

FORTY-EIGHTH DAY

St. Paul, Minnesota, Tuesday, May 9, 1989

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Thomas Nielsen.

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

Adkins	Davis	Knaak	Metzen	Reichgott
Anderson	Decker	Knutson	Moe, D.M.	Renneke
Beckman	DeCramer	Kroening	Moe, R.D.	Samuelson
Belanger	Dicklich	Laidig	Morse	Schmitz
Benson	Diessner	Langseth	Novak	Solon
Berg	Frank	Lantry	Olson	Spear
Berglin	Frederick	Larson	Pariseau	Storm
Bernhagen	Frederickson, D.J.	Lessard	Pehler	Stumpf
Bertram	Frederickson, D.R.	Luther	Peterson, D.C.	Taylor
Brandl	Freeman	Marty	Peterson, R.W.	Vickerman
Brataas	Gustafson	McGowan	Piper	Waldorf
Chmielewski	Hughes	McQuaid	Pogemiller	
Cohen	Johnson, D.E.	Mehrkens	Purfeerst	
Dahl	Johnson, D.J.	Merriam	Ramstad	

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1625: A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of vocational technical education, state board for community colleges, state university board, University of Minnesota, and the Mayo medical foundation, with certain conditions; amending Minnesota Statutes 1988, sections 121.93, subdivisions 2, 3, and 4; 136.31, subdivisions 3 and 5; 136A.04; 136A.05; 136A.08; 136A.095;

136A.101, subdivisions 1 and 7; 136A.121; 136A.131; 136A.132; 136A.134, subdivision 4; 136A.15, subdivision 1; 136A.16, subdivisions 1, 2, 5, 8, 9, and 10; 136A.17, subdivision 1; 136A.1701, subdivisions 1, 2, and 5; 136A.172; 136A.173, subdivision 1; 136A.174; 136A.175, subdivision 4; 136A.176; 136A.177; 136A.178; 136A.179; 136A.29, subdivision 9; 136C.04, subdivisions 1, 2, 6, 10, and 18; 136C.042, subdivision 2; 136C.05, by adding a subdivision; 136C.07, subdivision 4; 136C.075; 136C.08, subdivision 1; 136C.15; 136C.31, by adding a subdivision; 136C.36; 136C.43, subdivision 1; 169.44, subdivision 18; 275.125, subdivision 14a; 354.094, subdivisions 1a and 1b; 354A.091, subdivision 1a; 355.46, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A and 136A; repealing Minnesota Statutes 1988, sections 121.936, subdivision 1a; 136A.042; 136A.09; 136A.101, subdivision 6; 136A.111; 136A.121, subdivisions 1, 4, and 15; 136A.14; 136A.141; 136A.142; 136A.51; 136A.52; 136A.53; 136C.07, subdivisions 1, 2, 3, and 6; 136C.21; 136C.211; 136C.212; 136C.213; 136C.22; 136C.221; 136C.222; 136C.223; 136C.25; 136C.26, subdivisions 1, 3, 4, 5, 6, 7, and 9; 136C.27, subdivision 2; 136C.28, subdivisions 1 and 2; 136C.29; 136C.33, subdivisions 1 and 2; 136C.42; and 136C.43, subdivisions 1, 2, and 3.

There has been appointed as such committee on the part of the House: Carlson, L.; Price; Orenstein; Jaros and Heap.

Senate File No. 1625 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1989

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 266:

H.F. No. 266: A bill for an act relating to taxation; making technical corrections and clarifications and administrative changes to premium taxes, cigarette taxes, sales taxes, motor vehicle excise taxes, gasoline and special fuel taxes, liquor taxes, marijuana and controlled substances taxes, lodging taxes, and the metropolitan solid waste landfill fee; providing for unmarked vehicles for use by the department of revenue; providing for sales of unstamped tobacco products and liquor to Indian tribes; providing for cancellation of sales tax permits; repealing obsolete or unnecessary terms or provisions; repealing express company, freight line company, and sleeping car company gross earnings taxes; requiring notification of the commissioner prior to selling cigarettes at prices other than those presumed by law; amending Minnesota Statutes 1988, sections 16B.54, subdivision 2; 41A.09, subdivision 3; 69.011, subdivision 2; 69.54; 168.012, subdivision 1; 270.06; 270.60; 296.18, subdivision 1; 297.041, subdivisions 1, 2, and 4; 297A.06; 297A.17; 297A.20; 297A.21, subdivision 4; 297A.25, subdivisions 11 and 16; 297B.01, subdivision 5; 297B.02, subdivision 1; 297B.03; 297D.13, by adding a subdivision; 325D.32, subdivision 10; 325D.37, by adding a subdivision; 469.190, subdivision 1; 473.843, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 297, 297A, 297C, and 297D; repealing Minnesota Statutes 1988, sections 295.01, subdivisions 4, 5, 6, 7, and 8; 295.15; 295.21; 295.23; 295.24; 295.25; 295.27; 295.29;

295.30; 295.31; 297A.19; 297A.253; 477A.018; and 477A.019.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Long, Welle and Himle have been appointed as such committee on the part of the House.

House File No. 266 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1989

Mr. Moe, R.D. moved that H.F. No. 266 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 654.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1989

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 654: A bill for an act relating to education; providing for general education revenue, transportation, special programs, community education, school facilities and equipment, education organization and cooperation, access to education excellence, school breakfast programs, sexual harassment and violence policies, parental involvement programs, libraries, state education agencies and education agency services, providing for limits on open enrollment and post-secondary options; appropriating money; amending Minnesota Statutes 1988, sections 43A.08, subdivision 1a; 120.06, by adding a subdivision; 120.062, subdivisions 4, 6, and by adding a subdivision; 120.17, subdivisions 3, 3b, and by adding a subdivision; 121.88, subdivisions 2 and 5; 121.882, subdivisions 2 and 4; 121.904, subdivision 4a; 121.908, subdivision 5; 121.912, subdivision 1; 121.935, subdivision 6; 122.23, by adding a subdivision; 122.43, subdivision 1; 122.532, subdivision 4; 122.541, subdivision 5; 122.91; 122.92; 122.93, subdivision 2, and by adding subdivisions; 122.94, subdivision 1, and by adding a subdivision; 122.95, subdivision 2, and by adding a subdivision; 123.3514, subdivisions 2, 4, 4c, 5, 7, and 10; 123.39, by adding a subdivision; 123.58, subdivision 9, and by adding a subdivision; 123.702, subdivisions 1, 1a, 2, 3, 4, and by adding subdivisions; 123.703, by adding subdivisions; 123.705, subdivision 1, and by adding a subdivision; 124.17, subdivision 1b; 124.19, subdivision 5; 124.195, subdivision 8; 124.2131, subdivision 1; 124.223; 124.225; 124.243, subdivision 3, and by adding a subdivision; 124.244, subdivision 2; 124.245, subdivision 3b; 124.26, subdivisions 1c, 7, and by adding a subdivision; 124.261; 124.271, by adding subdivisions; 124.2711, subdivisions 1, 3, 4, and by adding a subdivision; 124.2721; 124.273, subdivisions 1b, 4, 5, 7, and by adding a subdivision; 124.32,

subdivisions 1b, 1d, and by adding a subdivision; 124.38, subdivision 7; 124.43, subdivision 1, and by adding a subdivision; 124.494, subdivision 2; 124.573, subdivision 2b, and by adding subdivisions; 124.574, subdivisions 1, 4, and 5; 124.575, subdivision 3; 124.82, subdivision 3; 124.83, subdivisions 3, 4, and 6; 124A.02, by adding a subdivision; 124A.03, subdivision 2; 124A.035, subdivisions 2 and 4; 124A.036, by adding a subdivision; 124A.22, subdivisions 2, 4, and 9; 124A.23, subdivision 1; 124A.28, subdivision 1; 124A.31; 126.151, subdivision 2; 126.23; 126.56, subdivision 4, and by adding a subdivision; 126.67, subdivision 8; 128A.09; 129.121, by adding a subdivision; 129C.10; 134.33, subdivision 1; 134.34, subdivisions 1, 2, 3, and 4; 134.35, subdivision 5; 136D.27, subdivision 1; 136D.74, subdivision 2; 136D.87, subdivision 1; 141.35; 273.1102, subdivision 3; 275.011, subdivision 1; 275.125, subdivisions 5, 5b, 5c, 5e, 6e, 6h, 6i, 8, 8b, 8c, 8e, 9, 9a, 9b, 9c, 11d, 14a, and by adding a subdivision; 354.094, subdivisions 1 and 2; 354.66, subdivision 4; 354A.091, subdivisions 1 and 2; 354A.094, subdivision 4; and 363.06, subdivision 3; Laws 1965, chapter 705, as amended; Laws 1976, chapter 20, section 4; Laws 1988, chapter 718, article 7, section 61, subdivisions 1, 2, and 3; chapter 719, article 5, section 84; proposing coding for new law in Minnesota Statutes, chapters 122; 124; 124A; 126; 127; 275; and 363; repealing Minnesota Statutes 1988, sections 120.062, subdivision 8; 123.702, subdivisions 1a, 5, 6, and 7; 124.217; 124.243, subdivision 4; 124.271, subdivision 26; 129B.11; 129B.48; 134.33, subdivision 1; 134.34, subdivision 5; and 275.125, subdivision 6f; Laws 1988, chapter 718, article 5, section 4.

Mr. Moe, R.D. moved that H.F. No. 654 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Mr. Merriam from the Committee on Finance, to which was re-referred

S.F. No. 1480: A bill for an act relating to education; modifying certain aids for school districts; modifying certain levies for school districts; providing revenue to assure pupil mastery of certain subjects; expanding health and developmental screening; modifying certain provisions concerning capital facilities; modifying regional management information centers; providing money for libraries, department of education, Faribault academies, center for arts education, and other state, regional, and school district functions; providing procedures and revenue for school districts to cooperate and combine; clarifying and adding duties relating to state determined goals for pupils; appropriating money; amending Minnesota Statutes 1988, sections 120.17, subdivisions 3, 3b, and 11a; 121.11, subdivisions 7, 14, and by adding a subdivision; 121.612; 121.88, subdivisions 8, 9, and 10; 121.882, subdivision 4; 121.904, subdivision 4a, and by adding a subdivision; 121.912, subdivision 1, and by adding a subdivision; 121.931, subdivisions 3, 4, and 7; 121.934, subdivision 2; 121.935, subdivisions 5 and 6; 121.936, subdivisions 1, 4a, and by adding a subdivision; 122.23, by adding a subdivision; 122.41; 122.43, subdivision 1; 122.541; 122.91, subdivision 3; 123.36, subdivisions 1 and 13; 123.39, by adding a subdivision; 123.58, subdivision 4; 124.155, subdivisions 1 and 2; 124.19, by adding a subdivision; 124.195, subdivision 8; 124.2131, subdivision 1; 124.217, subdivision 1; 124.223; 124.225, subdivisions 1 and 7b; 124.243,

subdivisions 2 and 3; 124.244, subdivisions 1 and 2; 124.245, subdivision 3b; 124.252, subdivision 3; 124.26, subdivisions 1c, 7, and by adding a subdivision; 124.271, subdivision 4; 124.2721, subdivisions 2, 3, and by adding a subdivision; 124.273, subdivisions 4 and 5; 124.32, subdivision 1b; 124.38, subdivision 7; 124.43, subdivision 1; 124.494, subdivision 2; 124.574, subdivisions 2b and 5; 124.575, subdivisions 2, 3, and by adding a subdivision; 124.82, subdivision 3; 124.83, subdivisions 3, 4, and 6; 124A.03, subdivision 2; 124A.22, subdivisions 2, 5, 9, and by adding a subdivision; 124A.23, subdivision 1; 124A.26, subdivision 1; 124A.28, subdivision 1; 125.12, subdivision 8; 125.17, subdivision 4; 126.151, subdivision 2; 126.22, subdivision 3; 126.23; 126.56, subdivision 4, and by adding a subdivision; 126.661, by adding a subdivision; 126.663, subdivisions 2 and 3; 126.666, subdivision 4; 126.67, subdivision 5; 129.121, by adding a subdivision; 129B.11, subdivisions 1 and 2; 129B.41; 129B.42; 129B.44; 129B.45; 129B.46; 129C.10; 134.31, by adding a subdivision; 134.33, subdivision 1; 134.34, subdivisions 1 and 2; 136D.22, subdivision 1; 136D.27, subdivision 1; 136D.72, subdivision 1; 136D.74, subdivision 2; 136D.82, subdivision 1; 136D.87, subdivision 1; 141.25, subdivision 8; 141.26, subdivision 5; 171.29, subdivision 2; 273.1102, subdivision 3; 273.1398, subdivision 6; 275.011, subdivision 1; 275.125, subdivisions 5, 5c, 6e, 6h, 6i, 8b, 8e, 9, 9a, 9b, 9c, 11d, 14a, and by adding a subdivision; 275.14; 297A.25, subdivision 11; 422A.101, subdivision 2; 465.71; Laws 1959, chapter 462, section 3, subdivision 10, as amended; Laws 1965, chapter 705, as amended; Laws 1976, chapter 20, section 4; Laws 1984, chapter 463, article 6, section 15, subdivision 1, as amended; Laws 1988, chapters 718, article 7, section 61, subdivisions 1, 6, and 7; and 719, article 5, section 84; proposing coding for new law in Minnesota Statutes, chapters 121; 122; 123; 124; 129B; repealing Minnesota Statutes 1988, sections 120.05, subdivision 1; 120.13; 120.15; 120.16; 120.77; 121.09; 121.11; 121.12; 121.151; 121.19; 121.35, subdivision 5; 121.49, subdivision 1; 121.496, subdivision 1; 121.83; 121.84; 121.843; 121.844; 121.845; 121.85; 121.86; 121.882, subdivisions 6 and 10; 121.902, subdivision 2; 121.9121, subdivision 6; 121.914, subdivisions 9 and 10; 122.86; 122.87; 122.88; 122.96; 123.3511; 123.3512; 123.581, subdivisions 1 and 6; 123.60; 123.601; 123.68; 123.701; 123.702; 123.703; 123.704; 123.705; 124.12, subdivision 1; 124.2138, subdivisions 3 and 4; 124.243, subdivision 4; 124.271, subdivisions 2b, 3, 4, and 7; 124.496; 124.573, subdivision 2; 124A.27, subdivision 7; 125.02; 125.231; 125.241, subdivision 3; 125.60, subdivision 7; 126.02; 126.025; 126.03; 126.05; 126.07; 126.10; 126.11; 126.39, subdivision 11; 126.52, subdivision 11; 126.70, subdivision 3; 126.80; 126.81; 127.08; 129B.48; 129B.71; 129B.72; 129B.73; 275.125, subdivision 8; and 275.128; and Laws 1988, chapter 718, article 5, section 4.

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

Page 5, line 15, before the period, insert "*on the day the petition is filed with the school board*"

Page 6, line 3, before "(e)" insert "~~(5) Notwithstanding any law to the contrary,~~"

Page 6, line 20, after the period, insert "*For the purposes of this subdivision and subdivisions 6 and 6a, districts that cooperate under section 122.535, 122.541, or article 6, sections 3 to 11, must be considered to be one district.*"

Page 6, line 23, after "sections" insert "122.535," and after "122.541" insert a comma

Page 10, after line 28, insert:

"Sec. 12. [STATUTORY CONSTRUCTION.]

For the purposes of construing Minnesota Statutes 1988, section 124A.22, subdivisions 1 and 8, during fiscal year 1991, sparsity revenue includes secondary sparsity revenue according to Minnesota Statutes, section 124A.22, subdivision 6, and elementary sparsity revenue according to section 6."

Page 10, delete lines 35 and 36 and insert:

"\$1,204,893,900 1990,

\$1,276,316,600 1991.

The 1990 appropriation includes \$174,824,000 for 1989 and \$1,030,069,900 for 1990.

The 1991 appropriation includes \$173,231,700 for 1990 and \$1,103,084,900 for 1991."

Page 11, delete lines 1 to 4

Re-number the sections of article 1 in sequence

Page 11, line 22, delete "to" and insert "for"

Pages 27 and 28, delete section 5 and insert:

"Sec. 5. Minnesota Statutes 1988, section 124.273, subdivision 4, is amended to read:

Subd. 4. [APPLICATION DATES.] (a) *To obtain aid for limited English proficiency programs, a district shall submit an initial application for aid by October 15 and shall submit an amended application by February 15 or by June 15 if the number of enrolled pupils of limited English proficiency has changed since filing a previous application. Districts which do not submit an initial application by October 15 but enroll pupils of limited English proficiency after that date may submit an initial application by February 15 or by June 15. A final report with actual salary and enrollment information shall be submitted by August 15 for calculation of the final payment information required by the department to implement this section.*

(b) *All applications shall be submitted to the department in the manner prescribed by the commissioner. Each application shall include (1) the number of pupils or additional pupils enrolled who meet the criteria in section 126.262, subdivision 2; (2) the number, dates of hire, full time equivalency, and salaries of essential licensed personnel or additional essential licensed personnel employed in the district's educational program for pupils of limited English proficiency who meet the criteria in section 126.262, subdivision 3; and (3) any other information deemed necessary by the commissioner to implement this section. School districts may submit joint applications for aid pursuant to this section and may share essential instructional personnel employed in educational programs for pupils of limited English proficiency."*

Page 28, line 25, strike "shall" and insert "must promptly"

Page 28, line 26, strike "within" and delete "45 days"

Page 28, line 27, strike everything before the period

Page 34, line 3, delete "for five"

Page 34, line 4, delete "years" and delete the first "the" and insert "a" and delete everything after "district" and insert "in Minnesota. One-fifth of the principal of the outstanding loan amount must be forgiven for each year of teaching."

Page 34, delete lines 5 to 8

Page 34, line 9, delete "five years."

Page 37, delete lines 3 to 9

Page 46, line 20, delete "could have levied" and insert "was permitted to levy"

Page 47, line 14, delete "may" and insert "must"

Page 47, line 15, after "program" insert "either" and delete everything after "section" and insert "or"

Page 47, line 16, delete everything before "according"

Page 50, lines 30 and 32, delete "up to \$30" and insert "aid"

Page 57, line 16, delete "what" and insert "the amount"

Page 57, line 18, delete "district's actual" and insert "amount the district was permitted to"

Page 59, line 10, before "\$50,000" insert "Up to" and delete "appropriated for" and insert "to provide"

Page 59, line 13, delete "Subdivision 1."

Page 59, delete lines 20 to 23

Page 66, line 26, strike "shall" and insert "must"

Page 72, line 28, before the period, insert ", or has received a grant under sections 124.492 to 124.495"

Page 75, lines 1 and 2, reinstate the stricken language and delete the new language

Page 76, line 19, before "newspaper" insert "official" and delete everything after "newspaper" and insert "of each district"

Page 82, line 2, delete everything after "levy" and insert "as a percentage of net tax capacity, the amount that will be raised by that tax capacity rate"

Page 82, line 3, delete "capacity"

Page 82, line 35, delete "adopted" and delete everything after "plan" and insert "approved by"

Page 82, line 36, before the period, insert "according to section 5"

Page 83, line 6, delete "receives revenue" and insert "levies"

Page 84, after line 10, insert:

"Subd. 9. [SUBSEQUENT DISTRICTS.] If a district subsequently cooperates or combines with districts that have previously received revenue under this section, the new district shall receive revenue, according to subdivision 4 or 6, as though it had been a party to the initial agreement. The previously

cooperating or combined districts may not receive revenue, according to subdivision 6 or 10, as though parties to a new agreement."

