

THIRD SPECIAL SESSION

FIFTH DAY

St. Paul, Minnesota, Monday, December 14, 1981

The Senate met at 10:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Winfield V. Johnson.

The roll was called, and the following Senators answered to their names:

| | | | | |
|-------------|--------------|----------------|----------------|-----------|
| Ashbach | Dieterich | Langseth | Peterson, D.L. | Stern |
| Belanger | Engler | Lantry | Peterson, R.W. | Stokowski |
| Benson | Frank | Lessard | Petty | Stumpf |
| Berg | Frederick | Lindgren | Pillsbury | Tennesen |
| Berglin | Frederickson | Luther | Purfeerst | Ulland |
| Bernhagen | Humphrey | Merriam | Ramstad | Vega |
| Bertram | Johnson | Moe, R.D. | Renneke | Wegener |
| Chmielewski | Kamrath | Nelson | Rued | Willet |
| Dahl | Keefe | Olhoft | Schmitz | |
| Davies | Knoll | Pehler | Setzepfandt | |
| Davis | Kroening | Penny | Sikorski | |
| Dicklich | Kronebusch | Peterson, C.C. | Spear | |

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Bang; Mrs. Brataas; Messrs. Hanson; Hughes; Knutson; Menning; Moe, D.M.; Sieloff; Solon; Taylor and Waldorf were excused from the Session of today.

REPORTS OF COMMITTEES

Mr. Hughes from the Committee on Education, to which was referred

S.F. No. 10: A bill for an act relating to education; authorizing school boards to require payment of tuition fees for summer programs which are not required for graduation and are not offered for credit toward graduation; amending Minnesota Statutes 1980, Section 120.73, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1981 Supplement, Section 16A.15, Subdivision 1, is amended to read:

Subdivision 1. [REDUCTION.] In case the commissioner of finance shall discover at any time that the probable receipts from taxes or other sources for any appropriation, fund, or item will be less than was anticipated, and that consequently the amount available for the remainder of the biennium will be less than the amount estimated or allotted therefor, he shall, with the approval of the governor, and after notice to the agency concerned, either:

(a) after consultation with the legislative advisory commission created by section 3.30, transfer from the budget reserve account established in section 16A.153, to the general fund the amount necessary to balance revenue and expenditures;

(b) reduce the amount allotted or to be allotted so as to prevent a deficit; or

(c) make any combination of transfers and reductions as provided by clauses (a) and (b).

~~Provided, however, no allotment pursuant to an appropriation for state aids, payments, reimbursements or fund transfers to or on behalf of school districts shall be reduced pursuant to this subdivision.~~ In like manner he shall request reduction of the amount allotted or to be allotted to any agency by the amount of any saving which can be effected upon previous spending plans through a reduction in prices or other cause.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 124.2122, Subdivision 1, is amended to read:

Subdivision 1. [FORMULA ALLOWANCE.] "Foundation aid formula allowance" or "formula allowance" means the amount of revenue per pupil unit used in the computation of foundation aid for a particular school year and in the computation of permissible levies for use in that school year. The formula allowance shall be ~~\$1,333~~ \$1,330 for foundation aid for the 1981-1982 school year. The formula allowance shall be ~~\$1,416~~ \$1,340 for 1981 payable 1982 levies and for foundation aid for the 1982-1983 school year.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 124.2122, Subdivision 2, is amended to read:

Subd. 2. [BASIC MAINTENANCE MILL RATE.] "Basic maintenance mill rate" means the mill rate applicable to the adjusted assessed valuation of a district, used in the computation of basic foundation aid for a particular school year and of the basic maintenance levy for use in that school year. The basic maintenance mill rate shall be .021 for the 1980 payable 1981 levy and for foundation aid for the 1981-1982 school year. The basic maintenance mill rate shall be ~~.023~~ .024 for 1981 payable 1982 levies and for foundation aid for the 1982-1983 school year.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 124.2121, Subdivision 4, is amended to read:

Subd. 4. [EQUALIZING FACTOR.] "Equalizing factor" means a number equal to the minimum EARC valuation per actual and AFDC pupil unit which disqualifies a district from earning any basic foundation aid. The equalizing factor for each school year and for levies for use in that school year equals the ratio, rounded to the nearest dollar, of the foundation aid formula allowance for that school year to the basic maintenance mill rate for that school year. *With the exception of basic foundation aid, the equalizing factor for aids for the*

1981-82 school year shall be \$64,476 and for the 1982-83 school year shall be \$61,565.

Sec. 5. Laws 1981, Chapter 358, Article 7, Section 29, is amended to read:

Sec. 29. [EXEMPTION FROM PUBLIC SALE.] Notwithstanding Minnesota Statutes, Section 124.76, from the effective date of this section of this article until ~~January 1, 1982~~ June 30, 1983, the requirements as to public sale of tax and aid anticipation certificates of indebtedness shall not apply to certificates which mature no later than six months after their date of issue. The interest rate on these certificates may be determined by direct negotiation.

Sec. 6. [RECERTIFICATION OF LEVY.]

Notwithstanding the provisions of chapter 275 or any law to the contrary, each county auditor shall recertify the October 1981 levy for basic maintenance purposes to an amount equal to the amount raised by 24 mills times the adjusted assessed valuation in the district for the preceding year for the 1982-1983 school year. This recertification is based on a basic foundation formula allowance of \$1,340 for the 1982-1983 school year. Except as otherwise provided by law, districts are not authorized to recertify any additional levies.

Sec. 7. [CAPITAL OUTLAY FUND TRANSFER.]

Notwithstanding the provisions of chapter 121 or any law to the contrary, in fiscal year 1983 school districts may transfer an amount not to exceed \$25 per pupil unit as defined by section 275.125, subdivision 11a, from the capital expenditure fund to the general operating fund.

Sec. 8. [DECEMBER, 1981 AND JANUARY, 1982 EDUCATION AID PAYMENTS SUSPENDED.]

Notwithstanding the provisions of Minnesota Statutes, Sections 16A.15 and 124.11, or any other law to the contrary, the commissioner of education may suspend payment of some or all state aids, payments, reimbursements and fund transfers from some or all school districts, public library systems, educational cooperative service units or regional management information systems in the months of December, 1981 and January, 1982. The commissioner may consider the cash flow requirements of each individual recipient when determining whether to suspend payments of any aid, payments, reimbursements or fund transfers.

Sec. 9. [CERTIFICATION.]

On or before December 31, 1981 and January 31, 1982, the commissioner shall certify to each recipient the amount of aids, payments, reimbursements, or fund transfers suspended pursuant to section 1. The commissioner shall issue a certificate of unpaid aids for the certified amount to be paid by February 26, 1982.

Sec. 10. [REPAYMENT BY FEBRUARY 26, 1982.]

Notwithstanding any law to the contrary, by February 26, 1982, the commissioner of finance shall draw warrants in favor of school districts, public library systems, educational cooperative service units or regional management information systems for any of the state aids, payments, reimbursements and fund transfers that were suspended by the commissioner of education pursuant to section 1.

Sec. 11. [APPROPRIATIONS.]

Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this section for the fiscal years ending June 30 in the years designated. With the exception of foundation aid, the appropriations for fiscal year 1983 are intended to fully fund the designated percent for all programs. Any formula changes required will be made during the 1982 regular legislative session.

Subd. 2. [FOUNDATION AID.] For foundation aid there is appropriated:

\$734,333,300 1982,

\$552,886,180 1983.

The appropriation for 1982 includes \$68,500,000 for aid for fiscal year 1981 payable in fiscal year 1982, and \$665,833,300 for aid for fiscal year 1982 payable in fiscal year 1982.

The appropriation for 1983 includes \$66,272,400 for aid for fiscal year 1982 payable in fiscal year 1983, and \$486,613,780 for aid for fiscal year 1983 payable in fiscal year 1983.

Subd. 3. [SUMMER SCHOOL.] For state aid for summer school there is appropriated:

\$11,470,400 1982.

The appropriation for 1982 is for 1981 summer school programs.

If the appropriation amounts for this purpose are insufficient, the aid shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriations in this subdivision for this purpose.

Subd. 4. [TRANSPORTATION AID.] For transportation aid there is appropriated:

\$119,196,752 1982,

\$108,731,284 1983.

(a)(1) The appropriation for 1982 includes \$10,553,000 for aid for fiscal year 1981 payable in fiscal year 1982 and \$108,293,752 for aid for fiscal year 1982 payable in fiscal year 1982.

(2) The appropriation for 1983 includes \$12,031,348 for aid for fiscal year 1982 payable in fiscal year 1983 and \$96,349,936 for aid for fiscal year 1983 payable in fiscal year 1983.

(b)(1) The appropriation for fiscal year 1982 includes an amount not to exceed \$350,000 payable in fiscal year 1982, for excess handicapped aid for fiscal year 1981, pursuant to Minnesota Statutes 1980, Section 124.225, Subdivision 8b.

(2) The appropriation for fiscal year 1983 includes an amount not to exceed \$350,000 payable in fiscal year 1983, for excess handicapped aid for fiscal year 1982, pursuant to Minnesota Statutes 1980, Section 124.225, Subdivision 8b.

Subd. 5. [SPECIAL EDUCATION AID.] For special education aid, there

is appropriated:

\$97,992,610 1982,

\$93,119,110 1983.

The appropriation for 1982 includes \$8,670,700 for aid for fiscal year 1981 payable in fiscal year 1982, and \$89,321,910 for aid for fiscal year 1982 payable in fiscal year 1982.

The appropriation for 1983 includes \$9,924,700 for aid for fiscal year 1982 payable in fiscal year 1983 and \$83,194,410 for aid for fiscal year 1983 payable in fiscal year 1983.

Subd. 6. [SUMMER SCHOOL SPECIAL EDUCATION AID.] For special education aid for summer school programs there is appropriated:

\$4,500,000 1982,

\$1,720,610 1983.

The amounts appropriated for 1983 shall be expended for students whose placement during the preceding school year was at Level 5 or Level 6 as defined in the rules of the state department of education.

Subd. 7. [RESIDENTIAL FACILITIES AID.] For aid pursuant to section 124.32, subdivision 5, there is appropriated:

\$578,000 1982,

\$556,060 1983.

Subd. 8. [LIMITED ENGLISH PROFICIENCY PUPILS PROGRAM AID.] For aid to educational programs for pupils of limited English proficiency there is appropriated:

\$2,934,440 1982,

\$2,958,330 1983.

Subd. 9. [AMERICAN INDIAN LANGUAGE AND CULTURE PROGRAM AID.] For grants to American Indian language and culture education programs pursuant to section 126.54, subdivision 1, there is appropriated:

\$509,250 1982,

\$393,500 1983.

The appropriation for 1982 is 100 percent of grant aid for fiscal year 1982, payable in fiscal year 1982.

The appropriation for 1983 is 85 percent of grant aid for fiscal year 1983, payable in fiscal year 1983.

Subd. 10. [HEARING IMPAIRED SUPPORT SERVICES AID.] For payment of support services for hearing impaired persons pursuant to Minnesota Statutes 1981 Supplement, Section 121.201, there is appropriated:

\$29,100 1982,

\$35,270 1983.

Subd. 11. [ADULT EDUCATION AID.] For adult education aid pursuant

to section 124.26, there is appropriated:

\$1,097,290 1982,

\$1,105,640 1983.

The amount appropriated for fiscal year 1982 includes \$97,800 for aid for fiscal year 1981 payable in fiscal year 1982, and \$999,490 for aid for fiscal year 1982 payable in fiscal year 1982.

The amount appropriated for fiscal year 1983 includes \$110,060 for aid for fiscal year 1982 payable in fiscal year 1983, and \$994,580 for aid for fiscal year 1983 payable in fiscal year 1983.

Subd. 12. [COMMUNITY EDUCATION AID.] For community education aid, there is appropriated:

\$3,424,100 1982,

\$2,821,760 1983.

Subd. 13. [POST-SECONDARY VOCATIONAL INSTRUCTIONAL AID.] For post-secondary vocational instructional aid there is appropriated:

\$51,894,460 1982,

\$51,261,860 1983.

The appropriation for 1982 includes \$4,877,300 for aid for fiscal year 1981 payable in fiscal year 1982, and \$47,017,160 for aid for fiscal year 1982 payable in fiscal year 1982.

The appropriation for 1983 includes \$5,224,130 for aid for fiscal year 1982 payable in fiscal year 1983 and \$46,037,730 for aid for fiscal year 1983 payable in fiscal year 1983.

Subd. 14. [POST-SECONDARY VOCATIONAL SUPPLY AID.] For post-secondary vocational supply aid there is appropriated:

\$14,848,270 1982,

\$13,075,550 1983.

Subd. 15. [POST-SECONDARY VOCATIONAL SUPPORT SERVICES AID.] (a) For post-secondary vocational support services aid there is appropriated:

\$16,107,350 1982,

\$10,940,180 1983.

The appropriation for 1982 is based on the assumption that the state will spend for this purpose an amount at least equal to \$6,251,400 in fiscal year 1982 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended. The appropriation for 1982 includes \$2,848,000 to be allocated by the state board for special needs instruction.

The appropriation for 1983 is based on the assumption that the state will spend for this purpose an amount at least equal to \$6,251,400 in fiscal year 1983 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended. The appropriation for

1983 includes \$2,629,050 to be allocated by the state board for special needs instruction.

(b) For post-secondary support services aid to pay for implementation of the fixed assets property management accounting and reporting system there is appropriated:

\$140,000 1982.

Any amount remaining from this appropriation at the end of fiscal year 1982 shall not cancel and shall be available in the second year of the biennium.

The amounts appropriated in this subdivision shall not be used for any special vocational systemwide support service program or project.

Subd. 16. [POST-SECONDARY VOCATIONAL EQUIPMENT AID.] For post-secondary vocational equipment aid there is appropriated:

\$9,535,100 1982,

\$8,042,460 1983.

This appropriation is based on the assumption that the state will spend for the purposes for which post-secondary vocational equipment aid is paid an amount equal to \$500,000 in each fiscal year of the biennium ending June 30, 1983 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended.

Subd. 17. [POST-SECONDARY VOCATIONAL REPAIR AND BETTERMENT AID.] For post-secondary vocational repair and betterment aid there is appropriated:

\$1,358,000 1982,

\$1,049,340 1983.

Subd. 18. [APPROPRIATION FOR CONTINGENCY FUND.] For the post-secondary vocational contingency fund there is appropriated:

\$250,000 1982.

Any amount remaining from this appropriation at the end of fiscal year 1982 shall not cancel and shall be available in the second year of the biennium.

Subd. 19. [POST-SECONDARY VOCATIONAL DEBT SERVICE AID.] For post-secondary vocational debt service aid there is appropriated:

\$7,731,000 1982,

\$7,600,100 1983.

Subd. 20. [ADULT VOCATIONAL EDUCATION AID.] For adult vocational education aid there is appropriated:

\$6,667,570 1982,

\$6,322,760 1983.

The appropriation for 1982 includes \$707,600 for aid for fiscal year 1981 payable in fiscal year 1982 of which not to exceed \$20,000 is for necessary travel and of which not to exceed \$20,000 is for small business management programs. This amount also includes \$5,959,970 for aid for fiscal year 1982

payable in fiscal year 1982 of which not to exceed \$192,060 is for necessary travel.

The appropriation for 1983 includes \$662,220 for aid for fiscal year 1982 payable in fiscal year 1983 of which not to exceed \$21,340 is for necessary travel. This amount also includes \$5,660,540 for aid for fiscal year 1983 payable in fiscal year 1983 of which not to exceed \$187,382 is for necessary travel.

None of the amounts appropriated in this subdivision shall be used for any special vocational systemwide support service program or project.

Subd. 21. [ENERGY MANAGEMENT FOR BUILDING OPERATORS.] For the establishment of adult vocational programs in energy management for building operators, there is appropriated:

\$48,500 1982,

\$44,580 1983.

This aid shall be paid in accordance with section 124.572. The entire amount of the appropriation for 1982 is for aid for fiscal year 1982. The appropriation for 1983 includes \$5,380 for aid for fiscal year 1982 payable in fiscal year 1983, and \$39,200 for aid for fiscal year 1983 payable in fiscal year 1983. The department of education may apply for moneys from other sources to fund programs in energy management for building operators.

Subd. 22. [VETERAN FARMER COOPERATIVE TRAINING PROGRAMS.] For veteran farmer cooperative training programs there is appropriated:

\$675,100 1982,

\$519,290 1983.

Subd. 23. [SECONDARY VOCATIONAL EDUCATION AID.] For secondary vocational education aid pursuant to section 124.573 there is appropriated:

\$21,388,590 1982,

\$17,974,530 1983.

The appropriation for 1982 includes \$2,287,700 for aid for fiscal year 1981 payable in fiscal year 1982 of which not to exceed \$181,600 is for equipment. This amount also includes \$19,100,890 for aid for fiscal year 1982 payable in fiscal year 1982 of which not to exceed \$1,500,687 is for equipment.

The appropriation for 1983 includes \$2,122,320 for aid for fiscal year 1982 payable in fiscal year 1983, of which not to exceed \$166,743 is for equipment. This amount also includes \$15,852,210 for aid for fiscal year 1983 payable in fiscal year 1983.

None of the amounts appropriated in this subdivision shall be used for any special vocational systemwide support service program or project.

Subd. 24. [AID FOR SECONDARY VOCATIONAL EDUCATION PROGRAMS FOR HANDICAPPED CHILDREN.] For secondary vocational programs for handicapped children pursuant to section 124.574, subdivision 2, there is appropriated:

\$2,240,720 1982,

\$2,101,680 1983.

The appropriation for 1982 includes \$226,900 for aid for fiscal year 1981 payable in fiscal year 1982. This amount also includes \$2,013,820 for aid for fiscal year 1982 payable in fiscal year 1982. This appropriation is based on the assumption that the state will spend for this purpose an amount at least equal to \$300,000 in fiscal year 1982 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended.

The appropriation for 1983 includes \$223,830 for aid for fiscal year 1982 payable in fiscal year 1983. This amount also includes \$1,877,850 for aid for fiscal year 1983 payable in fiscal year 1983. This appropriation is based on the assumption that the state will spend for this purpose an amount at least equal to \$300,000 in fiscal year 1983 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended.

Subd. 25. [HEALTH AND DEVELOPMENTAL SCREENING PROGRAMS.] For health and developmental screening programs pursuant to sections 123.701 to 123.705, there is appropriated:

\$1,155,850 1982,

\$947,940 1983.

Subd. 26. [ABATEMENT AID.] For abatement aid pursuant to section 124.214, subdivision 2, there is appropriated:

\$2,751,000 1982,

\$2,634,820 1983.

Subd. 27. [EMERGENCY AID.] For emergency aid pursuant to section 124.24, there is appropriated:

\$50,000 1982.

Any unexpended balance remaining from the appropriation in this subdivision shall not cancel but shall be available for the second year of the biennium.

Subd. 28. [CAPITAL EXPENDITURE EQUALIZATION AID.] For capital expenditure equalization aid pursuant to section 124.245, subdivision 1, there is appropriated:

\$734,500 1982,

\$331,560 1983.

Any unexpended balance remaining from the appropriation in this subdivision for 1983 may be expended for special purpose capital expenditure equalization aid pursuant to Minnesota Statutes 1981 Supplement, Section 124.5621, Subdivision 2.

Subd. 29. [SPECIAL PURPOSE CAPITAL EXPENDITURE EQUALIZATION AID.] For special purpose capital expenditure equalization aid pursuant to Minnesota Statutes 1981 Supplement, Section 124.245, Subdivision 1a, there is appropriated:

\$51,410 1983.

Any unexpended balance remaining from the appropriation in this subdivi-

sion may be expended in 1983 for capital expenditure equalization aid pursuant to section 124.245, subdivision 1.

Subd. 30. [EDUCATIONAL COOPERATIVE SERVICE UNITS.] For educational cooperative service units, there is appropriated:

\$664,950 1982,

\$400,000 1983.

Funds from this appropriation shall be transmitted to ECSU boards of directors for general operations in the amount of \$60,450 per ECSU as defined in section 123.58 in fiscal year 1982 and \$36,364 per ECSU in fiscal year 1983; provided however that the ECSU whose boundaries coincide with the boundaries of development region 11 and the ECSU whose boundaries encompass development regions six and eight shall receive \$120,900 in fiscal year 1982 and \$72,726 in fiscal year 1983 for general operations.

Subd. 31. [SCHOOL LUNCH AID.] For school lunch aid pursuant to section 124.646 there is appropriated:

\$3,838,200 1982,

\$4,085,500 1983.

Any unexpended balance remaining from the appropriations in this subdivision may be expended, in addition to the amounts appropriated in subdivision 32 of this section, for food storage and transportation costs for U.S.D.A. donated commodities.

Subd. 32. [FOOD STORAGE AND TRANSPORTATION.] For food storage and transportation costs for U.S.D.A. donated commodities there is appropriated:

\$765,300 1982,

\$880,100 1983.

Subd. 33. [GIFTED AND TALENTED STUDENTS.] For programs for the gifted and talented pursuant to section 124.247, there is appropriated:

\$570,650 1982,

\$479,400 1983.

Subd. 34. [ALTERNATIVE GRANTS.] For grants made pursuant to Minnesota Statutes 1981 Supplement, Section 122.542, Subdivisions 2, 3, 4, and 7, there is appropriated:

\$242,500 1982,

\$132,270 1983.

Any unexpended balance remaining from the appropriation in this subdivision shall not cancel and shall be available for the second year of the biennium.

Subd. 35. [COUNCIL ON QUALITY EDUCATION; VENTURE FUND GRANTS.] For the council on quality education venture fund grants pursuant to sections 3.925 and 3.926, there is appropriated:

\$582,000 1982,

\$449,720 1983.

Any unexpended balance remaining from the appropriations in this subdivision for 1982 shall not cancel and shall be available for the second year of the biennium.

Subd. 36. [EARLY CHILDHOOD AND FAMILY EDUCATION.] For early childhood and family education programs pursuant to section 3.9279, there is appropriated:

\$1,455,000 1982,

\$1,124,300 1983.

Any unexpended balance remaining from the appropriations in this subdivision for 1982 shall not cancel and shall be available for the second year of the biennium.

Subd. 37. [BASIC SUPPORT GRANTS.] For grants pursuant to sections 134.32 to 134.35 and 134.36 for the provision of library services, there is appropriated:

\$3,824,900 1982,

\$3,209,715 1983.

Subd. 38. [MULTI-COUNTY LIBRARY SYSTEMS.] For grants pursuant to sections 134.352 and 134.353 to multi-county, multi-type library systems, there is appropriated:

\$182,500 1982,

\$136,790 1983.

Subd. 39. [NONPUBLIC AIDS.] For programs for nonpublic educational aid pursuant to sections 123.931 to 123.937, there is appropriated:

\$3,986,510 1982,

\$3,393,570 1983.

Subd. 40. [APPROPRIATION; INDIAN EDUCATION.] (a) For certain Indian education programs, there is appropriated:

\$150,000 1982,

\$132,270 1983.

These appropriations are available for expenditure with the approval of the commissioner of education.

The commissioner shall not approve the payment of any amount to a school district pursuant to this subdivision unless that school district is in compliance with all applicable laws of this state.

Up to the following amounts of the fiscal year 1982 appropriation may be distributed to the following school districts: \$47,110 to Independent School District No. 309-Pine Point School; \$8,290 to Independent School District No. 166; \$12,815 to Independent School District No. 432; \$12,060 to Independent School District No. 435; \$36,180 to Independent School District No. 707; and \$33,545 to Independent School District No. 38. Up to the following amounts of the fiscal year 1983 appropriation may be distributed to the fol-

lowing school districts: \$41,540 to Independent School District No. 309-Pine Point School; \$7,310 to Independent School District No. 166; \$11,300 to Independent School District No. 432; \$10,635 to Independent School District No. 435; \$31,905 to Independent School District No. 707; and \$29,580 to Independent School District No. 38. These amounts shall be expended only for the benefit of Indian students and for the purpose of meeting established state educational standards or statewide requirements.

These appropriations are available August 15 of the applicable school year, but only if there will not be available for the districts enumerated in this subdivision for the applicable school year any operation support funds from the federal bureau of Indian affairs pursuant to the Johnson-O'Malley Act, Public Law 73-167 or 25 Code of Federal Regulations 273.31, or equivalent money from the same or another source.

(b) Before a district can receive moneys pursuant to this subdivision, the district must submit to the commissioner of education evidence that it has:

(i) Complied with the uniform financial accounting and reporting standards act, sections 121.90 to 121.917. For each school year, compliance with section 121.908, subdivision 3a, shall require the school district to prepare one budget including the amount available to the district pursuant to this subdivision and one budget which does not include these moneys. The budget of that school district for the 1983-84 school year prepared according to section 121.908, subdivision 3a, shall be submitted to the commissioner of education at the same time as 1982-1983 budgets and shall not include any moneys appropriated in this subdivision;

(ii) Conducted a special education needs assessment and prepared a proposed service delivery plan according to Minnesota Statutes, Sections 120.03 and 120.17; Public Law 94-142, an act of the 94th Congress of the United States cited as the "Education for All Handicapped Children Act of 1975"; and applicable state board of education rules; and

(iii) Compiled accurate daily pupil attendance records.

(c) Prior to approving payment of any amount to a school district pursuant to this subdivision, the commissioner shall review and evaluate each affected district's compliance with clause (b) and any other applicable laws, and each affected district's need for the moneys. Each affected district's net unappropriated fund balance in all operating funds as of June 30 of the previous school year shall be taken into consideration.

Subd. 41. [PINE POINT ELECTION.] For the purpose of reimbursing the Indian Education Committee's costs for holding the election required in Laws 1981, Chapter 358, Article VI, Section 43, there is appropriated:

\$1,500 1982.

The department shall pay to the Indian Education Committee an amount equal to the actual cost of holding the election pursuant to Laws 1981, Chapter 358, Article VI, Section 43, but in no event shall this payment exceed \$1,500.

Subd. 42. [IMPROVED LEARNING PROGRAMS.] For improved learning programs with principal-teacher, career teacher or counselor-teacher components, there is appropriated:

\$300,000 1982.

Any amount of the appropriation remaining at the end of fiscal year 1982 shall not cancel and shall be available in fiscal year 1983.

Subd. 43. [CHEMICAL USE PROGRAMS.] For aid for chemical dependency programs authorized pursuant to Minnesota Statutes 1981 Supplement, Section 124.246, there is appropriated:

\$988,400 1982.

Subd. 44. [EXTENDED LEAVES OF ABSENCE.] To meet the state's obligation prescribed in Minnesota Statutes 1980, Sections 354.094 and 354A.091, there is appropriated:

\$1,025,200 1982,

\$1,388,220 1983.

Subd. 45. [PART-TIME TEACHING.] To meet the state's obligation prescribed in Minnesota Statutes 1980, Sections 354.66 and 354A.094, there is appropriated:

\$69,900 1982,

\$66,580 1983.

Subd. 46. [EARLY RETIREMENT INCENTIVES.] To meet the state's obligation prescribed in Minnesota Statutes 1980, Section 125.611, there is appropriated:

\$2,191,400 1982,

\$1,591,650 1983.

Sec. 12. [REPEALER.]

Minnesota Statutes 1981 Supplement, Sections 124.20, Subdivision 3; 124.781; and 275.125, Subdivision 2f are repealed. Laws 1981, Chapter 358, Article I, Section 50; Article II, Section 15; Article III, Section 21; Article IV, Section 12; Article V, Section 48; Article VI, Section 46; Article VIII, Section 20; and Laws 1981, First Special Session, Chapter 2, Sections 2 and 9 are repealed.

Sec. 13. [EFFECTIVE DATE.]

Sections 1 to 12 are effective the day following final enactment."

Amend the title as follows:

Page 1, delete lines 2 to 6, and insert:

"relating to education; providing for the reduction of school aids; changing formula allowances; raising the basic maintenance mill rate; establishing an equalizing factor; extending dates of exemption from public sale of certificates of indebtedness; authorizing recertification of levy; authorizing a one-time transfer of funds; delaying school aid payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 16A.15, Subdivision 1; 124.2121, Subdivision 4; 124.2122, Subdivisions 1 and 2; Laws 1981, Chapter 358, Article 7, Section 29; repealing Minnesota Statutes 1981 Supplement, Sections 124.20, Subdivision 3; 124.781; 275.125, Subdivision 2f; Laws 1981, Chapter 358, Article 1, Section 50; Article 2, Section 15; Article 3, Section 21; Article 4, Section 12; Article 5, Section 48; Article 6,

Section 46; Article 8, Section 20; and Laws 1981, First Special Session, Chapter 2, Sections 2 and 9.”

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws.

Mr. Langseth moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Purfeerst moved that the name of Mr. Lessard be added as co-author to S.F. No. 14. The motion prevailed.

Mr. Petty moved that the name of Ms. Berglin be added as co-author to S.F. No. 17. The motion prevailed.

Mr. Bertram introduced—

Senate Resolution No. 6: A Senate resolution relating to extending congratulations to the Huskers Football Team from Holdingford High School for winning the 1981 Class B State High School Football Championship.

Referred to the Committee on Rules and Administration.

Without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Humphrey, Mrs. Stokowski and Mr. Johnson introduced—

S.F. No. 21: A bill for an act relating to motor vehicles; defining vans; providing for the registration and taxation of certain vans as passenger automobiles; amending Minnesota Statutes 1980, Section 168.011, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 168.011, Subdivisions 7 and 10.

Referred to the Committee on Taxes and Tax Laws.

Mr. Menning introduced—

S.F. No. 22: A bill for an act relating to waters; limiting the rulemaking authority of the commissioner of natural resources with respect to signs posted around water aeration systems; amending Minnesota Statutes 1981 Supplement, Section 378.22, Subdivisions 1 and 2.

Referred to the Committee on Rules and Administration.

Mr. Sikorski introduced—

S.F. No. 23: A bill for an act relating to education; authorizing certain school districts in Washington County which did not qualify for the grandfather levy to make an additional levy for school maintenance purposes; amend-

ing Minnesota Statutes 1980, Section 275.125, by adding a subdivision.

Referred to the Committee on Education.

Mr. Willet, for the Committee on Finance, introduced—

S.F. No. 24: A bill for an act relating to the financing of government in this state; reducing appropriations for the biennium ending June 30, 1983 with certain conditions; providing for a deficiency in income maintenance appropriations; providing for state scholarship and grants in aid; imposing and increasing fees; imposing various cost saving measures; authorizing attorney general to appear in civil weight enforcement actions; providing for judicial review of driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; changing certain provisions governing aid to families with dependent children as authorized or required by federal law; changing or adding provisions governing definitions, eligibility standards, payment levels and amounts, income disregards, budgeting methods, child support or maintenance orders; eliminating a general stepparents' support duty and coverage of the unborn; specifying medical assistance for certain pregnant women; changing calculation of certain fees paid by foreign corporations; shortening time for abandonment of unclaimed property; changing requirements for reduced transit fares for certain persons; appropriating money; amending Minnesota Statutes 1980, Sections 84B.11, Subdivision 1; 169.123, Subdivisions 5, 5a, 6, and by adding a subdivision; 176.421, Subdivision 3; 176.521, Subdivision 3, and by adding a subdivision; 184.30, Subdivision 2; 221.67; 256.12, Subdivision 14, and by adding subdivisions; 256.73, Subdivisions 3a, 5, and 6; 256.736, Subdivisions 3 and 4; 256.74, Subdivision 1, and by adding a subdivision; 256.99; 256B.07; 268.16, Subdivision 3; 278.03; 303.07; 303.13, Subdivision 1; 303.14, Subdivisions 1, 3, and 5; 303.16, Subdivisions 2 and 4; 303.17, Subdivision 4; 303.18, Subdivision 3; 303.19, Subdivisions 2 and 3; 303.21, by adding a subdivision; 303.22; 303.23, Subdivision 1; 308.06, Subdivision 4; 308.85; 317.04, Subdivisions 2 and 3; 317.36; 317.42, Subdivision 3; 317.67, Subdivision 2; 330.01, Subdivision 1; 345.32; 345.33; 345.34; 345.35; 345.36; 345.37; 345.38; 345.39; 345.41; 345.42, Subdivisions 2 and 3; 345.43, by adding a subdivision; 345.44; 345.55, Subdivision 3; 473.408, Subdivision 3; 540.152; and 543.08; Minnesota Statutes 1981 Supplement, Sections 3.9222, Subdivision 2; 15.052, Subdivision 5; 16A.123; 169.871, Subdivisions 3 and 5; 169.872, Subdivision 1; 174.31, Subdivisions 1 and 3; 176.081, Subdivision 7a; 176.131, Subdivision 10; 176.371; 176.421, Subdivisions 4 and 5; 176.521, Subdivisions 1 and 2; 204B.11, Subdivision 1; 256.73, Subdivision 2; 256.872, Subdivision 1, and by adding a subdivision; 256B.06, Subdivision 1; 302A.901, Subdivision 2; and 518.551, Subdivision 7; Laws 1981, Chapters 356, Sections 45, 46, and 62, Subdivision 2; and 359, Section 3, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapters 5, 35, 256, and 345; repealing Minnesota Statutes 1980, Sections 174.24, Subdivision 4; 256.935, Subdivision 2; 303.08, Subdivision 3; 303.12; 303.14, Subdivision 2; 303.15; 303.21, Subdivisions 1 and 2; 317.11; 317.19, Subdivision 3; 317.43; 317.67, Subdivision 1; and 345.43, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 174.24, Subdivision 3a; and 257.021.

Referred to the Committee on Taxes and Tax Laws.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Tuesday, December 15, 1981. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate