies; transferring and appropriating money and limiting appropriations; amending Minnesota Statutes 1992, sections 16A.711, subdivisions 4 and 5; 60A.15, by adding a subdivision; 124.196; 271.06, subdivision 7; 272.121, subdivision 1; 273.111, subdivision 11; 273.1398, by adding a subdivision; 273.1399, by adding a subdivision; 273.165, subdivision 1; 278.05, subdivision 6; 289A.02, by adding a subdivision; 289A.25, subdivision 5; 290.01, subdivision 19d, and by adding a subdivision; 290.05, subdivision 3; 290.06, subdivisions 2c and 2d; 290.067, subdivision 1; 290.068, subdivision 2; 290.0802, subdivisions 1 and 2; 290.0921, subdivision 2; 290.35, by adding a subdivision; 290A.04, subdivisions 2 and 2a; 296.16, subdivision 1; 297.01, by adding a subdivision; 297A.01, by adding a subdivision; 297A.02, subdivision 2, and by adding a subdivision; 297A.021, by adding a subdivision; 297A.135, subdivision 1; 297A.15, subdivision 5; 297A.25, subdivision 9, and by adding subdivisions; 297A.256; 297A.44, subdivision 4; 297C.03, subdivision 6; 297C.13, subdivision 1; 298.017, subdivision 2; 298.26; 340A.311; 360.036, subdivisions 2 and 3; 360.037, subdivision 2; 360.042, subdivision 10; 469.004, subdivision 1a; 469.175, subdivisions 3, 4, and by adding a subdivision; 469.1761, subdivisions 1, 2, and 3; 469.177, subdivision 1a; 473.341; 473H.05, by adding a subdivision; 473H.18; and 580.23, as amended; Minnesota Statutes 1993 Supplement, sections 16A.712; 84.794, subdivision 1; 84.803, subdivision 1; 270.78; 273.11, subdivisions 5, 16, and by adding a subdivision; 273.121; 273.124, subdivision 1; 273.13, subdivisions 23 and 24; 275.065, subdivision 3; 276.04, subdivision 2; 278.01, subdivision 1; 289A.11, subdivision 1; 289A.26, subdivision 7; 289A.60, subdivision 21; 290.01, subdivision 19; 290.091, subdivision 2; 290A.03, subdivision 3; 290A.04, subdivisions 2h, as amended, and 6; 290A.23, subdivision 1; 296.02, subdivision 1a; 296.025, subdivision 1a; 297A.01, subdivision 16; 297B.03; and 469.176, subdivisions 1b

and 4c; Laws 1969, chapter 499, section 2; Laws 1993, chapter 375, article 9, section 51; proposing coding for new law in Minnesota Statutes, chapters 16A; 275; 296; 297A; 297B; 462C; 469; and 473; repealing Minnesota Statutes 1992, section 290.067, subdivision 6; Minnesota Statutes 1993 Supplement, sections 82.19, subdivision 9; 273.11, subdivision 1a; and 289A.25, subdivision 5a.

Reported the same back with the following amendments:

Page 45, line 2, delete "12" and insert "16"

Page 49, after line 13, insert:

"Sec. 6. Minnesota Statutes 1993 Supplement, section 477A.03, subdivision 1, is amended to read:

Subdivision 1. [ANNUAL APPROPRIATION.] A sum sufficient to discharge the duties imposed by sections 477A.011 to 477A.014 is annually appropriated from the local government trust fund to the commissioner of revenue. ~~For aid payable in 1993, the total amount of equalization aid paid under section 477A.013, subdivision 5, is limited to \$20,011,000. For aid payable in 1994 and thereafter, the total aid paid to cities under section 477A.013, subdivision 9, is limited to \$330,636,900. For aid payable in 1995, the amount that a city of the first class may receive under section 477A.013, is limited to the amount it received for aid payable in 1994.~~

In 1993 and subsequent years, \$8,400,000 per year is appropriated from the local government trust fund to make payments under section 477A.0121."

Page 49, line 14, delete "6" and insert "7"

Page 50, line 20, delete "7" and insert "8"

Page 50, line 33, delete "8" and insert "9"

Page 50, line 34, delete "7" and insert "8"

Page 50, line 35, delete "Section" and insert "Sections"

Page 50, line 35, delete "is" and insert "and 6 are"

Page 50, line 36, delete "6" and insert "7"

Page 136, line 11, delete "1977" and insert "1997"

Page 139, line 2, delete "\$..." and insert "\$175"

Page 139, line 3, delete "\$..." and insert "\$350"

Page 139, line 4, delete "\$..." and insert "\$385"

Page 139, line 5, delete "\$..." and insert "\$540"

Page 139, line 9, delete "one-half" and insert "three-fourths"

Amend the title as follows:

Page 2, line 16, delete "and"

Page 2, line 17, after the semicolon, insert "and 477A.03, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2351 and 3209 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 2900 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Steensma, Morrison and Trimble introduced:

H. F. No. 3211, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Carruthers introduced:

H. F. No. 3212, A bill for an act relating to taxation; increasing the rate of the tax on sales at the international airport; increasing the rate of the sales tax on hotels in the metropolitan area; providing that the revenues are used for support of nonprofit arts organizations; amending Minnesota Statutes 1992, section 297A.02, by adding subdivisions; Laws 1986, chapter 396, section 5.

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

Workman introduced:

H. F. No. 3213, A bill for an act relating to occupations and professions; providing for the licensure of ophthalmic dispensers by the commissioner of health; requiring rulemaking; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 148D.

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

Munger; Jennings; Anderson, I.; Hausman and Pauly introduced:

H. F. No. 3214, A bill for an act relating to spent nuclear fuel and future electric energy generation; prohibiting storage of spent nuclear fuel on Prairie Island outside the structure of the nuclear power generating plant; requiring shut down of the Prairie Island power plant as a nuclear plant by the end of 2002 unless title to the spent nuclear fuel from the plant has been shifted to the federal government and the waste is being removed from the state; requiring electric energy savings by the public utility that operates the Prairie Island power plant; requiring development or purchase of electricity generated by wind energy and biomass energy by the public utility that operates the Prairie Island power plant; establishing a legislative task force to gather and analyze information related to development of a comprehensive electric energy generation policy, alternatives for management of spent nuclear fuel, the future of high-level radioactive waste management and its costs, and the potential for high-level radioactive waste management in the state at locations other than Prairie Island; establishing a legislative policy relating to preferred sources for electric generation; requiring the public utilities commission to record its proceedings; prohibiting a public utility from recovering in its rates expenses for advertising that promotes nuclear power and storage of spent nuclear fuel; requiring the commissioner of the department of public service to set energy saving goals; authorizing

expanded compensation for persons and groups who intervene in public utilities commission matters on behalf of interests not otherwise adequately represented; appropriating money; amending Minnesota Statutes 1992, sections 216A.03, by adding a subdivision; 216B.16, subdivision 8; and 216B.241, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 216B and 216C; repealing Minnesota Statutes 1992, section 216B.16, subdivision 10.

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

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 Files, herewith returned:

H. F. No. 1844, A bill for an act relating to highways; designating trunk highway marked No. 212 as the Minnesota Veterans Memorial Highway; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

H. F. No. 2553, A bill for an act relating to retirement; public employees retirement association; permitting purchase of service credit by certain soil and water conservation district employees.

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. 3091, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 17.47, subdivision 3; 41A.05, subdivision 2; 60B.04, subdivision 1; 60B.09, subdivisions 1 and 3; 115.41, subdivisions 1 and 2; 115.42; 115.43, subdivision 2; 115.44, subdivision 2; 115.45, subdivision 1; 115.50; 115.52; 115.53; 120.101, subdivisions 2 and 6; 121.88, subdivision 8; 125.611, subdivision 1; 136.24, subdivision 1; 136.622, subdivision 1; 152.02, subdivisions 9, 12, and 13; 160.265; 169.443, subdivision 8; 171.22, subdivision 2; 214.01, subdivision 3; 214.13, subdivision 1; 237.60, subdivision 2; 256D.06, subdivision 1b; 260.151, subdivision 1; 299C.61, subdivision 4; 309.53, subdivision 2; 326.212; 326.224; 326.461, subdivision 1; 327.32, subdivision 8; 327.33; 327.34, subdivision 1; 331A.06, subdivision 4; 348.13; 352.119, subdivision 1; 386.61, by adding a subdivision; 423B.12; 446A.07, subdivision 6; 449.06; 469.174, subdivision 10; 469.181, subdivision 1; and 471A.11; Minnesota Statutes 1993 Supplement, sections 16B.06, subdivision 2a; 16B.122, subdivision 3; 62A.31, subdivision 1n; 62N.075; 82.195, subdivision 2; 115A.542; 115C.082, subdivision 1; 124.195, subdivision 8; 138.96, subdivision 2; 144.991, subdivisions 3 and 4; 152.11, subdivision 1; 169.121, subdivision 1c; 214.103, subdivision 6; 245A.04, subdivision 3b; 256D.44, subdivision 3; 257.67, subdivision 3; 268.92, subdivision 1; 296.035; 325F.755, subdivision 5; 326.111, subdivision 4; 326.975, subdivision 2; 349.217, subdivision 1; 386.66; 491A.01, subdivision 3; 549.09, subdivision 1; 609.5312, subdivision 3; 609.605, subdivision 1; 609.749, subdivision 5; and Laws 1992, chapter 513, article 4, section 60; repealing Minnesota Statutes 1992, sections 216B.164, subdivision 7; 385.08; and 473.872; Laws 1977, chapter 11, section 8; Laws 1982, chapter 514, sections 18 and 19; Laws 1983, chapter 247, section 130; Laws 1984, chapter 628, article 2, section 4; Laws 1985, First Special Session chapters 9, article 2, sections 81 and 82; 13, section 191; and 14, article 9, section 16; Laws 1987, chapters 197, section 1; 315, section 4, subdivision 2; and 336, section 35; Laws 1988, chapters 441, section 2; 486, sections 15 and 68; 496, section 8; 514, section 5; and 636, section 3; Laws 1989, chapters 89, sections 1 (in part) and 13; 133, section 1; 144, article 2, section 8; 209, article 2, sections 8 and 34; 222, sections 10, 21, 22, and 36; 271, section 32; 282, article 2, sections 144 and 186; 293, section 74; 319, article 13, sections 22 and 55; 329, article 5, section 10; 334, article 2, section 17; 335, article 1, sections 200 and 255; 353, section 10; and 356, section 18; Laws 1990, chapters 426, article 1, sections 5 and 32; 480, articles 5, sections 6 and 9; and 9, section 3; 512, section 12; 562, article 10, section 1; 571, section 39; 574, section 5; and 594, article 3, sections 6 and 7; Laws 1991, chapters 58, sections 1, 2, 3, 4, 5, 6, 7, and 8; 130, section 24; 174, section 8; 199, article 1, section 71; 238, article 1, section 7; 265, article 4, section 19; 292, article 4, section 45; 306, section 26; 336, article 2, section 2; 340, sections 1

and 32; and 345, article 2, section 46; Laws 1992, chapters 432, article 2, section 41; 437, section 1; and 499, article 6, section 15; Laws 1993, chapters 4, section 9; 47, sections 1, 4, 6, and 9; 78, section 3; 101, section 1; 224, article 13, sections 3 and 43; 247, articles 1, section 11; and 2, section 9; 269, section 17; 286, sections 2 and 21; 303, sections 15, 17, and 18; 339, section 12; and 369, sections 38 and 128; Laws 1993, First Special Session chapter 1, article 2, section 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Milbert moved that the House concur in the Senate amendments to H. F. No. 3091 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3091, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 17.47, subdivision 3; 41A.05, subdivision 2; 60B.04, subdivision 1; 60B.09, subdivisions 1 and 3; 115.41, subdivisions 1 and 2; 115.42; 115.43, subdivision 2; 115.44, subdivision 2; 115.45, subdivision 1; 115.50; 115.52; 115.53; 120.101, subdivisions 2 and 6; 121.88, subdivision 8; 125.611, subdivision 1; 136.24, subdivision 1; 136.622, subdivision 1; 152.02, subdivisions 9, 12, and 13; 160.265; 169.443, subdivision 8; 214.01, subdivision 3; 214.13, subdivision 1; 237.60, subdivision 2; 256D.06, subdivision 1b; 260.151, subdivision 1; 299C.61, subdivision 4; 309.53, subdivision 2; 326.212; 326.224; 326.461, subdivision 1; 327.32, subdivision 8; 327.33; 327.34, subdivision 1; 331A.06, subdivision 4; 348.13; 352.119, subdivision 1; 386.61, by adding a subdivision; 423B.12; 446A.07, subdivision 6; 449.06; 469.174, subdivision 10; 469.181, subdivision 1; and 471A.11; Minnesota Statutes 1993 Supplement, sections 16B.06, subdivision 2a; 16B.122, subdivision 3; 62A.31, subdivision 1n; 62N.075; 82.195, subdivision 2; 115A.542; 115C.082, subdivision 1; 124.195, subdivision 8; 138.96, subdivision 2; 144.991, subdivisions 3 and 4; 152.11, subdivision 1; 169.121, subdivision 1c; 214.103, subdivision 6; 245A.04, subdivision 3b; 256D.44, subdivision 3; 257.67, subdivision 3; 268.92, subdivision 1; 296.035; 325F.755, subdivision 5; 326.111, subdivision 4; 326.975, subdivision 2; 349.217, subdivision 1; 386.66; 491A.01, subdivision 3; 549.09, subdivision 1; 609.5312, subdivision 3; 609.605, subdivision 1; 609.749, subdivision 5; and Laws 1992, chapter 513, article 4, section 60; repealing Minnesota Statutes 1992, sections 216B.164, subdivision 7; 385.08; and 473.872; Laws 1977, chapter 11, section 8; Laws 1982, chapter 514, sections 18 and 19; Laws 1983, chapter 247, section 130; Laws 1984, chapter 628, article 2, section 4; Laws 1985, First Special Session chapters 9, article 2, sections 81 and 82; 13, section 191; and 14, article 9, section 16; Laws 1987, chapters 197, section 1; 315, section 4, subdivision 2; and 336, section 35; Laws 1988, chapters 441, section 2; 486, sections 15 and 68; 496, section 8; 514, section 5; and 636, section 3; Laws 1989, chapters 89, sections 1 (in part) and 13; 133, section 1; 144, article 2, section 8; 209, article 2, sections 8 and 34; 222, sections 10, 21, 22, and 36; 271, section 32; 282, article 2, sections 144 and 186; 293, section 74; 319, article 13, sections 22 and 55; 329, article 5, section 10; 334, article 2, section 17; 335, article 1, sections 200 and 255; 353, section 10; and 356, section 18; Laws 1990, chapters 426, article 1, sections 5 and 32; 480, articles 5, sections 6 and 9; and 9, section 3; 512, section 12; 562, article 10, section 1; 571, section 39; 574, section 5; and 594, article 3, sections 6 and 7; Laws 1991, chapters 58, sections 1, 2, 3, 4, 5, 6, 7, and 8; 130, section 24; 174, section 8; 199, article 1, section 71; 238, article 1, section 7; 265, article 4, section 19; 292, article 4, section 45; 306, section 26; 336, article 2, section 2; 340, sections 1 and 32; and 345, article 2, section 46; Laws 1992, chapters 432, article 2, section 41; 437, section 1; and 499, article 6, section 15; Laws 1993, chapters 4, section 9; 47, sections 1, 4, 6, and 9; 78, section 3; 101, section 1; 224, article 13, sections 3 and 43; 247, articles 1, section 11; and 2, section 9; 269, section 17; 286, sections 2 and 21; 303, sections 15, 17, and 18; 339, section 12; and 369, sections 38 and 128; Laws 1993, First Special Session chapter 1, article 2, section 6.

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 123 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abrams	Bertram	Commers	Dempsey	Garcia	Hasskamp	Jaros
Anderson, R.	Bettermann	Cooper	Dorn	Girard	Haukoos	Jefferson
Asch	Brown, C.	Dauner	Erhardt	Goodno	Hausman	Jennings
Battaglia	Brown, K.	Dauids	Evans	Greenfield	Holsten	Johnson, A.
Bauerly	Carlson	Dawkins	Farrell	Greiling	Hugoson	Johnson, R.
Beard	Carruthers	Dehler	Finseth	Gruenes	Huntley	Kahn
Bergson	Clark	Delmont	Frerichs	Gutknecht	Jacobs	Kalis

Kelley	Lindner	Morrison	Orenstein	Rhodes	Steensma	Waltman
Kelso	Long	Mosel	Osthoff	Rice	Sviggum	Weaver
Kinkel	Lourey	Munger	Ostrom	Rodosovich	Tomassoni	Wejcman
Klinzing	Luther	Murphy	Ozment	Rukavina	Tompkins	Wenzel
Knickerbocker	Lynch	Neary	Pauly	Sarna	Trimble	Wolf
Knight	Macklin	Nelson	Pawlenty	Seagren	Tunheim	Worke
Koppendrayner	Mahon	Ness	Pelowski	Sekhon	Van Dellen	Workman
Krueger	McCollum	Olson, E.	Perlt	Simoneau	Van Engen	Spk. Anderson, I.
Lasley	McGuire	Olson, M.	Peterson	Skoglund	Vellenga	
Leppik	Milbert	Onnen	Pugh	Smith	Vickerman	
Lieder	Molnau	Opatz	Reding	Solberg	Wagenius	

Those who voted in the negative were:

Johnson, V.	Krinkie	Limmer	Stanis	Swenson
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The bill was repassed, as amended by the Senate, and its title agreed to.

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. 985, A bill for an act relating to retirement; public employees police and fire fund; modifying the disability benefit limitation for reemployed disabilitants; amending Minnesota Statutes 1992, section 353.656, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Weaver moved that the House concur in the Senate amendments to H. F. No. 985 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 985, A bill for an act relating to retirement; public employees police and fire fund; modifying the disability benefit limitation for reemployed disabilitants; amending Minnesota Statutes 1992, section 353.656, subdivision 4.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Finseth	Hugoson	Kinkel	Lourey	Neary
Anderson, R.	Connors	Frerichs	Huntley	Klinzing	Luther	Nelson
Asch	Cooper	Garcia	Jacobs	Knickerbocker	Lynch	Ness
Battaglia	Dauner	Girard	Jaros	Knight	Macklin	Olson, E.
Bauerly	Davids	Goodno	Jefferson	Koppendrayner	Mahon	Olson, M.
Beard	Dawkins	Greenfield	Jennings	Krinkie	McCollum	Onnen
Bergson	Dehler	Greiling	Johnson, A.	Krueger	McGuire	Opatz
Bertram	Delmont	Gruenes	Johnson, R.	Lasley	Milbert	Orenstein
Bettermann	Dempsey	Gutknecht	Johnson, V.	Leppik	Molnau	Osthoff
Brown, C.	Dorn	Hasskamp	Kahn	Lieder	Morrison	Ostrom
Brown, K.	Erhardt	Haukoos	Kalis	Limmer	Mosel	Ozment
Carlson	Evans	Hausman	Kelley	Lindner	Munger	Pauly
Carruthers	Farrell	Holsten	Kelso	Long	Murphy	Pawlenty

Pelowski	Rice	Simoneau	Sviggun	Van Dellen	Weaver	Spk. Anderson, I.
Perlt	Rodosovich	Skoglund	Swenson	Van Engen	Wejzman	
Peterson	Rukavina	Smith	Tomassoni	Vellenga	Wenzel	
Pugh	Sarna	Solberg	Tompkins	Vickerman	Wolf	
Reding	Seagren	Stanisus	Trimble	Wagenius	Worke	
Rhodes	Sekhon	Steensma	Tunheim	Waltman	Workman	

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

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. 2657, A bill for an act relating to state parks; allowing handicapped persons to receive a special permit; amending Minnesota Statutes 1992, section 85.053, subdivision 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vellenga moved that the House concur in the Senate amendments to H. F. No. 2657 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2657, A bill for an act relating to state parks; establishing a special state park permit for physically handicapped persons who do not own motor vehicles; amending Minnesota Statutes 1992, sections 85.053, subdivisions 2 and 7; and 85.055, subdivision 1.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Krinkie	Munger	Reding	Tunheim
Anderson, R.	Delmont	Hugoson	Krueger	Murphy	Rhodes	Van Dellen
Asch	Dempsey	Huntley	Lasley	Neary	Rice	Van Engen
Battaglia	Dorn	Jacobs	Leppik	Nelson	Rodosovich	Vellenga
Bauerly	Erhardt	Jaros	Lieder	Ness	Rukavina	Vickerman
Beard	Evans	Jefferson	Limmer	Olson, E.	Sarna	Wagenius
Bergson	Farrell	Jennings	Lindner	Olson, M.	Seagren	Waltman
Bertram	Finseth	Johnson, A.	Long	Onnen	Sekhon	Weaver
Bettermann	Frerichs	Johnson, R.	Lourey	Opatz	Simoneau	Wejzman
Brown, C.	Garcia	Johnson, V.	Luther	Orenstein	Skoglund	Wenzel
Brown, K.	Girard	Kahn	Lynch	Osthoft	Smith	Wolf
Carlson	Goodno	Kalis	Macklin	Ostrom	Solberg	Worke
Carruthers	Greenfield	Kelley	Mahon	Ozment	Stanisus	Workman
Clark	Greiling	Kelso	McCollum	Pauly	Steensma	Spk. Anderson, I.
Commers	Gruenes	Kinkel	McGuire	Pawlenty	Sviggun	
Cooper	Gutknecht	Klinzing	Milbert	Pelowski	Swenson	
Dauner	Hasskamp	Krickerbocker	Molnau	Perlt	Tomassoni	
Davids	Haukoos	Knight	Morrison	Peterson	Tompkins	
Dawkins	Hausman	Koppendraye	Mosel	Pugh	Trimble	

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

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. 2321, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Clay and Wilkin counties.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dauner moved that the House concur in the Senate amendments to H. F. No. 2321 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2321, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Clay and Wilkin counties.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Krinkie	Munger	Pugh	Trimble
Anderson, R.	Delmont	Hugoson	Krueger	Murphy	Reding	Tunheim
Asch	Dempsey	Huntley	Lasley	Neary	Rhodes	Van Dellen
Battaglia	Dorn	Jacobs	Leppik	Nelson	Rice	Van Engen
Bauerly	Erhardt	Jaros	Lieder	Ness	Rodosovich	Vellenga
Beard	Evans	Jefferson	Limmer	Olson, E.	Rukavina	Vickerman
Bergson	Farrell	Jennings	Lindner	Olson, M.	Sarna	Wagenius
Bertram	Finseth	Johnson, A.	Long	Onnen	Seagren	Waltman
Bettermann	Frerichs	Johnson, R.	Lourey	Opatz	Sekhon	Weaver
Brown, C.	Garcia	Johnson, V.	Luther	Orenstein	Simoneau	Wejcman
Brown, K.	Girard	Kahn	Lynch	Orfield	Skoglund	Wenzel
Carlson	Goodno	Kalis	Macklin	Osthoff	Smith	Winter
Carruthers	Greenfield	Kelley	Mahon	Ostrom	Solberg	Wolf
Clark	Greiling	Kelso	McCollum	Ozment	Stanis	Worke
Commers	Gruenes	Kinkel	McGuire	Pauly	Steensma	Workman
Cooper	Gutknecht	Klinzing	Milbert	Pawlenty	Sviggum	Spk. Anderson, I.
Dauner	Hasskamp	Knickerbocker	Molnau	Pelowski	Swenson	
Davids	Haukoos	Knight	Morrison	Perlt	Tomassoni	
Dawkins	Hausman	Koppendrayner	Mosel	Peterson	Tompkins	

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

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. 1927, A bill for an act relating to public employment; authorizing a Medicare coverage referendum for certain city of Karlstad hospital employees.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Tunheim moved that the House concur in the Senate amendments to H. F. No. 1927 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1927, A bill for an act relating to public employment; authorizing a Medicare coverage referendum for certain city of Karlstad hospital employees.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Delmont	Hugoson	Krueger	Munger	Reding	Tunheim
Anderson, R.	Dempsey	Huntley	Lasley	Murphy	Rhodes	Van Dellen
Asch	Dorn	Jacobs	Leppik	Neary	Rice	Van Engen
Battaglia	Erhardt	Jaros	Lieder	Nelson	Rodosovich	Vellenga
Bauerly	Evans	Jefferson	Limmer	Ness	Rukavina	Vickerman
Beard	Farrell	Jennings	Lindner	Olson, E.	Sarna	Wagenius
Bergson	Finseth	Johnson, A.	Long	Olson, M.	Seagren	Waltman
Bertram	Frerichs	Johnson, R.	Lourey	Onnen	Sekhon	Weaver
Bettermann	Garcia	Johnson, V.	Luther	Opatz	Simoneau	Wejcman
Brown, K.	Girard	Kahn	Lynch	Orenstein	Skoglund	Wenzel
Carlson	Goodno	Kalis	Macklin	Osthoff	Smith	Winter
Carruthers	Greenfield	Kelley	Mahon	Ostrom	Solberg	Wolf
Clark	Greiling	Kelso	Mariani	Ozment	Stanis	Worke
Commers	Gruenes	Kinkel	McCollum	Pauly	Steensma	Workman
Cooper	Gutknecht	Klinzing	McGuire	Pawlenty	Sviggum	Spk. Anderson, I.
Dauner	Hasskamp	Knickerbocker	Milbert	Pelowski	Swenson	
Davids	Haukoos	Knight	Molnau	Perlt	Tomassoni	
Dawkins	Hausman	Koppendrayner	Morrison	Peterson	Tompkins	
Dehler	Holsten	Krinkie	Mosel	Pugh	Trimble	

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

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. 2856, A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited lands that border public water in Mower county.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Reding moved that the House concur in the Senate amendments to H. F. No. 2856 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2856, A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited lands that border public water in Mower county.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hausman	Koppendrayner	Morrison	Perlt	Tomassoni
Anderson, R.	Dehler	Holsten	Krinkie	Mosel	Peterson	Tompkins
Asch	Delmont	Hugoson	Krueger	Munger	Pugh	Trimble
Battaglia	Dempsey	Huntley	Lasley	Murphy	Reding	Tunheim
Bauerly	Dorn	Jacobs	Leppik	Neary	Rhodes	Van Dellen
Beard	Erhardt	Jaros	Lieder	Nelson	Rice	Van Engen
Bergson	Evans	Jefferson	Limmer	Ness	Rodosovich	Vickerman
Bertram	Farrell	Jennings	Lindner	Olson, E.	Rukavina	Wagenius
Bettermann	Finseth	Johnson, A.	Long	Olson, M.	Sarna	Waltman
Bishop	Frerichs	Johnson, R.	Lourey	Onnen	Seagren	Weaver
Brown, C.	Garcia	Johnson, V.	Luther	Opatz	Sekhon	Wejcman
Brown, K.	Girard	Kahn	Lynch	Orenstein	Simoneau	Wenzel
Carlson	Goodno	Kalis	Macklin	Orfield	Skoglund	Winter
Carruthers	Greenfield	Kelley	Mahon	Osthoff	Smith	Wolf
Clark	Greiling	Kelso	Mariani	Ostrom	Solberg	Worke
Commers	Gruenes	Kinkel	McCollum	Ozment	Stanis	Workman
Cooper	Gutknecht	Klinzing	McGuire	Pauly	Steensma	Spk. Anderson, I.
Dauner	Hasskamp	Knickerbocker	Milbert	Pawlenty	Sviggum	
Davids	Haukoos	Knight	Molnau	Pelowski	Swenson	

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

Kahn was excused between the hours of 11:30 a.m. and 12:15 p.m.

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. 1936, A bill for an act relating to game and fish; requiring return to the water of fish snagged in certain waters; amending Minnesota Statutes 1993 Supplement, section 97C.331.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Battaglia moved that the House concur in the Senate amendments to H. F. No. 1936 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1936, A bill for an act relating to game and fish; requiring return to the water of fish snagged in certain waters; amending Minnesota Statutes 1993 Supplement, section 97C.331.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bauerly	Bettermann	Carlson	Cooper	Dehler	Erhardt
Anderson, R.	Beard	Bishop	Carruthers	Dauner	Delmont	Evans
Asch	Bergson	Brown, C.	Clark	Davids	Dempsey	Farrell
Battaglia	Bertram	Brown, K.	Commers	Dawkins	Dorn	Finseth

Frerichs	Jaros	Krueger	Milbert	Orfield	Sarna	Van Dellen
Garcia	Jefferson	Lasley	Molnau	Osthoff	Seagren	Van Engen
Girard	Jennings	Leppik	Morrison	Ostrom	Sekhoni	Vickerman
Goodno	Johnson, A.	Lieder	Mosel	Ozment	Simoneau	Wagenius
Greenfield	Johnson, R.	Limmer	Munger	Pauly	Skoglund	Waltman
Greiling	Johnson, V.	Lindner	Murphy	Pawlenty	Smith	Weaver
Gruenes	Kalis	Long	Neary	Pelowski	Solberg	Wejcman
Gutknecht	Kelley	Lourey	Nelson	Perlt	Stanis	Wenzel
Hasskamp	Kelso	Luther	Ness	Peterson	Steensma	Winter
Haukoos	Kinkel	Lynch	Olson, E.	Pugh	Sviggum	Wolf
Hausman	Klinzing	Macklin	Olson, K.	Reding	Swenson	Worke
Holsten	Knickerbocker	Mahon	Olson, M.	Rhodes	Tomassoni	Workman
Hugoson	Knight	Mariani	Onnen	Rice	Tompkins	Spk. Anderson, I.
Huntley	Koppendrayner	McCollum	Opatz	Rodosovich	Trimble	
Jacobs	Krinkie	McGuire	Orenstein	Rukavina	Tunheim	

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

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. 2139, A bill for an act relating to real estate; regulating trust accounts; clarifying a definition for purposes of licensing real estate appraisers; regulating dual agency disclosure; amending Minnesota Statutes 1992, section 82B.02, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 82.197, subdivision 3; and 82.24, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Knickerbocker moved that the House concur in the Senate amendments to H. F. No. 2139 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2139, A bill for an act relating to real estate; regulating trust accounts; clarifying a definition for purposes of licensing real estate appraisers; regulating dual agency disclosure; amending Minnesota Statutes 1992, section 82B.02, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 82.197, subdivision 3; and 82.24, subdivision 1.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Carruthers	Evans	Haukoos	Kalis	Lieder	Milbert
Anderson, R.	Clark	Farrell	Hausman	Kelley	Limmer	Molnau
Asch	Commers	Finseth	Holsten	Kelso	Lindner	Morrison
Battaglia	Cooper	Frerichs	Hugoson	Kinkel	Long	Mosel
Bauerly	Dauner	Garcia	Huntley	Klinzing	Lourey	Munger
Beard	Davids	Girard	Jacobs	Knickerbocker	Luther	Murphy
Bergson	Dawkins	Goodno	Jaros	Knight	Lynch	Neary
Bertram	Dehler	Greenfield	Jefferson	Koppendrayner	Macklin	Nelson
Bettermann	Delmont	Greiling	Jennings	Krinkie	Mahon	Ness
Bishop	Dempsey	Gruenes	Johnson, A.	Krueger	Mariani	Olson, K.
Brown, K.	Dorn	Gutknecht	Johnson, R.	Lasley	McCollum	Olson, M.
Carlson	Erhardt	Hasskamp	Johnson, V.	Leppik	McGuire	Onnen

Opatz	Pawlenty	Rice	Skoglund	Tomassoni	Vickerman	Wolf
Orenstein	Pelowski	Rodosovich	Smith	Tompkins	Wagenius	Worke
Orfield	Perlt	Rukavina	Solberg	Trimble	Waltman	Workman
Osthoff	Peterson	Sarna	Stanis	Tunheim	Weaver	Spk. Anderson, I.
Ostrom	Pugh	Seagren	Steensma	Van Dellen	Wejcman	
Ozment	Reding	Sekhon	Sviggum	Van Engen	Wenzel	
Pauly	Rhodes	Simoneau	Swenson	Vellenga	Winter	

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

Mr. Speaker:

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

S. F. No. 1788.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1788, A bill for an act relating to waste management; applying government waste reduction requirements to compilations of game and fish laws; clarifying the state's waste management goals; adding heat pumps to the definition of major appliances; requiring public education on reuse; authorizing larger capital assistance grants to resource recovery projects under certain circumstances; listing preferences for use of packaging; establishing enforcement of the authority of certain counties to inspect records of certain facilities; clarifying management of waste antifreeze and motor oil filters; establishing a process for resolution of disputes related to toxics in packaging and requiring a report; clarifying the prohibition on toxics in products and providing for exemptions; requiring and authorizing training and certification of appliance recyclers and servicers respectively; removing the federal government from the definition of commercial transporter of medical waste; requiring medical waste management plans to contain information regarding mailing of sharps; banning sale of apparel containing mercury switches; authorizing private ownership of solid waste facilities; permitting counties and local governments to impose certain conditions on disposal of unprocessed solid waste; authorizing counties to require record keeping; adding requirements for liners and leachate systems; expanding the restriction on disposal of unprocessed waste from the metropolitan area; requiring a report on management of waste electronic appliances; requiring a report on products that contain mercury; requiring a report on recycling facilities; requiring a report on recycled antifreeze; providing penalties and remedies; amending Minnesota Statutes 1992, sections 8.31, subdivision 1; 97A.051, subdivision 1; 115A.02; 115A.03, subdivision 17a; 115A.072, subdivision 4; 115A.5501, subdivisions 1, 2, and by adding subdivisions; 115A.554; 115A.557, subdivisions 3 and 4; 115A.87; 115A.882, by adding a subdivision; 115A.9157, subdivisions 4 and 5; 115A.918, subdivision 1, and by adding a subdivision; 115A.95; 115A.9561, subdivision 2; 115A.965, subdivision 6, and by adding a subdivision; 116.07, subdivision 4h; 116.76, subdivision 4; 116.92, subdivision 8; 473.803, subdivisions 1 and 1c; 473.811, subdivisions 5 and 5a; 473.843, subdivision 1; 473.844, subdivision 1a; 473.845, subdivision 3; and 473.848, subdivisions 1 and 5; Minnesota Statutes 1993 Supplement, sections 115A.54, subdivision 2a; 115A.5501, subdivision 3; 115A.916; 115A.929; 115A.9651; 115A.981, subdivision 3; 116.79, subdivision 1; 473.149, subdivision 6; 473.846; and 473.848, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 115A; 116; 325E; and 473; repealing Minnesota Statutes 1993 Supplement, section 115A.542.

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

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of S. F. Nos. 1758 and 2900.

S. F. No. 1758 was reported to the House.

Klinzing, Cooper, Wenzel, Rodosovich, Murphy, Sviggum, Worke and Bettermann moved to amend S. F. No. 1758, the second unofficial engrossment, as follows:

Page 1, after line 44, insert:

"Section 1. [145.4245] [INFORMED CONSENT PROVISIONS.]

Subdivision 1. [INFORMED CONSENT; GENERAL RULE.] The legislature finds that the health of women affects their ability to provide for their families, and that the health of women is greatly jeopardized when they make decisions without complete information. Unless there is a medical emergency that so complicates a pregnancy as to necessitate an immediate abortion to avert the death of the mother or for which a 24-hour delay will create grave peril of immediate and irreversible loss of major bodily function, at least 24 hours before the abortion, either the physician who is to perform the abortion or a referring physician must tell the woman:

(a) the probable gestational age of the unborn child at the time the abortion is to be performed;

(b) the name of the physician who will perform the abortion;

(c) the particular medical risks associated with the particular abortion procedure to be used including, when medically accurate, the risks of infection, hemorrhage, danger to subsequent pregnancies, and infertility;

(d) that she has the right to review the printed materials described in subdivision 2; and

(e) the medical risks associated with carrying her child to term.

The physician or the referring physician may provide this information by telephone without conducting a physical examination or tests of the patient, in which case the information required to be supplied may be based on facts supplied by the patient and whatever other relevant information is reasonably available to the physician or the referring physician. The physician or the physician's agent shall also orally inform the woman that the printed materials have been provided by the state. If the woman chooses to view the materials, they shall be given to her at least 24 hours before the abortion or mailed to her at least 72 hours before the abortion by certified mail, restricted delivery to addressee, which means the postal employee can only deliver the mail to the addressee. The physician or the physician's agent may choose to disassociate himself or herself from the materials, and may choose to comment or refrain from comment on the materials.

Subd. 2. [PRINTED INFORMATION.] Within 60 days after the effective date of this act the commissioner of health shall develop, for reproduction by medical facilities, the following easily comprehensible printed materials in every language that is the primary language of one percent or more of the residents of Minnesota:

(1) geographically indexed materials designed to inform the woman of public and private agencies and services available to assist a woman through pregnancy, upon childbirth, and while the child is dependent, as well as adoption agencies. The materials must include a comprehensive list of the agencies available, a description of the services they offer, telephone numbers of the agencies, and a description of the manner in which they might be contacted; and

(2) materials designed to inform the woman of the probable anatomical and physiological characteristics of the unborn child at two-week gestational increments from the time when a woman can be known to be pregnant to full term, including any relevant information on the possibility of the unborn child's survival. The materials shall be objective, nonjudgmental, and designed to convey only accurate scientific information about the unborn child at the various gestational ages.

Subd. 3. [CIVIL DAMAGES FOR ABORTIONS PERFORMED WITHOUT INFORMED CONSENT.] Any person with standing may maintain an action against the person who performed an abortion in violation of subdivision 1 for civil damages. Those with standing are a woman upon whom, or the parent of a minor upon whom, an abortion that is unlawful under subdivision 1 has been performed or attempted to be performed and the father of the unborn child subject to an abortion that is unlawful under subdivision 1."

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 2, after "reform," insert "providing for informed consent to abortions;"

Page 1, line 42, delete "chapter" and insert "chapters 145; and"

A roll call was requested and properly seconded.

POINT OF ORDER

Simoneau raised a point of order pursuant to rule 3.09 that the Klinzing et al amendment was not in order. The Speaker ruled the point of order not well taken and the amendment in order.

POINT OF ORDER

Simoneau raised a point of order pursuant to rule 3.10 that the Klinzing et al amendment was not in order. The Speaker ruled the point of order not well taken and the amendment in order.

Abrams offered an amendment to the Klinzing et al amendment to S. F. No. 1758, the second unofficial engrossment.

Mariani requested a division of the Abrams amendment to the Klinzing et al amendment to S. F. No. 1758, the second unofficial engrossment.

The first portion of the Abrams amendment to the Klinzing et al amendment to S. F. No. 1758, the second unofficial engrossment, reads as follows:

Page 1, line 5, delete "the"

Page 1, delete lines 6 to 8

Page 1, line 9, delete "information."

A roll call was requested and properly seconded.

The question was taken on the first portion of the Abrams amendment to the Klinzing et al amendment and the roll was called. There were 61 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Delmont	Hausman	Knickerbocker	McGuire	Ostrom	Solberg
Asch	Dorn	Huntley	Krinkie	Morrison	Pauly	Tomassoni
Bergson	Erhardt	Jaros	Leppik	Munger	Perlt	Trimble
Bishop	Evans	Jefferson	Long	Neary	Pugh	Tunheim
Brown, K.	Farrell	Jennings	Lourey	Olson, E.	Rhodes	Vellenga
Carlson	Frerichs	Johnson, A.	Luther	Olson, K.	Rukavina	Wagenius
Carruthers	Garcia	Kahn	Mahon	Orenstein	Sekhon	Wejzman
Clark	Greenfield	Kelley	Mariani	Orfield	Simoneau	
Dawkins	Greiling	Kinkel	McCollum	Osthoff	Skoglund	

Those who voted in the negative were:

Anderson, R.	Dehler	Jacobs	Limmer	Onnen	Smith	Wenzel
Battaglia	Dempsey	Johnson, R.	Lindner	Opatz	Stanis	Winter
Bauerly	Finseth	Johnson, V.	Lynch	Ozment	Steensma	Wolf
Beard	Girard	Kalis	Macklin	Pawlenty	Sviggum	Worke
Bertram	Goodno	Kelso	Milbert	Pelowski	Swenson	Workman
Bettermann	Gruenes	Klinzing	Molnau	Peterson	Tompkins	Spk. Anderson, I.
Brown, C.	Gutknecht	Knight	Mosel	Reding	Van Dellen	
Commers	Hasskamp	Koppendrayner	Murphy	Rice	Van Engen	
Cooper	Haukoos	Krueger	Nelson	Rodosovich	Vickerman	
Dauner	Holsten	Lasley	Ness	Sarna	Waltman	
Davids	Hugoson	Lieder	Olson, M.	Seagren	Weaver	

The motion did not prevail and the first portion of the Abrams amendment to the Klinzing et al amendment was not adopted.

The second portion of the Abrams amendment to the Klinzing et al amendment to S. F. No. 1758, the second unofficial engrossment, reads as follows:

Page 3, line 12, delete everything after "performed"

Page 3, line 13, delete everything before the period

A roll call was requested and properly seconded.

The question was taken on the second portion of the Abrams amendment to the Klinzing et al amendment and the roll was called. There were 58 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Abrams	Delmont	Hausman	Knickerbocker	McGuire	Perlt	Trimble
Asch	Dorn	Holsten	Lasley	Morrison	Pugh	Vellenga
Bergson	Erhardt	Huntley	Leppik	Neary	Rhodes	Wagenius
Bishop	Evans	Jaros	Long	Olson, K.	Rukavina	Wejcman
Brown, K.	Farrell	Jefferson	Lourey	Orenstein	Sekhon	
Carlson	Frerichs	Jennings	Luther	Orfield	Simoneau	
Carruthers	Garcia	Johnson, A.	Mahon	Osthoff	Skoglund	
Clark	Greenfield	Kahn	Mariani	Ostrom	Solberg	
Dawkins	Greiling	Kelley	McCollum	Pauly	Tomassoni	

Those who voted in the negative were:

Anderson, R.	Dehler	Johnson, V.	Lindner	Onnen	Smith	Weaver
Battaglia	Dempsey	Kalis	Lynch	Opatz	Stanis	Wenzel
Bauerly	Finseth	Kelso	Macklin	Ozment	Steensma	Winter
Beard	Girard	Kinkel	Milbert	Pawlenty	Sviggum	Wolf
Bertram	Goodno	Klinzing	Molnau	Pelowski	Swenson	Worke
Bettermann	Gruenes	Knight	Mosel	Peterson	Tompkins	Workman
Brown, C.	Hasskamp	Koppendrayner	Murphy	Reding	Tunheim	Spk. Anderson, I.
Commers	Haukoos	Krinkie	Nelson	Rice	Van Dellen	
Cooper	Hugoson	Krueger	Ness	Rodosovich	Van Engen	
Dauner	Jacobs	Lieder	Olson, E.	Sarna	Vickerman	
Davids	Johnson, R.	Limmer	Olson, M.	Seagren	Waltman	

The motion did not prevail and the second portion of the Abrams amendment to the Klinzing et al amendment was not adopted.

Asch moved to amend the Klinzing et al amendment to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 3, line 12, after "child" insert "unless the father has raped or committed incest upon the mother"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 81 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Lasley	Milbert	Pauly	Tomassoni
Asch	Delmont	Huntley	Leppik	Morrison	Pawlenty	Trimble
Bauerly	Dorn	Jaros	Lieder	Mosel	Perlt	Van Dellen
Beard	Erhardt	Jefferson	Limmer	Munger	Pugh	Van Engen
Bergson	Evans	Jennings	Long	Neary	Rhodes	Vellenga
Bishop	Farrell	Johnson, A.	Lourey	Olson, E.	Rukavina	Wagenius
Brown, K.	Frerichs	Johnson, R.	Luther	Olson, K.	Sekhon	Weaver
Carlson	Garcia	Kahn	Macklin	Opatz	Simoneau	Wejcman
Carruthers	Goodno	Kelley	Mahon	Orenstein	Skoglund	Winter
Clark	Greenfield	Kinkel	Mariani	Orfield	Smith	
Commers	Greiling	Kruckerbocker	McCollum	Osthoff	Solberg	
Dauner	Hausman	Krinkie	McGuire	Ostrom	Stanis	

Those who voted in the negative were:

Anderson, R.	Dempsey	Jacobs	Lindner	Ozment	Swenson	Workman
Battaglia	Finseth	Johnson, V.	Lynch	Pelowski	Tompkins	Spk. Anderson, I.
Bertram	Girard	Kalis	Molnau	Peterson	Tunheim	
Bettermann	Gruenes	Kelso	Murphy	Reding	Vickerman	
Brown, C.	Gutknecht	Klinzing	Nelson	Rodosovich	Waltman	
Cooper	Hasskamp	Knight	Ness	Seagren	Wenzel	
Davids	Haukoos	Koppendrayer	Olson, M.	Steensma	Wolf	
Dehler	Hugoson	Krueger	Onnen	Sviggum	Worke	

The motion prevailed and the amendment to the amendment was adopted.

Kahn offered an amendment to the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment.

POINT OF ORDER

Sviggum raised a point of order pursuant to section 401 of "Mason's Manual of Legislative Procedure" relating to frivolous and improper amendments. The Speaker ruled the point of order well taken and the Kahn amendment to the Klinzing et al amendment, as amended, out of order.

Simoneau and Skoglund moved to amend the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 3, after line 13, insert:

"Sec. 2. [RELIGIOUS FREEDOM.] Section 1 does not apply where the woman seeking the abortion has a conscientiously held religious belief that would be violated by the section's application."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 55 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Greenfield	Kahn	Mariani	Orenstein	Simoneau
Asch	Delmont	Greiling	Kelley	McCollum	Orfield	Skoglund
Bergson	Dorn	Hausman	Knickerbocker	McGuire	Osthoff	Tomassoni
Bishop	Erhardt	Huntley	Leppik	Morrison	Ostrom	Trimble
Brown, K.	Evans	Jaros	Long	Munger	Perlt	Vellenga
Carlson	Farrell	Jefferson	Lourey	Neary	Rhodes	Wagenius
Carruthers	Frerichs	Jennings	Luther	Olson, E.	Rukavina	Wejzman
Clark	Garcia	Johnson, A.	Mahon	Olson, K.	Sekhon	

Those who voted in the negative were:

Anderson, R.	Dehler	Jacobs	Lieder	Onnen	Sarna	Vickerman
Battaglia	Dempsey	Johnson, R.	Limmer	Opatz	Seagren	Waltman
Bauerly	Finseth	Johnson, V.	Lindner	Ozment	Smith	Weaver
Beard	Girard	Kalis	Lynch	Pauly	Stanis	Wenzel
Bertram	Goodno	Kelso	Macklin	Pawlenty	Steensma	Winter
Bettermann	Gruenes	Kinkel	Molnau	Pelowski	Svigum	Wolf
Brown, C.	Gutknecht	Klinzing	Mosel	Peterson	Swenson	Worke
Commers	Hasskamp	Knight	Murphy	Pugh	Tompkins	Workman
Cooper	Haukoos	Koppendrayner	Nelson	Reding	Tunheim	Spk. Anderson, I.
Dauner	Holsten	Krinkie	Ness	Rice	Van Dellen	
Davids	Hugoson	Krueger	Olson, M.	Rodosovich	Van Engen	

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

Trimble and Mariani moved to amend the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 2, line 24, delete "one percent or more of the residents" and insert "any resident"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 47 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Asch	Delmont	Hausman	Kelley	McGuire	Perlt	Tomassoni
Beard	Erhardt	Huntley	Long	Munger	Rhodes	Trimble
Bergson	Evans	Jaros	Lourey	Neary	Rukavina	Vellenga
Brown, K.	Farrell	Jefferson	Luther	Olson, K.	Sekhon	Wagenius
Carlson	Garcia	Jennings	Mahon	Orenstein	Simoneau	Wejzman
Clark	Greenfield	Johnson, A.	Mariani	Orfield	Skoglund	
Dawkins	Greiling	Kahn	McCollum	Osthoff	Solberg	

Those who voted in the negative were:

Abrams	Brown, C.	Dempsey	Gruenes	Jacobs	Klinzing	Lasley
Anderson, R.	Commers	Dorn	Gutknecht	Johnson, R.	Knickerbocker	Leppik
Battaglia	Cooper	Finseth	Hasskamp	Johnson, V.	Knight	Lieder
Bauerly	Dauner	Frerichs	Haukoos	Kalis	Koppendrayner	Limmer
Bertram	Davids	Girard	Holsten	Kelso	Krinkie	Lindner
Bettermann	Dehler	Goodno	Hugoson	Kinkel	Krueger	Lynch

Macklin	Nelson	Ostrom	Pugh	Smith	Tunheim	Wenzel
Milbert	Ness	Ozment	Reding	Stanis	Van Dellen	Winter
Molnau	Olson, E.	Pauly	Rice	Steensma	Van Engen	Wolf
Morrison	Olson, M.	Pawlenty	Rodosovich	Sviggum	Vickerman	Worke
Mosel	Onnen	Pelowski	Sarna	Swenson	Waltman	Workman
Murphy	Opatz	Peterson	Seagren	Tompkins	Weaver	Spk. Anderson, I.

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

Huntley, Greiling and Jaros moved to amend the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 1, line 11, delete everything after "mother"

Page 1, delete line 12

Page 1, line 13, delete everything before "before"

Page 2, line 13, delete everything after "her"

Page 2, delete lines 14 to 16

Page 2, line 17, delete "addressee."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 55 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Greiling	Kelley	Mariani	Orfield	Skoglund
Asch	Dorn	Hausman	Knickerbocker	McCollum	Osthoff	Solberg
Bergson	Erhardt	Huntley	Lasley	McGuire	Ostrom	Tomassoni
Bishop	Evans	Jaros	Leppik	Morrison	Perlt	Trimble
Brown, K.	Farrell	Jefferson	Long	Munger	Rhodes	Vellenga
Carlson	Frerichs	Jennings	Lourey	Neary	Rukavina	Wagenius
Carruthers	Garcia	Johnson, A.	Luther	Olson, K.	Sekhon	Wejzman
Clark	Greenfield	Kahn	Mahon	Orenstein	Simoneau	

Those who voted in the negative were:

Anderson, R.	Dehler	Johnson, R.	Limmer	Olson, M.	Rodosovich	Van Engen
Battaglia	Dempsey	Johnson, V.	Lindner	Onnen	Sarna	Vickerman
Bauerly	Finseth	Kalis	Lynch	Opatz	Seagren	Waltman
Beard	Girard	Kelso	Macklin	Ozment	Smith	Weaver
Bertram	Goodno	Kinkel	Milbert	Pauly	Stanis	Wenzel
Bettermann	Gruenes	Klinzing	Molnau	Pawlenty	Steensma	Winter
Brown, C.	Gutknecht	Knight	Mosel	Pelowski	Sviggum	Wolf
Commers	Hasskamp	Koppendraye	Murphy	Peterson	Swenson	Worke
Cooper	Haukoos	Krinkie	Nelson	Pugh	Tompkins	Workman
Dauner	Hugoson	Krueger	Ness	Reding	Tunheim	Spk. Anderson, I.
Dauids	Jacobs	Lieder	Olson, E.	Rice	Van Dellen	

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

Neary, McCollum, Long, Kahn, Lourey, Clark and Johnson, A., moved to amend the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 2, line 1, delete "and"

Page 2, line 3, before the period insert "; and

(f) the full range of contraceptive procedures or options available for the prevention of pregnancy"

Page 2, line 28, after "woman" insert "avoid a pregnancy by the use of contraceptives and where those contraceptives may be obtained at no cost or reduced costs,"

Page 2, line 33, after "contacted" insert ". The materials must also include a list of child support collection agencies and her rights to pursue child support from the father"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 67 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abrams	Delmont	Huntley	Lasley	McGuire	Ostrom	Tomassoni
Anderson, R.	Dorn	Jaros	Leppik	Morrison	Pauly	Trimble
Asch	Erhardt	Jefferson	Limmer	Munger	Perlt	Vellenga
Bergson	Evans	Jennings	Long	Neary	Pugh	Wagenius
Bishop	Farrell	Johnson, A.	Lourey	Olson, E.	Rhodes	Weaver
Brown, K.	Frerichs	Johnson, R.	Luther	Olson, K.	Rukavina	Wejcman
Carlson	Garcia	Kahn	Macklin	Opatz	Sekhon	Spk. Anderson, I.
Carruthers	Greenfield	Kelley	Mahon	Orenstein	Simoneau	
Clark	Greiling	Kinkel	Mariani	Orfield	Skoglund	
Dawkins	Hausman	Knickerbocker	McCollum	Osthoff	Solberg	

Those who voted in the negative were:

Battaglia	Dehler	Johnson, V.	Lynch	Pawlenty	Steensma	Winter
Bauerly	Dempsey	Kalis	Milbert	Pelowski	Sviggum	Wolf
Beard	Finseth	Kelso	Molnau	Peterson	Swenson	Worke
Bertram	Girard	Klinzing	Mosel	Reding	Tompkins	Workman
Bettermann	Goodno	Knight	Murphy	Rice	Tunheim	
Brown, C.	Gruenes	Koppendrayner	Nelson	Rodosovich	Van Dellen	
Commers	Gutknecht	Krinkie	Ness	Sarna	Van Engen	
Cooper	Haukoos	Krueger	Olson, M.	Seagren	Vickerman	
Dauner	Hugoson	Lieder	Ornen	Smith	Waltman	
Dauids	Jacobs	Lindner	Ozment	Stanis	Wenzel	

The motion prevailed and the amendment to the amendment, as amended, was adopted.

Kahn, Dawkins, Neary, Hausman, Trimble, Lourey and Mariani moved to amend the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 2, line 25, after "Minnesota" insert ", or in any language requested by any resident of Minnesota"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 45 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Asch	Brown, K.	Dawkins	Farrell	Greiling	Jaros	Johnson, A.
Bergson	Carlson	Delmont	Garcia	Hausman	Jefferson	Kahn
Bishop	Clark	Evans	Greenfield	Huntley	Jennings	Kelley

Lasley	Mahon	Neary	Osthoﬀ	Sekhon	Solberg	Vellenga
Long	Mariani	Olson, K.	Perlt	Simoneau	Tomassoni	Wagenius
Lourey	McCollum	Orenstein	Rukavina	Skoglund	Trimble	Wejzman
Luther	McGuire	Orfield				

Those who voted in the negative were:

Abrams	Dempsey	Jacobs	Lieder	Olson, M.	Rodosovich	Waltman
Anderson, R.	Dorn	Johnson, R.	Limmer	Onnen	Sarna	Weaver
Battaglia	Erhardt	Johnson, V.	Lindner	Opatz	Seagren	Wenzel
Bauerly	Finseth	Kalis	Lynch	Ostrom	Smith	Winter
Beard	Frerichs	Kelso	Macklin	Ozment	Stanisus	Wolf
Bertram	Girard	Kinkel	Milbert	Pauly	Steensma	Worke
Bettermann	Goodno	Klinzing	Molnau	Pawlenty	Sviggum	Workman
Brown, C.	Gruenes	Knickerbocker	Morrison	Pelowski	Swenson	Spk. Anderson, I.
Commers	Gutknecht	Knight	Mosel	Peterson	Tompkins	
Cooper	Hasskamp	Koppendrayner	Murphy	Pugh	Tunheim	
Dauner	Haukoos	Krinkie	Nelson	Reding	Van Dellen	
Dauids	Holsten	Krueger	Ness	Rhodes	Van Engen	
Dehler	Hugoson	Leppik	Olson, E.	Rice	Vickerman	

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

Lourey moved to amend the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 2, line 31, after the comma insert "a list of names of birth parents and children who are adopted who can provide pertinent information regarding adoption."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 60 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Delmont	Hausman	Kinkel	McCollum	Osthoﬀ	Solberg
Asch	Dorn	Huntley	Knickerbocker	McGuire	Ostrom	Trimble
Bergson	Erhardt	Jaros	Leppik	Morrison	Pawlenty	Van Dellen
Bishop	Evans	Jefferson	Long	Munger	Perlt	Vellenga
Brown, K.	Farrell	Jennings	Lourey	Neary	Rhodes	Wagenius
Carlson	Frerichs	Johnson, A.	Luther	Olson, E.	Rukavina	Wejzman
Carruthers	Garcia	Johnson, R.	Lynch	Olson, K.	Sekhon	
Clark	Greenfield	Kahn	Mahon	Orenstein	Simoneau	
Dawkins	Greiling	Kelley	Mariani	Orfield	Skoglund	

Those who voted in the negative were:

Anderson, R.	Cooper	Gruenes	Kalis	Lieder	Nelson	Peterson
Battaglia	Dauner	Gutknecht	Kelso	Limmer	Ness	Pugh
Bauerly	Dauids	Hasskamp	Klinzing	Lindner	Olson, M.	Reding
Beard	Dehler	Haukoos	Knight	Macklin	Onnen	Rice
Bertram	Dempsey	Holsten	Koppendrayner	Milbert	Opatz	Rodosovich
Bettermann	Finseth	Hugoson	Krinkie	Molnau	Ozment	Sarna
Brown, C.	Girard	Jacobs	Krueger	Mosel	Pauly	Seagren
Commers	Goodno	Johnson, V.	Lasley	Murphy	Pelowski	Smith

Stanius	Swenson	Van Engen	Weaver	Wolf	Spk. Anderson, I.
Steensma	Tompkins	Vickerman	Wenzel	Worke	
Svigum	Tunheim	Waltman	Winter	Workman	

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

Mariani, Dawkins and Lourey moved to amend the Klinzing et al amendment, as amended, to S. F. No. 1758, the second unofficial engrossment, as follows:

Page 1, line 13, after the first comma, insert "or unless the pregnancy occurred as a result of rape or incest,"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 64 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorn	Jaros	Long	Neary	Pugh	Vellenga
Asch	Erhardt	Jefferson	Lourey	Olson, E.	Rhodes	Wagenius
Bergson	Evans	Jennings	Luther	Olson, K.	Rukavina	Weaver
Bishop	Farrell	Johnson, A.	Mahon	Opatz	Sekhon	Wejcman
Brown, K.	Garcia	Johnson, R.	Mariani	Orenstein	Simoneau	
Carlson	Greenfield	Kahn	McCollum	Orfield	Skoglund	
Carruthers	Greiling	Kelley	McGuire	Osthoff	Solberg	
Clark	Hausman	Kinkel	Milbert	Ostrom	Tomassoni	
Dawkins	Holsten	Knickerbocker	Morrison	Pauly	Trimble	
Delmont	Huntley	Leppik	Munger	Pawlenty	Van Dellen	

Those who voted in the negative were:

Anderson, R.	Davids	Hugoson	Lasley	Olson, M.	Smith	Wenzel
Battaglia	Dehler	Jacobs	Lieder	Onnen	Stanius	Winter
Bauerly	Dempsey	Johnson, V.	Limmer	Ozment	Steensma	Wolf
Beard	Finseth	Kalis	Lindner	Pelowski	Svigum	Worke
Bertram	Frerichs	Kelso	Macklin	Perlt	Swenson	Workman
Bettermann	Girard	Klinzing	Molnau	Peterson	Tompkins	Spk. Anderson, I.
Brown, C.	Goodno	Knight	Mosel	Reding	Tunheim	
Commers	Gruenes	Koppendraye	Murphy	Rodosovich	Van Engen	
Cooper	Gutknecht	Krinkie	Nelson	Sarna	Vickerman	
Dauner	Haukoos	Krueger	Ness	Seagren	Waltman	

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

The question recurred on the Klinzing et al amendment, as amended, and the roll was called. There were 82 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dauner	Gutknecht	Kalis	Lieder	Nelson	Pawlenty
Battaglia	Davids	Hasskamp	Kelso	Limmer	Ness	Pelowski
Bauerly	Dehler	Haukoos	Kinkel	Lindner	Olson, E.	Peterson
Beard	Dempsey	Holsten	Klinzing	Lynch	Olson, M.	Pugh
Bertram	Dorn	Hugoson	Knight	Macklin	Onnen	Reding
Bettermann	Finseth	Jacobs	Koppendraye	Milbert	Opatz	Rice
Brown, C.	Girard	Jennings	Krinkie	Molnau	Ostrom	Rodosovich
Commers	Goodno	Johnson, R.	Krueger	Mosel	Ozment	Sarna
Cooper	Gruenes	Johnson, V.	Lasley	Murphy	Pauly	Seagren

Smith	Steensma	Tompkins	Van Engen	Weaver	Wolf	Spk. Anderson, I.
Solberg	Sviggum	Tunheim	Vickerman	Wenzel	Worke	
Stanis	Swenson	Van Dellen	Waltman	Winter	Workman	

Those who voted in the negative were:

Abrams	Delmont	Hausman	Leppik	Morrison	Rhodes	Wagenius
Asch	Erhardt	Huntley	Long	Munger	Rukavina	Wejcman
Bergson	Evans	Jaros	Lourey	Neary	Sekhon	
Bishop	Farrell	Jefferson	Luther	Olson, K.	Simoneau	
Carlson	Frerichs	Johnson, A.	Mahon	Orenstein	Skoglund	
Carruthers	Garcia	Kahn	Mariani	Orfield	Tomassoni	
Clark	Greenfield	Kelley	McCollum	Osthoff	Trimble	
Dawkins	Greiling	Knickerbocker	McGuire	Perlt	Vellenga	

The motion prevailed and the amendment, as amended, was adopted.

Anderson, R., moved to amend S. F. No. 1758, the second unofficial engrossment, as amended, as follows:

Page 38, line 25, delete "\$5,726,000" and insert "\$5,514,000"

The motion prevailed and the amendment was adopted.

Simoneau moved to amend S. F. No. 1758, the second unofficial engrossment, as amended, as follows:

Page 8, line 33, after "that" insert "the minor parent and dependent child would be in an adult-supervised supportive living arrangement but for the fact that none is available within the county, or that"

The motion prevailed and the amendment was adopted.

Morrison, Stanis and Kalis moved to amend S. F. No. 1758, the second unofficial engrossment, as amended, as follows:

Page 24, after line 6, insert:

"Sec. 20. Minnesota Statutes 1993 Supplement, section 256D.03, subdivision 4, is amended to read:

Subd. 4. [GENERAL ASSISTANCE MEDICAL CARE; SERVICES.] (a) For a person who is eligible under subdivision 3, paragraph (a), clause (3), general assistance medical care covers, except as provided in paragraph (c) of this subdivision:

- (1) inpatient hospital services;
- (2) outpatient hospital services;
- (3) services provided by Medicare certified rehabilitation agencies;
- (4) prescription drugs and other products recommended through the process established in section 256B.0625, subdivision 13;
- (5) equipment necessary to administer insulin and diagnostic supplies and equipment for diabetics to monitor blood sugar level;
- (6) eyeglasses and eye examinations provided by a physician or optometrist;
- (7) hearing aids;

- (8) prosthetic devices;
- (9) laboratory and X-ray services;
- (10) physician's services;
- (11) medical transportation;
- (12) chiropractic services as covered under the medical assistance program;
- (13) podiatric services;
- (14) dental services;
- (15) outpatient services provided by a mental health center or clinic that is under contract with the county board and is established under section 245.62;
- (16) day treatment services for mental illness provided under contract with the county board;
- (17) prescribed medications for persons who have been diagnosed as mentally ill as necessary to prevent more restrictive institutionalization;
- (18) case management services for a person with serious and persistent mental illness who would be eligible for medical assistance except that the person resides in an institution for mental diseases;
- (19) psychological services, medical supplies and equipment, and Medicare premiums, coinsurance and deductible payments;
- (20) medical equipment not specifically listed in this paragraph when the use of the equipment will prevent the need for costlier services that are reimbursable under this subdivision; and
- (21) services performed by a certified pediatric nurse practitioner, a certified family nurse practitioner, a certified adult nurse practitioner, a certified obstetric/gynecological nurse practitioner, or a certified geriatric nurse practitioner in independent practice, if the services are otherwise covered under this chapter as a physician service, and if the service is within the scope of practice of the nurse practitioner's license as a registered nurse, as defined in section 148.171.

(b) Except as provided in paragraph (c) of this subdivision, for a recipient who is eligible under subdivision 3, paragraph (a), clause (1) or (2), general assistance medical care covers the services listed in paragraph (a) with the exception of special transportation services.

(c) Gender reassignment surgery and related services are not covered services under this subdivision.

(d) In order to contain costs, the commissioner of human services shall select vendors of medical care who can provide the most economical care consistent with high medical standards and shall where possible contract with organizations on a prepaid capitation basis to provide these services. The commissioner shall consider proposals by counties and vendors for prepaid health plans, competitive bidding programs, block grants, or other vendor payment mechanisms designed to provide services in an economical manner or to control utilization, with safeguards to ensure that necessary services are provided. Before implementing prepaid programs in counties with a county operated or affiliated public teaching hospital or a hospital or clinic operated by the University of Minnesota, the commissioner shall consider the risks the prepaid program creates for the hospital and allow the county or hospital the opportunity to participate in the program in a manner that reflects the risk of adverse selection and the nature of the patients served by the hospital, provided the terms of participation in the program are competitive with the terms of other participants considering the nature of the population served. Payment for services provided pursuant to this subdivision shall be as provided to medical assistance vendors of these services under sections 256B.02, subdivision 8, and 256B.0625. For payments made during fiscal year 1990 and later years, the commissioner shall consult with an independent actuary in establishing prepayment rates, but shall retain final control over the rate methodology.

(e) The commissioner of human services may reduce payments provided under sections 256D.01 to 256D.21 and 261.23 in order to remain within the amount appropriated for general assistance medical care, within the following restrictions.

For the period July 1, 1985 to December 31, 1985, reductions below the cost per service unit allowable under section 256.966, are permitted only as follows: payments for inpatient and outpatient hospital care provided in response to a primary diagnosis of chemical dependency or mental illness may be reduced no more than 30 percent; payments for all other inpatient hospital care may be reduced no more than 20 percent. Reductions below the payments allowable under general assistance medical care for the remaining general assistance medical care services allowable under this subdivision may be reduced no more than ten percent.

For the period January 1, 1986 to December 31, 1986, reductions below the cost per service unit allowable under section 256.966 are permitted only as follows: payments for inpatient and outpatient hospital care provided in response to a primary diagnosis of chemical dependency or mental illness may be reduced no more than 20 percent; payments for all other inpatient hospital care may be reduced no more than 15 percent. Reductions below the payments allowable under general assistance medical care for the remaining general assistance medical care services allowable under this subdivision may be reduced no more than five percent.

For the period January 1, 1987 to June 30, 1987, reductions below the cost per service unit allowable under section 256.966 are permitted only as follows: payments for inpatient and outpatient hospital care provided in response to a primary diagnosis of chemical dependency or mental illness may be reduced no more than 15 percent; payments for all other inpatient hospital care may be reduced no more than ten percent. Reductions below the payments allowable under medical assistance for the remaining general assistance medical care services allowable under this subdivision may be reduced no more than five percent.

For the period July 1, 1987 to June 30, 1988, reductions below the cost per service unit allowable under section 256.966 are permitted only as follows: payments for inpatient and outpatient hospital care provided in response to a primary diagnosis of chemical dependency or mental illness may be reduced no more than 15 percent; payments for all other inpatient hospital care may be reduced no more than five percent. Reductions below the payments allowable under medical assistance for the remaining general assistance medical care services allowable under this subdivision may be reduced no more than five percent.

For the period July 1, 1988 to June 30, 1989, reductions below the cost per service unit allowable under section 256.966 are permitted only as follows: payments for inpatient and outpatient hospital care provided in response to a primary diagnosis of chemical dependency or mental illness may be reduced no more than 15 percent; payments for all other inpatient hospital care may not be reduced. Reductions below the payments allowable under medical assistance for the remaining general assistance medical care services allowable under this subdivision may be reduced no more than five percent.

There shall be no copayment required of any recipient of benefits for any services provided under this subdivision. A hospital receiving a reduced payment as a result of this section may apply the unpaid balance toward satisfaction of the hospital's bad debts.

(e) (f) Any county may, from its own resources, provide medical payments for which state payments are not made.

(f) (g) Chemical dependency services that are reimbursed under chapter 254B must not be reimbursed under general assistance medical care.

(g) (h) The maximum payment for new vendors enrolled in the general assistance medical care program after the base year shall be determined from the average usual and customary charge of the same vendor type enrolled in the base year.

(h) (i) The conditions of payment for services under this subdivision are the same as the conditions specified in rules adopted under chapter 256B governing the medical assistance program, unless otherwise provided by statute or rule."

Page 38, line 27, after the period, insert "In addition to the preceding appropriation in this subdivision, an additional \$97,000 is added to the final appropriation for the basic sliding fee program."

Renumber the remaining sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Morrison et al amendment and the roll was called. There were 114 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Holsten	Krueger	Murphy	Peterson	Tunheim
Anderson, R.	Dawkins	Hugoson	Lasley	Neary	Pugh	Van Dellen
Asch	Dehler	Jacobs	Leppik	Nelson	Reding	Van Engen
Battaglia	Delmont	Jefferson	Lieder	Ness	Rhodes	Vellenga
Bauerly	Dempsey	Jennings	Limmer	Olson, E.	Rodosovich	Vickerman
Beard	Dorn	Johnson, A.	Lindner	Olson, K.	Sarna	Waltman
Bergson	Erhardt	Johnson, R.	Luther	Olson, M.	Seagren	Weaver
Bertram	Evans	Johnson, V.	Lynch	Onnen	Sekhon	Wenzel
Bettermann	Farrell	Kalis	Macklin	Opatz	Simoneau	Winter
Bishop	Finseth	Kelley	Mahon	Orenstein	Skoglund	Wolf
Brown, C.	Frerichs	Kelso	McCollum	Osthoff	Smith	Worke
Brown, K.	Girard	Kinkel	McGuire	Ostrom	Solberg	Workman
Carlson	Goodno	Klinzing	Milbert	Ozment	Stanis	
Carruthers	Gruenes	Knickerbocker	Molnau	Pauly	Steensma	
Commers	Gutknecht	Knight	Morrison	Pawlenty	Sviggum	
Cooper	Hasskamp	Koppendrayner	Mosel	Pelowski	Swenson	
Dauner	Haukoos	Krinkle	Munger	Perlt	Tompkins	

Those who voted in the negative were:

Clark	Greenfield	Hausman	Kahn	Lourey	Tomassoni	Wejcman
Garcia	Greiling	Jaros	Long	Rukavina	Wagenius	Spk. Anderson, I.

The motion prevailed and the amendment was adopted.

Pawlenty moved to amend S. F. No. 1758, the second unofficial engrossment, as amended, as follows:

Page 1, after line 44, insert:

"Article 1"

Page 39, after line 24, insert:

"Article 2

Section 1. Minnesota Statutes 1993 Supplement, section 13.46, subdivision 2, is amended to read:

Subd. 2. [GENERAL.] (a) Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used, or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

- (1) pursuant to section 13.05;
- (2) pursuant to court order;
- (3) pursuant to a statute specifically authorizing access to the private data;
- (4) to an agent of the welfare system, including a law enforcement person, attorney, or investigator acting for it in the investigation or prosecution of a criminal or civil proceeding relating to the administration of a program;
- (5) to personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;
- (6) to administer federal funds or programs;

- (7) between personnel of the welfare system working in the same program;
- (8) the amounts of cash public assistance and relief paid to welfare recipients in this state, including their names and social security numbers, upon request by the department of revenue to administer the property tax refund law, supplemental housing allowance, and the income tax;
- (9) to the Minnesota department of jobs and training for the purpose of monitoring the eligibility of the data subject for unemployment compensation, for any employment or training program administered, supervised, or certified by that agency, or for the purpose of administering any rehabilitation program, whether alone or in conjunction with the welfare system, and to verify receipt of energy assistance for the telephone assistance plan;
- (10) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons;
- (11) data maintained by residential facilities as defined in section 245A.02 may be disclosed to the protection and advocacy system established in this state pursuant to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities for these persons if the protection and advocacy system receives a complaint by or on behalf of that person and the person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person;
- (12) to the county medical examiner or the county coroner for identifying or locating relatives or friends of a deceased person;
- (13) data on a child support obligor who makes payments to the public agency may be disclosed to the higher education coordinating board to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5);
- (14) participant social security numbers and names collected by the telephone assistance program may be disclosed to the department of revenue to conduct an electronic data match with the property tax refund database to determine eligibility under section 237.70, subdivision 4a;
- (15) the current address of a recipient of aid to families with dependent children, medical assistance, general assistance, work readiness, or general assistance medical care may be disclosed to law enforcement officers who provide the name and social security number of the recipient and satisfactorily demonstrate that: (i) the recipient is a fugitive felon, including the grounds for this determination; (ii) the location or apprehension of the felon is within the law enforcement officer's official duties; and (iii) the request is made in writing and in the proper exercise of those duties; or
- (16) information obtained from food stamp applicant or recipient households may be disclosed to local, state, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the food stamp act, in accordance with Code of Federal Regulations, title 7, section 272.1(c); or
- (17) data on a child support obligor who is in arrears may be disclosed for purposes of publishing the data pursuant to section 518.575.
- (b) Information on persons who have been treated for drug or alcohol abuse may only be disclosed in accordance with the requirements of Code of Federal Regulations, title 42, sections 2.1 to 2.67.
- (c) Data provided to law enforcement agencies under paragraph (a), clause (15) or (16); or (b) are investigative data and are confidential or protected nonpublic while the investigation is active. The data are private after the investigation becomes inactive under section 13.82, subdivision 5, paragraph (a) or (b).
- (d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but is not subject to the access provisions of subdivision 10, paragraph (b).

Sec. 2. [518.575] [PUBLICATION OF NAMES OF DELINQUENT CHILD SUPPORT OBLIGORS.]

Every three months the department of human services shall publish at government bid rates in the newspaper of widest circulation in each county a list of name and last known address of each person who (1) is a child support obligor, (2) resides in the county, (3) is at least \$3,000 in arrears, and (4) has not made a child support payment or

had an amount intercepted from federal or state taxes during the past 12 months. An obligor's name may not be published if the obligor claims in writing, and the department of human services determines, there is good cause for the nonpayment of child support. The list must be based on the best information available to the state at the time of publication. The department may accept offers to publish the information at no charge.

Before publishing the name of the obligor, the department of human services shall send a notice to the obligor's last known address which states the department's intention to publish the obligor's name and the amount of child support the obligor owes. The notice must also provide an opportunity to have the obligor's name removed from the list by paying the arrearage or by entering into an agreement to pay the arrearage, and the final date when the payment or agreement can be accepted.

Sec. 3. [REPORT TO LEGISLATURE.]

The department of human services shall report to the legislature in January 1996, in the department of human services annual report to the legislature, the fiscal implications of the program, including related costs and savings."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Pawlenty amendment and the roll was called. There were 117 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hausman	Knight	Morrison	Perlt	Tomassoni
Anderson, R.	Delmont	Holsten	Koppendrayner	Mosel	Peterson	Tunheim
Asch	Dempsey	Hugoson	Krueger	Munger	Pugh	Van Dellen
Battaglia	Dorn	Huntley	Leppik	Murphy	Reding	Van Engen
Bauerly	Erhardt	Jacobs	Lieder	Neary	Rhodes	Vellenga
Beard	Evans	Jefferson	Limmer	Ness	Rodosovich	Vickerman
Bergson	Finseth	Jennings	Lindner	Olson, E.	Rukavina	Wagenius
Bertram	Frerichs	Johnson, A.	Long	Olson, K.	Sarna	Waltman
Bettermann	Garcia	Johnson, R.	Lourey	Olson, M.	Seagren	Weaver
Carlson	Girard	Johnson, V.	Luther	Ornen	Sekhon	Wenzel
Carruthers	Goodno	Kahn	Lynch	Opatz	Simoneau	Winter
Clark	Greenfield	Kalis	Macklin	Orenstein	Smith	Wolf
Commers	Greiling	Kelley	Mahon	Ostrom	Solberg	Worke
Cooper	Gruenes	Kelso	McCollum	Ozment	Stanis	Workman
Dauner	Gutknecht	Kinkel	McGuire	Pauly	Steensma	Spk. Anderson, I.
Dauids	Hasskamp	Klinzing	Milbert	Pawlenty	Sviggum	
Dawkins	Haukoos	Knickerbocker	Molnau	Pelowski	Swenson	

Those who voted in the negative were:

Brown, C.	Farrell	Lasley	Nelson	Trimble
Brown, K.	Jaros	Mariani	Skoglund	Wejzman

The motion prevailed and the amendment was adopted.

Dawkins moved to amend S. F. No. 1758, the second unofficial engrossment, as amended, as follows:

Page 4, line 4, after "shall" insert ", after consultation with current and former recipients of AFDC, including at least a two-parent AFDC family, a single parent AFDC family, and an AFDC family with a minor caretaker."

The motion prevailed and the amendment was adopted.

Sekhon, Lourey and Greiling offered an amendment to S. F. No. 1758, the second unofficial engrossment, as amended.

POINT OF ORDER

Goodno raised a point of order pursuant to rule 3.09 that the Sekhon et al amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

S. F. No. 1758, A bill for an act relating to welfare reform; requiring pregnant and parenting minors to live with their parents in order to receive aid to families with dependent children (AFDC); providing an exception to the AFDC overpayment statute; allowing start work offset to AFDC recipients in the first month of work; broadening the scope of the employment and training statute by requiring more AFDC recipients to participate in job search; allowing vendor emergency assistance payments for damage deposit; providing required workers' compensation insurance for community work experience program workers; expanding cost-neutral fraud prevention programs; allowing emergency assistance damage deposit be returned to the county; allowing the county to pay monthly general assistance differently; making general assistance and work readiness lump-sum criteria the same as the AFDC lump-sum criteria, with some exceptions; requiring a study to expand the parent's fair share pilot project statewide; requiring the departments of human services and revenue to design and implement a plan which supports working families; directing the commissioner of human services to seek several waivers from the federal government which support and promote moving off welfare and becoming self-sufficient; expanding the parent's fair share pilot project into Ramsey county; expanding state support for basic sliding fee day care program; appropriating money; amending Minnesota Statutes 1992, sections 256.73, by adding subdivisions; 256.737, by adding a subdivision; 256.81; 256.979, by adding a subdivision; 256.983, subdivision 1; 256D.05, subdivision 6; 256D.09, by adding a subdivision; 256H.05, subdivision 1b; and 268.672, subdivision 6; Minnesota Statutes 1993 Supplement, sections 256.031, subdivision 3; 256.73, subdivision 8; and 256.736, subdivisions 10 and 14; proposing coding for new law in Minnesota Statutes, chapters 256; and 256D; repealing Minnesota Statutes 1993 Supplement, section 256.734.

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. There were 108 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Jefferson	Lieder	Nelson	Peterson	Tunheim
Anderson, R.	Dorn	Jennings	Limmer	Ness	Pugh	Van Dellen
Battaglia	Erhardt	Johnson, A.	Lindner	Olson, E.	Reding	Van Engen
Bauerly	Evans	Johnson, R.	Long	Olson, K.	Rhodes	Vickerman
Beard	Farrell	Johnson, V.	Lourey	Olson, M.	Rodosovich	Waltman
Bergson	Finseth	Kalis	Luther	Onnen	Rukavina	Weaver
Bertram	Frerichs	Kelley	Lynch	Opatz	Sarna	Wenzel
Bettermann	Girard	Kelso	Macklin	Orenstein	Seagren	Winter
Brown, C.	Goodno	Kinkel	Mahon	Orfield	Smith	Wolf
Carlson	Gruenes	Klinzing	McCollum	Osthoff	Solberg	Worke
Carruthers	Gutknecht	Knickerbocker	Milbert	Ostrom	Stanius	Workman
Commers	Hasskamp	Knight	Molnau	Ozment	Steensma	Spk. Anderson, I.
Cooper	Haukoos	Koppendrayner	Morrison	Pauly	Sviggum	
Dauner	Holsten	Krueger	Mosel	Pawlenty	Swenson	
Davids	Hugoson	Lasley	Munger	Pelowski	Tompkins	
Dehler	Jacobs	Leppik	Murphy	Perlt	Trimble	

Those who voted in the negative were:

Asch	Dawkins	Greiling	Kahn	Neary	Tomassoni
Bishop	Delmont	Hausman	Krunkie	Rice	Vellenga
Brown, K.	Garcia	Huntley	Mariani	Sekhon	Wagenius
Clark	Greenfield	Jaros	McGuire	Skoglund	Wejman

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

S. F. No. 2900 was reported to the House.

The Speaker called Bauerly to the Chair.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Pelowski moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2900 be given its third reading and be placed upon its final passage. The motion prevailed.

Pelowski moved that the Rules of the House be so far suspended that S. F. No. 2900 be given its third reading and be placed upon its final passage. The motion prevailed.

Pelowski moved to amend S. F. No. 2900 as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

APPROPRIATIONS

Section 1. [HIGHER EDUCATION APPROPRIATIONS.]

The dollar amounts in the columns under "APPROPRIATIONS" are added to or, if shown in parentheses, are subtracted from the appropriations in Laws 1993, First Special Session chapter 2, article 1, or other law, to the specified agencies. The appropriations are from the general fund and are available for the fiscal years indicated for each purpose. The figure 1994 or 1995 means that the addition to or subtraction from the appropriations listed under the figure are for the fiscal year ending June 30, 1994, or June 30, 1995, respectively. If only one figure is shown in the text for a specified purpose, the addition or subtraction is for 1995 unless the context intends another fiscal year.

SUMMARY BY AGENCY - ALL FUNDS

	1994	1995	TOTAL
Higher Education Coordinating Board	\$(9,000,000)	\$1,400,000	\$(7,600,000)
State Board of Technical Colleges		24,000,000	24,000,000
State Board for Community Colleges		450,000	450,000
State University Board		1,000,000	1,000,000
Board of Regents of the University of Minnesota		3,150,000	3,150,000
TOTAL	\$(9,000,000)	\$30,000,000	\$21,000,000

APPROPRIATIONS Available for the Year Ending June 30

1994 1995

Sec. 2. HIGHER EDUCATION COORDINATING BOARD

Subdivision 1. Total Appropriation Changes (9,000,000) 1,400,000

Subd. 2. Agency Administration 50,000

\$50,000 is to develop a process to award grants to Upward Bound programs in Minnesota. The board shall provide the money to the Minnesota Minority Education Partnership under contract.

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

Subd. 3. State Grants

(6,000,000)

The higher education coordinating board may use up to \$2,000,000 to delay the implementation of the new private college cap for students from families whose total income is below \$20,000.

The legislature intends to analyze alternative approaches to awarding state grants and other financial aid in order to adopt changes in the 1995 session. By November 1, 1994, the higher education coordinating board shall create a data file of fall 1993 enrolled resident, undergraduate, regular students, linking the relational student record database, the financial aid database, and institutional data on financial aid. The board shall collect data from eligible institutions on all enrolled students applying for or receiving state or federal financial aid regarding other types and amounts of financial aid each student received.

Subd. 4. Interstate Tuition Reciprocity

(3,000,000)

Subd. 5. State Work Study

1,350,000

\$1,350,000 is added to the appropriation in Laws 1993, First Special Session chapter 2, article 1, section 2, subdivision 5, for the state work study program.

Sec. 3. STATE BOARD OF TECHNICAL COLLEGES

Total Appropriation Changes

24,000,000

\$24,000,000 is to eliminate the funding shift under Minnesota Statutes, section 136C.36, and provide 100 percent funding in the year for which it is appropriated. Of this amount, \$250,000 is for the Northwest Technical College Center for International Training to adapt curriculum and technology for international training programs.

Notwithstanding Laws 1991, chapter 356, article 9, in the event that the appropriation in this section is vetoed, the merger of the community colleges, state universities, and technical colleges shall not occur until July 1, 1997, and the management of each post-secondary system shall continue under its current governing board until that time.

Sec. 4. STATE BOARD FOR COMMUNITY COLLEGES

Total Appropriation Changes

450,000

\$450,000 is to change the designation of Fond du Lac from a center to full campus status.

In making Fond du Lac a full campus, the legislature intends to enhance the programs, enrollment, and efficiency of the campus. As part of this action the state board for community colleges shall report on its plans to accomplish these goals to the higher education finance divisions by January 15, 1995.

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

Sec. 5. STATE UNIVERSITY BOARD

Total Appropriation Changes

1,000,000

\$1,000,000 is to strengthen the academic programs and student support at Metro State University. The state university board is encouraged to seek alternative sources of funding for the Urban Education Partnership and the campus safety initiative.

Sec. 6. BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA

Total Appropriation Changes

3,150,000

The legislature supports the planning efforts involved in U2000 and the direction that the University of Minnesota is taking to improve the academic experiences and learning environment of its students. This appropriation is to further the University's efforts, particularly in the areas of student services and enhanced uses of technology.

\$150,000 is for the necessary hardware, software, and training to support a pilot project at the Duluth campus implementing the federal direct student loan program.

The board of regents is requested to report to the higher education finance divisions of the house of representatives and the senate by January 15, 1995, on the policies and practices it has planned or implemented to comply with Title VII, Title IX, and the Equal Pay Act as they relate to coaches of men's and women's athletics.

ARTICLE 2

ASSOCIATED PROVISIONS

Section 1. Minnesota Statutes 1992, section 136.60, is amended to read:

136.60 [ESTABLISHMENT OF COMMUNITY COLLEGES, LOCATION.]

Subdivision 1. [ESTABLISHMENT.] ~~Not to exceed 18~~ Nineteen community colleges are established under the management, jurisdiction, and control of the state board for community colleges.

Subd. 3. [LOCATION.] The community colleges shall be located at Cloquet, Coon Rapids, Austin, Brainerd, Fergus Falls, Hibbing, Inver Grove Heights, Grand Rapids, White Bear Lake, Virginia, Minneapolis, Bloomington, Brooklyn Park, Thief River Falls, International Falls, Rochester, Ely, Willmar, and Worthington.

Subd. 4. [COMMUNITY COLLEGE CENTERS.] A community college center shall be located at Cambridge and Duluth.

Sec. 2. [136.6011] [FOND DU LAC CAMPUS.]

The Fond du Lac campus of the Minnesota community college system has a unique mission among the community colleges to serve both the general education needs for lower division work in the Carlton county - south St. Louis county region, as well as serving the education needs of Native Americans throughout the state and especially in northern Minnesota. Accordingly, while the college is governed by the state board for community colleges and administered through Arrowhead community colleges, its governance is accomplished in conjunction with tribal authorities, particularly in the areas of academic programming and student services. The state board and the Arrowhead administration shall work with tribal representatives to determine the mechanisms necessary to accomplish the sharing of authority while ensuring accountability for college actions.

Sec. 3. Minnesota Statutes 1992, section 136A.121, subdivision 17, is amended to read:

Subd. 17. [INDEPENDENT STUDENT INFORMATION.] The board shall inform students, in writing, as part of the application process, its financial aid publications about the definition of independent student status and appeals to the financial aid administrator relating to the declaration of the status.

Sec. 4. Minnesota Statutes 1992, section 136A.125, subdivision 2, is amended to read:

Subd. 2. [ELIGIBLE STUDENTS.] An applicant is eligible for a child care grant if the applicant:

- (1) is a resident of the state of Minnesota;
- (2) has a child 12 years of age or younger, or 14 years of age or younger who is handicapped as defined in section 120.03, and who is receiving or will receive care on a regular basis from a licensed or legal, nonlicensed caregiver;
- (3) is within the sliding fee scale income guidelines set under section 256H.10, subdivision 2, eligibility as determined by a standardized financial aid needs analysis in accordance with the board's policies and rules, but is not a recipient of aid to families with dependent children;
- (4) has not earned a baccalaureate degree and has been enrolled full time less than eight semesters, 12 quarters, or the equivalent;
- (5) is pursuing a nonsectarian program or course of study that applies to an undergraduate degree, diploma, or certificate;
- (6) is enrolled at least half time in an eligible institution; and
- (7) is in good academic standing and making satisfactory academic progress.

Sec. 5. Minnesota Statutes 1992, section 136A.125, subdivision 3, is amended to read:

Subd. 3. [ELIGIBLE INSTITUTION.] A Minnesota public post-secondary institution or, a Minnesota private, baccalaureate degree granting college or university located in Minnesota, or a Minnesota nonprofit two-year vocational technical school granting associate degrees is eligible to receive child care funds from the board and disburse them to eligible students.

Sec. 6. Minnesota Statutes 1992, section 136A.125, subdivision 4, is amended to read:

Subd. 4. [AMOUNT AND LENGTH OF GRANTS.] The amount of a child care grant must be based on:

- (1) ~~the financial need of the applicant;~~
- (2) the number of the applicant's children, and the income of the applicant's family
- (3) ~~the cost of the child care,~~

as determined by the institution in accordance with board policies and rules. ~~The amount of the grant must cover the cost of child care for all eligible children for the full number of hours of education per week and may cover up to 20 hours per week of employment for which child care is needed. The grant must be awarded for one academic year. The minimum financial stipend is \$100. The maximum grant to an applicant shall be \$1,500 for each eligible child per academic year. The board shall prepare a chart to show the amount that will be awarded per child. The chart shall include income categories and number of eligible children.~~

Sec. 7. Minnesota Statutes 1992, section 136A.15, subdivision 6, is amended to read:

Subd. 6. "Eligible institution" means ~~any public a post-secondary educational institution and any private educational institution, in any state which is approved by the United States commissioner of education in accordance with requirements set forth in the Higher Education Act of 1965, as amended, that either (1) is operated or regulated by this state, or (2) is operated publicly or privately in another state, is approved by the United States Secretary of Education, and, as determined by the board, maintains academic standards substantially equal to those of comparable institutions operated in this state.~~ It also includes any institution chartered in a province.

Sec. 8. Minnesota Statutes 1993 Supplement, section 136A.233, subdivision 1, is amended to read:

Subdivision 1. [ALLOCATION TO INSTITUTIONS.] The higher education coordinating board shall allocate work-study money to eligible post-secondary institutions according to the resident full-time equivalent enrollment of all eligible post-secondary institutions that apply to participate in the program, and the amount of the allocation that an institution spent during the previous academic year. Each institution wishing to participate in the work-study program must submit, in accordance with policies and procedures established by the board, an estimate of the amount of funds needed by the institution. Any funds allocated to an institution that exceed the actual need of the institution ~~may shall~~ be reallocated by the board to other institutions. An institution may carry forward or backward the same percentage of its initial allocation that is authorized under federal work-study provisions.

Sec. 9. Minnesota Statutes 1993 Supplement, section 136A.233, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For purposes of sections 136A.231 to 136A.233, the words defined in this subdivision have the meanings ascribed to them.

(a) "Eligible student" means a Minnesota resident enrolled or intending to enroll at least half time ~~as defined in section 136A.101, subdivision 7b,~~ in a degree, diploma, or certificate program in a Minnesota post-secondary institution.

(b) "Minnesota resident" means a student who meets the conditions in section 136A.101, subdivision 8.

(c) "Financial need" means the need for financial assistance in order to attend a post-secondary institution as determined by a post-secondary institution according to guidelines established by the higher education coordinating board.

(d) "Eligible employer" means any eligible post-secondary institution and any nonprofit, nonsectarian agency or state institution located in the state of Minnesota, including state hospitals, and also includes a handicapped person or a person over 65 who employs a student to provide personal services in or about the residence of the handicapped person or the person over 65.

(e) "Eligible post-secondary institution" means any post-secondary institution eligible for participation in the Minnesota state grant program as specified in section 136A.101, subdivision 4.

(f) "Independent student" has the meaning given it in the Higher Education Act of 1965, United States Code, title 20, section 1070a-6, and applicable regulations.

(g) "Half-time" for undergraduates has the meaning given in section 136A.101, subdivision 7b, and for graduate students is defined by the institution.

Sec. 10. Laws 1993, chapter 224, article 12, section 39, is amended to read:

Sec. 39. [REPEALER.]

(a) Minnesota Rules, parts 3500.0500; 3500.0600, subparts 1 and 2; 3500.0605; 3500.0800; 3500.1090; 3500.1800; 3500.2950; 3500.3100, subparts 1 to 3; 3500.3500; 3500.3600; 3500.4400; 3510.2200; 3510.2300; 3510.2400; 3510.2500; 3510.2600; 3510.6200; 3520.0200; 3520.0300; 3520.0600; 3520.1000; 3520.1200; 3520.1300; 3520.1800; 3520.2700; 3520.3802; 3520.3900; 3520.4500; 3520.4620; 3520.4630; 3520.4640; 3520.4680; 3520.4750; 3520.4761; 3520.4811; 3520.4831; 3520.4910; 3520.5330; 3520.5340; 3520.5370; 3520.5461; 3525.2850; 3530.0300; 3530.0600; 3530.0700; 3530.0800; 3530.1100; 3530.1300; 3530.1400; 3530.1600; 3530.1700; 3530.1800; 3530.1900; 3530.2000; 3530.2100; 3530.2800; 3530.2900; 3530.3100, subparts 2 to 4; 3530.3200, subparts 1 to 5; 3530.3400, subparts 1, 2, and 4 to 7; 3530.3500; 3530.3600; 3530.3900; 3530.4000; 3530.4100; 3530.5500; 3530.5700; 3530.6100; 3535.0800; 3535.1000; 3535.1400; 3535.1600; 3535.1800; 3535.1900; 3535.2100; 3535.2200; 3535.2600; 3535.2900; 3535.3100; 3535.3500; 3535.9930; 3535.9940; 3535.9950; 3540.0600; 3540.0700; 3540.0800; 3540.0900; 3540.1000; 3540.1100; 3540.1200; 3540.1300; 3540.1700; 3540.1800; 3540.1900; 3540.2000; 3540.2100; 3540.2200; 3540.2300; 3540.2400; 3540.2800; 3540.2900; 3540.3000; 3540.3100; 3540.3200; 3540.3300; 3540.3400; 3545.1000; 3545.1100; 3545.1200; 3545.2300; 3545.2700; 3545.3000; 3545.3002; 3545.3004; 3545.3005; 3545.3014; 3545.3022; 3545.3024; 8700.4200; 8700.6410; 8700.6800; 8700.7100; 8700.9000; 8700.9010; 8700.9020; and 8700.9030, are repealed.

(b) Minnesota Rules, parts 3520.1600; 3520.2400; 3520.2500; 3520.2600; 3520.2800; 3520.2900; 3520.3000; 3520.3100; 3520.3200; 3520.3400; 3520.3500; 3520.3680; 3520.3701; 3520.3801; 3520.4001; 3520.4100; 3520.4201; 3520.4301; 3520.4400; 3520.4510; 3520.4531; 3520.4540; 3520.4550; 3520.4560; 3520.4570; 3520.4600; 3520.4610; 3520.4650; 3520.4670; 3520.4701; 3520.4711; 3520.4720; 3520.4731; 3520.4741; 3520.4801; 3520.4840; 3520.4850; 3520.4900; 3520.4930; 3520.4980; 3520.5000;

3520.5010; 3520.5111; 3520.5120; 3520.5141; 3520.5151; 3520.5160; 3520.5171; 3520.5180; 3520.5190; 3520.5200; 3520.5220; 3520.5230; 3520.5300; 3520.5310; 3520.5361; 3520.5380; 3520.5401; 3520.5450; 3520.5471; 3520.5481; 3520.5490; 3520.5500; 3520.5510; 3520.5520; 3520.5531; 3520.5551; 3520.5560; 3520.5570; 3520.5580; 3520.5600; 3520.5611; 3520.5700; 3520.5710; 3520.5900; 3520.5910; and 3520.5920; ~~3530.6500; 3530.6600; 3530.6700; 3530.6800; 3530.6900; 3530.7000; 3530.7100; 3530.7200; 3530.7300; 3530.7400; 3530.7500; 3530.7600; 3530.7700; and 3530.7800,~~ are repealed.

(c) Minnesota Rules, parts 3500.1400; 3500.3700; 3510.0100; 3510.0200; 3510.0300; 3510.0400; 3510.0500; 3510.0600; 3510.0800; 3510.1100; 3510.1200; 3510.1300; 3510.1400; 3510.1500; 3510.1600; 3510.2800; 3510.2900; 3510.3000; 3510.3200; 3510.3400; 3510.3500; 3510.3600; 3510.3700; 3510.3800; 3510.7200; 3510.7300; 3510.7400; 3510.7500; 3510.7600; 3510.7700; 3510.7900; 3510.8000; 3510.8100; 3510.8200; 3510.8300; 3510.8400; 3510.8500; 3510.8600; 3510.8700; 3510.9000; 3510.9100; ~~chapters 3515; 3515.0100, subparts 2, 5, 6, and 26; 3515.0500, subpart 4, option two, items D and E; 3515.0700, subpart 4, options 4, 6, 7, and 8; 3515.1100; 3515.1500, subparts 2 and 3, item C; 3515.2100, subparts 2 and 3; 3515.3300; 3515.3400; 3515.3500; 3515.3600; 3515.3700; 3515.3800; 3515.3900; 3515.4000; 3515.4500; 3515.4600; 3515.4621; 3515.4700; 3515.4800; 3515.5000, subpart 2; 3515.5050; 3515.5500, subparts 3, 4, 5, 6, 7, 9, 10, and 11; 3515.5600; 3515.6005, subparts 2 and 3; 3515.6100; 3515.8300; 3515.8900; 3515.9910; 3515.9911; 3515.9912; 3515.9913; 3515.9920; 3515.9942; 3517.0100; 3517.0120; 3517.3150; 3517.3170; 3517.3420; 3517.3450; 3517.3500; 3517.3650; 3517.4000; 3517.4100; 3517.4200; 3517.8500; 3517.8600;~~ and chapter 3560, are repealed.

(d) Minnesota Rules, parts 3500.0710; 3500.1060; 3500.1075; 3500.1100; 3500.1150; 3500.1200; 3500.1500; 3500.1600; 3500.1900; 3500.2000; 3500.2020; 3500.2100; 3500.2900; 3500.5010; 3500.5020; 3500.5030; 3500.5040; 3500.5050; 3500.5060; 3500.5070; 3505.2700; 3505.2800; 3505.2900; 3505.3000; 3505.3100; 3505.3200; 3505.3300; 3505.3400; 3505.3500; 3505.3600; 3505.3700; 3505.3800; 3505.3900; 3505.4000; 3505.4100; 3505.4200; 3505.4400; 3505.4500; 3505.4600; 3505.4700; 3505.5100; 8700.2900; 8700.3000; 8700.3110; 8700.3120; 8700.3200; 8700.3300; 8700.3400; 8700.3500; 8700.3510; 8700.3600; 8700.3700; 8700.3810; 8700.3900; 8700.4000; 8700.4100; 8700.4300; 8700.4400; 8700.4500; 8700.4600; 8700.4710; 8700.4800; 8700.4901; 8700.4902; 8700.5100; 8700.5200; 8700.5300; 8700.5310; 8700.5311; 8700.5500; 8700.5501; 8700.5502; 8700.5503; 8700.5504; 8700.5505; 8700.5506; 8700.5507; 8700.5508; 8700.5509; 8700.5510; 8700.5511; 8700.5512; 8700.5800; 8700.6310; 8700.6900; 8700.7010; 8700.7700; 8700.7710; 8700.8000; 8700.8010; 8700.8020; 8700.8030; 8700.8040; 8700.8050; 8700.8060; 8700.8070; 8700.8080; 8700.8090; 8700.8100; 8700.8110; 8700.8120; 8700.8130; 8700.8140; 8700.8150; 8700.8160; 8700.8170; 8700.8180; 8700.8190; 8750.0200; 8750.0220; 8750.0240; 8750.0260; 8750.0300; 8750.0320; 8750.0330; 8750.0350; 8750.0370; 8750.0390; 8750.0410; 8750.0430; 8750.0460; 8750.0500; 8750.0520; 8750.0600; 8750.0620; 8750.0700; 8750.0720; 8750.0740; 8750.0760; 8750.0780; 8750.0800; 8750.0820; 8750.0840; 8750.0860; 8750.0880; 8750.0890; 8750.0900; 8750.0920; 8750.1000; 8750.1100; 8750.1120; 8750.1200; 8750.1220; 8750.1240; 8750.1260; 8750.1280; 8750.1300; 8750.1320; 8750.1340; 8750.1360; 8750.1380; 8750.1400; 8750.1420; 8750.1440; 8750.1500; 8750.1520; 8750.1540; 8750.1560; 8750.1580; 8750.1600; 8750.1700; 8750.1800; 8750.1820; 8750.1840; 8750.1860; 8750.1880; 8750.1900; 8750.1920; 8750.1930; 8750.1940; 8750.1960; 8750.1980; 8750.2000; 8750.2020; 8750.2040; 8750.2060; 8750.2080; 8750.2100; 8750.2120; 8750.2140; 8750.4000; 8750.4100; 8750.4200; 8750.9000; 8750.9100; 8750.9200; 8750.9300; 8750.9400; 8750.9500; 8750.9600; and 8750.9700, are repealed.

Sec. 11. [POST BOARD.]

Before the board of peace officer standards and training is authorized to take any action to change or modify professional peace officer education that is offered by a technical college, community college, or state university, it shall submit the proposed change or modification to the relevant campuses for review and to the appropriate governing board for its approval or disapproval. The governing board shall forward its decision to the board of peace officer standards and training within 30 days of receipt of a proposal.

Sec. 12. [SUNSET.]

On June 30, 1995, the higher education coordinating board is abolished. It is the intent of the legislature to designate, prior to June 30, 1995, appropriate successor agencies to comply with federal requirements or contractual obligations. In the event that a successor agency is not named prior to the sunset, all state financial aid and loan programs provided under Minnesota Statutes, chapter 136A, are transferred to the state board of education.

Sec. 13. [PLAN.]

By November 1, 1994, the higher education coordinating board shall report to the chairs of the education committees and the higher education finance divisions. The report shall identify how the necessary functions the board performs, such as financial aid administration, will be fairly and appropriately accomplished in the future, including:

(1) recommendations for the elimination or transfer of services; and

(2) ways to reduce expenditures and increase efficiency.

Sec. 14. [CURRENT EMPLOYEES.]

It is the policy of the state of Minnesota that any restructuring of higher education be accomplished while ensuring that fair and equitable arrangements are carried out to protect the interests of higher education employees. The higher education coordinating board shall make every effort to train and retrain existing employees for a changing work environment, including, but not limited to, job and training opportunities necessary to qualify for a similar job in another agency.

Implementation of this section as well as procedures for notifying employees must be negotiated in good faith under Minnesota Statutes, chapter 179A. Nothing in this section shall be construed as diminishing any rights defined in collective bargaining agreements under this article or Minnesota Statutes, chapter 179A.

Sec. 15. [REPEALER.]

Minnesota Statutes 1992, sections 135A.06, subdivisions 2, 3, 4, 5, and 6; and 136C.36; Minnesota Statutes 1993 Supplement, section 135A.061; and Laws 1993, First Special Session chapter 2, article 1, section 9, subdivision 8, are repealed.

Sec. 16. [EFFECTIVE DATE.]

Section 8 is effective the day following final enactment.

ARTICLE 3

POST-SECONDARY FUNDING

Section 1. Minnesota Statutes 1992, section 135A.01, is amended to read:

135A.01 [FUNDING POLICY.]

It is the policy of the legislature that direct state appropriations, exclusive of tuition, provide a stable funding base for the instructional and noninstructional services at public post-secondary institutions reflect a. The instructional appropriation equals a stated portion of the estimated cost fixed and variable cost of providing the instructional services. The noninstructional appropriation equals the estimated costs of providing the noninstructional services after subtracting any nonstate revenue attributable to those services. Each appropriation recognizes the effects of inflation on those costs.

It is the further policy of the legislature that instructional appropriations serve as an incentive and reward for high quality and efficiency in public post-secondary education.

Sec. 2. Minnesota Statutes 1992, section 135A.02, is amended to read:

135A.02 [APPLICABILITY.]

The total estimated fixed and variable cost of providing instructional services shall be used to appropriate money to the board of regents of for the University of Minnesota, state university board, state board for universities, community colleges, and the state board for vocational education to the extent the money is for instructional services technical colleges for students enrolled in courses that award credit or otherwise satisfy the requirements of degree, diploma, or certificate programs.

Sec. 3. Minnesota Statutes 1992, section 135A.03, as amended by Laws 1993, First Special Session chapter 2, article 3, section 4, is amended to read:

135A.03 [APPROPRIATIONS FOR INSTRUCTIONAL SERVICES.]

Subdivision 1. [DETERMINATION OF APPROPRIATION.] The direct appropriation to each board for instructional services shall equal 67 percent of the estimated total fixed and variable cost of instruction for the University of Minnesota, the state university system universities, and the community college system colleges, and, for technical colleges, at least 67 percent of the estimated total cost of instruction.

Subd. 1a 2. [APPROPRIATIONS FOR CERTAIN ENROLLMENTS.] The state share of the cost of instruction shall be 32 percent for the following categories: vary for some categories of students, as designated in this subdivision.

(a) The state must provide at least 67 percent of the cost of:

(1) students who resided in the state for at least one calendar year prior to applying for admission or dependent students whose parent or legal guardian resides in Minnesota at the time the student applies;

(2) Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere;

(3) residents of other states or provinces who are attending a Minnesota institution under a tuition reciprocity agreement; and

(4) students who have been in Minnesota as migrant farmworkers, as defined in Code of Federal Regulations, title 20, section 633.104, over a period of at least two years immediately before admission or readmission to a Minnesota public post-secondary institution, or students who are dependents of such migrant farmworkers.

(1) enrollment in credit-bearing courses at an off-campus site or center, except those courses at Cambridge, Duluth, and Fond du Lac centers; the Arrowhead and Rochester 2 + 2 programs; those offered through telecommunications; those offered by the technical colleges; and those offered as part of a joint degree program; and

(b) The state must provide 32 percent of the cost of:

(2) enrollment of (1) students who are concurrently enrolled in a secondary school and for whom the institution is receiving any compensation under the post-secondary enrollment options act; and

(2) students enrolled under the student exchange program of the Midwest Compact.

(c) The state may not provide any of the cost of:

(1) undergraduate students who do not meet the residency criteria under paragraph (a); and

(2) enrollment in extension at the technical colleges, which shall be funded through noninstructional appropriations.

Subd. 2 3. [DETERMINATION OF TOTAL COST OF INSTRUCTION.] The total fixed and variable cost of instruction shall be calculated in the following manner using the base instructional appropriation and the legislatively estimated tuition for the second year of the current biennium and by making the adjustments provided in this section.

Changes to the instructional appropriations base for enrollment adjustments shall be made for each year of the subsequent biennium if the estimated enrollment adjustments meet or exceed two percent increments of full year equivalent students. Adjustments to the appropriations base shall be calculated by multiplying the increment change of the instructional appropriations base by the variable cost portion of .65. If the actual enrollment differs from the estimated enrollment, an adjustment shall be made in the next biennium.

(a) Determine the student enrollment, for each instructional category, for the fiscal year two years before the fiscal year for which the appropriation is to be made.

(b) Multiply the student enrollment by the average cost of instruction per student in each instructional category.

(c) Add the resulting products.

Subd. 3. [DETERMINATION OF STUDENT ENROLLMENT.] Student enrollment shall be the full-year equivalent or average daily membership enrollment in each instructional category in the fiscal year two years before the fiscal year for which the appropriations are being made, except as provided in subdivision 3a. Student enrollment for the purpose of calculating appropriations for the second year of the biennium may be estimated on the basis of the latest enrollment data available. Student enrollment shall include students enrolled in courses that award credit or otherwise satisfy any of the requirements of an academic or vocational program.

~~Subd. 3a. [EXCLUSIONS FROM ENROLLMENT.] Student enrollment for the purposes of average cost funding shall not include:~~

- ~~(1) any undergraduate students who do not meet the residency criteria established under subdivision 7;~~
- ~~(2) enrollment in extension at the technical colleges; and~~
- ~~(3) students enrolled in recreational or leisure time activity courses, except for those students enrolled in a degree granting program for whom the credits would apply toward a baccalaureate degree.~~

~~Subd. 4. [DETERMINATION OF AVERAGE COST OF INSTRUCTION.] (a) The average cost of instruction shall include direct instructional costs and other costs necessary to provide instruction, such as facilities, administration, and support. The average cost of instruction shall include only those costs attributable to academic or vocational programs.~~

~~(b) Every biennium each board shall submit the average cost of instruction for each instructional category as necessary to determine appropriations as part of their biennial budget request.~~

~~Subd. 5. 4. [INSTRUCTIONAL COST STUDIES.] Average cost Reports of costs of instruction shall be determined submitted by categories of cost of program and level of instruction and student enrollment in each category as part of each board's biennial budget request.~~

~~Subd. 6. 5. [DETERMINATION OF TUITION.] Notwithstanding anything in this chapter to the contrary, the board of regents of the University of Minnesota, state university board, state board for universities, community colleges, and the state board of technical colleges shall not be required to establish tuition at any specific percentage of instructional cost.~~

~~Subd. 7. [RESIDENCY RESTRICTIONS.] In calculating student enrollment for appropriations, only the following may be included:~~

- ~~(1) students who resided in the state for at least one calendar year prior to applying for admission or dependent students whose parent or legal guardian resides in Minnesota at the time the student applies;~~
- ~~(2) Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere;~~
- ~~(3) residents of other states who are attending a Minnesota institution under a tuition reciprocity agreement; and~~
- ~~(4) students who have been in Minnesota as migrant farmworkers, as defined in Code of Federal Regulations, title 20, section 633.104, over a period of at least two years immediately before admission or readmission to a Minnesota public post secondary institution, or students who are dependents of such migrant farmworkers.~~

~~Subd. 6. [ADJUSTMENT FOR CHANGE ITEMS.] The instructional appropriations base may be adjusted for change items as determined by the governor and the legislature after any adjustments for inflation, enrollments, and performance. The instructional change items adjustment shall have a performance component.~~

~~Subd. 7. [BUDGET PRIORITIES.] The University of Minnesota, the state universities, the community colleges, and the technical colleges shall each develop, for legislative and executive branch acceptance, its highest budget priorities in accordance with statewide objectives for higher education. It is the intent of the legislature to appropriate at least 67 percent of the total cost of instruction after adjusting for inflation and increment enrollment changes. However, in the event of a budget shortfall, or if full funding of inflation is not possible, available funding shall first be applied to the agreed upon budget priorities.~~

Sec. 4. [135A.031] [PERFORMANCE FUNDING.]

Subdivision 1. [CATEGORIES AND INDICATORS.] The governing boards of the University of Minnesota, the state universities, the community colleges, and the technical colleges, in conjunction with their respective campuses, shall each specify performance categories and indicators to be used for policy and appropriations decisions, as well as processes for rewarding campuses that achieve performance levels and assisting campuses that are unable to achieve these levels. Because the mission of each system and type of institution varies, categories and indicators shall vary accordingly.

Subd. 2. [APPROPRIATIONS.] Up to one percent additional funding above the adjusted base instructional appropriation in section 135A.03 shall be appropriated to the governing boards during the second year of the biennium for accomplishing the agreed upon performance levels.

Sec. 5. [135A.032] [TASK FORCE.]

The department of finance shall convene, chair and staff a task force to review and make recommendations on the post-secondary funding formula. The University of Minnesota, the state universities, the community colleges, the technical colleges, the student advisory council, and the higher education finance divisions of the house and of the senate shall each designate a member. The task force shall report any recommendations for changes in the formula to the chairs of the higher education finance divisions. The task force shall propose a comprehensive review strategy to examine the effects and implications of the funding formula within five years of its implementation.

Sec. 6. [INITIAL CALCULATIONS.]

For purposes of calculating the 1996-1997 biennial budget request, the following enrollment levels shall be used to reconcile the 1995 base budget with the enrollment lag: University of Minnesota, 50,500; state universities, 43,500; community colleges, 33,500; and technical colleges, 35,500.

ARTICLE 4

EMPLOYER DESIGNATION AND BARGAINING

Section 1. Minnesota Statutes 1992, section 43A.06, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] (a) The commissioner, through the labor relations bureau, shall perform the duties assigned to the commissioner by sections 3.855, 179A.01 to 179A.25 and this section.

(b) The deputy commissioner for the labor relations bureau shall be the state labor negotiator for purposes of negotiating and administering agreements with exclusive representatives of employees and shall perform any other duties delegated by the commissioner subject to the limitations in paragraph (c).

(c) In consultation with the commissioner of employee relations and except as specified below, the higher education board may exercise the powers under this section. The power and authority to engage in collective bargaining or to enter into interest arbitration remains with the commissioner of employee relations, who shall exercise those powers in consultation with the higher education board.

Sec. 2. Minnesota Statutes 1992, section 43A.08, subdivision 1, is amended to read:

Subdivision 1. [UNCLASSIFIED POSITIONS.] Unclassified positions are held by employees who are:

- (1) chosen by election or appointed to fill an elective office;
- (2) heads of agencies required by law to be appointed by the governor or other elective officers, and the executive or administrative heads of departments, bureaus, divisions, and institutions specifically established by law in the unclassified service;
- (3) deputy and assistant agency heads and one confidential secretary in the agencies listed in subdivision 1a and in the office of strategic and long-range planning;
- (4) the confidential secretary to each of the elective officers of this state and, for the secretary of state, state auditor, and state treasurer, an additional deputy, clerk, or employee;
- (5) intermittent help employed by the commissioner of public safety to assist in the issuance of vehicle licenses;
- (6) employees in the offices of the governor and of the lieutenant governor and one confidential employee for the governor in the office of the adjutant general;

- (7) employees of the Washington, D.C., office of the state of Minnesota;
- (8) employees of the legislature and of legislative committees or commissions; provided that employees of the legislative audit commission, except for the legislative auditor, the deputy legislative auditors, and their confidential secretaries, shall be employees in the classified service;
- (9) presidents, vice-presidents, deans, other managers and professionals in academic and academic support programs, administrative or service faculty, teachers, research assistants, and student employees eligible under terms of the federal economic opportunity act work study program in the school and resource center for the arts, state universities and community colleges, and the higher education board, but not the custodial, clerical, or maintenance employees, or any professional or managerial employee performing duties in connection with the business administration of these institutions;
- (10) officers and enlisted persons in the national guard;
- (11) attorneys, legal assistants, and three confidential employees appointed by the attorney general or employed with the attorney general's authorization;
- (12) judges and all employees of the judicial branch, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;
- (13) members of the state patrol; provided that selection and appointment of state patrol troopers must be made in accordance with applicable laws governing the classified service;
- (14) chaplains employed by the state;
- (15) examination monitors and intermittent training instructors employed by the departments of employee relations and commerce and by professional examining boards;
- (16) student workers;
- (17) executive directors or executive secretaries appointed by and reporting to any policy-making board or commission established by statute;
- (18) employees unclassified pursuant to other statutory authority;
- (19) intermittent help employed by the commissioner of agriculture to perform duties relating to pesticides, fertilizer, and seed regulation; and
- (20) the administrators and the deputy administrators at the state academies for the deaf and the blind.

Sec. 3. Minnesota Statutes 1993 Supplement, section 43A.18, subdivision 4, is amended to read:

Subd. 4. [PLANS NOT ESTABLISHED BUT APPROVED BY COMMISSIONER.] Notwithstanding any other law to the contrary, total compensation for employees listed in this subdivision must be set by appointing authorities within the limits of compensation plans that have been approved by the commissioner before becoming effective. Compensation plans established under paragraphs (b), and (c), (d), and (e) must be approved by the legislature and the legislative commission on employee relations under subdivision 2 before becoming effective.

(a) Total compensation for employees who are not covered by a collective bargaining agreement in the offices of the governor, lieutenant governor, attorney general, secretary of state, state auditor, and state treasurer must be determined by the governor, lieutenant governor, attorney general, secretary of state, state auditor, and state treasurer, respectively.

~~(b) Total compensation for unclassified positions under section 43A.08, subdivision 1, clause (9), in the state universities and the community colleges not covered by a collective bargaining agreement must be determined by the state university board and the state board for community colleges, respectively.~~

~~(e) (b) Total compensation for classified administrative law judges in the office of administrative hearings must be determined by the chief administrative law judge.~~

~~(d) (c) Total compensation for unclassified positions not covered by a collective bargaining agreement in the higher education coordinating board and in the state board of technical colleges must be determined by the higher education coordinating board and the state board of technical colleges, respectively.~~

~~(e) Total compensation for unclassified positions not covered by a collective bargaining agreement in the higher education board must be determined by the higher education board.~~

Sec. 4. Minnesota Statutes 1992, section 43A.18, is amended by adding a subdivision to read:

Subd. 3a. [HIGHER EDUCATION BOARD PLAN.] Total compensation for unclassified managerial positions under section 43A.08, subdivision 1, clause (9), in the higher education board not covered by a collective bargaining agreement must be determined by the higher education board. Before submitting a compensation plan to the legislature and the legislative commission on employee relations, the higher education board must submit the plan to the department of employee relations for review and comment. The department must complete its review within 14 days of its receipt. Compensation plans established under this subdivision must be approved by the legislature and the legislative commission on employee relations under section 3.855, before becoming effective.

Sec. 5. [136E.35] [ASSIGNMENT TO BARGAINING UNITS.]

Actions by the higher education board to merge or redesignate institutions or to promote collaborative efforts between institutions must not unilaterally change faculty assignments to bargaining units provided in section 179A.10, subdivision 2.

Sec. 6. Minnesota Statutes 1992, section 179A.10, subdivision 1, is amended to read:

Subdivision 1. [EXCLUSIONS.] The commissioner of employee relations shall meet and negotiate with the exclusive representative of each of the units specified in this section, except as provided in section 43A.06, subdivision 1, paragraph (c). The units provided in this section are the only appropriate units for executive branch state employees. The following employees shall be excluded from any appropriate unit:

(1) the positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of employee relations in accordance with section 43A.18, subdivision 3, and so designated in the official state compensation schedules;

(2) unclassified positions in the state university system and the community college system defined as managerial by their respective boards;

(3) positions of physician employees compensated under section 43A.17, subdivision 4;

(4) positions of all unclassified employees appointed by a constitutional officer;

(5) positions in the bureau;

(6) positions of employees whose classification is pilot or chief pilot;

(7) administrative law judge and compensation judge positions in the office of administrative hearings; and

(8) positions of all confidential employees.

The governor may upon the unanimous written request of exclusive representatives of units and the commissioner direct that negotiations be conducted for one or more units in a common proceeding or that supplemental negotiations be conducted for portions of a unit or units defined on the basis of appointing authority or geography.

Sec. 7. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment. Sections 1 and 3 to 6 are effective July 1, 1995.

ARTICLE 5

TRANSITION PROVISIONS

Section 1. Laws 1991, chapter 356, article 9, section 9, is amended to read:

Sec. 9. [TRANSFER OF POWERS PROVISIONS.]

Subdivision 1. [TRANSFER OF POWERS; GENERALLY.] The state board of technical colleges, the state board for community colleges, and the state university board and their respective chancellors retain responsibility for operating and managing their systems until July 1, 1995. On July 1, 1995, the authority, duties, responsibilities, related property of the state board of technical colleges, school boards, intermediate school boards, and joint vocational technical boards with respect to technical colleges, the state board for community colleges, and the state university board are transferred to the higher education board under Minnesota Statutes, section 15.039.

Obligations incurred on behalf of a technical college by a school board, a joint vocational district under Minnesota Statutes, section 136C.60, or an intermediate school district under Minnesota Statutes, chapter 136D, which will not be satisfied on or before June 30, 1995, transfer to the higher education board subject to limits identified in state law or in plans or policies of the higher education board subject to legislative approval.

The state board of technical colleges, state board for community colleges, and state university board are abolished, effective July 1, 1995.

Subd. 1a. [MEMORANDUM OF UNDERSTANDING APPROVED.] The memorandum of understanding dated March 29, 1994, and signed by the chancellor of the higher education board, the state negotiator, and the bargaining representatives of state employees concerning employee security during the merger of the state universities, the community colleges, and the state technical colleges is ratified.

Subd. 2. [PERSONNEL TRANSFER.] The commissioner of employee relations shall allocate positions and incumbent employees who are primarily employed in post-secondary or extension vocational education positions in an intermediate, joint, or school district on June 30, 1995, to appropriate classes in the state classification plan under Minnesota Statutes, section 43A.07, without loss of pay, or place the positions and incumbent employees in the unclassified service under Minnesota Statutes, section 43A.08, subdivision 9. The commissioner shall also assign positions and incumbent employees to an appropriate state unit under Minnesota Statutes, section 179A.10, subject to challenge or petition of such unit assignment to the bureau of mediation services. Positions transferred with their incumbents do not create vacancies in state service.

Employees serving in unlimited appointments on June 30, 1995, and transferred to unlimited classified positions on July 1, 1995, are transferred to state service without examination.

Employees serving in limited appointments on June 30, 1995, and transferred to limited classified positions or to temporary unclassified positions shall receive emergency, temporary, or temporary unclassified appointments under provisions of Minnesota Statutes, section 43A.15, subdivisions 2 and 3, or 43A.08, subdivision 2a, as appropriate.

Subd. 3. [RETURN FROM LEAVE.] All employees on an approved leave of absence from a post-secondary education position in an intermediate, joint, or school district on June 30, 1995, retain the reinstatement rights specified under the original terms of the leave.

Subd. 4. [REASSIGNMENT; UNEMPLOYMENT COMPENSATION; SEVERANCE PAY.] The reassignment of rights under this section is not a leaving of employment for eligibility for unemployment compensation payments under Minnesota Statutes, chapter 268, or early retirement or severance compensation under Minnesota Statutes, section 465.72, or under a policy or contract based on Minnesota Statutes, section 465.72.

Sec. 2. Laws 1991, chapter 356, article 9, section 12, is amended to read:

Sec. 12. [EFFECT OF CURRENT COLLECTIVE BARGAINING AGREEMENTS; STATUTORY EMPLOYMENT RIGHTS.]

Subdivision 1. [GENERALLY.] (a) The terms and conditions of a collective bargaining agreement agreements, compensation plans, personnel policies, or other salary and benefit provisions covering an employee employees transferred to the higher education board remains remain in effect until a successor agreement becomes effective. This section paragraph applies to all employees transferred to the board except as modified by paragraph (b) and section 3.

(b) For employees whose employment was covered by Minnesota Statutes, section 125.12, before their transfer to the higher education board, the provisions of Minnesota Statutes, section 125.12, remain in effect until a successor agreement becomes effective according to Minnesota Statutes, chapter 179A. For employees whose employment was covered by Minnesota Statutes, section 125.17, before their transfer to the higher education board, the provisions of Minnesota Statutes, section 125.17, remain in effect until a successor agreement becomes effective according to Minnesota Statutes, chapter 179A.

Subd. 2. [EXCLUSIVE REPRESENTATIVE OF TECHNICAL COLLEGE EMPLOYEES.] The exclusive representatives of units of technical college employees transferred to the higher education board certified before the effective date of this section shall remain responsible for administration of their contracts and for all other contractual duties and shall enjoy the right to dues and fair share fee deduction and all other contractual privileges and rights until June 30, 1995. The incoming exclusive representatives of employees transferred to the higher education board and certified after the effective date of this subdivision shall immediately upon certification have the responsibility of bargaining on behalf of employees within the unit. The incoming exclusive representative and the new employer have the responsibility of administering grievances arising under previous contracts covering employees included within the unit which remain unresolved on June 30, 1995. Where the employer does not object, these responsibilities may be varied by agreement between the outgoing and incoming exclusive representatives. All other rights and duties of representation begin on July 1, 1995, except that exclusive representatives certified after the effective date of this subdivision shall immediately upon certification have the right to all employer information and all forms of access to employees within the bargaining unit which would be permitted to the current contract holder, including the rights in Minnesota Statutes, section 179A.07, subdivision 6. This subdivision does not affect any existing collective bargaining contract. Incoming exclusive representatives of employees transferred to the higher education board shall immediately upon certification have the responsibility of bargaining on behalf of all previously unrepresented employees assigned to their units. All other rights and duties of exclusive representatives begin on July 1, 1995.

Sec. 3. Laws 1991, chapter 356, article 9, section 13, is amended to read:

Sec. 13. [TRANSITIONAL PERIOD COLLECTIVE BARGAINING.]

Subdivision 1. [GENERALLY.] Contracts for the period commencing July 1, 1995, for employees who are in the technical college, state university, and community college instructional units and the state university administrative unit and who are transferred to the higher education board shall be negotiated with the higher education board under section 43A.06. Negotiations for those contracts can begin anytime after July 1, 1994, and may be initiated by either party notifying the other of the desire to begin the negotiating process. Negotiations shall be subject to this section and Minnesota Statutes, chapter 179A.

Subd. 2. [DATE OF EMPLOYMENT.] The date of first employment by the higher education board is the date on which services were first performed by the employee for the employer from which the employee is being transferred. For employees whose transfer is from a joint technical college district under Minnesota Statutes, sections 136C.60 to 136C.69, the date on which services were first performed by the employee is the date on which services were first performed by the employee in the member school district from which the employee was assigned to the joint technical college district.

Subd. 3. [BENEFITS.] All accumulations of leaves, years of service, and benefits must be credited to each employee subject to terms negotiated in the successor contract. Effective July 1, 1995, all transferred employees will be enrolled in the state employees group insurance program as provided in Minnesota Statutes, sections 43A.22 to 43A.31. The commissioner of employee relations shall provide, to transferred employees, open enrollment in all state employee health and dental insurance plans with no limitation on preexisting conditions except as specified in existing state employee certificates of coverage. The commissioner of employee relations shall provide, to transferred employees, the opportunity to purchase optional life and disability insurance in amounts equivalent to amounts previously purchased by a transferred employee or provided by the employer without limitation on preexisting conditions.

Subd. 4. [PROBATIONARY PERIODS.] Except as otherwise provided in a successor contract, probationary periods are not affected by the transfer of employees to the higher education board.

Subd. 5. [RECALL.] (a) Recall rights described in this subdivision apply until a successor agreement becomes effective.

(b) Members of the technical college instructional bargaining unit who are placed on unrequested leave of absence before July 1, 1995, are transferred to and become employees of the higher education board on July 1, 1995, and have recall rights to the technical college instructional unit for five years from the date originally placed on unrequested leave. For five years after the close of the school year in which the employees were placed on unrequested leave of absence they retain recall rights to vacancies for which they are licensed in the intermediate or school district that placed them on unrequested leave of absence.

(c) Members of the technical college instructional bargaining unit who are laid off by the higher education board after June 30, 1995, have recall rights to the technical college instructional unit for five years, unless modified by a successor contract. They shall also have recall rights for two years to vacancies for which they are licensed in the intermediate or school district from which they were transferred to the higher education board, but only if a transfer or assignment from a technical college position to an elementary or secondary position would have been authorized in that intermediate or school district under the contract in effect immediately before the instructor's transfer to the higher education board.

(d) Nonlicensed technical college employees of an intermediate, joint, or school district who are placed on an involuntary layoff before July 1, 1995, are transferred to and become employees of the state on July 1, 1995. Until June 30, 1997, they may exercise job seniority, promotion, layoff, and lateral transfer rights that were established by contract between an exclusive representative and the district and were in effect on June 30, 1995.

(e) For two years, unless modified by a successor contract, nonlicensed employees who are laid off by the state after June 30, 1995, may exercise job seniority, promotion, layoff, and lateral transfer rights that were established by contract between an exclusive representative and the district and were in effect on June 30, 1995.

Sec. 4. [MEMORANDA OF UNDERSTANDING.]

The department of employee relations is authorized to enter into memoranda of understanding with the exclusive representatives of the community college, state university, and technical college employees who are to be transferred to the board. The terms of these agreements shall be binding on all parties involved.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 4 are effective the day after final enactment.

ARTICLE 6

REVENUE BONDING AUTHORITY

Section 1. Minnesota Statutes 1992, section 136.31, is amended to read:

136.31 [STATE UNIVERSITY HIGHER EDUCATION BOARD, DUTIES.]

Subdivision 1. [DUTIES.] All references in sections 136.31 to 136.38 to the state university board shall be deemed and construed to include any successor thereof created or established by law. For the state universities, the state university higher education board is hereby authorized to do the following may:

(a) (1) acquire by purchase or otherwise, construct, complete, remodel, equip, operate, control, and manage residence halls, dormitories, dining halls, student union buildings, parking facilities, and any other similar revenue-producing buildings of such type and character as said the board shall from time to time find finds necessary for the good and benefit of any of the state universities under the jurisdiction of said board, and for that purpose may acquire property of any and every kind and description, whether real, personal, or mixed, by gift, purchase, or otherwise; provided that no contract for the construction of any building shall be entered into until financing therefor has been approved by the legislature;

(b) (2) maintain and operate any such buildings or structures and charge for the their use thereof, and carry on such conduct any activities, as that are commonly conducted in connection with any such the buildings or structures;

(e) (3) enter into contracts touching in any manner or any matter within the objects and for the purposes of sections 136.31 136E.80 to 136.38 136E.88;

~~(d) (4) acquire building sites and buildings or structures by gift, purchase, or otherwise and pledge the revenues thereof from them for the payment of any bonds issued for such that purpose as provided in sections 136.31 136E.80 to 136.38 136E.88;~~

~~(e) (5) borrow money and issue and sell bonds in such an amount or amounts as the legislature shall authorize authorizes for the purpose of acquiring, constructing, completing, remodeling, or equipping any such buildings or structures, and acquiring sites therefor, and refund and refinance the same from time to time the bonds by the issuance and sale of refunding bonds as often as it shall in when the board's judgment be advantageous to board finds that it is in the public interest so to do. All such The bonds shall be sold and issued by said the board in the manner and upon the terms and conditions provided by chapter 475, except as otherwise provided in this section. Such The bonds shall be payable solely only from and secured by an irrevocable pledge of the revenues to be derived from the operation of any such buildings or structures acquired, constructed, completed, remodeled, or equipped in whole or in part with the proceeds of such the bonds and in addition thereto from such other income and revenues described in section 136.33 136E.82, clause (a) (1), as said the board by resolution shall specify specifies, and notwithstanding this limitation all bonds issued hereunder under sections 136E.80 to 136E.88 shall have the qualities of negotiable instruments under the laws of this state. The legislature intends shall not to appropriate money from the general fund to pay for these bonds.~~

Subd. 2. [FORM.] ~~Such The~~ bonds may:

- ~~(1) bear such the date or dates and may;~~
- ~~(2) mature serially at such a time or times not exceeding 40 years from their date or dates, may;~~
- ~~(3) be in such the form;~~
- ~~(4) carry such the registration privileges, may;~~
- ~~(5) be payable at such a place or places, may;~~
- ~~(6) be subject to such terms of redemption prior to maturity with or without premium, may;~~
- ~~(7) be delivered to the purchasers at such times and places; and may~~
- ~~(8) contain such terms and covenants, not inconsistent consistent with sections 136.41 and 136.42 section 136E.88, all as may be provided by resolution of said the board authorizing the issuance of such the bonds.~~

Subd. 3. [EXECUTION.] The bonds must be executed by the officers of the board designated by the board to execute them and countersigned by the treasurer elected by the board, in the manner authorized by section 475.55.

Subd. 4. [BOND STATEMENT; REGISTRATION.] Each ~~such~~ bond shall state upon its face that it is payable solely from and secured by an irrevocable pledge of the revenues derived from the operation of any ~~such~~ buildings or structures acquired, constructed, completed, remodeled, or equipped in whole or in part with the proceeds of the sale of ~~said the~~ bonds and from ~~such~~ other income and revenues described in section 136.33 136E.82, clause (a) (1), as specified in the resolution providing for its issue, and that it does not constitute a debt or obligation of the state of Minnesota within the meaning or application of any constitutional or statutory limitation or provision. ~~Such bonds will be registered by A copy of the proceedings taken by the board in the issuance of the bonds shall be filed with the commissioner of finance in a bond register to be kept for that purpose wherein shall be entered the amount and purpose of issue, the maturity and rate of interest, and the name of the original purchaser.~~

Subd. 5. [BOND SECURITIES.] If the board by resolution determines that its treasurer possesses money not currently needed, or that is set aside in a reserve, the board in the resolution may direct the treasurer to invest a specified amount of the money in securities of the types described in section 475.66. The securities must be deposited with and held for the board by the treasurer. If the invested money is needed by the board it shall direct the treasurer to sell all or a designated amount of the securities. Money collected from the investment by the treasurer, as principal, interest, or proceeds of sales, must be credited to and made a part of the fund and account for which the investment is made.

Subd. 6. In any case where the board determines to issue and sell refunding revenue bonds six months or more before the earliest date on which all bonds of the series to be refunded thereby will have matured or will have been redeemed upon call as hereinafter provided, the proceeds of the refunding revenue bonds shall be deposited, together

~~with any revenues available and designated by the board for the purpose, in escrow with a suitable banking institution within or without the state, whose deposits are insured by the Federal Deposit Insurance Corporation and whose combined capital and surplus is not less than one million dollars, and shall be invested, simultaneously with the delivery of the bonds, in securities maturing or callable at the option of the holder on such dates and bearing interest at such rates as shall be required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each bond of the series refunded to its maturity or, if prepayable, to an earlier designated date on which it may be called for redemption, and to pay the principal amount of each such bond at maturity or, if prepayable, at its designated earlier redemption date, and to pay any premium required for redemption on such date; and before the refunding revenue bonds are delivered, the board shall by resolution irrevocably appropriate for these purposes, and for the payment of the reasonable charges of banks designated as escrow and paying agents, the escrow account and all payments of principal and interest on the securities held therein, and shall provide for the call of all prepayable bonds of such series, in accordance with their terms, on the redemption date or dates designated. The board may place in escrow pursuant to this subdivision any funds previously pledged and appropriated for the payment of principal and interest on bonds to be refunded; and it may, when deemed necessary in the public interest, issue refunding revenue bonds in the amount necessary to place in escrow the funds required to pay any premium for redemption of refunded bonds before their stated maturities. Investments of the escrow account shall be limited to general obligations of the United States, securities whose principal and interest payments are guaranteed by the United States, and securities issued by the following agencies of the United States: Banks for Cooperatives, Federal Home Loan Banks, Federal Intermediate Credit Banks, Federal Land Banks, and the Federal National Mortgage Association. No refunding revenue bonds shall be issued more than ten years before the last date on which all revenue bonds of the series to be refunded thereby will mature or are directed to be prepaid in accordance with their terms.~~

Subd. 7. [PAYMENT OF INTEREST; OUTSTANDING REVENUE BONDS.] Except as provided in this subdivision, the board may irrevocably appropriate and use any money, other than direct state appropriations and tuition receipts appropriated by section 136.11, subdivision 1, held by it to discharge or otherwise provide for the payment of the interest coming due on its revenue bonds outstanding on July 1, 1988, until paid and for the payment of the principal and any premium coming due on the bonds at maturity or upon any earlier date upon which the bonds are called for redemption. For this purpose, the board may exercise all powers conferred upon it under ~~subdivision 6~~ with respect to escrow agents and escrow accounts, and may provide for the funding of the escrow accounts with securities of the type referred to in subdivision 6 and certificates of deposit, time deposits, and investment agreements issued by the escrow agent or any other financial institution section 475.67, subdivisions 5 to 10. This subdivision does not authorize the appropriation or use of board money to secure outstanding revenue bonds contrary to a board resolution authorizing the issuance and providing for the security of the bonds, or the use of other board money contrary to the terms of a contract, specific legislative appropriation, or law.

Sec. 2. Minnesota Statutes 1992, section 136.32, is amended to read:

136.32 [BONDS, INVESTMENTS.]

The state, including the state board of investment, and all counties, cities, ~~incorporated~~ towns and other municipal corporations, political subdivisions and political bodies, and public officers of any ~~thereof~~ of the public entities listed in this section, all banks, bankers, trust companies, savings banks, and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds issued pursuant to sections ~~136.31~~ 136E.80 to ~~136.38~~, it being 136E.88. The purpose of this section is to authorize the investment in such bonds of all sinking, insurance, retirement, compensation, pension and trust funds, whether owned or controlled by private or public persons or officers; ~~provided, however, that~~. Nothing contained in this section may be construed as relieving any person, firm or corporation from any duty of exercising due care in selecting securities for purchase or investment. Such ~~The~~ bonds are hereby constituted "authorized securities" within the meaning and for the purposes of section 50.14, notwithstanding the restrictions in ~~part (c) of subdivision 4 thereof~~ section 50.14, subdivision 4, clause (c).

Sec. 3. Minnesota Statutes 1992, section 136.33, is amended to read:

136.33 [RESOLUTION OF BOARD.]

Upon the determination by ~~said university~~ the higher education board or its successor to acquire, construct, complete, remodel, or equip any student residence halls, dormitories, dining halls, student union buildings, parking facilities, or other similar revenue-producing building or buildings, ~~said~~ the board or its successor shall adopt a

resolution describing generally the contemplated project, the estimated cost thereof, including legal, engineering and financial expenses and interest on the bonds during the period of constructing the project and for six months thereafter, fixing the amount of the bonds, the maturity or maturities, the interest rate, and all details in respect thereof of the bonds. Such The resolution shall contain such covenants as may be determined by said the board or its successor as to:

(a) (1) the pledging of all or any portion of the proceeds of any fees imposed upon students for student activities, student facilities, or for other purposes, and the net revenues from other buildings or facilities heretofore or hereafter constructed or acquired at any state university ~~under the jurisdiction of said board~~ as additional security for the payment of said the bonds;

(b) (2) the regulation as to the use of such the buildings or structures to assure the maximum use or occupancy thereof;

(c) (3) the amount and kind of insurance to be carried, including use and occupancy insurance, the cost of which shall be payable only from the revenues to be derived from such the buildings or structures;

(d) (4) the operation, maintenance, management, accounting and auditing, and the keeping of records, reports and audits of such the buildings or structures;

(e) (5) the obligation of said the board or its successor to maintain such the buildings or structures in good condition and to operate ~~the same~~ them in an economical and efficient manner;

(f) (6) the amendment or modification of the resolution authorizing the issuance of any bonds ~~hereunder~~, and the manner, terms and conditions, and the amount or percentage of assenting bonds necessary to effectuate such the amendment or modification; and

(g) ~~such~~ (7) other covenants as may be deemed necessary or desirable to assure the prompt and punctual payment of all bonds issued under sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88.

Sec. 4. Minnesota Statutes 1992, section 136.34, is amended to read:

136.34 [STUDENT ACTIVITIES, FEES CHARGED.]

Whenever bonds are issued as provided in sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88, it shall be the duty of said the higher education board to establish charges or fees, including without limitation fees for student activities and fees for student facilities, for the use of any buildings or structures sufficient at all times to pay the principal of and interest on such the bonds and to create and maintain suitable reserves ~~therefor for them~~ and the necessary expenses of the their operation and maintenance ~~thereof~~, and. All revenues derived from the their operation ~~thereof~~ shall be set aside in a separate fund and accounts ~~as hereinafter provided~~ and shall be irrevocably pledged for and used only ~~in paying to pay~~ the principal of and interest upon the bonds issued for the purpose or purposes set forth and described in the resolution authorizing the issuance of said the bonds, and the necessary expenses of the operation and maintenance ~~thereof~~ of the buildings and structures; and such the charges and fees shall be sufficient at all times for such these purposes.

Sec. 5. Minnesota Statutes 1992, section 136.35, is amended to read:

136.35 [SPECIAL REVENUE FUND.]

(a) The gross total income derived from the sale of bonds, and receipts and income derived from charges or fees, rentals, and all other revenue established for the use and service of any such buildings or structures shall, within three days after their receipt thereof, be paid to and held by the treasurer of the higher education board as a special fund known as, "The University Higher Education Board of the State of Minnesota Universities Revenue Fund". The treasurer shall be custodian of such the special fund, which fund shall be held and disbursed for the purposes provided in sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88. The said special fund shall be protected by a corporate surety bond executed by the treasurer of the board with a surety authorized to do business under the laws of the state of Minnesota. The amount of such the bond shall be fixed by resolution of ~~said university~~ the board or its successor and may be increased or diminished at any time. The premiums of such the bonds shall be payable from "The University Higher Education Board of the State of Minnesota Universities Revenue Fund" and charged as an item of maintenance expense.

(b) A certified copy of each resolution providing for the issuance of bonds under sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88 shall be filed with the treasurer of the board, and it shall be the duty of ~~said the~~ treasurer to keep and maintain separate accounts in ~~said the~~ special fund for each bond issue in accordance with the covenants and the directions set out in the resolution providing for the issuance of ~~said the~~ bonds and to disburse funds from the proper account for the payment of the principal of and interest on the bonds in accordance with the directions and covenants of ~~said the~~ resolution authorizing the issue thereof. All disbursements for maintenance and operation costs shall be made from the proper maintenance and operation account ~~upon~~ by order of ~~said the~~ board or its successor in accordance with the covenants set out in the resolution authorizing the issuance of bonds. All disbursements for construction costs shall be made from a separate account in ~~said the~~ special fund ~~upon~~ by order of ~~said the~~ board or its successor in accordance with the covenants set out in the resolution authorizing ~~said the~~ bonds.

Sec. 6. Minnesota Statutes 1992, section 136.36, is amended to read:

136.36 [ALLOCATION OF RECEIPTS.]

All moneys ~~now or hereafter~~ in the ~~University~~ Higher Education Board of The State of Minnesota ~~Universities~~ Revenue Fund and all income from the operation of ~~such dormitories, cafeterias and student facilities~~ residence halls, dormitories, dining halls, student union buildings, parking facilities and other revenue producing buildings and structures are hereby appropriated first to the payment of expenses of the operation of ~~dormitories, cafeterias and other student~~ the facilities from which the revenues so appropriated are derived and second to the payment of the obligations ~~herein~~ authorized by sections 136E.80 to 136E.88.

Sec. 7. Minnesota Statutes 1992, section 136.37, is amended to read:

136.37 [ADMINISTRATION.]

The administration of sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88 shall be under the ~~state-university~~ higher education board independent of other authority and notwithstanding chapters 16A and 16B.

Sec. 8. Minnesota Statutes 1992, section 136.38, is amended to read:

136.38 [CONTRACTS OF BOARD, PERFORMANCE COMPELLED.]

(a) The provisions of sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88 and of any resolution or other proceedings authorizing the issuance of bonds shall constitute a contract with the holders of ~~such the~~ bonds and the provisions thereof shall be enforceable either in law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction to enforce or compel the performance of any duties required by sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88 and any resolution authorizing the issuance of bonds ~~adopted responsive hereto~~, including the establishment of sufficient charges or fees for use of any ~~such~~ buildings or structures and the application of the income and revenue ~~thereof from them~~; and it shall be the duty of ~~said-university~~ the higher education board or its successor upon the issuance of any bonds under ~~the provisions of~~ sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88 to establish by resolution from time to time the fees or charges to be made for the use of any ~~such~~ buildings or structures, which fees or charges shall be adjusted from time to time in order to always provide sufficient income for payment of the principal of and interest on ~~such the~~ bonds issued as provided for in sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88, and for the necessary expenses of operation and maintenance.

(b) If the ~~existing-university~~ higher education board of the state of Minnesota is abolished, all contracts made by ~~said the~~ board and all things done or actions taken by ~~said the~~ board under sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88 shall be deemed to be contracts of, actions taken and things done by its successor and ~~such the~~ successor shall be bound by all ~~such~~ contracts, actions taken and things done by ~~said the~~ board and ~~such successor~~ shall be subject to all the obligations and duties of ~~said the~~ board under sections ~~136.31~~ 136E.80 to ~~136.38~~ 136E.88.

Sec. 9. Minnesota Statutes 1993 Supplement, section 136.41, subdivision 8, is amended to read:

Subd. 8. [ISSUANCE OF BONDS.] The ~~state-university~~ higher education board or a successor may issue additional revenue bonds under sections 136.31 to 136.38 in an aggregate principal amount not exceeding \$40,000,000, subject to the resolutions authorizing its outstanding revenue bonds, and payable from the revenue appropriated to the fund established by section 136.35, and use the proceeds together with other public or private money that may otherwise become available to acquire land, and to acquire, construct, complete, remodel, and equip structures to be used for

dormitory, residence hall, student union, food service, and related parking purposes at the state universities. Before issuing the bonds or any part of them, the board shall consult with and obtain the advisory recommendations of the chairs of the house ways and means committee and the senate finance committee about the facilities to be financed by the bonds.

Sec. 10. Minnesota Statutes 1992, section 136.41, is amended by adding a subdivision to read:

Subd. 10. [SUCCESSOR.] For the purposes of this section, the higher education board is the successor to the state university board.

Sec. 11. [REPEALER.]

Minnesota Statutes 1992, sections 136.31, subdivision 6; 136.40; 136.41, subdivisions 1, 2, 3, 4, 5, 6, and 7; and 136.42, are repealed.

Sec. 12. [REVISOR INSTRUCTION.]

(a) In the 1996 edition of Minnesota Statutes, the revisor shall renumber sections 136.31 as 136E.80; 136.31, subdivision 7, as 136E.80, subdivision 6; 136.32 as 136E.81; 136.33 as 136E.82; 136.34 as 136E.83; 136.35 as 136E.84; 136.36 as 136E.85; 136.37 as 136E.86; 136.38 as 136E.87; 136.41, subdivision 8, as 136E.88, subdivision 1; 136.41, subdivision 9, as 136E.88, subdivision 2; 136.41, subdivision 10, as 136E.88, subdivision 3.

(b) The revisor shall add "Federal Tax on Interest" as a headnote to section 136.41, subdivision 9.

Sec. 13. [EFFECTIVE DATE.]

Sections 1 to 12 are effective July 1, 1995.

ARTICLE 7

ADMINISTRATION AND FINANCE

Section 1. Minnesota Statutes 1992, section 136C.06, is amended to read:

136C.06 [SOLE STATE AGENCY.]

The ~~state board of technical colleges~~ higher education board is the sole state agency to receive and disburse federal funds authorized by the Vocational Education Act of 1963, as amended in the education amendments of 1976, Public Law Number 94-482, and Code of Federal Regulations, title 34, part 400. The ~~state~~ board shall develop and submit the state plan for vocational technical education. The ~~state~~ board shall develop the state plan according to terms of agreement with the state board of education.

Sec. 2. Minnesota Statutes 1992, section 136E.01, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] The higher education board, referred to in sections 136E.01 to 136E.05 as "the board," consists of ~~13~~ 15 members appointed by the governor with the advice and consent of the senate. At least one member of the board must be a resident of each congressional district. ~~One member~~ Three members must be a ~~student~~ students who are enrolled at least half-time in a degree, diploma, or certificate program or have graduated from an institution governed by the board within one year of the date of appointment. The student members shall include: one member from a community college, one member from a state university, and one member from a technical college. The remaining members must be appointed to represent the state at large.

Sec. 3. Minnesota Statutes 1992, section 136E.01, subdivision 2, is amended to read:

Subd. 2. [TERM; COMPENSATION; REMOVAL; VACANCIES.] The compensation, removal of members, and filling of vacancies on the board are as provided in section 15.0575. Members are appointed for a term of six years, except that the term of each of the student ~~member~~ members is two years. Terms end on June 30.

Sec. 4. [136E.021] [STUDENT BOARD MEMBER SELECTION.]

Subdivision 1. [RESPONSIBILITY.] Notwithstanding section 136E.02, the statewide community college student association, state university student association, and technical college student association shall each have the responsibility for recruiting, screening, and recommending qualified candidates for its student member of the board.

Subd. 2. [CRITERIA.] After consulting with the higher education board candidate advisory council, the student associations shall jointly develop a statement of the selection criteria to be applied to potential candidates.

Subd. 3. [RECRUITING AND SCREENING.] Each student association shall develop processes for identifying and recruiting qualified candidates and for screening those candidates.

Subd. 4. [RECOMMENDATIONS.] Each student association shall recommend at least two and not more than four candidates for its student member. By January 2 of the year in which its members' term expires, each student association shall submit its recommendations to the governor. The governor is not bound by these recommendations.

Sec. 5. Minnesota Statutes 1993 Supplement, section 136E.03, is amended to read:

136E.03 [MISSION MISSIONS.]

The mission of the board is to provide programs of study that meet the needs of students for occupational, general, baccalaureate, and graduate education. The state universities, community colleges, and technical colleges shall have distinct missions as provided in section 135A.052, subdivision 1. Within that statutory definition and subject to the approval of the board, each community college, state university, and technical college may develop its own distinct institutional mission. The board shall develop administrative arrangements that make possible the efficient use of the facilities and staff of the technical colleges, community colleges, and state universities for providing these several different programs of study, so that students may have the benefit of improved and broader course offerings, ease of transfer among schools and programs, integrated course credit, coordinated degree programs, and coordinated financial aid. In carrying out the merger of the three separate systems, the board shall control administrative costs by eliminating duplicative administrative positions and course offerings.

Sec. 6. [136E.50] [STUDENT ASSOCIATIONS.]

Subdivision 1. [STATEWIDE.] The board shall recognize one statewide student association for the community colleges, one for the state universities, and one for the technical colleges. Each statewide student association shall be affiliated with its campus student associations but all students enrolled on those campuses shall be members of their respective statewide association.

Subd. 2. [FEES.] Each statewide association shall set its fees to be collected by the board and shall submit any changes in its fees to the board for review. The board may revise or reject the fee change. Fees must be collected by each community college, state university, and technical college and shall be credited to each association's account to be spent as determined by that association. The money in the account is not public money.

Subd. 3. [CONSOLIDATION.] No changes may be made to student associations located on community college, state university, technical college, or consolidated colocated campuses without the approval of each affected campus association in consultation with its state student association.

Sec. 7. [136E.65] [CONSTRUCTION, IMPROVEMENT, AND REPAIR OF FACILITIES.]

Subdivision 1. [CONSTRUCTION; IMPROVEMENTS.] The higher education board shall supervise and control the preparation of plans and specifications for the construction, alteration, or enlargement of community college, state university, and technical college buildings, structures, and improvements for which appropriations are made to the board. The board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Subd. 2. [PLANS.] Plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided by law.

Subd. 3. [DISPUTE RESOLUTION.] In contracting for projects, the higher education board must not restrict its access to litigation or limit its methods of redress to arbitration or other nonjudicial procedures.

Subd. 4. [REPAIRS.] The higher education board shall supervise and control the making of necessary repairs to all community college, state university, and technical college buildings and structures.

Sec. 8. Laws 1991, chapter 356, article 9, section 8, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENTS TO BOARD.] Appointments to the higher education board must be made by July 1, 1991. Notwithstanding section 2, the initial higher education board consists of two members each from the state board of technical colleges, state board for community colleges, and the state university board, appointed by their respective boards and six members appointed by the governor. The governor's appointees may also be members of the current governing boards. The members appointed by boards must have been confirmed by the senate to the board from which they are appointed and served for at least one year on the board from which they were appointed. Initial higher education board members appointed by boards are not subject to further senate confirmation. Initial appointees of the governor are not subject to section 3. The governor shall appoint the student member members July 1, 1995. Notwithstanding section 2, subdivision 2, the initial members of the higher education board must be appointed so that an equal number will have terms expiring in three, five, and seven years. To the extent possible, the initial board must have the geographic balance required by section 2.

Sec. 9. [INITIAL TERMS.]

Notwithstanding Minnesota Statutes, section 136E.01, the terms of the initial permanent student members of the board shall be as follows: the technical college student shall serve one year, the community college student shall serve one year, and the state university student shall serve two years.

Sec. 10. [DEBT SERVICE FUNDS.]

Notwithstanding Minnesota Statutes, sections 121.912, 121.9121, 475.61, subdivision 4, or any other law to the contrary, funds remaining in the debt service account for the St. Paul Technical College, after all relevant obligations to bondholders are satisfied, shall be distributed between the St. Paul Technical College and independent school district No. 625 according to the memorandum of agreement dated March 28, 1994. The technical college portion of the distribution shall be used to plan for remodeling and to acquire additional instructional space. The balance shall be used by independent school district No. 625 for capital purposes for technical education.

Sec. 11. [REVISOR INSTRUCTION.]

In the 1996 edition of Minnesota Statutes, the revisor shall renumber section 136C.06 as 136E.60.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 3, 6, 7, 9 to 11 are effective July 1, 1995."

Delete the title and insert:

"A bill for an act relating to education; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, and board of regents of the University of Minnesota, with certain conditions; changing the designation of Fond du Lac center; prescribing changes to certain financial aid programs; reinstating rules pertaining to private business, trade, and correspondence schools and technical colleges personnel licensing; limiting curricular authority of the POST board; abolishing the higher education coordinating board; adopting a post-secondary funding formula; providing for appointments; defining higher education board authority for bargaining with certain employees; designating certain higher education board employees as unclassified; clarifying transfer provisions for the merger of community colleges, state universities, and technical colleges; transferring bonding authority for the state universities to the higher education board; establishing the higher education board as the sole state agency for federal funding for vocational education; providing for appointments of additional student members on the higher education board; establishing the student board member selection process; authorizing the higher education board to supervise and control construction, improvement, and repair of its facilities; preserving distinct post-secondary missions; recognizing separate student associations; transferring excess debt service funds; amending Minnesota Statutes 1992, sections 43A.06, subdivision 1;

43A.08, subdivision 1; 43A.18, by adding a subdivision; 135A.01; 135A.02; 135A.03, as amended; 136.31; 136.32; 136.33; 136.34; 136.35; 136.36; 136.37; 136.38; 136.41, by adding a subdivision; 136.60; 136A.121, subdivision 17; 136A.125, subdivisions 2, 3, and 4; 136A.15, subdivision 6; 136C.06; 136E.01, subdivisions 1 and 2; and 179A.10, subdivision 1; Minnesota Statutes 1993 Supplement, sections 43A.18, subdivision 4; 136.41, subdivision 8; 136A.233, subdivisions 1 and 2; and 136E.03; Laws 1991, chapter 356, article 9, sections 8, subdivision 1; 9; 12; and 13; Laws 1993, chapter 224, article 12, section 39; proposing coding for new law in Minnesota Statutes, chapters 135A; 136; and 136E; repealing Minnesota Statutes 1992, sections 135A.06, subdivisions 2, 3, 4, 5, and 6; 136.31, subdivision 6; 136.40; 136.41, subdivisions 1, 2, 3, 4, 5, 6, and 7; 136.42; and 136C.36; Minnesota Statutes 1993 Supplement, section 135A.061; Laws 1993, First Special Session chapter 2, article 1, section 9, subdivision 8."

The motion prevailed and the amendment was adopted.

Simoneau was excused while in conference.

CALL OF THE HOUSE

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

Abrams	Dawkins	Hausman	Koppendrayner	Morrison	Pelowski	Tompkins
Anderson, R.	Dehler	Holsten	Krinkie	Mosel	Perlt	Trimble
Asch	Delmont	Hugoson	Krueger	Munger	Peterson	Tunheim
Battaglia	Dempsey	Huntley	Lasley	Murphy	Pugh	Van Dellen
Bauerly	Dorn	Jacobs	Leppik	Neary	Reding	Van Engen
Beard	Erhardt	Jaros	Lieder	Nelson	Rhodes	Vellenga
Bergson	Evans	Jefferson	Limmer	Ness	Rodosovich	Vickerman
Bertram	Farrell	Jennings	Lindner	Olson, E.	Rukavina	Wagenius
Bettermann	Finseth	Johnson, A.	Long	Olson, K.	Sarna	Waltman
Bishop	Frerichs	Johnson, R.	Lourey	Olson, M.	Seagren	Weaver
Brown, C.	Garcia	Johnson, V.	Luther	Onnen	Sekhon	Wejcmnan
Brown, K.	Girard	Kahn	Lynch	Opatz	Skoglund	Wenzel
Carlson	Goodno	Kalis	Macklin	Orenstein	Smith	Winter
Carruthers	Greenfield	Kelley	Mahon	Orfield	Solberg	Wolf
Clark	Greiling	Kelso	Mariani	Osthoff	Stanis	Worke
Commers	Gruenes	Kinkel	McCollum	Ostrom	Steensma	Workman
Cooper	Gutknecht	Klinzing	McGuire	Ozment	Sviggum	Spk. Anderson, I.
Dauner	Hasskamp	Knickerbocker	Milbert	Pauly	Swenson	
Davids	Haukoos	Knight	Molnau	Pawlenty	Tomassoni	

Carruthers 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.

Sviggum moved that S. F. No. 2900, as amended, be re-referred to the Committee on Ways and Means.

A roll call was requested and properly seconded.

The question was taken on the Sviggum motion and the roll was called.

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

There were 37 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Gutknecht	Hugoson	Knight	Leppik	Lynch
Commers	Frerichs	Haukoos	Johnson, V.	Koppendrayner	Limmer	Macklin
Dempsey	Gruenes	Holsten	Knickerbocker	Krinkie	Lindner	Molnau

Olson, M.	Pawlenty	Stanius	Tompkins	Vickerman	Worke
Ornen	Seagren	Sviggum	Van Dellen	Waltman	
Ozment	Smith	Swenson	Van Engen	Weaver	

Those who voted in the negative were:

Anderson, R.	Dauner	Hasskamp	Klinzing	Munger	Perl	Trimble
Asch	Davids	Hausman	Krueger	Murphy	Peterson	Tunheim
Battaglia	Dawkins	Huntley	Lasley	Neary	Pugh	Vellenga
Bauerly	Dehler	Jacobs	Lieder	Nelson	Reding	Wagenius
Beard	Delmont	Jaros	Long	Ness	Rhodes	Wejcmán
Bergson	Dorn	Jefferson	Lourey	Olson, E.	Rice	Wenzel
Bertram	Evans	Jennings	Luther	Olson, K.	Rodosovich	Winter
Bettermann	Farrell	Johnson, A.	Mahon	Opatz	Rukavina	Wolf
Brown, C.	Finseth	Johnson, R.	Mariani	Orenstein	Sarna	Workman
Brown, K.	Garcia	Kahn	McCollum	Orfield	Sekhon	Spk. Anderson, I.
Carlson	Girard	Kalis	McGuire	Osthoff	Skoglund	
Carruthers	Goodno	Kelley	Milbert	Ostrom	Solberg	
Clark	Greenfield	Kelso	Morrison	Pauly	Steensma	
Cooper	Greiling	Kinkel	Mosel	Pelowski	Tomassoni	

The motion did not prevail.

CALL OF THE HOUSE LIFTED

Carruthers moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

Stanius moved to amend S. F. No. 2900, as amended, as follows:

Page 4, after line 38, insert:

"The legislature intends that its support of U2000 will result in the improvement of undergraduate education on the Twin Cities campus. Specifically, the legislature intends that the University focus on improving the actual classroom instruction and experience of undergraduates, particularly as the number of traditional undergraduate students in the state grows over the next several years. This focus includes changing the reward structure for faculty to encourage more and better undergraduate instruction. As part of its 1995 biennial budget request to support its U2000 efforts, the University shall report on its specific plans to accomplish changes in faculty efforts in teaching and advising that will improve undergraduate education."

The motion prevailed and the amendment was adopted.

Asch, McCollum and Brown, C., moved to amend S. F. No. 2900, as amended, as follows:

Page 23, after line 17, insert:

"Sec. 4. [135A.115] [HEALTH CARE BENEFITS.]

If a public post-secondary system provides family health care benefits to personnel who are adult unmarried cohabitants of the same sex, the system must offer this benefit to adult unmarried cohabitants who are of the opposite sex."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Gutknecht, Workman, Worke, Steensma, Waltman, Wenzel and Perlth offered an amendment to the Asch et al amendment to S. F. No. 2900, as amended.

POINT OF ORDER

Kahn raised a point of order pursuant to section 401, paragraph 2, of "Mason's Manual of Legislative Procedure" relating to frivolous and improper amendments. Speaker pro tempore Bauerly ruled the point of order well taken and the Gutknecht et al amendment to the Asch et al amendment out of order.

POINT OF ORDER

Kinkel raised a point of order pursuant to rule 3.09 that the Asch et al amendment was not in order. Speaker pro tempore Bauerly ruled the point of order not well taken and the amendment in order.

The question recurred on the Asch et al amendment and the roll was called. There were 73 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Holsten	Lasley	Neary	Rukavina	Waltman
Asch	Dorn	Hugoson	Leppik	Nelson	Sarna	Weaver
Beard	Erhardt	Jaros	Lieder	Olson, E.	Smith	Wenzel
Bergson	Farrell	Jefferson	Lynch	Onnen	Stanis	Winter
Bettermann	Finseth	Jennings	Macklin	Opatz	Steensma	Wolf
Bishop	Frerichs	Johnson, V.	Mahon	Ostrom	Sviggum	Worke
Brown, C.	Garcia	Kalis	McCullum	Ozment	Swenson	Workman
Commers	Girard	Kelso	Milbert	Pauly	Tunheim	
Dauids	Goodno	Klinzing	Molnau	Pawienty	Van Dellen	
Dehler	Gruenes	Knickerbocker	Morrison	Perlth	Van Engen	
Delmont	Gutknecht	Krinkie	Munger	Reding	Vickerman	

Those who voted in the negative were:

Anderson, R.	Dauner	Jacobs	Koppendrayner	McGuire	Peterson	Tomassoni
Battaglia	Dawkins	Johnson, A.	Krueger	Mosel	Pugh	Tompkins
Bertram	Evans	Johnson, R.	Lindner	Ness	Rest	Trimble
Brown, K.	Greenfield	Kahn	Long	Orenstein	Rhodes	Vellenga
Carlson	Greiling	Kelley	Lourey	Orfield	Rice	Wagenius
Clark	Haukoos	Kinkel	Luther	Osthoft	Rodosovich	Wejzman
Cooper	Hausman	Knight	Mariani	Pelowski	Sekhon	Spk. Anderson, I.

The motion prevailed and the amendment was adopted.

Orenstein, Pelowski, Limmer, Morrison, Swenson, Rukavina and Tomassoni moved to amend S. F. No. 2900, as amended, as follows:

Page 12, delete section 11 and insert:

"Sec. 11. [POST BOARD.]

The association of police chiefs' is requested to convene a committee to discuss and make recommendations to the legislature on current programs of professional peace officer education. The committee shall consist of three POST Board members or their designees, three representatives of law enforcement associations, three representatives of the higher education systems, and three representatives of post-secondary campuses offering professional peace officer education to be appointed by the appropriate higher education governing boards for technical colleges, community colleges, and state university college systems. The committee shall make recommendations regarding programmatic

and funding issues related to professional peace officer education. The committee also shall develop a plan for a cooperative process whereby the higher education systems and campuses and the POST Board consult on any proposed changes in policy, rule, or statute which may significantly affect professional peace officer education. The committee shall report its findings and recommendations to the higher education and judiciary finance divisions by January 15, 1995. Prior to June 30, 1995, the board of peace officer standards and training may not take any action to change or modify professional peace officer education that is offered by a technical college, community college, or state university unless it is agreed to by both parties."

The motion prevailed and the amendment was adopted.

Van Dellen moved to amend S. F. No. 2900, as amended, as follows:

Page 4, after line 54, insert:

"Section 1. [135A.51] [STUDENT DISCIPLINE FOR SPEECH OR COMMUNICATION.]

The state university board, the state board for community colleges, the state board of technical colleges, and any institution under the jurisdiction of any of these boards shall not impose, and the board of regents of the University of Minnesota is requested to not impose, a prior restraint of speech or subject a student or employee to disciplinary action solely on the basis of conduct that is speech or other communication which, if engaged in away from a campus, is protected by the United States Constitution or the Minnesota Constitution from government restriction based on content.

A person aggrieved by a violation of this section may bring a civil action for injunctive and declaratory relief.

This section does not prohibit a board or institution governed by this section from adopting and enforcing rules consistent with section 609.2231, subdivision 4."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Carlson raised a point of order pursuant to rule 3.09 that the Van Dellen amendment was not in order. Speaker pro tempore Bauerly ruled the point of order not well taken and the amendment in order.

The question recurred on the Van Dellen amendment and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Carruthers	Evans	Holsten	Kelley	Limmer	Molnau
Anderson, R.	Clark	Finseth	Hugoson	Kelso	Lindner	Morrison
Asch	Commers	Garcia	Huntley	Kinkel	Long	Mosel
Battaglia	Cooper	Girard	Jacobs	Klinzing	Lourey	Munger
Bauerly	Dauner	Goodno	Jaros	Knickerbocker	Luther	Murphy
Beard	Davids	Greenfield	Jefferson	Knight	Lynch	Nearby
Bergson	Dawkins	Greiling	Jennings	Koppendrayner	Macklin	Nelson
Bertram	Dehler	Gruenes	Johnson, A.	Krinkie	Mahon	Ness
Bettermann	Delmont	Gutknecht	Johnson, R.	Krueger	Mariani	Olson, E.
Brown, C.	Dempsey	Hasskamp	Johnson, V.	Lasley	McCollum	Olson, K.
Brown, K.	Dorn	Haukoos	Kahn	Leppik	McGuire	Olson, M.
Carlson	Erhardt	Hausman	Kalis	Lieder	Milbert	Onnen

Opatz	Pawlenty	Rhodes	Skoglund	Tomassoni	Vickerman	Wolf
Orenstein	Pelowski	Rodosovich	Smith	Tompkins	Wagenius	Worke
Orfield	Perlt	Rukavina	Solberg	Trimble	Waltman	Workman
Osthoff	Peterson	Sarna	Stanisus	Tunheim	Weaver	Spk. Anderson, I.
Ostrom	Pugh	Seagren	Steensma	Van Dellen	Wejcmán	
Ozment	Reding	Sekhon	Sviggum	Van Engen	Wenzel	
Pauly	Rest	Simoneau	Swenson	Vellenga	Winter	

The motion prevailed and the amendment was adopted.

S. F. No. 2900, A bill for an act relating to education; appropriating money for education and related purposes to the state board of technical colleges, higher education board, state university board, and board of regents of the University of Minnesota, with certain conditions; modifying the award of grants for faculty exchange and temporary assignment programs; designating community colleges; establishing the mission of Fond du Lac campus; changing certain financial aid grants; modifying the child care grant program; clarifying an exemption to private, business, trade, and correspondence school licensing; providing for appointments; permitting rulemaking; adopting a post-secondary funding formula; permitting the higher education board to establish tuition rates for the 1995-1996 academic year; postponing mandated planning; amending Minnesota Statutes 1992, sections 135A.01; 135A.03, subdivisions 1a, and by adding subdivisions; 135A.04; 136.60, subdivisions 1 and 3; 136A.101, subdivision 5; 136A.121, subdivisions 5, 17, and by adding subdivisions; 136A.125, subdivisions 2, 4, and by adding a subdivision; 136A.15, subdivision 6; and 141.35; Minnesota Statutes 1993 Supplement, sections 125.138, subdivisions 1, 6, and 8; and 135A.05; 136A.121, subdivision 6; Laws 1993, First Special Session chapter 2, article 5, section 2; proposing coding for new law in Minnesota Statutes, chapters 135A; and 136; repealing Minnesota Statutes 1992, sections 135A.02; 135A.03, subdivisions 1, 2, 3, 4, 5, and 6; 136.60, subdivision 4; and 136C.36.

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. There were 113 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dawkins	Hausman	Leppik	Nelson	Reding	Tunheim
Asch	Dehler	Holsten	Lieder	Ness	Rest	Van Dellen
Battaglia	Delmont	Huntley	Lindner	Olson, E.	Rhodes	Van Engen
Bauerly	Dempsey	Jacobs	Long	Olson, K.	Rice	Vellenga
Beard	Dorn	Jefferson	Lourey	Onnen	Rodosovich	Wagenius
Bergson	Evans	Jennings	Luther	Opatz	Rukavina	Wejcmán
Bertram	Farrell	Johnson, A.	Macklin	Orenstein	Sarna	Wenzel
Bettermann	Finseth	Johnson, R.	Mahon	Orfield	Seagren	Winter
Bishop	Frerichs	Johnson, V.	Mariani	Osthoff	Sekhon	Wolf
Brown, C.	Garcia	Kahn	McCollum	Ostrom	Simoneau	Workman
Brown, K.	Girard	Kalis	McGuire	Ozment	Skoglund	Spk. Anderson, I.
Carlson	Goodno	Kelley	Milbert	Pauly	Smith	
Carruthers	Greenfield	Kelso	Morrison	Pawlenty	Solberg	
Clark	Greiling	Kinkel	Mosel	Pelowski	Stanisus	
Cooper	Gruenes	Klinzing	Munger	Perlt	Steensma	
Dauner	Hasskamp	Krueger	Murphy	Peterson	Tomassoni	
Davids	Haukoos	Lasley	Neary	Pugh	Trimble	

Those who voted in the negative were:

Abrams	Gutknecht	Knickerbocker	Krinkie	Molnau	Swenson	Waltman
Commers	Hugoson	Knight	Limner	Olson, M.	Tompkins	Weaver
Erhardt	Jaros	Koppendrayner	Lynch	Sviggum	Vickerman	Worke

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

SPECIAL ORDERS

S. F. No. 2066, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water or natural wetlands in Anoka county; authorizing the sale of certain state land in Anoka county.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hausman	Krinkie	Mosel	Perlt	Swenson
Anderson, R.	Dehler	Holsten	Krueger	Munger	Peterson	Tomassoni
Asch	Delmont	Hugoson	Lasley	Murphy	Pugh	Tompkins
Battaglia	Dempsey	Huntley	Leppik	Neary	Reding	Trimble
Bauerly	Dorn	Jacobs	Lieder	Nelson	Rest	Tunheim
Beard	Erhardt	Jaros	Limmer	Ness	Rhodes	Van Dellen
Bergson	Evans	Jefferson	Lindner	Olson, E.	Rice	Van Engen
Bertram	Farrell	Jennings	Long	Olson, K.	Rodosovich	Vellenga
Bettermann	Finseth	Johnson, A.	Lourey	Olson, M.	Rukavina	Vickerman
Bishop	Frerichs	Johnson, R.	Luther	Onnen	Sarna	Wagenius
Brown, C.	Garcia	Johnson, V.	Lynch	Opatz	Seagren	Waltman
Brown, K.	Girard	Kahn	Macklin	Orenstein	Sekhon	Weaver
Carlson	Goodno	Kalis	Mahon	Orfield	Simoneau	Wejcman
Carruthers	Greenfield	Kelley	Mariani	Osthoff	Skoglund	Wenzel
Clark	Greiling	Kinkel	McCollum	Ostrom	Smith	Winter
Commers	Gruenes	Klinzing	McGuire	Ozment	Solberg	Wolf
Cooper	Gutknecht	Knickerbocker	Milbert	Pauly	Stanius	Worke
Dauner	Hasskamp	Knight	Molnau	Pawienty	Steensma	Workman
Davids	Haukoos	Koppendrayner	Morrison	Pelowski	Sviggun	Spk. Anderson, I.

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 2124, A bill for an act relating to retirement; state university and state community college individual retirement account plans; clarifying various plan provisions; providing for plan coverage for technical college teachers; providing for an optional election of plan coverage for certain state university and community college teachers; mandating the preparation of plan recodification legislation; amending Minnesota Statutes 1992, sections 353.27, subdivision 7a; 354.05, subdivision 2a; 354.42, subdivision 7; 354B.01, by adding a subdivision; 354B.015; and 354B.02, subdivision 2, and by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 352.04, subdivision 9; 354A.011, subdivision 27; 354B.02, subdivision 1; and 354B.05, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 354B; proposing coding for new law as Minnesota Statutes, chapter 354C.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bergson	Carruthers	Dehler	Farrell	Greenfield	Hausman
Anderson, R.	Bertram	Clark	Delmont	Finseth	Greiling	Holsten
Asch	Bettermann	Cooper	Dempsey	Frerichs	Gruenes	Hugoson
Battaglia	Brown, C.	Dauner	Dorn	Garcia	Gutknecht	Huntley
Bauerly	Brown, K.	Davids	Erhardt	Girard	Hasskamp	Jacobs
Beard	Carlson	Dawkins	Evans	Goodno	Haukoos	Jaros

Jefferson	Krinkie	Mariani	Olson, K.	Peterson	Solberg	Wagenius
Jennings	Krueger	McCollum	Olson, M.	Pugh	Stanius	Waltman
Johnson, A.	Lasley	McGuire	Onnen	Reding	Steensma	Weaver
Johnson, R.	Leppik	Milbert	Opatz	Rhodes	Sviggum	Wejcman
Johnson, V.	Lieder	Molnau	Orenstein	Rice	Swenson	Wenzel
Kahn	Limmer	Morrison	Orfield	Rodosovich	Tomassoni	Winter
Kalis	Lindner	Mosel	Osthoff	Rukavina	Tompkins	Wolf
Kelley	Long	Munger	Ostrom	Sarna	Trimble	Worke
Kinkel	Lourey	Murphy	Ozment	Seagren	Tunheim	Workman
Klinzing	Luther	Neary	Pauly	Sekhon	Van Dellen	Spk. Anderson, I.
Knickerbocker	Lynch	Nelson	Pawlenty	Simoneau	Van Engen	
Knight	Macklin	Ness	Pelowski	Skoglund	Vellenga	
Koppendrayner	Mahon	Olson, E.	Perlt	Smith	Vickerman	

The bill was passed and its title agreed to.

H. F. No. 553 was reported to the House.

Carruthers moved that H. F. No. 553 be continued on Special Orders. The motion prevailed.

H. F. No. 2023, A bill for an act relating to family law; adding a relevant factor in determination of a child's best interests; amending Minnesota Statutes 1992, section 518.17, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hausman	Krinkie	Mosel	Perlt	Swenson
Anderson, R.	Dehler	Holsten	Krueger	Munger	Peterson	Tomassoni
Asch	Delmont	Hugoson	Lasley	Murphy	Pugh	Tompkins
Battaglia	Dempsey	Huntley	Leppik	Neary	Reding	Trimble
Bauerly	Dorn	Jacobs	Lieder	Nelson	Rest	Tunheim
Beard	Erhardt	Jaros	Limmer	Ness	Rhodes	Van Dellen
Bergson	Evans	Jefferson	Lindner	Olson, E.	Rice	Van Engen
Bertram	Farrell	Jennings	Long	Olson, K.	Rodosovich	Vellenga
Bettermann	Finseth	Johnson, A.	Lourey	Olson, M.	Rukavina	Vickerman
Bishop	Frerichs	Johnson, R.	Luther	Onnen	Sarna	Wagenius
Brown, C.	Garcia	Johnson, V.	Lynch	Opatz	Seagren	Waltman
Brown, K.	Girard	Kahn	Macklin	Orenstein	Sekhon	Weaver
Carlson	Goodno	Kalis	Mahon	Orfield	Simoneau	Wejcman
Carruthers	Greenfield	Kelley	Mariani	Osthoff	Skoglund	Wenzel
Clark	Greiling	Kinkel	McCollum	Ostrom	Smith	Winter
Commers	Gruenes	Klinzing	McGuire	Ozment	Solberg	Wolf
Cooper	Gutknecht	Knickerbocker	Milbert	Pauly	Stanius	Worke
Dauner	Hasskamp	Knight	Molnau	Pawlenty	Steensma	Workman
Davids	Haukoos	Koppendrayner	Morrison	Pelowski	Sviggum	Spk. Anderson, I.

The bill was passed and its title agreed to.

H. F. No. 2478, A bill for an act relating to retirement; first class city teachers; defining salary; authorizing purchase of service credit for parental or maternity leave; resumption of teaching by basic program retirees; authorizing certain bylaw amendments by the Minneapolis and St. Paul teachers retirement fund associations; amending Minnesota Statutes 1992, sections 354A.011, subdivision 24; 354A.095; and 354A.31, subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Lasley	Neary	Rest	Tunheim
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Lieder	Ness	Rice	Vellenga
Battaglia	Delmont	Huntley	Lindner	Olson, E.	Rodosovich	Vickerman
Bauerly	Dempsey	Jacobs	Long	Olson, K.	Rukavina	Wagenius
Beard	Dorn	Jaros	Lourey	Onnen	Sarna	Weaver
Bergson	Erhardt	Jefferson	Luther	Opatz	Seagren	Wejcmann
Bertram	Evans	Jennings	Lynch	Orenstein	Sekhon	Wenzel
Bettermann	Farrell	Johnson, A.	Macklin	Orfield	Simoneau	Winter
Bishop	Finseth	Johnson, R.	Mahon	Osthoff	Skoglund	Wolf
Brown, C.	Garcia	Johnson, V.	Mariani	Ostrom	Smith	Worke
Brown, K.	Girard	Kahn	McCollum	Ozment	Solberg	Workman
Carlson	Greenfield	Kalis	McGuire	Pauly	Stanis	Spk. Anderson, I.
Carruthers	Greiling	Kelley	Milbert	Pelowski	Steensma	
Clark	Gruenes	Kinkel	Morrison	Perlt	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Peterson	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Munger	Pugh	Tompkins	
Dauner	Haukoos	Krueger	Murphy	Reding	Trimble	

Those who voted in the negative were:

Frerichs	Knight	Krinkie	Molnau	Sviggum
Goodno	Koppendrayer	Limmer	Olson, M.	Van Engen

The bill was passed and its title agreed to.

Carruthers moved that the remaining bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Carruthers moved that the bills on General Orders for today be continued. The motion prevailed.

ADJOURNMENT

Carruthers moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, April 13, 1994. The motion prevailed.

Carruthers moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Wednesday, April 13, 1994.

EDWARD A. BURDICK, Chief Clerk, House of Representatives