Renumber the subdivisions in sequence

Pages 85 and 86, delete section 14

Page 89, line 25, delete "join" and insert "belong to"

Page 90, lines 19, 22, and 27, delete "17" and insert "16"

Page 96, line 20, after "a" insert "written"

Page 97, delete section 34 and insert:

"Sec. 33. [1988-1989 INTERDISTRICT COOPERATION AGREEMENTS.]

Notwithstanding section 2, independent school district Nos. 424, Lester Prairie; 427, Winsted; and 880, Howard Lake, may renew or continue an agreement according to Minnesota Statutes 1988, section 122.541, providing for instruction of pupils in 10th, 11th, and 12th grades in two districts."

Page 98, line 7, delete "educational telecommunications" and delete "including" and insert "involving"

Page 98, line 10, delete "a" and insert "the"

Page 98, delete lines 18 to 23 and insert:

"Subd. 7. [COMMUNICATIONS LINK GRANT.] For a grant to independent school district No. 240, Blue Earth, to pay for the cost of a communications link between the Blue Earth school district and Mankato:

\$4,500 1990.

The appropriation does not cancel but is available until June 30, 1991."

Page 98, line 28, after the period, insert "Section 16 is effective July 1, 1990."

Renumber the sections of article 6 in sequence

Page 104, line 26, delete "articulate between" and insert "ensure that"

Page 104, line 27, before the semicolon, insert "are consistent"

Page 105, line 5, delete "met" and insert "achieved" and delete everything after "first" and insert "and second years"

Page 105, line 6, delete everything before the semicolon

Page 113, line 9, delete "1988-1989 school year" and insert "school year before the year the teacher is employed according to this section or who is not on unrequested leave of absence from a Minnesota school district"

Page 114, after line 12, insert:

"The appropriation for 1990 does not cancel but is available for fiscal year 1991."

Page 121, line 10, delete "4" and insert "5"

Page 122, after line 23, insert:

"Sec. 4. [123.342] [ADMINISTRATIVE EXPENDITURES.]

Subdivision 1. [DETERMINATION OF EXCESS EXPENDITURES.] By

February 15 of each year, the department of education shall determine each district's expenditures per actual pupil unit for administration and supervision for the preceding fiscal year. By March 15 of each year, the department shall notify each district for which the expenditures per actual pupil unit exceed the statewide average expenditure per actual pupil unit.

Subd. 2. [EXPENDITURES DEFINED.] Administration and supervision expenditures include all expenditures related to the school board, office of the superintendent, central office, district support services, and administrative and supervisory staff. It also includes all expenditures related to the administration and supervision of elementary education, secondary education, special education, vocational education, community education, food services, transportation services, building operations and maintenance, and other activities and programs.

It does not include expenditures for salaries and fringe benefits for principals, assistant principals, classroom teachers, and professional support personnel, such as librarians, social workers, health care personnel, and counselors.

The expenditures shall be determined according to the uniform financial accounting and reporting system categories of district and school administration, district support services, and all executive and managerial salaries and related expenditures.

Subd. 3. [LIMITATION ON INCREASES.] A district that has been notified according to subdivision 1 may not increase its total expenditures for administration and supervision during the fiscal year after notification."

Page 134, line 22, delete "Subdivision 1. [JULY 1, 1989.]"

Page 134, delete line 36

Page 135, delete lines 1 to 4

Page 135, line 6, delete "10, 11, and 12" and insert "11, 12, and 13"

Page 135, line 7, delete "13" and insert "14"

Renumber the sections of article 9 in sequence

Page 152, after line 18, insert:

"The appropriation for 1990 does not cancel but is available for fiscal year 1991."

Page 162, line 30, delete "appropriated"

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. No. 1480 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Pogemiller moved that the names of Messrs. Johnson, D.J. and Novak be added as co-authors to S.F. No. 1329. The motion prevailed.

Mr. Cohen moved that the name of Mr. Pehler be added as a co-author to Senate Concurrent Resolution No. 6. The motion prevailed.

Mr. Anderson introduced—

Senate Resolution No. 127: A Senate resolution congratulating Ethel Arnold on being named Small Businessperson of the Year by the Greater Minneapolis Chamber of Commerce.

Referred to the Committee on Rules and Administration.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Ms. Berglin, Messrs. Solon and Frederickson, D.R. introduced—

S.F. No. 1632: A bill for an act relating to human services; establishing requirements for wages and benefits for workers in intermediate care facilities for persons with mental retardation; amending Minnesota Statutes 1988, section 256B.501, subdivisions 1, 2, 3, and 3c.

Referred to the Committee on Health and Human Services.

Mr. Marty, Ms. Berglin, Mr. Spear and Ms. Peterson, D.C. introduced—

S.F. No. 1633: A bill for an act relating to human rights; providing a human rights curriculum; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Education.

Messrs. Larson and Chmielewski introduced—

S.F. No. 1634: A bill for an act relating to employment; regulating prevailing hours of labor on certain state projects; amending Minnesota Statutes 1988, section 177.42, subdivision 4.

Referred to the Committee on Employment.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

H.F. No. 1285: A bill for an act relating to health insurance; changing coverage and administrative procedures relating to the comprehensive health insurance plan; requiring a report; amending Minnesota Statutes 1988, sections 62E.10, subdivisions 2a, 7, and 9; and 62E.12.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Knaak	Morse	Solon
Anderson	Dahl	Laidig	Novak	Spear
Belanger	Decker	Lantry	Olson	Storm
Benson	Diessner	Larson	Pariseau	Stumpf
Berg	Frank	Luther	Pehler	Taylor
Berglin	Frederick	Marty	Pogemiller	Vickerman
Bernhagen	Freeman	McGowan	Purfeerst	
Bertram	Hughes	McQuaid	Ramstad	
Brandl	Johnson, D.E.	Mehrkins	Samuelson	
Chmielewski	Johnson, D.J.	Moe, R.D.	Schmitz	

So the bill passed and its title was agreed to.

H.F. No. 1016: A bill for an act relating to juvenile justice; authorizing the juvenile court to place juvenile alcohol or controlled substance offenders on probation; authorizing the juvenile court to require the commissioner of public safety to revoke the driver's license or permit of habitual petty offenders or to deny driving privileges to them if they do not have a license or permit; removing certain limitations on parental liability for thefts by minors; removing a repealer; amending Minnesota Statutes 1988, sections 171.04; 260.195, subdivision 3, and by adding subdivisions; and 332.51, subdivision 3; repealing Laws 1985, chapter 278, section 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Johnson, D.E.	Mehrkens	Purfeerst
Anderson	Dahl	Johnson, D.J.	Merriam	Ramstad
Belanger	Davis	Knaak	Metzen	Renneke
Benson	Decker	Knutson	Moe, R.D.	Samuelson
Berg	DeCramer	Laidig	Morse	Schmitz
Berglin	Diessner	Lantry	Novak	Solon
Bernhagen	Frank	Larson	Olson	Spear
Bertram	Frederick	Luther	Pariseau	Storm
Brandl	Frederickson, D.J.	Marty	Pehler	Stumpf
Brataas	Freeman	McGowan	Piper	Vickerman
Chmielewski	Hughes	McQuaid	Pogemiller	

So the bill passed and its title was agreed to.

H.F. No. 333: A bill for an act relating to recreational vehicles; regulating all-terrain vehicles; setting fees; revising liability provisions regarding county administered lands, recreational areas and the Minnesota zoological garden; imposing a penalty; amending Minnesota Statutes 1988, sections 3.736, subdivision 3; 84.92, subdivision 1, and by adding subdivisions; 84.922, subdivisions 1 and 5, and by adding subdivisions; 84.924, subdivision 3; 84.9256, subdivisions 1, 2, and 3; 84.928, subdivisions 1, 2, and 6; 84.929; 169.02, subdivision 1; and 171.03; repealing Minnesota Statutes 1988, sections 84.922, subdivision 8; 84.925, subdivision 2; 84.928, subdivision 7; and 466.03, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knaak	Metzen	Ramstad
Belanger	Decker	Knutson	Moe, D.M.	Renneke
Benson	DeCramer	Laidig	Moe, R.D.	Schmitz
Berglin	Diessner	Lantry	Morse	Solon
Bernhagen	Frank	Larson	Novak	Spear
Bertram	Frederick	Luther	Olson	Storm
Brandl	Frederickson, D.J.	Marty	Pariseau	Stumpf
Brataas	Frederickson, D.R.	McGowan	Pehler	Taylor
Chmielewski	Freeman	McQuaid	Piper	Vickerman
Cohen	Hughes	Mehrkens	Pogemiller	
Dahl	Johnson, D.E.	Merriam	Purfeerst	

Messrs. Anderson; Berg; Johnson, D.J. and Samuelson voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 412: A bill for an act relating to education; changing the definitions of teachers and of supervisory and support personnel for the purpose of licensure; changing the kinds of personnel licensed by the board of teaching and the state board of education; changing the composition of the board of teaching; providing for teacher performance effectiveness plans; amending Minnesota Statutes 1988, sections 125.03, subdivisions 1 and 4; 125.05, subdivisions 1 and 2; 125.08; and 125.183, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 125.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.J.	Metzen	Renneke
Anderson	Davis	Knaak	Moe, D.M.	Samuelson
Belanger	Decker	Knutson	Moe, R. D.	Schmitz
Benson	DeCramer	Laidig	Morse	Solon
Berg	Diessner	Lantry	Novak	Spear
Berglin	Frank	Larson	Olson	Storm
Bernhagen	Frederick	Luther	Pariseau	Taylor
Bertram	Frederickson, D.J.	Marty	Pehler	Vickerman
Brandl	Frederickson, D.R.	McGowan	Piper	
Brataas	Freeman	McQuaid	Pogemiller	
Chmielewski	Hughes	Mehrkens	Purfeerst	
Cohen	Johnson, D.E.	Merriam	Ramstad	

So the bill passed and its title was agreed to.

H.F. No. 862: A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws; amending Minnesota Statutes 1988, chapters 226; 230; 233; 234; 235; 236; and 366, as amended.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.J.	Metzen	Renneke
Anderson	Davis	Knaak	Moe, D.M.	Samuelson
Belanger	Decker	Knutson	Moe, R.D.	Schmitz
Benson	DeCramer	Laidig	Morse	Solon
Berg	Diessner	Lantry	Novak	Spear
Berglin	Frank	Larson	Olson	Storm
Bernhagen	Frederick	Luther	Pariseau	Stumpf
Bertram	Frederickson, D.J.	Marty	Pehler	Taylor
Brandl	Frederickson, D.R.	McGowan	Piper	Vickerman
Brataas	Freeman	McQuaid	Pogemiller	Waldorf
Chmielewski	Hughes	Mehrkens	Purfeerst	
Cohen	Johnson, D.E.	Merriam	Ramstad	

So the bill passed and its title was agreed to.

H.F. No. 1197: 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 1988, sections 10A.01, subdivisions 5 and 18; 10A.32, subdivision 3a; 13.46, subdivision 2; 13.75, subdivision 2; 16A.26; 16B.28, subdivision 3; 18B.25, subdivision 4; 45.028, subdivision 1; 69.32; 105.81; 115A.195; 115C.08, subdivision 3; 116.44, subdivision 1; 122.23, subdivision 18; 122.96, subdivision 3; 124.646, subdivision 1; 124A.24; 124A.27, subdivision 1; 127.35; 136C.61, subdivision 1; 136D.27, subdivision 3; 136D.71; 136D.74, subdivision 2b; 136D.741, subdivision 4; 136D.87, subdivision 3; 141.35; 144.122; 144.335, subdivision 2; 145A.07, subdivision 1; 145A.13; 157.03; 168.33, subdivision 2; 168A.24, subdivision 2; 168A.29, subdivision 3; 169.345, subdivision 2; 176.081, subdivision 1; 176.101, subdivision 3e; 176.131, subdivision 1; 176.421, subdivision 7; 205.065, subdivision 1; 205.18, subdivision 2; 211B.15, subdivision 4; 214.01, subdivision 2; 245.77; 256.01, subdivision 2; 256.991; 256B.69, subdivision 16; 256D.03, subdivision 4; 256G.02, subdivision 4;

256G.06; 257.354, subdivision 4; 268.04, subdivision 32; 268.10, subdivision 1; 272.02, subdivision 1; 273.124, subdivision 6; 290.05, subdivision 3; 290.92, subdivision 23; 297.07, subdivision 3; 297.35, subdivision 3; 298.2211, subdivision 1; 308.11; 340A.414, subdivision 6; 349.213, subdivision 2; 352.01, subdivision 2b; 353.01, subdivision 2a; 363.06, subdivision 4; 383B.229; 383B.77; 383C.331; 383C.334; 469.0721; 469.121, subdivision 1; 469.129, subdivision 1; 471.562, subdivision 4; 471.563; 473.605, subdivision 2; 473.845, subdivision 1; 474A.02, subdivision 18; 480A.02, subdivision 7; 485.018, subdivision 2; 515A.3-115; 525.94, subdivision 3; 548.09, subdivision 2; 604.02, subdivision 1; 609.506, subdivision 1; and 611A.53, subdivision 1; reenacting Minnesota Statutes 1988, section 80A.14, subdivision 18; repealing Minnesota Statutes 1988, sections 260.125, subdivision 6; 326.01, subdivision 21; and 362A.08; amending Laws 1976, chapter 134, section 79; Laws 1988, chapter 640, section 5; and chapter 719, article 12, section 29; repealing Laws 1965, chapter 267, section 1; Laws 1971, chapter 830, section 7; Laws 1976, chapter 2, section 62; chapter 134, section 2; chapter 163, section 10; and chapter 173, section 53; Laws 1977, chapter 35, section 8; Laws 1978, chapter 496, section 1; and chapter 706, section 31; Laws 1979, chapter 48, section 2; and chapter 184, section 3; Laws 1981, chapter 271, section 1; Laws 1982, chapter 514, section 15; Laws 1983, chapter 242, section 1; chapter 247, section 38; chapter 289, section 4; chapter 290, sections 2 and 3; chapter 299, section 26; and chapter 303, sections 21 and 22; Laws 1984, chapter 654, article 2, section 117; Laws 1986, chapter 312, section 1; chapter 400, section 43; and chapter 452, section 17; Laws 1986, First Special Session chapter 3, article 1, sections 74 and 79; and Laws 1987, chapter 268, article 5, section 5; chapter 384, article 2, section 25; chapter 385, section 7; chapter 403, article 5, section 1; and chapter 404, section 138.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.J.	Merriam	Ramstad
Anderson	Davis	Knaak	Metzen	Reichgott
Belanger	Decker	Knutson	Moe, D.M.	Renneke
Benson	DeCramer	Laidig	Moe, R.D.	Samuelson
Berg	Diessner	Langseth	Morse	Schmitz
Berglin	Frank	Lantry	Novak	Solon
Bernhagen	Frederick	Larson	Olson	Spear
Bertram	Frederickson, D.J.	Luther	Pariseau	Storm
Brandl	Frederickson, D.R.	Marty	Pehler	Stumpf
Brataas	Freeman	McGowan	Piper	Taylor
Chmielewski	Hughes	McQuaid	Pogemiller	Vickerman
Cohen	Johnson, D.E.	Mehrkins	Purfeerst	Waldorf

So the bill passed and its title was agreed to.

S.F. No. 139: A bill for an act relating to liquor; increasing age for provisional driver's license to 21 years; changing provisional licenses to "under-21" licenses; prohibiting the issuance of both a Minnesota identification card and a driver's license, other than an instruction permit, to the same person; providing for fees; providing for license suspension for minors misrepresenting their age for purposes of purchasing alcoholic beverages; providing penalty for misuse of Minnesota identification card; increasing

the period for suspension of a drivers license for use of a license to illegally purchase alcohol; including other forms of identification and persons who lend identification; increasing the penalty for counterfeiting a drivers license or Minnesota identification card; prohibiting lending any form of identification for use by an underage person to purchase alcohol; clarifying the application of the carding defense for illegal sales; providing for transfer of confiscated identification; amending Minnesota Statutes 1988, sections 171.02, subdivisions 1 and 3; 171.06, subdivision 2; 171.07, subdivisions 1 and 3; 171.171; 171.22; 171.27; 260.195, subdivision 3; 340A.503, subdivisions 2 and 6; and 340A.801, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.J.	Merriam	Ramstad
Anderson	Davis	Knaak	Metzen	Reichgott
Belanger	Decker	Knutson	Moe, D.M.	Renneke
Benson	DeCramer	Laidig	Moe, R.D.	Samuelson
Berg	Diessner	Langseth	Morse	Schmitz
Berglin	Frank	Lantry	Novak	Solon
Bernhagen	Frederick	Larson	Olson	Spear
Bertram	Frederickson, D.J.	Luther	Pariseau	Storm
Brandl	Frederickson, D.R.	Marty	Pehler	Stumpf
Brataas	Freeman	McGowan	Piper	Taylor
Chmielewski	Hughes	McQuaid	Pogemiller	Vickerman
Cohen	Johnson, D.E.	Mehrkens	Purfeerst	Waldorf

So the bill passed and its title was agreed to.

S.F. No. 736: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knutson	Moe, D.M.	Samuelson
Anderson	Decker	Laidig	Moe, R.D.	Schmitz
Belanger	DeCramer	Langseth	Morse	Solon
Benson	Diessner	Lantry	Novak	Spear
Berg	Frank	Larson	Olson	Storm
Berglin	Frederick	Lessard	Pariseau	Stumpf
Bernhagen	Frederickson, D.J.	Luther	Pehler	Taylor
Bertram	Frederickson, D.R.	Marty	Piper	Vickerman
Brandl	Freeman	McGowan	Pogemiller	Waldorf
Brataas	Hughes	McQuaid	Purfeerst	
Chmielewski	Johnson, D.E.	Mehrkens	Ramstad	
Cohen	Johnson, D.J.	Merriam	Reichgott	
Dahl	Knaak	Metzen	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 232: A bill for an act relating to corporations; providing for the simplification of certain filings made with the office of the secretary of state; changing the recipients of certain notices; modifying the definition of address to include zip codes; appropriating money; amending Minnesota Statutes 1988, sections 302A.011, subdivision 3; 302A.123, subdivision

1; 302A.821, subdivision 1; 303.02, subdivision 5; 303.10, subdivision 2; 303.13, subdivision 2; 303.14, subdivision 1; and 303.17, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knutson	Moe, D.M.	Samuelson
Anderson	Decker	Laidig	Moe, R.D.	Schmitz
Belanger	DeCramer	Langseth	Morse	Solon
Benson	Diessner	Lantry	Novak	Spear
Berg	Frank	Larson	Olson	Storm
Berglin	Frederick	Lessard	Pariseau	Stumpf
Bernhagen	Frederickson, D.J.	Luther	Pehler	Taylor
Bertram	Frederickson, D.R.	Marty	Piper	Vickerman
Brandl	Freeman	McGowan	Pogemiller	Waldorf
Brataas	Hughes	McQuaid	Purfeerst	
Chmielewski	Johnson, D.E.	Mehrkens	Ramstad	
Cohen	Johnson, D.J.	Merriam	Reichgott	
Dahl	Knaak	Metzen	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 353: A bill for an act relating to commerce; regulating currency exchanges; requiring currency exchanges to be licensed by the commissioner of commerce; requiring charges to be reasonable; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 53A.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Knutson	Moe, D.M.	Samuelson
Anderson	Decker	Laidig	Moe, R.D.	Schmitz
Belanger	DeCramer	Langseth	Morse	Solon
Benson	Diessner	Lantry	Novak	Spear
Berg	Frank	Larson	Olson	Storm
Berglin	Frederick	Lessard	Pariseau	Stumpf
Bernhagen	Frederickson, D.J.	Luther	Pehler	Taylor
Bertram	Frederickson, D.R.	Marty	Piper	Vickerman
Brandl	Freeman	McGowan	Pogemiller	Waldorf
Brataas	Hughes	McQuaid	Purfeerst	
Chmielewski	Johnson, D.E.	Mehrkens	Ramstad	
Cohen	Johnson, D.J.	Merriam	Reichgott	
Dahl	Knaak	Metzen	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 206 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 206

A bill for an act relating to state government; administrative procedures; regulating exempt rules; making certain technical changes; amending Minnesota Statutes 1988, sections 14.40; and 97A.051, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1988, sections 97A.051, subdivision 3; 144A.10, subdivision 6a; 174.031, subdivision 2; 254B.03, subdivision 6; 254B.04, subdivision 2; 257.357; and 574.262, subdivision 3; Laws 1985, chapter 4, section 8; and Laws 1987, chapter 337, section 128.

May 2, 1989

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 206, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment adopted April 27, 1989 and that the Senate concur in the House amendment adopted April 20, 1989.

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) William V. Belanger, Jr., Gene Waldorf, Carl W. Kroening

House Conferees: (Signed) Peter Rodosovich, Sandy Pappas, Kathleen Blatz

Mr. Belanger moved that the foregoing recommendations and Conference Committee Report on S.F. No. 206 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 206 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Knaak	Metzen	Reichgott
Anderson	Davis	Knutson	Moe, D.M.	Renneke
Belanger	Decker	Langseth	Moe, R.D.	Samuelson
Benson	DeCramer	Lantry	Morse	Schmitz
Berg	Diessner	Larson	Novak	Spear
Berglin	Frank	Lessard	Olson	Storm
Bernhagen	Frederick	Luther	Pariseau	Stumpf
Bertram	Frederickson, D.J.	Marty	Pehler	Taylor
Brandl	Frederickson, D.R.	McGowan	Piper	Vickerman
Brataas	Freeman	McQuaid	Pogemiller	Waldorf
Chmielewski	Hughes	Mehrkens	Purfeerst	
Cohen	Johnson, D.J.	Merriam	Ramstad	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Cohen moved that S.F. No. 827 be taken from the table. The motion prevailed.

S.F. No. 827: A bill for an act relating to public safety; increasing membership on advisory council for the children's trust fund; amending Minnesota Statutes 1988, section 299A.23, subdivision 2.

CONCURRENCE AND REPASSAGE

Mr. Cohen moved that the Senate concur in the amendments by the House to S.F. No. 827 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 827 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Knaak	Metzen	Renneke
Anderson	Davis	Knutson	Moe, R.D.	Samuelson
Belanger	Decker	Langseth	Morse	Schmitz
Benson	Diessner	Lantry	Novak	Spear
Berg	Frank	Larson	Olson	Storm
Berglin	Frederick	Lessard	Pariseau	Stumpf
Bernhagen	Frederickson, D.J.	Luther	Pehler	Taylor
Bertram	Frederickson, D.R.	Marty	Piper	Vickerman
Brandl	Freeman	McGowan	Pogemiller	Waldorf
Brataas	Hughes	McQuaid	Purfeerst	
Chmielewski	Johnson, D.E.	Mehrkens	Ramstad	
Cohen	Johnson, D.J.	Merriam	Reichgott	

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Stumpf moved that H.F. No. 266 be taken from the table. The motion prevailed.

H.F. No. 266: A bill for an act relating to taxation; making technical corrections and clarifications and administrative changes to premium taxes, cigarette taxes, sales taxes, motor vehicle excise taxes, gasoline and special fuel taxes, liquor taxes, marijuana and controlled substances taxes, lodging taxes, and the metropolitan solid waste landfill fee; providing for unmarked vehicles for use by the department of revenue; providing for sales of unstamped tobacco products and liquor to Indian tribes; providing for cancellation of sales tax permits; repealing obsolete or unnecessary terms or provisions; repealing express company, freight line company, and sleeping car company gross earnings taxes; requiring notification of the commissioner prior to selling cigarettes at prices other than those presumed by law; amending Minnesota Statutes 1988, sections 16B.54, subdivision 2; 41A.09, subdivision 3; 69.011, subdivision 2; 69.54; 168.012, subdivision 1; 270.06; 270.60; 296.18, subdivision 1; 297.041, subdivisions 1, 2, and 4; 297A.06; 297A.17; 297A.20; 297A.21, subdivision 4; 297A.25, subdivisions 11 and 16; 297B.01, subdivision 5; 297B.02, subdivision 1; 297B.03; 297D.13, by adding a subdivision; 325D.32, subdivision 10; 325D.37, by adding a subdivision; 469.190, subdivision 1; 473.843, subdivision 1; proposing

coding for new law in Minnesota Statutes, chapters 297, 297A, 297C, and 297D; repealing Minnesota Statutes 1988, sections 295.01, subdivisions 4, 5, 6, 7, and 8; 295.15; 295.21; 295.23; 295.24; 295.25; 295.27; 295.29; 295.30; 295.31; 297A.19; 297A.253; 477A.018; and 477A.019.

Mr. Stumpf moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 266, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1759 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 1759: A bill for an act relating to the organization and operation of state government; appropriating money for human services, jobs and training, corrections, health, veterans nursing homes, and other purposes with certain conditions; amending Minnesota Statutes 1988, sections 13.46, subdivision 2; 43A.27, subdivision 2; 62A.045; 62A.046; 62D.041, subdivision 1, and by adding a subdivision; 62D.042, subdivision 1; 62D.05, subdivision 6; 144.50, subdivision 6, and by adding a subdivision; 144.562, subdivisions 2 and 3; 144.651, subdivision 2; 144.698, subdivision 1; 144.701; 144.702, subdivision 2, and by adding subdivisions; 144A.01, subdivision 5, and by adding subdivisions; 144A.04, subdivision 7, and by adding subdivisions; 144A.071, subdivision 3; 144A.073, subdivision 1; 144A.10, subdivisions 5, 6a, and by adding subdivisions; 144A.11, subdivision 3, and by adding a subdivision; 144A.12, subdivision 1; 144A.15, subdivision 1, and by adding subdivisions; 144A.45, subdivision 2; 144A.46; 144A.61; 144A.611; 145.38, subdivision 1; 145.39, subdivision 1; 145.61, subdivision 5; 145.63; 145.882, subdivisions 1 and 7; 146.13; 147.02, subdivision 1; 148B.23, subdivision 1; 148B.27, subdivision 2; 148B.32, subdivision 2; 148B.40, subdivision 3; 148B.42, by adding a subdivision; 149.02; 149.06; 150A.06, subdivision 2a; 153A.13, subdivision 4; 153A.15, subdivision 3; 153A.16; 176.136, subdivisions 1 and 5; 214.04, subdivision 3; 214.06, subdivision 1; 237.70, subdivision 7; 237.701, subdivision 1; 245.461; 245.462; 245.463, subdivision 2, and by adding subdivisions; 245.464; 245.465; 245.466, subdivisions 1, 2, 5, and 6; 245.467, subdivisions 3, 4, and 5; 245.468; 245.469; 245.470, subdivision 1; 245.472, subdivision 1, and by adding a subdivision; 245.473, subdivision 1; 245.474; 245.476, subdivisions 1, 3, and by adding subdivisions; 245.477; 245.478, subdivisions 2 and 3; 245.479; 245.48; 245.482; 245.483; 245.484; 245.485; 245.486; 245.62, subdivision 3; 245.696, subdivision 2; 245.697, subdivisions 1, 2, and 2a; 245.713, subdivision 2; 245.73, subdivisions 1, 2, and 4; 245.771, subdivision 3; 245.91, by adding a subdivision; 245.94, subdivision 1, and by adding a subdivision; 245A.02, subdivisions 3, 9, 10, 14, and by adding a subdivision; 245A.03, subdivisions 1, 2, and 3; 245A.04, subdivisions 1, 3, 5, 6, 7, and by adding subdivisions; 245A.06, subdivisions 1, 5, and by adding a subdivision; 245A.07, subdivision 2; 245A.08, subdivision 5; 245A.095; 245A.12; 245A.13; 245A.14, subdivision 3, and by adding subdivisions; 245A.16, subdivision 1; 246.015; 246.18, subdivision 4; 246.36; 246.50, subdivisions 3, 4, and 5; 246.54;

246.57, subdivision 1; 251.011, subdivision 4, and by adding a subdivision; 252.27, subdivision 1; 252.291, subdivision 2; 252.31; 252.41, subdivision 9; 252.46, subdivisions 1, 2, 3, 4, 6, and 12; 252.47; 252.50; 253.015; 254A.08, subdivision 2; 254B.02, subdivision 1; 254B.03, subdivisions 1 and 4; 254B.04, subdivision 2; 254B.06, subdivision 1; 254B.09, subdivisions 1, 4, and 5; 256.01, subdivision 2, and by adding a subdivision; 256.014, subdivision 1; 256.045, subdivisions 1, 3, 4, 4a, 5, 6, 7, 10, and by adding a subdivision; 256.12, subdivision 14; 256.73, subdivision 3a; 256.736, subdivisions 3, 3b, 4, 10, 11, 14, 16, and by adding subdivisions; 256.737; 256.74, subdivisions 1, 1a, and by adding a subdivision; 256.85; 256.87, subdivision 1a; 256.936, subdivisions 1, 2, and 4; 256.969; 256.974; 256.9741, subdivisions 3, 5, and by adding a subdivision; 256.9742; 256.9744, subdivision 1; 256.975, subdivision 2; 256B.031, subdivision 5; 256B.04, subdivision 14, and by adding a subdivision; 256B.055, subdivisions 7 and 8; 256B.056, subdivisions 3, 4, and 5; 256B.062; 256B.0625, subdivisions 2, 13, 17, and by adding subdivisions; 256B.091, subdivision 3; 256B.092, subdivision 7; 256B.14; 256B.25, by adding a subdivision; 256B.421, subdivision 14; 256B.431, subdivisions 2b, 2e, 2i, 3a, 3f, 3g, 4, and by adding subdivisions; 256B.47, subdivision 3; 256B.48, subdivisions 1, 6, and 8; 256B.501, subdivisions 3, 3g, and by adding subdivisions; 256B.69, subdivisions 4, 5, 11, and by adding a subdivision; 256C.28, subdivision 3, and by adding subdivisions; 256D.01, subdivisions 1, 1a, 1b, and 1c; 256D.02, subdivisions 1 and 4; 256D.03, subdivisions 2, 3, and 4; 256D.05, subdivision 1, and by adding a subdivision; 256D.051, subdivisions 1, 2, 3, 6, 8, 13, and by adding subdivisions; 256D.052, subdivisions 1, 2, 3, and 4; 256D.06, by adding a subdivision; 256D.101; 256D.111, subdivision 5; 256D.35, subdivisions 1, 7, and by adding subdivisions; 256D.36, subdivision 1, and by adding a subdivision; 256D.37, subdivision 1; 256E.03, subdivision 2; 256E.05, subdivision 3; 256E.08, subdivision 5; 256E.09, subdivisions 1 and 3; 256F.05, subdivisions 2, 3, and 4; 256F.07, subdivision 3a; 256H.01, subdivisions 1, 2, 7, 8, 11, and 12; 256H.02; 256H.03; 256H.05; 256H.08; 256H.09; 256H.10, subdivisions 2, 3, and by adding a subdivision; 256H.11; 256H.12; 256H.15; 256H.18; 256H.20, subdivision 3; 257.071, subdivision 7; 257.55, subdivision 1; 257.57, subdivision 1; 257.62, subdivision 5; 259.47, subdivision 5; 259.49, subdivision 2; 260.251, subdivision 1; 268.0111, subdivision 4, and by adding a subdivision; 268.0122, subdivisions 2 and 3; 268.08, subdivision 1; 268.31; 268.37, by adding a subdivision; 268.86, subdivision 2; 268.871, subdivision 5; 268.88; 287.12; 297.13, subdivision 1; 326.78, subdivision 2; 327.20, subdivision 1; 327C.02, subdivision 2; 357.021, subdivisions 2 and 2a; 517.08, subdivisions 1b and 1c; 518.54, subdivision 6; 518.551, subdivision 10, and by adding a subdivision; 518.611, subdivision 4; 518.613, subdivisions 1, 2, 4, and by adding a subdivision; 609.378; 626.556, subdivisions 2 and 10e; and 626.558; Laws 1984, chapter 654, article 5, section 57, subdivision 1, as amended; Laws 1987, chapter 403, article 3, section 98; Laws 1988, chapter 689, article 2, sections 248 and 269, subdivision 2; repealing Minnesota Statutes 1988, sections 144A.10, subdivision 4a; 150A.06, subdivision 7; 245.462, subdivision 25; 245.471; 245.475; 245.64; 245.698; 245.775; 245.83; 245.84; 245.85; 245.871; 245.872; 245.873; 245A.095, subdivision 3; 246.50, subdivisions 3a, 4a, and 9; 254B.09, subdivision 3; 254B.10; 256.87, subdivision 4; 256.969, subdivisions 2a, 3, 4, 5, and 6; 256B.0625, subdivision 21; 256B.17, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 256B.69, subdivisions 12, 13, 14, and 15; 256D.01, subdivision 1c; 256D.051, subdivision 6a; 256D.052, subdivisions 5, 6, and 7; 256D.06, subdivisions 3, 4, and 6;

256D.35, subdivisions 2, 3, 4, and 8; 256D.36, subdivision 2; 256D.37, subdivisions 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, and 14; 256D.38; 256D.39; 256D.41; 256D.42; 256D.43; 256E.08, subdivision 9; 256F.05, subdivision 1; 256H.04; 256H.05, subdivision 4; 256H.06; 256H.07, subdivision 4; 256H.13; 268.86, subdivision 7; 518.613, subdivision 5; Laws 1987, chapter 403, article 5, section 1; proposing coding for new law in Minnesota Statutes, chapters 144; 144A; 145; 157; 196; 245; 246; 251; 252; 253; 254A; 256; 256B; 256D; 256E; 256F; 256H; 259; 268; and 626; proposing coding for new law as Minnesota Statutes, chapter 256I.

Mr. Merriam moved to amend H.F. No. 1759 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 1759, and insert the language after the enacting clause, and the title, of S.F. No. 1630, as introduced.

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 19, after line 20, insert:

"Sec. 15. USE OF MONEY FOR LOBBYING

SERVICES PROHIBITED

Money appropriated in this act may not be used to purchase lobbying services."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Dahl	Johnson, D.J.	McGowan	Renneke
Belanger	Decker	Knaak	McQuaid	Spear
Benson	Frank	Knutson	Mehrkens	Storm
Bernhagen	Frederick	Laidig	Olson	Stumpf
Brataas	Frederickson, D.R.	Larson	Pariseau	Taylor
Cohen	Johnson, D.E.	Lessard	Ramstad	

Those who voted in the negative were:

Adkins	Davis	Langseth	Moe, R.D.	Pogemiller
Beckman	DeCramer	Lantry	Morse	Purfeerst
Berg	Dicklich	Luther	Novak	Reichgott
Berglin	Diessner	Marty	Pehler	Samuelson
Bertram	Frederickson, D.J.	Merriam	Peterson, D.C.	Schmitz
Brandl	Hughes	Metzen	Peterson, R.W.	Vickerman
Chmielewski	Kroening	Moe, D.M.	Piper	Waldorf

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

Mr. Benson moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 8, delete line 25 and insert:

“\$559,093,000 \$561,599,000

Of this appropriation, \$6,555,000 in the first year and \$9,061,000 in the second year is for the increased costs of changing the base year for reimbursing medical assistance vendors from the year 1982 to the year 1984.”

Correct the subdivision and section totals and the summaries by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Johnson, D.E.	McQuaid	Storm
Beckman	Davis	Knaak	Mehrkens	Taylor
Belanger	Decker	Knutson	Olson	Vickerman
Benson	Frederick	Larson	Pariseau	
Berg	Frederickson, D.J.	Lessard	Ramstad	
Bernhagen	Frederickson, D.R.	McGowan	Renneke	

Those who voted in the negative were:

Berglin	Dicklich	Luther	Novak	Schmitz
Bertram	Frank	Marty	Pehler	Spear
Brandl	Hughes	Merriam	Peterson, D.C.	Waldorf
Chmielewski	Johnson, D.J.	Metzen	Peterson, R.W.	
Cohen	Kroening	Moe, D.M.	Piper	
Dahl	Langseth	Moe, R.D.	Purfeerst	
DeCramer	Lantry	Morse	Samuelson	

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

Mr. Storm moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 441, after line 20, insert:

“Sec. 39. [256D.091] [MINNESOTA IDENTIFICATION CARD REQUIRED.]

To be eligible for general assistance, general assistance medical care, or work readiness assistance, a person must have a permanent Minnesota driver's license with a photograph or a permanent Minnesota picture identification card issued by the department of public safety under section 171.07 or a valid voter registration card. This requirement is not satisfied by a temporary driver's license or permit, or a temporary state identification document, which does not include a photograph.”

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Mr. Benson moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 440, after line 14, insert:

"Sec. 36. Minnesota Statutes 1988, section 256D.05, subdivision 1, is amended to read:

Subdivision 1. [ELIGIBILITY.] (a) *Except as provided in section 256D.06, subdivision 1d*, each person or family whose income and resources are less than the standard of assistance established by the commissioner shall be eligible for and entitled to general assistance if the person or family is:

(1) a person who is suffering from a permanent or temporary illness, injury, or incapacity which is medically certified and which prevents the person from obtaining or retaining employment;

(2) a person whose presence in the home on a substantially continuous basis is required because of the certified illness, injury, incapacity, or the age of another member of the household;

(3) a person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, or in an approved chemical dependency domiciliary facility, if the placement is based on illness or incapacity and is pursuant to a plan developed or approved by the local agency through its director or designated representative;

(4) a person who resides in a shelter facility described in subdivision 3;

(5) a person who is or may be eligible for displaced homemaker services, programs, or assistance under section 268.96, but only if that person is enrolled as a full-time student;

(6) a person who is unable to secure suitable employment due to inability to communicate in the English language, provided that the person is not an illegal alien, and who, if assigned to a language skills program by the local agency, is participating in that program;

(7) a person not described in clause (1) or (3) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally retarded or mentally ill, and that condition prevents the person from obtaining or retaining employment;

(8) a person who has an application pending for the social security disability program or the program of supplemental security income for the aged, blind, and disabled, or who has been terminated from either program and has an appeal from that termination pending;

(9) a person who is unable to obtain or retain employment because advanced age significantly affects the person's ability to seek or engage in substantial work;

(10) a person completing a secondary education program;

(11) a family with one or more minor children; provided that, if all the children are six years of age or older, all the adult members of the family register for and cooperate in the work readiness program under section 256D.051; and provided further that, if one or more of the children are under the age of six and if the family contains more than one adult member, all the adult members except one adult member register for and cooperate in the work readiness program under section 256D.051. The adult members required to register for and cooperate with the work readiness program are not eligible for financial assistance under section 256D.051, except as provided in section 256D.051, subdivision 6, and shall be included in the general assistance grant. If an adult member fails to cooperate with requirements of section 256D.051, the local agency shall not take that member's

needs into account in making the grant determination. The time limits of section 256D.051, subdivisions 4 and 5, do not apply to people eligible under this clause;

(12) a person who has substantial barriers to employment, including but not limited to factors relating to work or training history, as determined by the local agency in accordance with permanent or emergency rules adopted by the commissioner after consultation with the commissioner of jobs and training;

(13) a person who is certified by the commissioner of jobs and training before August 1, 1985, as lacking work skills or training or as being unable to obtain work skills or training necessary to secure employment, as defined in a permanent or emergency rule adopted by the commissioner of jobs and training in consultation with the commissioner;

(14) a person who is determined by the local agency, in accordance with emergency and permanent rules adopted by the commissioner, to be learning disabled;

(15) a person who is determined by the local agency, in accordance with emergency and permanent rules adopted by the commissioner, to be functionally illiterate, provided that the person complies with literacy training requirements set by the local agency under section 256D.052. A person who is terminated for failure to comply with literacy training requirements may not reapply for assistance under this clause for 60 days. The local agency must provide an oral explanation to the person of the person's responsibilities under this clause, the penalties for failure to comply, the agency's duties under section 256D.0505, subdivision 2, and the person's right to appeal (1) at the time an application is approved based on this clause, and (2) at the time the person is referred to literacy training; or

(16) a child under the age of 18 who is not living with a parent, stepparent, or legal custodian, but only if: the child is legally emancipated or living with an adult with the consent of an agency acting as a legal custodian; the child is at least 16 years of age and the general assistance grant is approved by the director of the local agency or a designated representative as a component of a social services case plan for the child; or the child is living with an adult with the consent of the child's legal custodian and the local agency.

(b) The following persons or families with income and resources that are less than the standard of assistance established by the commissioner are eligible for and entitled to a maximum of six months of general assistance during any consecutive 12-month period, after registering with and completing six months in a work readiness program under section 256D.051:

(1) a person who has borderline mental retardation; and

(2) a person who exhibits perceptible symptoms of mental illness as certified by a qualified professional but who is not eligible for general assistance under paragraph (a), because the mental illness interferes with the medical certification process; provided that the person cooperates with social services, treatment, or other plans developed by the local agency to address the illness.

In order to retain eligibility under this paragraph, a recipient must continue to cooperate with work and training requirements as determined by the local agency.

Sec. 37. Minnesota Statutes 1988, section 256D.051, subdivision 1, is amended to read:

Subdivision 1. [WORK REGISTRATION.] *Except as provided in section 256D.06, subdivision 1d, a person, family, or married couple whose income and resources are less than the standard of assistance established by the commissioner, but who are not eligible to receive general assistance under section 256D.05, subdivision 1, are eligible for a work readiness program. Upon registration, a registrant is eligible to receive assistance in an amount equal to general assistance under section 256D.05, subdivision 1, for a maximum of six months during any consecutive 12-month period, subject to subdivision 3. The local agency shall pay work readiness assistance in monthly payments beginning at the time of registration."*

Page 441, after line 20, insert:

"Sec. 41. Minnesota Statutes 1988, section 256D.06, is amended by adding a subdivision to read:

Subd. 1d. [GENERAL ASSISTANCE AND WORK READINESS FOR NEW RESIDENTS.] This subdivision applies to assistance units without minor children who have been residing in the state less than six months. General assistance and work readiness assistance must be granted to an eligible unit in an amount that, when added to the nonexempt income actually available to the assistance unit, will equal the amount of assistance the unit received or was eligible to receive in the last state in which the unit resided, up to a maximum amount. The maximum amount is the assistance that would be paid to the unit under subdivision 1. Nonexempt income is the income considered available under Minnesota Rules, parts 9500.1200 to 9500.1270."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 45 and nays 19, as follows:

Those who voted in the affirmative were:

Adkins	Chmielewski	Frederickson, D.R.	Lessard	Purfeerst
Anderson	Dahl	Gustafson	McGowan	Ramstad
Beckman	Davis	Johnson, D.E.	McQuaid	Reichgott
Belanger	Decker	Knaak	Mehrkens	Renneke
Benson	DeCramer	Knutson	Metzen	Schmitz
Berg	Diessner	Kroening	Novak	Storm
Bernhagen	Frank	Laidig	Olson	Stumpf
Bertram	Frederick	Langseth	Pariseau	Taylor
Brataas	Frederickson, D.J.	Larson	Pehler	Vickerman

Those who voted in the negative were:

Berglin	Freeman	Marty	Peterson, R.W.	Solon
Brandl	Hughes	Merriam	Piper	Spear
Cohen	Johnson, D.J.	Morse	Pogemiller	Waldorf
Dicklich	Lantry	Peterson, D.C.	Samuelson	

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 13, after line 16, insert:

"Of this appropriation, \$2,275,000 the second year is to establish new veterans nursing homes in Luverne and Fergus Falls. This appropriation does not include an amount for a Silver Bay nursing home."

Page 43, after line 22, insert:

"Sec. 31. [198.345] [VETERANS HOME; FERGUS FALLS.]

Subdivision 1. [ESTABLISHMENT.] The board shall establish a veterans home in Fergus Falls to provide at least 60 beds for skilled nursing care in conformance with licensing rules of the department of health.

Subd. 2. [FUNDING.] The home must be purchased or built with funds, 65 percent of which must be provided by the federal government, and 35 percent by other nonstate sources, including local units of government, veterans' organizations, and corporations or other business entities. Contracts made by the board for the purposes of this section are subject to chapter 16B.

Sec. 32. [198.346] [VETERANS HOME; LUVERNE.]

Subdivision 1. [ESTABLISHMENT.] The board shall establish a veterans home in Luverne to provide at least 60 beds for skilled nursing care in conformance with licensing rules of the department of health.

Subd. 2. [FUNDING.] The home must be purchased or built with funds, 65 percent of which must be provided by the federal government, and 35 percent by other nonstate sources, including local units of government, veterans' organizations, and corporations or other business entities. Contracts made by the board for the purposes of this section are subject to chapter 16B."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Mr. Samuelson imposed a call of the Senate for the balance of the proceedings on H.F. No. 1759. The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the adoption of the Knaak amendment.

The roll was called, and there were yeas 15 and nays 44, as follows:

Those who voted in the affirmative were:

Anderson	Decker	Knutson	Mehrkens	Ramstad
Benson	Frederick	Larson	Olson	Renneke
Bernhagen	Knaak	McQuaid	Pariseau	Storm

Those who voted in the negative were:

Adkins	Davis	Hughes	Merriam	Reichgott
Beckman	DeCramer	Johnson, D.E.	Metzen	Samuelson
Berg	Dicklich	Johnson, D.J.	Moe, R. D.	Schmitz
Berglin	Diessner	Kroening	Morse	Solon
Bertram	Frank	Laidig	Novak	Spear
Brandl	Frederickson, D.J.	Langseth	Peterson, D.C.	Stumpf
Chmielewski	Frederickson, D.R.	Lantry	Peterson, R. W.	Vickerman
Cohen	Freeman	Marty	Piper	Waldorf
Dahl	Gustafson	McGowan	Purfeerst	

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

Ms. Piper moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 43, after line 22, insert:

"Sec. 31. Minnesota Statutes 1988, section 157.14, is amended to read: 157.14 [EXEMPTIONS.]

This chapter shall not be construed to apply to interstate carriers under the supervision of the United States Department of Health, Education and Welfare or to any building constructed and primarily used for religious worship, nor to any building owned, operated and used by a college or university in accordance with regulations promulgated by the college or university. Any person, firm or corporation whose principal mode of business is licensed under sections 28A.04 and 28A.05 is exempt at that premises from licensure as a place of refreshment or restaurant; provided, that the holding of any license pursuant to sections 28A.04 and 28A.05 shall not exempt any person, firm, or corporation from the applicable provisions of the chapter or the rules of the state commissioner of health relating to food and beverage service establishments. This chapter does not apply to family day care homes or group family day care homes governed by sections 245.781 to 245.812 *and does not apply to nonprofit senior citizen centers for the sale of home-baked goods.*"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Samuelson moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 441, after line 20, insert:

"Sec. 39. [256D.131] [DETERMINATION OF CONSTITUTIONALITY.]

At the request of the commissioner of human services, the attorney general shall analyze any provision of this chapter to determine whether the provision is in conflict with the Constitution of the United States or of this state. If the attorney general determines that a provision in this chapter is unconstitutional and is likely to be declared invalid by a court, the commissioner of human services shall not enforce or implement the provision and shall publish notice of this action in the State Register after notifying the chairs of health and human services committees of the senate and house of representatives."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 35 and nays 32, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Lantry	Moe, R.D.	Purfeerst
Beckman	Dicklich	Lessard	Morse	Reichgott
Berglin	Frederickson, D.J.	Luther	Pehler	Samuelson
Brandl	Freeman	Marty	Peterson, D.C.	Schmitz
Chmielewski	Hughes	Merriam	Peterson, R.W.	Solon
Cohen	Johnson, D.J.	Metzen	Piper	Spear
Davis	Kroening	Moe, D.M.	Pogemiller	Vickerman

Those who voted in the negative were:

Anderson	Dahl	Johnson, D.E.	McQuaid	Storm
Belanger	Decker	Knaak	Mehrkens	Stumpf
Benson	Diessner	Knutson	Novak	Taylor
Berg	Frank	Laidig	Olson	Waldorf
Bernhagen	Frederick	Langseth	Pariseau	
Bertram	Frederickson, D.R.	Larson	Ramstad	
Brataas	Gustafson	McGowan	Renneke	

The motion prevailed. So the amendment was adopted.

Mr. Decker moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 12, after line 9, insert:

“The commissioner shall continue to operate the Lakeside chemical dependency program at Ah-Gwah-Ching Center and may not transfer the program to another location.”

Page 284, line 23, after the period, insert “*The commissioner shall operate a chemical dependency program at Ah-Gwah-Ching Center.*”

The motion prevailed. So the amendment was adopted.

Mr. Knaak moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 6, delete line 36 and insert:

“\$152,845,000 \$155,162,000”

Page 14, line 47, delete “31,727,000” and insert “34,727,000” and delete “32,219,000” and insert “35,219,000”

Page 14, after line 47, insert:

“Of this appropriation, \$3,000,000 each year is for battered women grants to expand services in counties where access to services is limited or nonexistent and to increase grant funds for special projects.”

Correct the subdivision and section totals and the summaries by fund accordingly

Page 440, after line 14, insert:

"Sec. 36. Minnesota Statutes 1988, section 256D.051, subdivision 1, is amended to read:

Subdivision 1. [WORK REGISTRATION.] A person, family, or married couple whose income and resources are less than the standard of assistance established by the commissioner, but who are not eligible to receive general assistance under section 256D.05, subdivision 1, are eligible for a work readiness program. Upon registration, a registrant is eligible to receive assistance in an amount equal to general assistance under section 256D.05, subdivision 1, for a maximum of ~~six~~ *four* months during any consecutive 12-month period, subject to subdivision 3. The local agency shall pay work readiness assistance in monthly payments beginning at the time of registration."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Mr. Taylor moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 5, delete line 43 and insert:

"Subd. 4. Social Services	120,128,000	122,209,000
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\$330,000 each year of the appropriation for the child care sliding fee program must be used for families who are eligible for a partial child care sliding fee subsidy but whose income exceeds the maximum income level under which the entire cost of child care is paid."

Correct the subdivision and section totals and the summaries by fund accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 39, as follows:

Those who voted in the affirmative were:

Belanger	Frederick	Knutson	Mehrkens	Storm
Benson	Frederickson, D.R.	Laidig	Olson	Taylor
Bernhagen	Gustafson	Larson	Pariseau	
Brataas	Johnson, D.E.	McGowan	Ramstad	
Decker	Knaak	McQuaid	Renneke	

Those who voted in the negative were:

Adkins	Dahl	Johnson, D.J.	Moe, R. D.	Reichgott
Beckman	DeCramer	Kroening	Morse	Samuelson
Berg	Dicklich	Lantry	Novak	Schmitz
Berglin	Diessner	Lessard	Peterson, D.C.	Solon
Bertram	Frank	Luther	Peterson, R. W.	Spear
Brandl	Frederickson, D.J.	Marty	Piper	Stumpf
Chmielewski	Freeman	Merriam	Pogemiller	Vickerman
Cohen	Hughes	Metzen	Purfeerst	

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

Mr. McGowan moved to amend H.F. No. 1759, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1630.)

Page 441, after line 20, insert:

"Sec. 39. [256D.061] [PERSONS WITHOUT A PERMANENT RESIDENCE; WEEKLY ISSUANCE.]

For applicants or recipients of work readiness assistance who do not have a verified residence address, the local agency may determine eligibility and provide assistance on a weekly basis."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

H.F. No. 1759 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 8, as follows:

Those who voted in the affirmative were:

Adkins	Decker	Knaak	Metzen	Renneke
Beckman	DeCramer	Knutson	Moe, R.D.	Samuelson
Belanger	Dicklich	Kroening	Morse	Schmitz
Berg	Diessner	Laidig	Novak	Solon
Berglin	Frank	Langseth	Pariseau	Storm
Bernhagen	Frederick	Lantry	Pehler	Stumpf
Bertram	Frederickson, D.R.	Larson	Peterson, D.C.	Vickerman
Brandl	Freeman	Lessard	Peterson, R. W.	Waldorf
Chmielewski	Gustafson	Luther	Piper	
Cohen	Hughes	Marty	Pogemiller	
Dahl	Johnson, D.E.	McQuaid	Purfeerst	
Davis	Johnson, D.J.	Merriam	Reichgott	

Those who voted in the negative were:

Anderson	Brataas	Mehrkens	Ramstad	Taylor
Benson	McGowan	Olson		

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

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Orders of Business of Messages from the House, Reports of Committees and Second Reading of Senate Bills. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 847, 858, 1258, 583 and 590.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1989

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 956:

H.F. No. 956: A bill for an act relating to insurance; clarifying the calculation of underinsured motorist benefits; amending Minnesota Statutes 1988, section 65B.49, subdivisions 3a and 4a.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Carruthers, Kelly, Dempsey, Simoneau and Bishop have been appointed as such committee on the part of the House.

House File No. 956 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 1989

Ms. Peterson, D.C. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 956, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Merriam from the Committee on Finance, to which was re-referred

S.F. No. 95: A bill for an act relating to environment; requiring counties to provide an opportunity to recycle; requiring transportation of recyclable materials to processing and markets; requiring haulers of solid waste and recyclable materials to be licensed by local governments; requiring a charge for solid waste collection on a volume basis; providing financial assistance to counties for collection, transportation, processing, handling, and secondary market development of recyclables; imposing fees for land disposal of solid waste; assessing recycling fees to property owners based on generation of solid waste; developing a recycling and waste reduction program for use in schools; establishing a recycling account; requiring public agency purchase of recycled materials; reviewing barriers to recycling in public

buildings; prohibiting incineration and land disposal of recyclable materials; prioritizing incineration and land disposal of waste; authorizing local governments to prohibit and remove unauthorized deposit of solid waste; providing a plan for processing and disposal of solid waste problem materials; appropriating money; amending Minnesota Statutes 1988, sections 115A.03, subdivision 25a, and by adding subdivisions; 115A.072; 115A.12, subdivision 1; 115A.15, subdivision 5, and by adding subdivisions; 115A.46, subdivision 2, and by adding a subdivision; 115A.48, subdivision 3, and by adding a subdivision; 115A.915; 115A.919; 115A.96, subdivision 2, and by adding a subdivision; 116.07, by adding a subdivision; 116K.04, by adding a subdivision; 116P.13; 297A.01, subdivision 3; 297A.25, subdivisions 11 and 16; 297A.44, subdivision 1; 325E.115, subdivision 1; 368.01, subdivision 14; 375.18, by adding a subdivision; 400.08, by adding a subdivision; 412.221, subdivision 22; 473.149, subdivision 1; and 473.803, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16B; 115A; 173; 297A; 325E; and 473.

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

Page 9, line 30, after the period, insert *"An action may not be taken by a county under this section to preclude a person generating or collecting solid waste from delivering recyclable materials to a recycling facility of the generator's or collector's choice."*

Page 13, line 6, delete "may" and insert "shall"

Page 13, line 7, after "facility" insert *"and recycling facility"*

Page 13, line 33, after "FACILITY" insert *"AND RECYCLING FACILITY"* and after "residue" insert *"from recycling facilities at which recyclable materials are separated or processed for the purpose of recycling, and"*

Page 21, delete lines 18 to 23 and insert *"credited to the general fund; three percent must be credited to the Minnesota future resources account."*

Page 25, line 5, before "procuring" insert *"in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use, or involve"*

Page 27, line 1, after the period, insert *"Packaging that is recyclable or made from recycled material shall not constitute a problem material."*

Pages 41 and 42, delete article 7 and insert:

"ARTICLE 7

Section 1. [APPROPRIATIONS.]

\$34,600,000 is appropriated from the general fund to the agencies and for the purposes indicated, to be available for the fiscal year ending June 30 in the years indicated.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

	1990	1991
(a) To the waste management board:		
(1) for solid waste reduction programs	\$ 550,000	\$ 600,000
(2) for solid waste recycling programs	1,887,000	1,887,000

(3) for market development programs	2,000,000	2,000,000
(4) for grants for litter prevention control and abatement	100,000	100,000
(5) for public education	900,000	1,000,000
(6) for distribution to the counties directly for solid waste reduction and recycling	8,500,000	10,800,000
(7) for problem materials collection and disposal	176,000	213,000

The approved complement of the waste management board is increased by 17 positions.

(b) To the pollution control agency:

(1) for programs to identify and manage problem materials	1,000,000	1,000,000
(2) for recycling programs	600,000	750,000

The approved complement of the pollution control agency is increased by seven positions.

(c) To the department of administration for waste reduction, procurement, and recycling

250,000	250,000
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The approved complement of the department of administration is increased by four positions.

(d) To the department of revenue to administer the taxes

37,000	-0--
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And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 1573: A bill for an act relating to commerce; regulating divesting transactions involving a principal domestic subsidiary; authorizing the metropolitan airports commission to approve a change in control of a major tenant at the Minneapolis-St. Paul International Airport; modifying standards that may be considered by certain investment fiduciaries; providing for worker and consumer protections after a leveraged buyout; imposing a tax on golden parachute compensation agreements; amending Minnesota Statutes 1988, sections 80B.01, subdivisions 1, 10, and by adding subdivisions; 268.07, subdivision 2; and 302A.011, subdivision 41, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 80B; 290; 300; 302A; and 325E; proposing coding for new law as Minnesota Statutes, chapters 268A; and 360A.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for May 8, 1989, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass and be referred to the Committee on Taxes and Tax Laws". Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. No. 95 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Peterson, R.W. moved that H.F. No. 654 be taken from the table. The motion prevailed.

H.F. No. 654: A bill for an act relating to education; providing for general education revenue, transportation, special programs, community education, school facilities and equipment, education organization and cooperation, access to education excellence, school breakfast programs, sexual harassment and violence policies, parental involvement programs, libraries, state education agencies and education agency services, providing for limits on open enrollment and post-secondary options; appropriating money; amending Minnesota Statutes 1988, sections 43A.08, subdivision 1a; 120.06, by adding a subdivision; 120.062, subdivisions 4, 6, and by adding a subdivision; 120.17, subdivisions 3, 3b, and by adding a subdivision; 121.88, subdivisions 2 and 5; 121.882, subdivisions 2 and 4; 121.904, subdivision 4a; 121.908, subdivision 5; 121.912, subdivision 1; 121.935, subdivision 6; 122.23, by adding a subdivision; 122.43, subdivision 1; 122.532, subdivision 4; 122.541, subdivision 5; 122.91; 122.92; 122.93, subdivision 2, and by adding subdivisions; 122.94, subdivision 1, and by adding a subdivision; 122.95, subdivision 2, and by adding a subdivision; 123.3514, subdivisions 2, 4, 4c, 5, 7, and 10; 123.39, by adding a subdivision; 123.58, subdivision 9, and by adding a subdivision; 123.702, subdivisions 1, 1a, 2, 3, 4, and by adding subdivisions; 123.703, by adding subdivisions; 123.705, subdivision 1, and by adding a subdivision; 124.17, subdivision 1b; 124.19, subdivision 5; 124.195, subdivision 8; 124.2131, subdivision 1; 124.223; 124.225; 124.243, subdivision 3, and by adding a subdivision; 124.244, subdivision 2; 124.245, subdivision 3b; 124.26, subdivisions 1c, 7, and by adding a subdivision; 124.261; 124.271, by adding subdivisions; 124.2711, subdivisions 1, 3, 4, and by adding a subdivision; 124.2721; 124.273, subdivisions 1b, 4, 5, 7, and by adding a subdivision; 124.32, subdivisions 1b, 1d, and by adding a subdivision; 124.38, subdivision 7; 124.43, subdivision 1, and by adding a subdivision; 124.494, subdivision 2; 124.573, subdivision 2b, and by adding subdivisions; 124.574, subdivisions 1, 4, and 5; 124.575, subdivision 3; 124.82, subdivision 3; 124.83, subdivisions 3, 4, and 6; 124A.02, by adding a subdivision; 124A.03, subdivision 2; 124A.035, subdivisions 2 and 4; 124A.036, by adding a subdivision; 124A.22, subdivisions 2, 4, and 9; 124A.23, subdivision 1; 124A.28, subdivision 1; 124A.31; 126.151, subdivision 2; 126.23; 126.56, subdivision 4, and by adding a subdivision; 126.67, subdivision 8; 128A.09; 129.121, by adding a subdivision; 129C.10; 134.33, subdivision 1; 134.34, subdivisions 1, 2, 3, and 4; 134.35, subdivision 5; 136D.27, subdivision 1; 136D.74, subdivision 2; 136D.87, subdivision 1; 141.35; 273.1102, subdivision 3; 275.011, subdivision 1; 275.125, subdivisions 5, 5b, 5c, 5e, 6e, 6h, 6i, 8, 8b, 8c, 8e, 9, 9a, 9b, 9c, 11d, 14a, and by adding a subdivision; 354.094, subdivisions 1 and 2; 354.66, subdivision 4; 354A.091, subdivisions 1 and 2; 354A.094, subdivision 4; and 363.06, subdivision 3; Laws 1965, chapter 705, as amended; Laws 1976, chapter 20, section 4; Laws

1988, chapter 718, article 7, section 61, subdivisions 1, 2, and 3; chapter 719, article 5, section 84; proposing coding for new law in Minnesota Statutes, chapters 122; 124; 124A; 126; 127; 275; and 363; repealing Minnesota Statutes 1988, sections 120.062, subdivision 8; 123.702, subdivisions 1a, 5, 6, and 7; 124.217; 124.243, subdivision 4; 124.271, subdivision 26; 129B.11; 129B.48; 134.33, subdivision 1; 134.34, subdivision 5; and 275.125, subdivision 6f; Laws 1988, chapter 718, article 5, section 4.

SUSPENSION OF RULES

Mr. Peterson, R. W. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 654 and that the rules of the Senate be so far suspended as to give H.F. No. 654 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 654 was read the second time.

Mr. Peterson, R. W. moved to amend H.F. No. 654 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 654, and insert the language after the enacting clause, and the title, of S.F. No. 1480, the third engrossment.

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Peterson, R. W. imposed a call of the Senate for the balance of the proceedings on H.F. No. 654. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Peterson, R. W. moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 97, line 35, delete "16" and insert "18"

The motion prevailed. So the amendment was adopted.

Mr. Peterson, R. W. then moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 161, after line 25, insert:

"The complement for the office of educational leadership is one state and three federal and must be allocated from the complement authorized in subdivision 1."

The motion prevailed. So the amendment was adopted.

Mr. Peterson, R. W. then moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 132, after line 26, insert:

"Sec. 15. Minnesota Statutes 1988, section 471.38, subdivision 3, is amended to read:

Subd. 3. [ELECTRONIC FUNDS TRANSFER.] Electronic funds transfer is the process of value exchange via mechanical means without the use of checks, drafts or similar negotiable instruments. A school district may make an electronic funds transfer *for the following*:

(1) for a claim for a payment from an imprest payroll bank account or investment of excess money;

(2) for a payment of tax anticipation certificates;

(3) for a payment of contributions to pension or retirement fund;

(4) for vendor payments; and

(5) for payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund. ~~This~~

Subd. 3a. [SCHOOL DISTRICT ELIGIBILITY.] *The authorization in subdivision 3 extends only to a school district which that has enacted all of the following policy controls:*

(a) The school board shall annually delegate the authority to make electronic funds transfers to a designated business administrator;

(b) The dispersing bank shall keep on file a certified copy of the delegation of authority;

(c) The initiator of the electronic transfer shall be identified;

(d) The initiator shall document the request and obtain an approval from the designated business administrator before initiating the transfer;

(e) A written confirmation of the transaction shall be made no later than one business day after the transaction and shall be used in lieu of a check, order check or warrant required to support the transaction;

(f) A list of all transactions made by electronic funds transfer shall be submitted to the school board at its next regular meeting after the transaction."

Renumber the sections of article 9 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Moe, R.D. moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 6, line 15, strike "\$2,800" and insert "\$2,824"

Page 6, line 17, delete "\$2,910" and insert "\$2,937"

Page 9, line 19, strike "\$105" and insert "\$129" and delete "\$215" and insert "\$242"

Page 11, delete lines 10 to 15 and insert:

"\$1,225,195,200 1990,

\$1,295,734,700 1991.

The 1990 appropriation includes \$174,824,000 for 1989 and \$1,050,371,200 for 1990.

The 1991 appropriation includes \$176,230,700 for 1990 and \$1,119,504,000 for 1991."

Page 35, after line 12, insert:

"Sec. 15. [1989 SPECIAL EDUCATION DEFICIENCY.]

\$11,505,000 is appropriated from the general fund to the department of education for fiscal year 1989 for the deficiency in the amount appropriated for special education for fiscal year 1988 by Laws 1987, chapter 398, article 3, section 39, subdivision 2. The department of education shall reduce the amount of the levy certified in 1989 by each school district, according to Minnesota Statutes, section 275.125, subdivision 8c, for special education by the amount that the district will receive as a result of this appropriation. The department of education must consider this appropriation when allocating excess appropriations for fiscal year 1988 under Minnesota Statutes, section 124.14, subdivision 7."

Page 39, line 7, delete "Section 5 is" and insert "Sections 5 and 15 are"

Renumber the sections of article 3 in sequence and correct the internal references

Page 188, after line 5, insert:

"ARTICLE 14

CHARITABLE GAMBLING TAX

Section 1. Minnesota Statutes 1988, section 349.12, subdivision 11, is amended to read:

Subd. 11. [LAWFUL PURPOSE.] (a) "Lawful purpose" means one or more of the following: ~~(a)~~ (1) benefiting persons by enhancing their opportunity for religious or educational advancement, by relieving or protecting them from disease, suffering or distress, by contributing to their physical well-being, by assisting them in establishing themselves in life as worthy and useful citizens, or by increasing their comprehension of and devotion to the principles upon which this nation was founded; ~~(b)~~ (2) initiating, performing, or fostering worthy public works or enabling or furthering the erection or maintenance of public structures; ~~(c)~~ (3) lessening the burdens borne by government or voluntarily supporting, augmenting or supplementing services which government would normally render to the people; ~~or~~ ~~(d)~~ (4) payment of taxes imposed under this chapter, and other taxes imposed by the state or the United States on receipts from lawful gambling, other than taxes imposed by section 349.212; or (5) payment of real estate taxes and assessments on licensed gambling premises wholly owned by the licensed organization.

(b) "Lawful purpose" does not include the erection, acquisition, improvement, expansion, repair, or maintenance of any real property owned or leased by ~~the~~ an organization, unless the board has first specifically ~~authorizes~~ authorized the expenditures after finding: (1) that the property will be used exclusively for one or more of the purposes specified in paragraph (a), clauses ~~(a)~~ (1) to ~~(c)~~ (3); or (2) with respect to expenditures for repair or maintenance only, that the property is or will be used as a meeting place or event location by other nonprofit organizations or community or service groups and that no rental fee is charged for the use; or (3) with respect to expenditures for erection or acquisition only, that the erection

or acquisition is necessary to replace with a comparable building a building owned by the organization and destroyed or made uninhabitable by fire or natural disaster, provided that the expenditure may be only for that part of the replacement cost not reimbursed by insurance. The board may shall by rule adopt procedures and standards to administer this subdivision.

Sec. 2. Minnesota Statutes 1988, section 349.12, subdivision 13, is amended to read:

Subd. 13. [GROSS PROFIT.] "*Gross profit*" means the gross receipts collected from lawful gambling, less reasonable sums necessarily and actually expended for prizes *and less the tax imposed by section 349.212.*

Sec. 3. Minnesota Statutes 1988, section 349.12, is amended by adding a subdivision to read:

Subd. 21. [GROSS RECEIPTS.] "*Gross receipts*" means all receipts derived from lawful gambling activity including, but not limited to, the following items:

(1) gross sales of bingo cards and sheets before reduction for prizes, expenses, or any other charges or offsets;

(2) gross sales of pull-tab and tipboard tickets or cards before reduction for prizes, expenses, or any other charges or offsets;

(3) gross sales of raffle tickets before reduction for prizes, expenses, or any other charges or offsets;

(4) admission, commission, cover, or other charges imposed on participants in lawful gambling activity as a condition for or cost of participation; and

(5) interest, dividends, annuities, profit from transactions, or other income derived from the accumulation or use of gambling proceeds.

Gross receipts does not include proceeds from rental under section 349.164 or 349.18, subdivision 3, for duly licensed bingo hall lessors.

Sec. 4. Minnesota Statutes 1988, section 349.12, is amended by adding a subdivision to read:

Subd. 22. [FISCAL YEAR.] "*Fiscal year*" means the period from July 1 to June 30.

Sec. 5. Minnesota Statutes 1988, section 349.15, is amended to read:

349.15 [USE OF PROFITS.]

Profits from lawful gambling may be expended only for lawful purposes or allowable expenses as authorized at a regular meeting of the conducting organization. Provided that no more than 55 percent of ~~profits~~ *the gross profit* from bingo, and no more than ~~45 50 percent~~ *for of the gross profit* from other forms of lawful gambling, may be expended for ~~necessary~~ *allowable* expenses related to lawful gambling.

The board shall provide by rule for the administration of this section, including specifying allowable expenses. The rules must specify that no more than one-third of the annual premium on a policy of liability insurance procured by the organization may be taken as an allowable expense from the gross receipts from lawful gambling. This expense shall be allowed by the board only to the extent that it relates directly to the conduct of lawful gambling and is verified in the manner the board prescribes by rule. The

rules may provide a maximum percentage of gross receipts which may be expended for certain expenses.

Sec. 6. Minnesota Statutes 1988, section 349.212, subdivision 1, is amended to read:

Subdivision 1. [~~RATE IMPOSITION.~~] There is hereby imposed a tax on all lawful gambling, other than (1) pull-tabs purchased and placed into inventory after January 1, 1987, and (2) tipboards purchased and placed into inventory after June 30, 1988, conducted by organizations licensed by the board at the rate specified in ~~this~~ subdivision 6. The tax imposed by this subdivision is in lieu of the tax imposed by section 297A.02 and all local taxes and license fees except a fee authorized under section 349.16, subdivision 4.

~~On all lawful gambling, other than (1) pull-tabs purchased and placed into inventory after January 1, 1987, and (2) tipboards purchased and placed into inventory after June 30, 1988, The tax imposed under this subdivision is ten percent of computed as provided in subdivision 6 on the gross receipts of a licensed organization from lawful gambling less prizes actually paid out, and is payable by the organization.~~

Sec. 7. Minnesota Statutes 1988, section 349.212, subdivision 4, is amended to read:

Subd. 4. [PULL-TAB AND TIPBOARD TAX.] (a) There is imposed a tax on the sale of each deal of pull-tabs and tipboards sold by a licensed distributor to a licensed organization, or to an organization holding an exemption identification number. The rate of the tax is ~~ten percent of as provided in subdivision 6 on the ideal net gross of the pull-tab and or~~ tipboard deal. The tax is payable to the commissioner of revenue in the manner prescribed in section 349.2121 and the rules of the commissioner. The commissioner shall pay the proceeds of the tax to the state treasurer for deposit in the general fund. The sales tax imposed by chapter 297A on the sale of the pull-tabs and tipboards by the licensed distributor to an organization is imposed on the retail sales price less the tax imposed by this subdivision. The retail sale of pull-tabs or tipboards by the organization is exempt from taxes imposed by chapter 297A if the tax imposed by this subdivision has been paid and is exempt from all local taxes and license fees except a fee authorized under section 349.16, subdivision 4.

(b) The liability for the tax imposed by this section is incurred when the pull-tabs and tipboards are delivered by the distributor to the licensed or exempt organization, to a common or contract carrier for delivery to the organization, or when received by the organization's authorized representative at the distributor's place of business, regardless of the distributor's method of accounting or the terms of the sale.

(c) The exemptions contained in section 349.214, subdivision 2, paragraph (b), do not apply to the tax imposed in this subdivision.

Sec. 8. Minnesota Statutes 1988, section 349.212, is amended by adding a subdivision to read:

Subd. 6. [RATE OF TAX.] *The taxes imposed under subdivisions 1 and 4 shall be computed on the basis of the combined receipts of the organization. As used in this section, "combined receipts" is the sum of the organization's gross receipts from lawful gambling other than receipts from the sale of pull-tabs or tipboards, plus the ideal gross of pull-tab and*

tipboard deals for the fiscal year. The combined receipts of an organization are subject to a tax computed according to the following schedule:

<i>If the annual combined receipts are:</i>	<i>The tax is:</i>
<i>Not over \$700,000</i>	<i>two percent</i>
<i>Over \$700,000 but not over \$900,000</i>	<i>\$14,000 plus four percent of the excess over \$700,000</i>
<i>Over \$900,000</i>	<i>\$22,000 plus six percent of the excess over \$900,000</i>

Sec. 9. Minnesota Statutes 1988, section 349.212, is amended by adding a subdivision to read:

Subd. 7. [TAX COLLECTION.] Notwithstanding subdivision 6, a licensed distributor shall collect the tax imposed under subdivision 4 as if the rate of tax applicable to the ideal gross of the pull-tab or tipboard deal were two percent. Any difference between the tax collected under this subdivision and subdivision 1 and the tax due under subdivision 6 shall be refunded by the commissioner of revenue to the organization within 30 days of the end of the fiscal year or paid to the commissioner of revenue by the organization within 30 days of the end of the fiscal year.

Sec. 10. [REFUND.]

Every organization that has paid the tax under Minnesota Statutes 1988, section 349.2121, on pull-tabs or tipboards that it has in inventory on July 1, 1989, shall submit a request for a refund of the tax to the commissioner of revenue. When the organization has provided proof satisfactory to the commissioner of its eligibility for the refund claimed, the commissioner shall pay the refund. Claims for refunds must be submitted no later than September 1, 1989. The amount necessary to pay the refunds is appropriated to the commissioner of revenue from the general fund.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 5 and 10 are effective July 1, 1989.

Sections 6, 8, and 9 are effective for tax or reporting periods beginning on or after July 1, 1989.

Section 7 is effective for sales occurring on or after July 1, 1989."

Amend the title accordingly

Mr. Frederick requested division of the admendment as follows:

First portion:

Page 6, line 15, strike "\$2,800" and insert "\$2,824"

Page 6, line 17, delete "\$2,910" and insert "\$2,937"

Page 9, line 19, strike "\$105" and insert "\$129" and delete "\$215" and insert "\$242"

Page 11, delete lines 10 to 15 and insert:

"\$1,225,195,200 1990,

\$1,295,734,700 1991.

The 1990 appropriation includes \$174,824,000 for 1989 and \$1,050,371,200 for 1990.

The 1991 appropriation includes \$176,230,700 for 1990 and \$1,119,504,000 for 1991."

Page 35, after line 12, insert:

"Sec. 15. [1989 SPECIAL EDUCATION DEFICIENCY.]

\$11,505,000 is appropriated from the general fund to the department of education for fiscal year 1989 for the deficiency in the amount appropriated for special education for fiscal year 1988 by Laws 1987, chapter 398, article 3, section 39, subdivision 2. The department of education shall reduce the amount of the levy certified in 1989 by each school district, according to Minnesota Statutes, section 275.125, subdivision 8c, for special education by the amount that the district will receive as a result of this appropriation. The department of education must consider this appropriation when allocating excess appropriations for fiscal year 1988 under Minnesota Statutes, section 124.14, subdivision 7."

Page 39, line 7, delete "Section 5 is" and insert "Sections 5 and 15 are"

Re-number the sections of article 3 in sequence and correct the internal references

Second portion:

Page 188, after line 5, insert:

"ARTICLE 14

CHARITABLE GAMBLING TAX

Section 1. Minnesota Statutes 1988, section 349.12, subdivision 11, is amended to read:

Subd. 11. [LAWFUL PURPOSE.] (a) "Lawful purpose" means one or more of the following: ~~(a)~~ (1) benefiting persons by enhancing their opportunity for religious or educational advancement, by relieving or protecting them from disease, suffering or distress, by contributing to their physical well-being, by assisting them in establishing themselves in life as worthy and useful citizens, or by increasing their comprehension of and devotion to the principles upon which this nation was founded; ~~(b)~~ (2) initiating, performing, or fostering worthy public works or enabling or furthering the erection or maintenance of public structures; ~~(c)~~ (3) lessening the burdens borne by government or voluntarily supporting, augmenting or supplementing services which government would normally render to the people; ~~or (d)~~ (4) payment of taxes imposed under this chapter, and other taxes imposed by the state or the United States on receipts from lawful gambling, other than taxes imposed by section 349.212; or (5) payment of real estate taxes and assessments on licensed gambling premises wholly owned by the licensed organization.

(b) "Lawful purpose" does not include the erection, acquisition, improvement, expansion, repair, or maintenance of any real property owned or leased by ~~the~~ an organization, unless the board has first specifically ~~authorized~~ authorized the expenditures after finding: (1) that the property will be used exclusively for one or more of the purposes specified in paragraph (a), clauses ~~(a)~~ (1) to ~~(c)~~ (3); or (2) with respect to expenditures for repair or maintenance only, that the property is or will be used as a meeting

place or event location by other nonprofit organizations or community or service groups and that no rental fee is charged for the use; or (3) with respect to expenditures for erection or acquisition only, that the erection or acquisition is necessary to replace with a comparable building a building owned by the organization and destroyed or made uninhabitable by fire or natural disaster, provided that the expenditure may be only for that part of the replacement cost not reimbursed by insurance. The board may shall by rule adopt procedures and standards to administer this subdivision.

Sec. 2. Minnesota Statutes 1988, section 349.12, subdivision 13, is amended to read:

Subd. 13. [GROSS PROFIT.] "*Gross profit*" means the gross receipts collected from lawful gambling, less reasonable sums necessarily and actually expended for prizes *and less the tax imposed by section 349.212.*

Sec. 3. Minnesota Statutes 1988, section 349.12, is amended by adding a subdivision to read:

Subd. 21. [GROSS RECEIPTS.] "*Gross receipts*" means all receipts derived from lawful gambling activity including, but not limited to, the following items:

(1) *gross sales of bingo cards and sheets before reduction for prizes, expenses, or any other charges or offsets;*

(2) *gross sales of pull-tab and tipboard tickets or cards before reduction for prizes, expenses, or any other charges or offsets;*

(3) *gross sales of raffle tickets before reduction for prizes, expenses, or any other charges or offsets;*

(4) *admission, commission, cover, or other charges imposed on participants in lawful gambling activity as a condition for or cost of participation; and*

(5) *interest, dividends, annuities, profit from transactions, or other income derived from the accumulation or use of gambling proceeds.*

Gross receipts does not include proceeds from rental under section 349.164 or 349.18, subdivision 3, for duly licensed bingo hall lessors.

Sec. 4. Minnesota Statutes 1988, section 349.12, is amended by adding a subdivision to read:

Subd. 22. [FISCAL YEAR.] "*Fiscal year*" means the period from July 1 to June 30.

Sec. 5. Minnesota Statutes 1988, section 349.15, is amended to read:

349.15 [USE OF PROFITS.]

Profits from lawful gambling may be expended only for lawful purposes or allowable expenses as authorized at a regular meeting of the conducting organization. Provided that no more than 55 percent of ~~profits~~ *the gross profit* from bingo, and no more than ~~45~~ 50 percent ~~for of the gross profit~~ from other forms of lawful gambling, may be expended for ~~necessary~~ *allowable* expenses related to lawful gambling.

The board shall provide by rule for the administration of this section, including specifying allowable expenses. The rules must specify that no more than one-third of the annual premium on a policy of liability insurance procured by the organization may be taken as an allowable expense from

the gross receipts from lawful gambling. This expense shall be allowed by the board only to the extent that it relates directly to the conduct of lawful gambling and is verified in the manner the board prescribes by rule. The rules may provide a maximum percentage of gross receipts which may be expended for certain expenses.

Sec. 6. Minnesota Statutes 1988, section 349.212, subdivision 1, is amended to read:

Subdivision 1. [**RATE IMPOSITION.**] There is hereby imposed a tax on all lawful gambling, other than (1) pull-tabs purchased and placed into inventory after January 1, 1987, and (2) tipboards purchased and placed into inventory after June 30, 1988, conducted by organizations licensed by the board at the rate specified in this subdivision 6. The tax imposed by this subdivision is in lieu of the tax imposed by section 297A.02 and all local taxes and license fees except a fee authorized under section 349.16, subdivision 4.

~~On all lawful gambling, other than (1) pull-tabs purchased and placed into inventory after January 1, 1987, and (2) tipboards purchased and placed into inventory after June 30, 1988. The tax imposed under this subdivision is ten percent of computed as provided in subdivision 6 on the gross receipts of a licensed organization from lawful gambling less prizes actually paid out, and is payable by the organization.~~

Sec. 7. Minnesota Statutes 1988, section 349.212, subdivision 4, is amended to read:

Subd. 4. [**PULL-TAB AND TIPBOARD TAX.**] (a) There is imposed a tax on the sale of each deal of pull-tabs and tipboards sold by a licensed distributor to a licensed organization, or to an organization holding an exemption identification number. The rate of the tax is ~~ten percent of as provided in subdivision 6 on the ideal net gross~~ of the pull-tab and or tipboard deal. The tax is payable to the commissioner of revenue in the manner prescribed in section 349.2121 and the rules of the commissioner. The commissioner shall pay the proceeds of the tax to the state treasurer for deposit in the general fund. The sales tax imposed by chapter 297A on the sale of the pull-tabs and tipboards by the licensed distributor to an organization is imposed on the retail sales price less the tax imposed by this subdivision. The retail sale of pull-tabs or tipboards by the organization is exempt from taxes imposed by chapter 297A if the tax imposed by this subdivision has been paid and is exempt from all local taxes and license fees except a fee authorized under section 349.16, subdivision 4.

(b) The liability for the tax imposed by this section is incurred when the pull-tabs and tipboards are delivered by the distributor to the licensed or exempt organization, to a common or contract carrier for delivery to the organization, or when received by the organization's authorized representative at the distributor's place of business, regardless of the distributor's method of accounting or the terms of the sale.

(c) The exemptions contained in section 349.214, subdivision 2, paragraph (b), do not apply to the tax imposed in this subdivision.

Sec. 8. Minnesota Statutes 1988, section 349.212, is amended by adding a subdivision to read:

Subd. 6. [**RATE OF TAX.**] *The taxes imposed under subdivisions 1 and*

4 shall be computed on the basis of the combined receipts of the organization. As used in this section, "combined receipts" is the sum of the organization's gross receipts from lawful gambling other than receipts from the sale of pull-tabs or tipboards, plus the ideal gross of pull-tab and tipboard deals for the fiscal year. The combined receipts of an organization are subject to a tax computed according to the following schedule:

<i>If the annual combined receipts are:</i>	<i>The tax is:</i>
<i>Not over \$700,000</i>	<i>two percent</i>
<i>Over \$700,000 but not over \$900,000</i>	<i>\$14,000 plus four percent of the excess over \$700,000</i>
<i>Over \$900,000</i>	<i>\$22,000 plus six percent of the excess over \$900,000</i>

Sec. 9. Minnesota Statutes 1988, section 349.212, is amended by adding a subdivision to read:

Subd. 7. [TAX COLLECTION.] Notwithstanding subdivision 6, a licensed distributor shall collect the tax imposed under subdivision 4 as if the rate of tax applicable to the ideal gross of the pull-tab or tipboard deal were two percent. Any difference between the tax collected under this subdivision and subdivision 1 and the tax due under subdivision 6 shall be refunded by the commissioner of revenue to the organization within 30 days of the end of the fiscal year or paid to the commissioner of revenue by the organization within 30 days of the end of the fiscal year.

Sec. 10. [REFUND.]

Every organization that has paid the tax under Minnesota Statutes 1988, section 349.2121, on pull-tabs or tipboards that it has in inventory on July 1, 1989, shall submit a request for a refund of the tax to the commissioner of revenue. When the organization has provided proof satisfactory to the commissioner of its eligibility for the refund claimed, the commissioner shall pay the refund. Claims for refunds must be submitted no later than September 1, 1989. The amount necessary to pay the refunds is appropriated to the commissioner of revenue from the general fund.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 5 and 10 are effective July 1, 1989.

Sections 6, 8, and 9 are effective for tax or reporting periods beginning on or after July 1, 1989.

Section 7 is effective for sales occurring on or after July 1, 1989."

Amend the title accordingly

The question was taken on the adoption of the second portion of the Moe, R.D. amendment.

The motion prevailed. So the second portion of the amendment was adopted.

The question was taken on the adoption of the first portion of the Moe, R.D. amendment.

The roll was called, and there were yeas 60 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Johnson, D.E.	McQuaid	Piper
Anderson	Davis	Johnson, D.J.	Mehrkens	Purfeerst
Beckman	Decker	Knaak	Merriam	Ramstad
Belanger	DeCramer	Knutson	Metzen	Reichgott
Benson	Dicklich	Kroening	Moe, R.D.	Renneke
Berg	Diessner	Langseth	Morse	Samuelson
Berglin	Frank	Lantry	Novak	Schmitz
Bernhagen	Frederick	Larson	Olson	Solon
Bertram	Frederickson, D.J.	Lessard	Pariseau	Storm
Brataas	Frederickson, D.R.	Luther	Pehler	Stumpf
Chmielewski	Freeman	Marty	Peterson, D.C.	Taylor
Cohen	Hughes	McGowan	Peterson, R.W.	Vickerman

Messrs. Brandl, Gustafson, Spear and Waldorf voted in the negative.

The motion prevailed. So the first portion of the amendment was adopted.

Mr. Morse moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 6, after line 17, insert:

"Sec. 4. Minnesota Statutes 1988, section 124A.22, is amended by adding a subdivision to read:

Subd. 2a. [ELIGIBILITY FOR INCREASE.] Notwithstanding subdivision 2 or any other law to the contrary, if a school board and the bargaining unit of the teachers in a school district have not ratified a contract by January 15, 1990, for the two-year period ending June 30, 1991, the district is no longer eligible for \$24 of the formula allowance for fiscal year 1990. The total amount of money that would have been paid to districts that are not eligible according to this subdivision shall be allocated to eligible districts according to the number of actual pupil units in all of the eligible districts."

Renumber the sections of article 1 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson, D.J. moved that the following members be excused for a Conference Committee on H.F. No. 1734 at 8:00 p.m.:

Messrs. Novak, Stumpf, Brandl, Pogemiller and Johnson, D.J. The motion prevailed.

Mr. Knaak moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 3, after line 33, insert:

"Sec. 2. [124.2164] [TEACHER RETIREMENT AND FICA AID AND LEVY; DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] In sections 2 to 4 and 275.125, the following terms have the meanings given them.

Subd. 2. [FICA.] "FICA" means the Federal Insurance Contribution Act.

Subd. 3. [TEACHER RETIREMENT OBLIGATIONS.] "Teacher retirement obligations" means a school district's obligations for employer contributions to a teacher retirement fund as required by sections 354.42, subdivisions 3 and 5, and 354A.12, subdivision 2, excluding contributions on behalf of teachers employed at an area vocational technical institute, and excluding contributions based upon salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27.

Subd. 4. [FICA OBLIGATIONS.] "FICA obligations" means a school district's obligations for FICA as required by sections 355.208 and 355.287, excluding contributions on behalf of teachers employed at an area vocational technical institute, and excluding contributions based upon salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27.

Subd. 5. [TEACHER RETIREMENT INFLATION FACTOR.] "Teacher retirement inflation factor" means a factor to be multiplied by a district's teacher retirement obligations for the base year. Fiscal year 1989 is the base year. The teacher retirement inflation factor equals the general education aid formula allowance for the current year, divided by the general education aid formula allowance for the base year.

Subd. 6. [FICA INFLATION FACTOR.] "FICA inflation factor" means a factor to be multiplied by a district's FICA obligations for the base year. Fiscal year 1989 is the base year. The FICA inflation factor equals the general education aid formula allowance for the current year, divided by the general education aid formula allowance for the base year.

Subd. 7. [CURRENT YEAR.] "Current year" means the fiscal year for which a district's aid is computed under the provisions of this section and section 124.2165.

Subd. 8. [INTERMEDIATE SCHOOL DISTRICT.] "Intermediate school district" means a school district organized under chapter 136D.

Subd. 9. [JOINT VOCATIONAL TECHNICAL DISTRICT.] "Joint vocational technical district" means a school district organized under chapter 136C.

Subd. 10. [OTHER EMPLOYING UNITS.] "Other employing units" means secondary vocational education cooperative centers established under section 123.351, special education cooperative centers established under section 120.17, educational cooperative service units established under section 123.58, education districts established under section 122.91, and regional management information centers established under section 121.935.

Subd. 11. [FULL-TIME EQUIVALENT TEACHERS; JOINT VOCATIONAL TECHNICAL AND INTERMEDIATE DISTRICTS.] "Full-time equivalent teachers" means the full-time equivalent number of all teachers as defined in section 125.12, subdivision 1, employed in elementary and secondary programs at an intermediate school district or a joint vocational technical school district, excluding AVTI teachers and excluding teachers paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27.

Subd. 12. [FULL-TIME EQUIVALENT TEACHERS; OTHER EMPLOYING UNITS.] "Full-time equivalent teachers" at secondary vocational cooperative centers, special education cooperative centers, educational cooperative service units, and regional management information centers means the full-time equivalent number of all employees who are members of the state teacher retirement association, excluding employees paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27.

Sec. 3. [124.2165] [TEACHER RETIREMENT AID; SCHOOL DISTRICTS.]

Subdivision 1. [TEACHER RETIREMENT AND FICA AID ALLOWANCE.] "Teacher retirement and FICA aid allowance" for a district that is not an intermediate school district or a joint vocational technical school district is the quotient of (a) the sum of (1) teacher retirement obligations in the base year, multiplied by the teacher retirement inflation factor, and (2) FICA obligations in the base year, multiplied by the FICA inflation factor, divided by (b) the number of pupils in average daily membership in the district in the base year.

Subd. 2. [AID.] Beginning in fiscal year 1991, the state shall pay each district for each fiscal year, teacher retirement and FICA aid in the amount of the teacher retirement and FICA aid allowance under subdivision 1 times the number of pupils in average daily membership in the district for the current school year. However, in no case shall the amount of aid paid to a district for any fiscal year exceed the sum of the district's teacher retirement obligations and FICA obligations for that year. The revenue received from these payments shall be recognized in the appropriate funds of the district in proportion to the related expenditures from each fund.

Subd. 3. [REDISTRIBUTION.] For purposes of aid calculations, the commissioner may redistribute current year teacher retirement and FICA obligations among districts that have agreements for sharing staff or for cooperative education of pupils to adjust for changes in staffing patterns between the base year and the current year resulting from the agreements.

Sec. 4. [124.2166] [TEACHER RETIREMENT AID; INTERMEDIATE DISTRICTS AND OTHER EMPLOYING UNITS.]

Subdivision 1. [CALCULATION.] For an intermediate school district, a joint vocational technical school district, or for other employing units, for each fiscal year the teacher retirement and FICA aid is the product of (1) the sum of (A) teacher retirement obligations in the base year, multiplied by the teacher retirement inflation factor, and (B) FICA obligations in the base year, multiplied by the FICA inflation factor, times (2) the ratio of the number of full-time equivalent teachers or employees as defined in section 2, subdivisions 11 and 12, in the current year, to the number of full-time equivalent teachers or employees in the base year.

Subd. 2. [AID.] Each year beginning with fiscal year 1991, the state shall pay teacher retirement and FICA aid to intermediate school districts, joint vocational technical school districts, and other employing units equal to the district's or employing unit's aid under subdivision 1. However, in no case shall the amount of aid paid to an intermediate school district, joint vocational technical school district, or the employing unit exceed the sum of the intermediate school district, joint vocational technical school district, or other employing unit's teacher retirement obligations and FICA

obligations for that year. The revenue received from these payments shall be recognized in the appropriate funds of the intermediate school districts, joint vocational technical school districts, and other employing units in proportion to the related expenditures from each fund.

Subd. 3. [CHARGES PROHIBITED.] An intermediate school district may not charge member districts for teacher retirement costs in excess of aid paid to the intermediate district under this section."

Page 6, line 16, delete "subsequent"

Page 6, line 17, delete "years" and insert "year 1991" and delete "\$2,910" and insert "\$2,479"

Page 6, after line 17, insert:

"Sec. 7. Minnesota Statutes 1988, section 124A.22, subdivision 4, is amended to read:

Subd. 4. [TRAINING AND EXPERIENCE REVENUE.] (a) The training and experience revenue for each district equals the greater of zero or the result of the following computation:

(a) (1) Subtract ~~4.6~~ 1.25 from the training and experience index.

(b) (2) Multiply the result in clause (a) by the product of ~~\$700~~ \$400 times the actual pupil units for the school year.

(b) A district's training and experience revenue cannot be less per actual pupil unit than its training and experience revenue per actual pupil unit was for fiscal year 1989."

Page 8, strike lines 30 and 31

Renumber the clauses in sequence

Page 9, lines 19 and 20, delete the new language

Page 9, line 33, delete "\$1,156,000,000" and insert "\$1,003,000,000" and delete "and"

Page 9, line 34, delete the new language

Page 11, after line 3, insert:

"Sec. 16. [INSTRUCTIONS TO THE DEPARTMENT OF EDUCATION.]

Notwithstanding section 11, and article 3, sections 8 and 9, the department of education shall determine, for the 1989-1990 school year only, levies under chapter 124A as they were authorized under Minnesota Statutes 1988, section 124A.22."

Page 11, after line 15, insert:

"Subd. 3. [TRA AND FICA AID.] For teacher retirement and FICA aid: \$225,250,000 1991."

Page 11, line 16, delete "3" and insert "4"

Renumber the sections of article 1 in sequence and correct the internal references

Page 31, lines 5, 8, 19, and 21, delete "58" and insert "70"

Page 31, lines 6, 9, 19, and 22, delete "\$15,000" and insert "\$19,500"

Page 35, delete lines 19 to 24 and insert:

"\$182,436,300 1990,
\$192,582,500 1991.

The 1990 appropriation includes \$23,074,000 for 1989 and \$159,362,300 for 1990.

The 1991 appropriation includes \$28,122,800 for 1990 and \$164,459,700 for 1991."

Page 36, line 5, delete "\$5,435,600" and insert "\$5,890,800"

Page 38, delete line 36 and insert:

"\$6,032,700 1990,
\$7,138,600 1991.

The 1990 appropriation includes \$645,000 for 1989 and \$5,387,700 for 1990.

The 1991 appropriation includes \$950,800 for 1990 and \$6,187,800 for 1991."

Page 39, delete lines 1 to 5

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 41, as follows:

Those who voted in the affirmative were:

Belanger	Frederick	Larson	Olson	Taylor
Benson	Frederickson, D.R.	McGowan	Pariseau	
Brataas	Knaak	McQuaid	Ramstad	
Decker	Knutson	Mehrkens	Renneke	

Those who voted in the negative were:

Adkins	DeCramer	Kroening	Moe, R.D.	Solon
Anderson	Dicklich	Langseth	Morse	Spear
Beckman	Diessner	Lantry	Pehler	Stumpf
Berg	Frank	Lessard	Peterson, D.C.	Vickerman
Berglin	Frederickson, D.J.	Luther	Peterson, R.W.	Waldorf
Bertram	Freeman	Marty	Piper	
Brandl	Gustafson	Merriam	Pogemiller	
Cohen	Hughes	Metzen	Reichgott	
Dahl	Johnson, D.J.	Moe, D.M.	Schmitz	

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

Mr. Berg moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 154, strike lines 29 to 32

Re-number the clauses in sequence

Page 155, strike lines 8 and 9

Page 156, strike line 12

Re-letter the paragraphs in sequence

Page 160, line 7, delete "6,000,000" and insert "3,500,000" and delete

- (1) money appropriated and transferred from other state funds;
- (2) fees and charges collected by the corporation;
- (3) income from investments and purchases;
- (4) revenue from loans, rentals, royalties, dividends, and other proceeds collected in connection with lawful corporate purposes; *and*
- (5) gifts, donations, and bequests made to the corporation; *and*
- ~~(6) through the first five full fiscal years, during which proceeds from~~

~~the lottery are received, one-half of the net proceeds of the state-operated lottery must be credited to the greater Minnesota corporation fund. Thereafter, up to one-half, as determined by law each biennium, of the net proceeds from the state-operated lottery must be credited to the greater Minnesota corporation fund."~~

Page 112, after line 10, insert:

"Sec. 20. [129B.81] [CITATION.]

Sections 129B.81 to 129B.85 may be cited as the "education initiatives grant act."

Sec. 21. [129B.82] [APPROVAL AUTHORITY; APPLICATION FORMS.]

Subdivision 1. [APPROVAL BY BOARD.] The state board of education may approve or disapprove applications under section 22 that provide for creation of an innovative program, instructional model, or process to improve education in a school district or group of school districts.

Subd. 2. [APPLICATION FORMS.] The state board of education must prepare application forms and adopt rules under chapter 14 to govern the application process.

Sec. 22. [129B.83] [GRANT APPLICATION PROCESS.]

Subdivision 1. [CRITERIA.] The state board of education shall adopt rules to establish the criteria to be used to qualify for a grant under this section. The rules must require that the district describe its goals for the grant, how the grant will be used to achieve those goals, and measures to assess the success of the program. The board shall consider the following goals in establishing criteria for awarding grants:

(1) teacher mentorship;

(2) incorporating alternative learning models that use technology in instruction and administration, including instruction and administration, including personalized, individualized learning;

(3) incorporating alternative patterns of staff assignments and roles, including a career teacher program, teacher monitoring, and teacher sharing of instructional areas;

(4) developing multiple measures to assess whether pupils have met or exceeded levels of attainment of state and district learner outcomes; and

(5) enhancing community involvement.

Subd. 2. [AWARD OF GRANTS.] The state board of education shall examine all applications, and if a school district or group of school districts is found not qualified under the criteria established under subdivision 1, the state board must promptly notify the school board or boards that applied for the grant. The board shall award grants with the funds available under section 23 and may not prorate available money among qualified applicants. The state board of education shall promptly notify each district of the amount, if any, of the grant awarded to it.

Subd. 3. [REDUCTION OF OTHER REVENUE.] Any amount received by a school district under this section may not be used to reduce any other money to be received by the district.

Subd. 4. [MAXIMUM AMOUNT OF GRANTS.] A grant awarded under this section may not exceed \$1,000,000. A school district may not receive

more than \$2,500,000 under this section in a fiscal year.

Subd. 5. [SCHOOL DISTRICT REPORT.] A school district that receives a grant under this subdivision must file a report with the state board of education 24 months after receipt of the grant on the success of the district in meeting the goals described in subdivision 1 and identify the areas where the goals were not achieved, along with an explanation of the reasons for not meeting the goals.

Subd. 6. [USE OF STAFF] The state board of education may use staff of the department of education to implement this section.

Sec. 23. [129B.84] [EDUCATION INITIATIVES FUND.]

Subdivision 1. [ESTABLISHMENT OF ACCOUNT.] An education initiatives fund is established as an account in the state treasury. The commissioner of finance shall credit to the fund the amounts authorized under this section. All money earned from money in the education initiatives fund must be credited to the education initiatives fund.

Subd. 2. [LOTTERY PROCEEDS.] The commissioner of finance shall credit one-half of the net lottery proceeds from the state-operated lottery to the education initiatives fund.

Subd. 3. [USE OF FUNDS.] Money in the education initiatives fund may only be used for grants under section 22.

Sec. 24. [129B.85] [REPORT.]

The state board of education must report to the education committees of the legislature every two years beginning January 15, 1992, on the implementation of sections 20 to 23."

Renumber the sections of article 7 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Brandl	Knaak	Mehrkens	Storm
Belanger	Decker	Knutson	Olson	Taylor
Benson	Frederick	Larson	Pariseau	Vickerman
Bernhagen	Gustafson	McGowan	Ramstad	Waldorf
Bertram	Johnson, D.E.	McQuaid	Renneke	

Those who voted in the negative were:

Adkins	DeCramer	Kroening	Metzen	Piper
Beckman	Dicklich	Langseth	Moe, D.M.	Purfeerst
Berglin	Diessner	Lantry	Moe, R.D.	Reichgott
Chmielewski	Frank	Lessard	Morse	Samuelson
Cohen	Frederickson, D.J.	Luther	Pehler	Schmitz
Dahl	Frederickson, D.R.	Marty	Peterson, D.C.	Solon
Davis	Freeman	Merriam	Peterson, R.W.	Stumpf

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

Mr. Knutson moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 5, delete lines 23 to 36

Page 6, delete lines 1 to 3

Reletter the paragraphs in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Frank	Knaak	Mehrkens	Reichgott
Beckman	Frederick	Knutson	Metzen	Renneke
Belanger	Frederickson, D.J.	Larson	Novak	Storm
Benson	Frederickson, D.R.	Marty	Olson	Taylor
Brataas	Gustafson	McGowan	Pariseau	Vickerman
Decker	Johnson, D.E.	McQuaid	Ramstad	Waldorf

Those who voted in the negative were:

Adkins	Cohen	Johnson, D.J.	Moe, D.M.	Pogemiller
Berg	Dahl	Kroening	Moe, R.D.	Purfeerst
Berglin	Davis	Langseth	Morse	Samuelson
Bernhagen	DeCramer	Lantry	Pehler	Schmitz
Bertram	Dicklich	Lessard	Peterson, D.C.	Solon
Brandl	Diessner	Luther	Peterson, R.W.	Spear
Chmielewski	Freeman	Merriam	Piper	Stumpf

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

Ms. Olson moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 6, after line 9, insert:

"Sec. 3. Minnesota Statutes 1988, section 124A.03, is amended by adding a subdivision to read:

Subd. 7. [LEVY FOR CERTAIN DISTRICTS.] The school board of a school district located in a city of the first class may levy, without a referendum according to subdivision 2, up to 15 percent of the formula allowance times the estimated number of actual pupil units for the year to which the proceeds of the levy is attributable."

Renumber the sections of article 1 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Decker	Knutson	Novak	Storm
Belanger	Diessner	Larson	Olson	Taylor
Benson	Frederick	McGowan	Pariseau	
Bernhagen	Frederickson, D.R.	McQuaid	Ramstad	
Brataas	Knaak	Mehrkens	Renneke	

Those who voted in the negative were:

Adkins	Davis	Lantry	Pehler	Solon
Beckman	Frank	Lessard	Peterson, D.C.	Spear
Berg	Frederickson, D.J.	Luther	Peterson, R.W.	Vickerman
Berglin	Freeman	Merriam	Piper	Waldorf
Bertram	Gustafson	Metzen	Purfeerst	
Chmielewski	Johnson, D.E.	Moe, D.M.	Reichgott	
Cohen	Kroening	Moe, R.D.	Samuelson	
Dahl	Langseth	Morse	Schmitz	

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

Ms. Reichgott moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 5, line 23, after "(d)" insert "For taxes payable in 1990 and 1991."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

Beckman	Frank	Knutson	Metzen	Renneke
Belanger	Frederick	Larson	Novak	Storm
Benson	Frederickson, D.J.	Marty	Olson	Taylor
Brataas	Frederickson, D.R.	McGowan	Pariseau	
Dahl	Johnson, D.E.	McQuaid	Ramstad	
Decker	Knaak	Mehrkins	Reichgott	

Those who voted in the negative were:

Adkins	Davis	Lessard	Peterson, D.C.	Solon
Anderson	DeCramer	Luther	Peterson, R.W.	Spea
Berglin	Dicklich	Merriam	Piper	Waldorf
Bernhagen	Diessner	Moe, D.M.	Pogemiller	
Bertram	Freeman	Moe, R.D.	Purfeerst	
Chmielewski	Kroening	Morse	Samuelson	
Cohen	Lantry	Pehler	Schmitz	

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

Mr. Frederick moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 6, after line 9, insert:

"Sec. 3. Minnesota Statutes 1988, section 124A.03, is amended by adding a subdivision to read:

Subd. 7. [LEVY FOR CERTAIN DISTRICTS.] The school board of a school district located in a city of the first class may levy, without a referendum according to subdivision 2, up to 15 percent of the formula allowance times the estimated number of actual pupil units for the year to which the proceeds of the levy is attributable."

Renumber the sections of article 1 in sequence and correct the internal references

Page 118, delete lines 10 to 28

Renumber the subdivisions in sequence

Page 163, after line 35, insert:

"Sec. 11. COMMISSIONER OF HUMAN

SERVICES

\$14,444,000 each year of the biennium ending June 30, 1991, is appropriated from the general fund to the commissioner of human services to increase medical assistance rates for nonstate-operated nursing homes. As a condition of receiving an increase, each nursing home must agree to use all of the increase for salary and related costs of personnel in direct-care nursing positions. The commissioner may transfer any part of this amount to the medical assistance account as necessary to obtain federal financial participation, provided the transferred money is used for the purposes identified in this section. The commissioner may require eligible providers to submit additional information and supporting documentation as necessary to analyze provider compliance with this requirement."

Renumber the sections of article 12 in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Knaak	McQuaid	Ramstad
Belanger	Decker	Knutson	Mehrkins	Renneke
Benson	Frederick	Larson	Olson	Storm
Bernhagen	Frederickson, D.R.	McGowan	Pariseau	Taylor

Those who voted in the negative were:

Adkins	Davis	Gustafson	Metzen	Samuelson
Beckman	DeCramer	Kroening	Moe, R.D.	Solon
Berglin	Dicklich	Lantry	Pehler	Spear
Bertram	Diessner	Lessard	Peterson, D.C.	Waldorf
Chmielewski	Frank	Luther	Peterson, R.W.	
Cohen	Frederickson, D.J.	Marty	Piper	
Dahl	Freeman	Merriam	Reichgott	

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

Ms. Olson moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 6, line 17, delete "\$2,910" and insert "\$2,918"

Page 114, after line 36, insert:

"Sec. 3. [124.331] [DESEGREGATION REVENUE.]

Subdivision 1. [ELIGIBILITY.] A district is eligible for revenue if it:

(1) has a desegregation plan that is approved by the state board of education; and

(2) reports the use of its desegregation expenditures, according to the uniform financial accounting and reporting system, to the education committees of the legislature each year by January 1.

Subd. 2. [DESEGREGATION REVENUE.] Desegregation revenue for a district is equal to ten percent of the formula allowance times the number of actual pupil units in the district.

Subd. 3. [DESEGREGATION LEVY.] To obtain desegregation revenue,

a district may levy an amount equal to the desegregation revenue multiplied by the lesser of one or the ratio of:

(1) the quotient derived by dividing the adjusted gross tax capacity of the district for the year preceding the year the levy is certified by the actual pupil units in the district for the school year to which the levy is attributable; to

(2) the equalizing factor for the school year to which the levy is attributable.

Subd. 4. [DESEGREGATION AID.] A district's desegregation aid is the difference between the desegregation revenue and the desegregation levy. If a district does not levy the entire amount permitted, desegregation aid must be reduced in proportion to the actual amount levied."

Pages 116 and 117, delete section 6

Page 118, line 12, after "1990" delete the comma and insert a period

Page 118, delete line 13

Page 118, lines 14, 15, and 17, delete "each year"

Page 118, after line 28, insert:

"Subd. 8. [DESEGREGATION AID.] For desegregation aid:

\$6,570,900 1991.

The 1991 appropriation includes \$6,570,900 for 1991."

Renumber the subdivisions in sequence

Page 120, after line 13, insert:

"Sec. 8. [REPEALER.]

Minnesota Statutes 1988, section 275.125, subdivisions 6e and 6i, are repealed."

Page 120, line 15, before "Section" insert "Section 3 is effective for revenue for fiscal year 1991 and thereafter."

Renumber the sections of article 8 in sequence and correct the internal references

Amend the title accordingly

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

Mr. Metzen moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 3, after line 33, insert:

"Sec. 2. Minnesota Statutes 1988, section 124.217, subdivision 1, is amended to read:

Subdivision 1. [ELIGIBILITY.] A district is eligible for exceptional need revenue if all of the following apply to the district:

(a) The ratio of the average daily membership of pupils enrolled in the district to the number of licensed staff, measured in full-time equivalents, is greater than 17.

(b) The ratio of the referendum levy certified according to section 124A.03

to the adjusted gross tax capacity is greater than ~~-.006~~ .05 percent for taxes payable in 1990 or to the adjusted net tax capacity is greater than .07 percent for taxes payable in 1991 and thereafter.

(c) The ratio of the total levy certified by the district to the adjusted gross tax capacity is greater than ~~-.05~~ .41 percent for taxes payable in 1990 or to the adjusted net tax capacity is greater than .51 percent for taxes payable in 1991 and thereafter.

(d) *Either (1) the ratio of the adjusted gross tax capacity to the actual pupil units is less than ~~\$38,500~~ \$4,710 for taxes payable in 1990 or the ratio of the adjusted net tax capacity to the actual pupil units is less than \$3,786 for taxes payable in 1991 and thereafter, or (2) the district is located in a municipality designated as a redevelopment area according to section 401(a)(4) of the Public Works and Economic Development Act of 1965, Public Law Number 89-136.*

(e) The unappropriated operating fund balance is less than \$100 times the number of actual pupil units.

Before a school board certifies levies to the county auditor, the commissioner shall determine the district's eligibility for exceptional need revenue for the following school year. Eligibility must be based on pupil and staff data from the prior year, levies certified in the prior year, adjusted gross *or* net tax capacity in the prior year, and fund balances on June 30 of the same year."

Page 10, after line 33, insert:

"Sec. 13. [EXCEPTIONAL NEED LEVY INCREASE FOR 1990.]

A district may levy in 1989 an amount equal to the difference between the amount the district could have levied in 1988 if section 2 had been in effect and the amount the district was permitted to levy in 1988 under Minnesota Statutes, section 275.125, subdivision 6f. Notwithstanding Minnesota Statutes, section 121.904, the entire amount of this levy must be recognized as revenue for fiscal year 1990."

Page 11, delete lines 18 to 23 and insert:

"\$521,000 1990,

\$594,000 1991.

The 1990 appropriation includes \$23,000 for 1989 and \$498,000 for 1990. The 1991 appropriation includes \$88,000 for 1990 and \$506,000 for 1991."

Renumber the sections of article 1 in sequence and correct the internal references

Pages 165 and 166, delete section 2

Renumber the sections of article 13 in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Ramstad moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 134, after line 27, insert:

"Sec. 19. [RULEMAKING; ELEMENTARY PREPARATION TIME.]

Subdivision 1. [RULE REQUIRED.] By May 1, 1990, the state board of education shall adopt a rule under Minnesota Statutes, chapter 14, establishing preparation time requirements for elementary school staff that are comparable to the preparation time requirements for secondary school staff established in Minnesota Rules, part 3500.3700, subpart 3. In adopting any rule, the state board shall consider the length and structure of the elementary day and, if appropriate, permit preparation time to be scheduled at more than one time during the school day. The rule must be effective for the 1990-1991 school year. The state board shall establish a process and criteria for granting one year variances from the rule for districts that are unable to comply for the 1990-1991 school year.

Subd. 2. [REPORT ABOUT COSTS TO DISTRICTS.] The state board shall report to the education committees of the legislature about the cost to school districts of implementing the rule adopted according to subdivision 1."

Renumber the sections of article 9 in sequence and correct the internal references

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Davis	Johnson, D.E.	Mehrkens	Renneke
Beckman	Decker	Knaak	Metzen	Storm
Benson	Frederick	Knutson	Olson	Vickerman
Bernhagen	Frederickson, D.J.	Larson	Pariseau	
Brataas	Frederickson, D.R.	McGowan	Ramstad	
Cohen	Gustafson	McQuaid	Reichgott	

Those who voted in the negative were:

Adkins	DeCramer	Langseth	Moe, D.M.	Piper
Berg	Dicklich	Lantry	Moe, R.D.	Purfeerst
Berglin	Diessner	Lessard	Morse	Samuelson
Bertram	Frank	Luther	Pehler	Spear
Chmielewski	Freeman	Marty	Peterson, D.C.	Waldorf
Dahl	Kroening	Merriam	Peterson, R.W.	

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

Mr. Mehrkens moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 19, line 8, delete "5.8" and insert "6.0"

Page 19, line 10, delete "3.7" and insert "6.0"

Page 20, delete lines 18 to 23 and insert:

"\$92,221,900 1990,

\$99,908,600 1991.

The 1990 appropriation includes \$12,773,000 for 1989 and \$79,448,900 for 1990.

The 1991 appropriation includes \$14,020,300 for 1990 and \$85,888,300

for 1991.”

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

Mr. Benson moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 96, after line 24, insert:

“Sec. 34. [BOARD OF CONSOLIDATED DISTRICT.]

Subdivision 1. [SCHOOL BOARD SIZE.] Independent school district Nos. 232, Peterson, and 234, Rushford, may agree to any of the following:

(1) a school board of not more than seven members;

(2) election districts of the size desired by the consolidating districts; and

(3) election of school board members in the manner agreed upon, such as at large from a previously existing district or from the newly consolidated district, some members at large, some members from election districts or from previously existing districts. However, at least six years after the first election of the consolidated district board, the board shall comply with the general provisions of law governing election of school board members. To the extent the provisions of Minnesota Statutes, section 122.23, or any other applicable law are inconsistent with this section, the provisions of this section shall apply.

Subd. 2. [LOCAL APPROVAL.] Subdivision 1 is effective upon approval of the board of independent school district No. 232 and the board of independent school district No. 234 the day following compliance with Minnesota Statutes, section 645.021, subdivision 3, by the board of independent school district No. 232 and the board of independent school district No. 234.”

Renumber the sections of article 6 in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Mr. Benson then moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 117, after line 11, insert:

“Sec. 7. [SPECIAL LEVY.]

Independent school district No. 232, Peterson, may levy an amount not more than \$150,000 for purposes of retiring operating debt. This levy is authorized for taxes payable in 1990, 1991, or 1992. In no case may the sum of the levies exceed \$150,000.”

Renumber the sections of article 8 in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Mr. Benson then moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 70, after line 1, insert:

"Sec. 18. [HANDICAPPED ACCESSIBILITY LEVY: INDEPENDENT SCHOOL DISTRICT NO. 228.]

For handicapped accessibility improvements, independent school district No. 228, Harmony, may levy an amount not more than the lesser of \$100,000 or the costs of the handicapped accessibility improvements. This levy is authorized for taxes payable in 1990, 1991, or 1992. In no case may the sum of the levies exceed \$100,000."

Renumber the sections of article 5 in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Mr. Peterson, R.W. moved to amend H.F. No. 654, as amended by the Senate May 9, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 1480.)

Page 160, line 17, delete the first "256.8" and insert "263.8" and delete the second "256.8" and insert "257.3"

Page 160, line 20, delete the first "406.5" and insert "413.5" and delete the second "406.5" and insert "407.0"

Page 161, line 4, delete "6,624,000" and insert "7,624,000"

Page 161, line 32, delete "8,922,700" and insert "8,892,700"

The motion prevailed. So the amendment was adopted.

H.F. No. 654 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 47 and nays 18, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Lantry	Morse	Samuelson
Beckman	Diessner	Larson	Novak	Schmitz
Berg	Frank	Lessard	Olson	Solon
Berglin	Frederickson, D.J.	Luther	Pehler	Spear
Brandl	Freeman	Marty	Peterson, D.C.	Stumpf
Chmielewski	Gustafson	Mehrkens	Peterson, R.W.	Vickerman
Cohen	Johnson, D.E.	Merriam	Piper	Waldorf
Dahl	Johnson, D.J.	Metzen	Pogemiller	
Davis	Kroening	Moe, D.M.	Purfeerst	
DeCramer	Langseth	Moe, R.D.	Reichgott	

Those who voted in the negative were:

Anderson	Bertram	Frederickson, D.R.	McQuaid	Storm
Belanger	Brataas	Knaak	Pariseau	Taylor
Benson	Decker	Knutson	Ramstad	
Bernhagen	Frederick	McGowan	Renneke	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Peterson, R.W. moved that S.F. No. 1480, on General Orders, be stricken and laid on the table. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr.

Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1759:

H.F. No. 1759: A bill for an act relating to the organization and operation of state government; appropriating money for human services, jobs and training, corrections, health, veterans nursing homes, and other purposes with certain conditions; amending Minnesota Statutes 1988, sections 13.46, subdivision 2; 43A.27, subdivision 2; 62A.045; 62A.046; 62D.041, subdivision 1, and by adding a subdivision; 62D.042, subdivision 1; 62D.05, subdivision 6; 144.50, subdivision 6, and by adding a subdivision; 144.562, subdivisions 2 and 3; 144.651, subdivision 2; 144.698, subdivision 1; 144.701; 144.702, subdivision 2, and by adding subdivisions; 144A.01, subdivision 5, and by adding subdivisions; 144A.04, subdivision 7, and by adding subdivisions; 144A.071, subdivision 3; 144A.073, subdivision 1; 144A.10, subdivisions 5, 6a, and by adding subdivisions; 144A.11, subdivision 3, and by adding a subdivision; 144A.12, subdivision 1; 144A.15, subdivision 1, and by adding subdivisions; 144A.45, subdivision 2; 144A.46; 144A.61; 144A.611; 145.38, subdivision 1; 145.39, subdivision 1; 145.61, subdivision 5; 145.63; 145.882, subdivisions 1 and 7; 146.13; 147.02, subdivision 1; 148B.23, subdivision 1; 148B.27, subdivision 2; 148B.32, subdivision 2; 148B.40, subdivision 3; 148B.42, by adding a subdivision; 149.02; 149.06; 150A.06, subdivision 2a; 153A.13, subdivision 4; 153A.15, subdivision 3; 153A.16; 176.136, subdivisions 1 and 5; 214.04, subdivision 3; 214.06, subdivision 1; 237.70, subdivision 7; 237.701, subdivision 1; 245.461; 245.462; 245.463, subdivision 2, and by adding subdivisions; 245.464; 245.465; 245.466, subdivisions 1, 2, 5, and 6; 245.467, subdivisions 3, 4, and 5; 245.468; 245.469; 245.470, subdivision 1; 245.472, subdivision 1, and by adding a subdivision; 245.473, subdivision 1; 245.474; 245.476, subdivisions 1, 3, and by adding subdivisions; 245.477; 245.478, subdivisions 2 and 3; 245.479; 245.48; 245.482; 245.483; 245.484; 245.485; 245.486; 245.62, subdivision 3; 245.696, subdivision 2; 245.697, subdivisions 1, 2, and 2a; 245.713, subdivision 2; 245.73, subdivisions 1, 2, and 4; 245.771, subdivision 3; 245.91, by adding a subdivision; 245.94, subdivision 1, and by adding a subdivision; 245A.02, subdivisions 3, 9, 10, 14, and by adding a subdivision; 245A.03, subdivisions 1, 2, and 3; 245A.04, subdivisions 1, 3, 5, 6, 7, and by adding subdivisions; 245A.06, subdivisions 1, 5, and by adding a subdivision; 245A.07, subdivision 2; 245A.08, subdivision 5; 245A.095; 245A.12; 245A.13; 245A.14, subdivision 3, and by adding subdivisions; 245A.16, subdivision 1; 246.015; 246.18, subdivision 4; 246.36; 246.50, subdivisions 3, 4, and 5; 246.54; 246.57, subdivision 1; 251.011, subdivision 4, and by adding a subdivision; 252.27, subdivision 1; 252.291, subdivision 2; 252.31; 252.41, subdivision 9; 252.46, subdivisions 1, 2, 3, 4, 6, and 12; 252.47; 252.50; 253.015; 254A.08, subdivision 2; 254B.02, subdivision 1; 254B.03, subdivisions 1 and 4; 254B.04, subdivision 2; 254B.06, subdivision 1; 254B.09, subdivisions 1, 4, and 5; 256.01, subdivision 2, and by adding a subdivision; 256.014, subdivision 1; 256.045, subdivisions 1, 3, 4, 4a, 5, 6, 7, 10, and by adding a subdivision; 256.12, subdivision 14; 256.73, subdivision 3a; 256.736, subdivisions 3, 3b, 4, 10, 11, 14, 16, and by adding subdivisions;

256.737; 256.74, subdivisions 1, 1a, and by adding a subdivision; 256.85; 256.87, subdivision 1a; 256.936, subdivisions 1, 2, and 4; 256.969; 256.974; 256.9741, subdivisions 3, 5, and by adding a subdivision; 256.9742; 256.9744, subdivision 1; 256.975, subdivision 2; 256B.031, subdivision 5; 256B.04, subdivision 14, and by adding a subdivision; 256B.055, subdivisions 7 and 8; 256B.056, subdivisions 3, 4, and 5; 256B.062; 256B.0625, subdivisions 2, 13, 17, and by adding subdivisions; 256B.091, subdivision 3; 256B.092, subdivision 7; 256B.14; 256B.25, by adding a subdivision; 256B.421, subdivision 14; 256B.431, subdivisions 2b, 2e, 2i, 3a, 3f, 3g, 4, and by adding subdivisions; 256B.47, subdivision 3; 256B.48, subdivisions 1, 6, and 8; 256B.501, subdivisions 3, 3g, and by adding subdivisions; 256B.69, subdivisions 4, 5, 11, and by adding a subdivision; 256C.28, subdivision 3, and by adding subdivisions; 256D.01, subdivisions 1, 1a, 1b, and 1c; 256D.02, subdivisions 1 and 4; 256D.03, subdivisions 2, 3, and 4; 256D.05, subdivision 1, and by adding a subdivision; 256D.051, subdivisions 1, 2, 3, 6, 8, 13, and by adding subdivisions; 256D.052, subdivisions 1, 2, 3, and 4; 256D.06, by adding a subdivision; 256D.101; 256D.111, subdivision 5; 256D.35, subdivisions 1, 7, and by adding subdivisions; 256D.36, subdivision 1, and by adding a subdivision; 256D.37, subdivision 1; 256E.03, subdivision 2; 256E.05, subdivision 3; 256E.08, subdivision 5; 256E.09, subdivisions 1 and 3; 256E05, subdivisions 2, 3, and 4; 256E07, subdivision 3a; 256H.01, subdivisions 1, 2, 7, 8, 11, and 12; 256H.02; 256H.03; 256H.05; 256H.08; 256H.09; 256H.10, subdivisions 2, 3, and by adding a subdivision; 256H.11; 256H.12; 256H.15; 256H.18; 256H.20, subdivision 3; 257.071, subdivision 7; 257.55, subdivision 1; 257.57, subdivision 1; 257.62, subdivision 5; 259.47, subdivision 5; 259.49, subdivision 2; 260.251, subdivision 1; 268.0111, subdivision 4, and by adding a subdivision; 268.0122, subdivisions 2 and 3; 268.08, subdivision 1; 268.31; 268.37, by adding a subdivision; 268.86, subdivision 2; 268.871, subdivision 5; 268.88; 287.12; 297.13, subdivision 1; 326.78, subdivision 2; 327.20, subdivision 1; 327C.02, subdivision 2; 357.021, subdivisions 2 and 2a; 517.08, subdivisions 1b and 1c; 518.54, subdivision 6; 518.551, subdivision 10, and by adding a subdivision; 518.611, subdivision 4; 518.613, subdivisions 1, 2, 4, and by adding a subdivision; 609.378; 626.556, subdivisions 2 and 10e; and 626.558; Laws 1984, chapter 654, article 5, section 57, subdivision 1, as amended; Laws 1987, chapter 403, article 3, section 98; Laws 1988, chapter 689, article 2, sections 248 and 269, subdivision 2; repealing Minnesota Statutes 1988, sections 144A.10, subdivision 4a; 150A.06, subdivision 7; 245.462, subdivision 25; 245.471; 245.475; 245.64; 245.698; 245.775; 245.83; 245.84; 245.85; 245.871; 245.872; 245.873; 245A.095, subdivision 3; 246.50, subdivisions 3a, 4a, and 9; 254B.09, subdivision 3; 254B.10; 256.87, subdivision 4; 256.969, subdivisions 2a, 3, 4, 5, and 6; 256B.0625, subdivision 21; 256B.17, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 256B.69, subdivisions 12, 13, 14, and 15; 256D.01, subdivision 1c; 256D.051, subdivision 6a; 256D.052, subdivisions 5, 6, and 7; 256D.06, subdivisions 3, 4, and 6; 256D.35, subdivisions 2, 3, 4, and 8; 256D.36, subdivision 2; 256D.37, subdivisions 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, and 14; 256D.38; 256D.39; 256D.41; 256D.42; 256D.43; 256E.08, subdivision 9; 256E05, subdivision 1; 256H.04; 256H.05, subdivision 4; 256H.06; 256H.07, subdivision 4; 256H.13; 268.86, subdivision 7; 518.613, subdivision 5; Laws 1987, chapter 403, article 5, section 1; proposing coding for new law in Minnesota Statutes, chapters 144; 144A; 145; 157; 196; 245; 246; 251; 252; 253; 254A; 256; 256B; 256D; 256E; 256F; 256H; 259; 268; and 626; proposing coding for new law as Minnesota Statutes, chapter 256I.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Greenfield, Rodosovich, Murphy, Jennings and Anderson, R. have been appointed as such committee on the part of the House.

House File No. 1759 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 1989

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1759, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 372:

H.F. No. 372: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; consolidating certain funds and accounts and making conforming changes; changing the organization, operation, financing, and management of certain courts and related offices; amending Minnesota Statutes 1988, sections 3.099, subdivision 3; 3.732, subdivision 1; 6.48; 6.56; 6.58; 8.15; 8.31, subdivisions 2c and 3; 13.33; 14.07, subdivisions 1 and 2; 14.08; 14.26; 15.06, subdivision 1; 15.50, subdivision 2; 15A.081, subdivision 1; 16A.10, subdivision 1; 16A.123, by adding a subdivision; 16A.125, subdivision 5, and by adding a subdivision; 16A.133, subdivision 1; 16B.24, subdivision 6; 16B.42, subdivision 4; 16B.48, subdivision 2; 16B.61, subdivision 5; 16B.70; 41A.09, subdivision 1; 43A.02, subdivision 25; 43A.17, subdivision 1; 43A.24, subdivision 2; 44A.0311; 69.031, subdivision 5; 69.77, subdivision 2b; 84.0272; 82.0274, by adding a subdivision; 84.084; 84.83, subdivision 1; 84.922, subdivision 3; 84.927, subdivision 1; 84A.51, subdivision 2; 84A.55, subdivision 14; 85.055, subdivision 2; 85.22, subdivisions 1 and 2a; 85.43; 85A.01, subdivisions 1 and 5; 85A.02, subdivisions 2, 5, 5a, 5b, 12, 16, 17, 18; 85A.04, subdivisions 1 and 4; 89.035; 89.036; 89.21; 93.335, subdivision 4; 94.09, subdivision 2; 94.342, subdivision 3; 97A.055, by adding a subdivision; 97A.165; 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 29a, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42; 97A.485, subdivisions 6 and 7; 97B.301, by adding a subdivision; 106A.661, subdivision 2; 112.73; 115.03, subdivision 1; 115A.14, subdivision 4; 115A.908, subdivision 2; 115B.17, subdivision 7; 115B.20, subdivisions 1, 4, and 6; 115B.22, subdivision 7;

115B.24, subdivision 10; 115B.25, subdivision 7; 115B.26; 115C.02, subdivision 6; 115C.08, subdivision 1; 116.41, subdivision 2; 116.65, subdivision 3; 116J.01; 116J.03, subdivision 2; 116J.58, subdivision 1; 116J.64, subdivision 6; 116J.68, subdivision 2; 116J.74, subdivision 5; 116J.873, subdivision 4; 116J.955, subdivisions 1 and 2; 116J.9673, subdivision 4; 116J.970; 116J.971, subdivisions 3, 6, 7, 8, and 9; 116J.982, subdivision 1; 116L.02; 116L.03, subdivisions 2 and 7; 116L.04, subdivision 1; 116N.01, subdivision 3; 116N.02, subdivision 6; 116N.08, subdivisions 4 and 8; 116O.02, and by adding a subdivision; 116O.03, subdivisions 1, 2, 3, and by adding subdivisions; 116O.04, by adding a subdivision; 116O.05; 116O.06, subdivisions 1 and 5; 116O.08, subdivisions 2 and 7; 116O.12; 116O.13; 116O.14; 116O.15; 116P.08, subdivisions 1 and 2; 116P.13; 148B.17; 169.121, subdivision 5a; 169.126, subdivisions 4 and 4a; 169.686, subdivision 3; 176.135, subdivision 1; 190.07; 190.25, subdivision 3; 192.51, subdivision 2; 214.06, subdivision 1; 256.482, subdivisions 3, 7, and by adding a subdivision; 260.193, subdivision 8; 270.069; 270.185, subdivision 1; 273.02, subdivisions 5 and 6; 275.51, subdivision 3f; 284.28, subdivisions 8, 9, and 10; 296.421, subdivision 8; 297.13, subdivision 1; 297.26; 297.32, subdivision 9; 297A.44, subdivision 1; 299D.03, subdivision 7; 302A.821, subdivisions 4 and 5; 307.08, subdivision 5; 336.9-302; 336.9-413; 349.213, subdivision 1; 352.01, subdivision 2b; 353.01, subdivision 2a; 356.215, subdivisions 1 and 4d; 357.021, subdivisions 1a, 2a, and 4; 357.08; 361.03, by adding a subdivision; 373.27, subdivision 3; 402.065; 403.11, subdivision 1; 423A.01, subdivision 2; 423A.02, subdivisions 1 and 2; 462.396, subdivision 4; 462A.21, by adding a subdivision; 466.01, subdivision 6; 469.056, subdivision 4; 469.100, subdivision 6; 471.699; 473.13, subdivision 4; 473.375, subdivision 17; 473.435, subdivision 2; 473.543, subdivision 5; 473.843, subdivision 2; 473.844, subdivision 1; 473.845, subdivision 1; 473.877, subdivision 1; 480.01; 480.058; 480.09, subdivision 5; 480.241, subdivisions 1 and 2; 480.242; 481.01; 481.20; 484.54, subdivision 2; 484.545, subdivisions 2 and 3; 484.62; 484.64, subdivision 3; 484.65, subdivisions 3 and 7; 484.68, subdivision 5; 485.018, subdivisions 5 and 7; 486.05, subdivision 1; 486.055; 486.06; 487.08, subdivision 5; 487.31, subdivision 1; 488.14, subdivision 1; 488A.17, subdivision 2; 488A.31, subdivision 1; 488A.34, subdivision 2; 517.08, subdivision 1c; 525.033; 609.101; 609.5315, subdivision 5; 611.17; 611.21; 611.215, subdivision 2; 611.26, subdivision 2; 611A.61, subdivision 3; 626.861, subdivisions 3 and 4; Laws 1971, chapter 355, section 1, subdivision 2; Laws 1987, chapter 386, article 2, section 22; article 9, section 19; Laws 1988, chapter 686, article 1, section 37; article 2, section 10; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 84; 93; 115A; 116J; 116K; 192; 290; 462A; 469; 473; 480; 611; and 631; proposing coding for new law as Minnesota Statutes, chapter 361A; repealing Minnesota Statutes 1988, sections 3C.035; 3C.056; 11A.22; 16A.133, subdivision 3; 41A.01; 41A.02; 41A.021; 41A.022; 41A.023; 41A.03; 41A.035; 41A.036; 41A.04; 41A.05; 41A.051; 41A.06; 41A.065; 41A.066; 41A.07; 41A.08; 43A.316; 84.0911, subdivisions 1 and 3; 85.051; 85A.01, subdivision 1b; 89.04; 93.221; 94.165; 97A.065, subdivision 3; 97A.071; 97A.075; 115A.162; 116E.01; 116E.02; 116E.03; 116E.035; 116E.04; 116J.941; 116J.942; 116J.968; 161.52; 190.26; 198.001, subdivision 5; 344.03; 383B.63, subdivisions 4 and 5; 469.121, subdivision 1; 469.148; 469.149; 480.242, subdivision 4; 480.245; 486.07; 487.31, subdivision 4; 488A.05; 488A.111; 488A.22; 488A.281; 525.012, subdivisions 1, 2, 3, and 4; 611.07; 611.071; 611.12; 611.214; and 611.25, subdivision 2; Laws 1975, chapter 258, section 6, subdivisions 1, 3, 4, and 5; Laws 1983,

chapter 334, section 7, as amended; Laws 1984, chapter 564, section 48; and Laws 1988, chapter 686, article 1, sections 14, paragraph (j); 21; 37, subdivision 10; and article 2, section 9.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Kahn; Battaglia; Solberg; Carlson, D. and Osthoff have been appointed as such committee on the part of the House.

House File No. 372 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 1989

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 372, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, 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.

Messrs. Pogemiller and Johnson, D.J. introduced—

S.F. No. 1635: A bill for an act relating to taxation; requiring payment of large tax liabilities by electronic funds transfer or cash equivalents; proposing coding for new law in Minnesota Statutes, chapter 270.

Referred to the Committee on Taxes and Tax Laws.

Mr. Frank introduced—

S.F. No. 1636: A resolution memorializing the management of the National Hockey League to take action to end the violence in professional hockey.

Referred to the Committee on General Legislation and Public Gaming.

Messrs. Novak; Johnson, D.J.; Stumpf; Dahl and Frank introduced—

S.F. No. 1637: A bill for an act relating to taxation; sales and use; providing an exemption for tangible personal property purchased by an organization organizing the amateur athletic festival in 1990; amending Minnesota Statutes 1988, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

MOTIONS AND RESOLUTIONS - CONTINUED**RECESS**

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 266: Messrs. Stumpf, Bernhagen and Diessner.

H.F. No. 956: Ms. Peterson, D.C.; Messrs. Luther, Solon, Knaak and Ms. Olson.

H.F. No. 1759: Messrs. Samuelson, Knutson, Mrs. Lantry, Ms. Piper and Berglin.

H.F. No. 372: Messrs. Kroening; Luther; Solon; Frederickson, D.R. and Merriam.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

MEMBERS EXCUSED

Mrs. Pariseau was excused from the Session of today from 12:00 noon to 1:45 p.m. Mr. Dicklich was excused from the Session of today from 12:00 noon to 3:00 p.m. Mr. Beckman was excused from the Session of today from 1:55 to 2:15 p.m. Mr. Kroening was excused from the Session of today from 1:55 to 2:55 p.m. Mr. Frederickson, D.J. was excused from the Session of today from 5:00 to 5:15 p.m. Mr. Laidig was excused from the Session of today at 6:10 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Wednesday, May 10, 1989. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate