

FORTY-FIFTH DAY

St. Paul, Minnesota, Monday, April 24, 1995

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 10:30 a.m. The motion prevailed. The hour of 10:30 a.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Merriam imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by Senator Pat Piper.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

Anderson	Frederickson	Kroening	Neuville	Runbeck
Beckman	Hanson	Laidig	Novak	Sams
Belanger	Hottinger	Langseth	Oliver	Samuelson
Berg	Janezich	Larson	Olson	Scheevel
Berglin	Johnson, D.E.	Lesewski	Ourada	Solon
Bertram	Johnson, D.J.	Lessard	Pappas	Spear
Betzold	Johnson, J.B.	Limmer	Pariseau	Stevens
Chandler	Johnston	Marty	Piper	Stumpf
Chmielewski	Kelly	Merriam	Pogemiller	Terwilliger
Cohen	Kiscaden	Metzen	Price	Vickerman
Day	Kleis	Moe, R.D.	Ranum	Wiener
Dille	Knutson	Mondale	Reichgott Junge	
Finn	Kramer	Morse	Riveness	
Flynn	Krentz	Murphy	Robertson	

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 20, 1995

The Honorable Allan H. Spear
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 687.

Warmest regards,
Arne H. Carlson, Governor

April 21, 1995

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1995 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1995	Date Filed 1995
	228	43		April 20
	457	68	2:20 p.m. April 20	April 20
687		72	2:25 p.m. April 20	April 20

Sincerely,
Joan Anderson Growe
Secretary of State

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1520: A bill for an act relating to the environment; extending the notification requirements for landfarming contaminated soil; amending Minnesota Statutes 1994, section 116.07, subdivision 11.

There has been appointed as such committee on the part of the House:

Bakk, Rukavina and Larsen.

Senate File No. 1520 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 965: A bill for an act relating to transportation; authorizing issuance of permits for 12-foot wide loads of baled straw; changing classification and endorsement requirements to operate a vehicle carrying liquid fertilizer; amending Minnesota Statutes 1994, sections 169.851, subdivision 1; 169.862; and 171.02, subdivision 2a.

There has been appointed as such committee on the part of the House:

Dauner, Brown and Hugoson.

Senate File No. 965 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 381: A bill for an act relating to the military; providing greater flexibility in appointment of members of the armory building commission; authorizing the state armory building commission to use funds for construction; clarifying which municipalities may provide sites for armories; changing provisions for disposal of unused armory sites; clarifying authority for levying taxes for armory construction; clarifying the authority for conveyance of armories to the state; amending Minnesota Statutes 1994, sections 193.142, subdivisions 1, 2, and 3; 193.143; 193.144, subdivisions 1, 2, and 6; 193.145, subdivisions 2, 4, and 5; and 193.148.

There has been appointed as such committee on the part of the House:

McCollum, Osthoff and Rostberg.

Senate File No. 381 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 375: A bill for an act relating to energy; adding pumped hydropower to the list of preferred alternative energy sources; providing for incentive payments to pumped hydropower facilities; amending Minnesota Statutes 1994, sections 216C.051, subdivision 7; and 216C.41, subdivision 1.

There has been appointed as such committee on the part of the House:

Solberg, Marko and Vickerman.

Senate File No. 375 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 308: A bill for an act relating to crime prevention; authorizing special registration plates for certain persons subject to an impoundment order; expanding the definition of prior license revocation; amending Minnesota Statutes 1994, sections 168.042, subdivision 8; and 169.121, subdivision 3.

There has been appointed as such committee on the part of the House:

Skoglund, Entenza and Swenson, D.

Senate File No. 308 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 281: A bill for an act relating to metropolitan government; clarifying language and changing obsolete references; amending Minnesota Statutes 1994, sections 275.066; 473.121, subdivision 11; 473.13, subdivisions 1 and 2; 473.164, subdivision 3; 473.375, subdivisions 9 and 13; 473.385, subdivision 2; 473.386, subdivisions 1, 2, and 5; 473.388, subdivision 4; 473.39, subdivision 1b; 473.446, subdivision 8; 473.448; 473.505; 473.595, subdivision 3; and Laws 1994, chapter 628, article 2, section 5; repealing Minnesota Statutes 1994, section 473.394.

There has been appointed as such committee on the part of the House:

Orfield, Long and Abrams.

Senate File No. 281 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 257: A bill for an act relating to soil and water conservation district boards; providing that the office of soil and water conservation district supervisor is compatible with certain city and town offices; amending Minnesota Statutes 1994, sections 103C.315, by adding a subdivision; and 204B.06, subdivision 1.

There has been appointed as such committee on the part of the House:

Polowski, McCollum and Johnson, V.

Senate File No. 257 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 188: A bill for an act relating to appropriations; permitting use of appropriation to relocate athletic fields and facilities at Brainerd Technical College; authorizing additional design and construction of space at certain community college campuses; requiring plans to provide for joint use of space with certain technical colleges and state universities; authorizing additional construction using nonstate resources; amending Laws 1992, chapter 558, section 2, subdivision 3; and Laws 1994, chapter 643, section 11, subdivisions 6, 8, 10, and 11.

There has been appointed as such committee on the part of the House:

Hasskamp, Sykora and Kinkel.

Senate File No. 188 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 155: A bill for an act relating to wild animals; authorizing poultry farmers to trap great horned owls; amending Minnesota Statutes 1994, section 97B.705.

There has been appointed as such committee on the part of the House:

Tunheim; Olson, E. and Girard.

Senate File No. 155 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

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 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 16: A bill for an act relating to health; modifying provisions relating to the administration and prescription of neuroleptic medications; changing the name of a court in certain circumstances; amending Minnesota Statutes 1994, sections 13.42, subdivision 3; 253B.03, subdivisions 6b and 6c; 253B.05, subdivisions 2 and 3; 253B.12, subdivision 1; and 253B.17, subdivision 1.

There has been appointed as such committee on the part of the House:

Dawkins, Wejcman and Macklin.

Senate File No. 16 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1995

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1709, 244 and 1056.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 21, 1995

FIRST READING OF HOUSE BILLS

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

H.F. No. 1709: A bill for an act relating to the city of Chanhassen; authorizing certain bid specifications for playground equipment on an experimental basis.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1523, now on General Orders.

H.F. No. 244: A bill for an act relating to employment; establishing the governor's workforce development council to replace certain other councils; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1994, sections 126B.02; 121.703; and 268.9755.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 306, now on General Orders.

H.F. No. 1056: A bill for an act relating to transportation; providing for qualifications of drivers of commercial motor vehicles; authorizing metropolitan transit study; requiring metropolitan council to monitor and assess electric vehicle technology; authorizing free transit bus passes for certain students; amending Minnesota Statutes 1994, sections 473.375, by adding subdivisions; and 473.408, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 221; and 473.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 837, now on General Orders.

REPORTS OF COMMITTEES

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 628 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
628	733				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 628 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 628 and insert the language after the enacting clause of S.F. No. 733, the first engrossment; further, delete the title of H.F. No. 628 and insert the title of S.F. No. 733, the first engrossment.

And when so amended H.F. No. 628 will be identical to S.F. No. 733, and further recommends that H.F. No. 628 be given its second reading and substituted for S.F. No. 733, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

S.F. No. 944: A bill for an act relating to education; prekindergarten through grade 12; providing for general education revenue; transportation; special and targeted needs programs; community programs; facilities; organization and cooperation; other education programs; miscellaneous provisions; technology libraries; state agencies; imposing limits on property taxes; providing for appointments; appropriating money; amending Minnesota Statutes 1994, sections 6.62, subdivision 1; 13.43, subdivision 2; 16B.465; 120.062, subdivision 9; 120.064; 120.101, subdivision 5c, and by adding a subdivision; 120.17, subdivision 3b, and by adding a subdivision; 120.73, subdivision 1; 120.74, subdivision 1; 120.75, subdivision 1; 121.11, subdivision 7c; 121.15, subdivision 6; 121.16, by adding a subdivision; 121.207, subdivisions 2 and 3; 121.702, by adding a subdivision; 121.705; 121.706; 121.707, subdivisions 2, 3, 4, 6, and 7; 121.708; 121.709; 121.710; 121.8355, subdivision 2; 121.885, subdivisions 1 and 4; 121.904, subdivisions 4a and 4c; 121.912, subdivisions 1, 1b, and 6; 121.932; 121.935; 121.936; 122.21, subdivision 4; 122.532, subdivision 3a; 122.91, subdivisions 1, 2, and 2a; 122.92, subdivision 1; 122.93, subdivision 1; 122.94, subdivision 1; 123.34, by adding a subdivision; 123.35, subdivisions 19a and 19b; 123.351, subdivisions 1, 3, 4, and 5; 123.3514, subdivisions 3, 4, 4a, 4e, 5, 6c, 7, 8, and by adding a subdivision; 123.39, subdivisions 1 and 6; 123.70, subdivision 8; 123.76; 123.78, subdivisions 1, 2, and 3; 123.79, subdivision 1, and by adding a subdivision; 123.7991, subdivisions 2 and 3; 123.805, subdivisions 1 and 2; 124.06; 124.155, subdivision 2; 124.17, subdivisions 1, 2f, and by adding a subdivision; 124.195, subdivisions 10, 11, and by adding a subdivision; 124.214, subdivisions 2 and 3; 124.223; 124.225, subdivisions 1, 3a, 7b, 7d, 7f, 8a, 8l, 8m, and 9; 124.226, subdivisions 3, 4, and 9; 124.243, subdivision 2; 124.244, subdivision 1; 124.2445; 124.248; 124.261, subdivision 1; 124.2725, subdivisions 1, 3, 4, and 15; 124.2726, subdivisions 1, 2, and 4; 124.2727, subdivision 6d; 124.2728, subdivision 1; 124.273, by adding subdivisions; 124.32, subdivisions 6, 7, and 10; 124.321; 124.322; 124.323, by adding a subdivision; 124.431, subdivision 2; 124.573, subdivision 3; 124.574, subdivision 9, and by adding subdivisions; 124.83, subdivision 4; 124.84, subdivision 3; 124.91, subdivisions 3 and 5; 124.912, subdivision 1; 124.916, subdivision 2; 124.918, subdivisions 1 and 2; 124.95, subdivisions 2, 4, and 6; 124.961; 124A.03, subdivisions 1c, 1g, 1h, and 2; 124A.22, subdivisions 1, 2, 3, 4, 4a, 4b, 6, 6a, 8a, 9, and by adding subdivisions; 124A.225, subdivision 1; 124A.23, subdivisions 1 and 4; 124A.24; 124A.29; 124C.07; 124C.08, subdivision 2; 124C.45, subdivision 1; 124C.46, subdivision 2; 124C.48, subdivision 1; 124C.60, subdivision 1; 125.12, subdivision 3; 125.62, subdivision 7; 126.031, subdivision 1; 126.15, subdivision 2; 126.22, subdivisions 2, 3, 3a, and 8; 126.23; 126.237; 126.49, by adding a subdivision; 126.70; 126.78, subdivision 2; 126B.01; 126B.03, subdivisions 2 and 3; 127.40; 127.41; 127.42; 128A.02, subdivisions 1 and 3; 128A.021; 128A.022, subdivisions 1 and 6; 128A.024, subdivision 4; 128A.025, subdivisions 1 and 2; 128A.026; 128A.05, subdivisions 1 and 2; 128B.08; 128B.10, subdivision 1; 134.155; 134.351, subdivision 4; 169.01, subdivision 6; 169.21, subdivision 2; 169.444, subdivision 2; 169.4502, subdivision 4; 169.4503, by adding a subdivision; 169.451, by adding a subdivision; 169.452; 169.454, subdivision 5, and by adding a subdivision; 171.01, subdivision 21; 171.18, subdivision 1; 171.321, subdivisions 3, 4, and 5; 171.3215, subdivisions 1, 2, and 3; 237.065; 268.06, subdivision 27; 275.065, subdivision 1; 275.60; 469.1831, subdivision 4; and 631.40, subdivision 1a; Laws 1965, chapter 705, section 1, subdivisions 3 and 4; Laws 1992, chapter 499, article 11, section 9, as amended; Laws 1993, chapter 224, article 8, section 21, subdivision 1; section 22, subdivision 12, as amended; and article 12, sections 39 and 41; Laws 1994, chapter 587, article 3, section 19, subdivision 1; and chapter 647, articles 3, section 25; and 7, section 15; proposing coding for new law in Minnesota Statutes, chapters 120; 121; 123; 124; 125; 126B; 127; 136D; 145; and 169; repealing Minnesota Statutes 1994, sections 3.198; 121.702, subdivision 9; 121.703; 121.912, subdivisions 7 and 8; 121.93; 121.931; 121.933; 123.3514, subdivision 9; 123.37, subdivision 1b; 123.58; 124.17, subdivisions 1b, 1d, and 1e; 124.225, subdivisions 1, 3a, 7a, 7b, 7d, 7e, 8a, 8k, 8m, and 10; 124.226; 124.243; 124.244; 124.2455; 124.273, subdivisions 1b and 2c; 124.32, subdivisions 1b, 1c, 1d, 1f, 2, 2b, 3a, and 10; 124.573, subdivisions 1, 2, 2b, 2e, 2f, 3a, and 5a; 124.574, subdivisions 2b, 3, 4, and 4a; 124.83; 124.91, subdivision 2; 124.912, subdivisions 2, 7, and 8; 124.962; 124A.22, subdivisions 4, 4a, and 4b; 124A.26; 124A.27, subdivision 11; 125.05, subdivision 7; 125.231, subdivision 2; 126.019; 126B.02; 126B.03, subdivision 1; 126B.04; 126B.05; 128A.02, subdivisions 2, 4, and 5; and 128A.03; Laws 1992, chapter 499, article 7, section 27; Laws 1993, First Special Session chapter 2, article 5, sections 1; 2, as amended; 3; 4; 5; and 6.

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

Page 70, line 29, delete ".047" and insert ".0485"

Page 101, line 24, delete "clause (ii)"

Page 118, line 21, delete "40" and insert "28"

Page 142, line 26, before "and" insert "15."

Page 173, delete lines 29 to 32

Page 173, line 33, delete "26" and insert "25"

Page 173, lines 35 and 36, delete "\$500,000" and insert "\$750,000"

Page 174, line 2, delete "\$250,000" and insert "\$500,000"

Page 174, line 7, delete "27" and insert "26"

Page 174, line 14, delete "28" and insert "27"

Page 174, line 26, delete "29" and insert "28"

Page 174, lines 29 and 30, delete "\$1,600,000" and insert "\$1,662,000"

Page 174, line 33, delete "30" and insert "29"

Page 175, line 26, delete "31" and insert "30"

Page 175, lines 28 and 29, delete "\$190,000" and insert "\$197,000"

Page 176, line 7, delete "32" and insert "31"

Page 176, line 15, delete "33" and insert "32"

Page 176, line 20, delete "34" and insert "33"

Page 208, line 22, after "subdivisions" insert "7 and" and delete "and 8a"

Page 215, line 11, after "subdivisions" insert "7 and"

Page 215, line 12, delete "and 8a"

Page 244, line 17, after "subdivisions" insert "7 and" and delete "and 8a"

Page 271, line 26, delete "1996" and insert "1995"

Page 272, line 7, delete "and" and after "94" insert ", and 100"

Page 279, line 29, delete "12" and insert "11"

Page 281, line 3, delete everything after the period

Page 281, delete line 4 and insert "The awards granted in subdivision 1 shall be in accordance with the recommendations of the telecommunications council."

Page 281, delete lines 30 and 31 and insert "The awards granted in subdivision 1 shall be in accordance with the recommendations of the telecommunications council."

Page 282, line 14, after the period, insert "Regional telecommunications councils shall consist of equal representation from K-12 and post-secondary education. There shall also be representation from libraries."

Pages 282 and 283, delete section 11

Page 283, line 13, delete "The council" and insert "Based upon the recommendations of the

telecommunications council, the higher education coordinating board and the department of education"

Page 284, line 29, before the period, insert "in each round of grants"

Page 284, line 35, delete "REGIONAL LINKAGE" and insert "TELECOMMUNICATIONS" and delete "regional"

Page 284, line 36, delete "linkage" and insert "telecommunications" and after "grants" insert "under sections 9 and 10"

Page 285, line 5, after "available" insert "in each year of the biennium"

Page 285, line 6, delete "12" and insert "11"

Page 286, line 10, delete "14" and insert "13"

Page 286, lines 11 and 12, delete "\$4,056,000" and insert "\$3,806,000"

Page 286, line 19, delete the second comma and after "2" insert a comma

Page 299, line 2, delete everything after "(o)"

Page 299, line 3, delete "appropriation,"

Page 309, line 26, delete "124.531" and insert "122.531"

Renumber the sections in sequence

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

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

S.F. No. 1653: A bill for an act relating to the organization and operation of state government; appropriating money for state courts, public safety, public defense, corrections, and related purposes; providing for the transfer of certain money in the state treasury; providing penalties; amending Minnesota Statutes 1994, sections 2.722, subdivision 1, and by adding a subdivision; 3.732, subdivision 1; 15A.081, subdivision 1; 16A.285; 16B.14; 16B.46; 16B.54, subdivision 2; 176.192; 242.31, subdivision 1; 243.23, subdivision 3; 243.51, subdivisions 1 and 3; 243.88, by adding a subdivision; 260.115, subdivision 1; 260.125; 260.126, subdivision 5; 260.131, subdivision 4; 260.181, subdivision 4; 260.185, subdivision 6, and by adding subdivisions; 260.193, subdivision 4; 260.215, subdivision 1; 260.291, subdivision 1; 297C.09; 297C.10, subdivision 1; 299A.02; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivisions 1 and 2; 299A.44; 299A.51, subdivision 2; 299C.01; 299C.03; 299C.065, subdivision 1a; 299C.10, by adding a subdivision; 299C.13; 299C.50; 299C.62, subdivision 4; 299C.65, subdivisions 1 and 2; 352B.01, subdivision 2; 357.021, subdivision 2; 360.0753, subdivision 6; 481.01; 609.055, subdivision 2; 609.101, subdivisions 1, 2, and 3; 609.135, by adding a subdivision; 609.748, subdivision 3a; 611.17; 611.20, by adding subdivisions; 611.35, subdivision 1; 611A.19, subdivision 1; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; 626.841; 626.861, subdivisions 1 and 4; 634.16; 641.14; Laws 1993, chapter 255, sections 1, subdivisions 1 and 4; and 2; proposing coding for new law in Minnesota Statutes, chapters 120; 242; 260; 299A; 299C; 611A; 626.

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

Page 2, delete lines 8 to 14 and insert:

"SUMMARY BY FUND

	1996	1997	TOTAL
General	429,098,000	433,434,000	862,532,000
Environmental	40,000	40,000	80,000

Special Revenue	4,989,000	4,950,000	9,939,000
Trunk Highway	1,488,000	1,490,000	2,978,000
TOTAL	435,615,000	439,914,000	875,529,000"

Page 3, line 20, delete "33" and insert "34"

Page 3, line 27, delete "39" and insert "43"

Page 4, delete lines 17 and 18

Page 5, line 45, delete "S.F. No. 418" and insert "article 5, section 12"

Page 5, line 51, delete "S.F. No. 418" and insert "article 5, section 10"

Page 6, line 8, delete "under S.F. No. 418"

Page 6, line 11, delete from "and" through page 6, line 14, to "them" and insert ", junior high schools, and high schools"

Page 6, line 22, delete "a school district for a" and insert "school districts for"

Page 6, line 23, delete "system" and insert "systems"

Page 6, lines 25 and 26, delete "under S.F. No. 418"

Page 6, line 34, delete "under S.F. No. 418"

Page 6, line 39, delete "17,498,000" and insert "17,598,000" and delete "16,395,000" and insert "16,295,000"

Page 6, line 41, delete "15,526,000" and insert "15,626,000" and delete "14,407,000" and insert "14,307,000"

Page 7, line 26, delete "\$500,000" and insert "\$700,000"

Page 9, line 11, delete "259,334,000" and insert "263,503,000" and delete "281,317,000" and insert "274,306,000"

Page 9, line 35, delete "171,121,000" and insert "176,702,000" and delete "189,859,000" and insert "184,278,000"

Page 9, delete line 37 and insert:

"66,339,000 68,830,000

\$4,200,000 the first year and \$6,400,000 the second year are for a statewide probation and supervised release caseload reduction grant program. The commissioner shall develop guidelines for the distribution of this money among all correctional authorities in the state. The guidelines must provide for the establishment and use of uniform definitions, must give priority to the reduction of high risk offender caseloads at both the state and local level, and may require recipients of funds to report on the expenditure and results achieved. Counties that deliver correctional services through Minnesota Statutes, chapter 260, and that qualify for new probation officers under this program shall receive full reimbursement for the officers' salaries and reimbursement for the

officers' benefits and support as set forth in the probations standards task force report, not to exceed \$70,000 per officer annually. Positions funded by this appropriation may not supplant existing services. Position control numbers for these positions must be annually reported to the commissioner of corrections."

Page 9, line 41, delete "37" and insert "41"

Page 9, line 50, delete "\$5,432,000" and insert "\$4,020,000"

Page 9, line 51, delete "\$5,500,000" and insert "\$4,070,000"

Page 10, delete lines 21 to 27

Page 11, line 5, delete "43" and insert "47"

Page 11, line 17, delete "38" and insert "42"

Page 11, line 29, delete "under S.F. No. 418"

Page 33, after line 12, insert:

"Sec. 28. Minnesota Statutes 1994, section 611.27, subdivision 4, is amended to read:

Subd. 4. [COUNTY PORTION OF COSTS.] That portion of subdivision 1 directing counties to pay the costs of public defense service shall not be in effect between ~~January~~ July 1, 1995, and July 1, ~~1995~~ 1997. This subdivision only relates to costs associated with felony, gross misdemeanor, juvenile, and misdemeanor public defense services. Notwithstanding the provisions of this subdivision, in the first, fifth, seventh, ninth, and tenth judicial districts, the cost of juvenile and misdemeanor public defense services for cases opened prior to January 1, 1995, shall remain the responsibility of the respective counties in those districts, even though the cost of these services may occur after January 1, 1995."

Page 37, after line 25, insert:

"Sec. 37. Laws 1994, chapter 643, section 79, subdivision 1, is amended to read:

Subdivision 1. [GRANTS AUTHORIZED.] The commissioner of corrections shall make grants to Hennepin county, Ramsey county, or groups of counties, excluding counties in the joint powers board operating the northwestern Minnesota juvenile training center for grants made in 1994 or 1995, for up to 75 percent of the construction cost of secure juvenile detention and treatment facilities. The commissioner shall ensure that grants are distributed so that facilities are available for both male and female juveniles, and that the needs of very young offenders can be met. The commissioner shall also require that programming in the facilities be culturally specific and sensitive. To the extent possible, grants should be made for facilities or living units of 15 beds or fewer. No more than one grant shall be made in each judicial district. However, grant proposals may include more than one site, and funds may be authorized to each county in which a site is contained.

Sec. 38. Laws 1994, chapter 643, section 79, subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Applicants must include a cooperative plan for the secure detention and treatment of juveniles among the applicant counties. The cooperative plan must identify the location of facilities. Facilities must be located within 15 20 miles of a permanent chambers within the judicial district, as specified in section 2.722, or at the site of an existing county home facility, as authorized in section 260.094, or at the site of an existing detention home, as authorized in section 260.101.

Sec. 39. Laws 1994, chapter 643, section 79, subdivision 4, is amended to read:

Subd. 4. [ALLOCATION FORMULA.] (a) The commissioner must determine the amount available for grants for counties in each judicial district under this subdivision.

(b) Five percent of the money appropriated for these grants shall be allocated for the counties in each judicial district for a mileage distribution allowance in proportion to the percent each county's surface area comprises of the total surface area of the state. Ninety-five percent of the money appropriated for these grants shall be allocated for the counties in each judicial district using the formula in section 401.10.

(c) The amount allocated for all counties within a judicial district shall be totaled to determine the amount available for ~~a grant~~ grants within that judicial district. Amounts attributable to a county which the commissioner has authorized to cooperate in a grant with a county or counties in an adjacent judicial district shall be reallocated to that judicial district."

Page 43, line 31, delete "33, 36, 40, 41, and 46" and insert "34, 40, 44, 45, and 50"

Page 63, line 8, before the period, insert "under Minnesota Statutes, section 15.039, except that the commissioner of public safety shall continue to provide to the bureau the services currently provided by the offices of finance and administrative services, personnel, diversity, and information systems management"

Page 72, after line 27, insert:

"Subd. 2a. [ADMINISTRATIVE SERVICES.] The commissioner of public safety shall continue to provide to the bureau of criminal apprehension the services provided by the department's offices of finance and administrative services, personnel, diversity, and information systems management."

Page 76, line 9, before "superintendent" insert "commissioner, the"

Page 82, after line 11, insert:

"ARTICLE 5 TRUANCY

Section 1. Minnesota Statutes 1994, section 120.14, is amended to read:

120.14 [ATTENDANCE OFFICERS.]

The board of any district may authorize the employment of attendance officers, who shall investigate truancy or nonattendance at school, make complaints, serve notice and process, and attend to the enforcement of all laws and district rules regarding school attendance. When any attendance officer learns of any case of habitual truancy or continued nonattendance of any child required to attend school the officer shall immediately notify the person having control of such child to forthwith send to and keep the child in school. The attendance officer or designee shall send or convey the notice required by section 260A.03 for a child who is a continuing truant. The officer shall act under the general supervision of the district superintendent.

Sec. 2. Minnesota Statutes 1994, section 171.04, subdivision 1, is amended to read:

Subdivision 1. [PERSONS NOT ELIGIBLE.] The department shall not issue a driver's license hereunder:

(1) To any person who is under the age of 16 years; to any person under 18 years unless such person shall have successfully completed a course in driver education, including both classroom and behind-the-wheel instruction, approved by the state board of education for courses offered through the public schools, or, in the case of a course offered by a private, commercial driver education school or institute, by the department of public safety; except when such person has completed a course of driver education in another state or has a previously issued valid license from another state or country; nor to any person under 18 years unless the application of license is approved by either parent when both reside in the same household as the minor applicant, otherwise the parent or spouse of the parent having custody or with whom the minor is living in the event there is no court order for custody, or guardian having the custody of such minor, or in the event a person under the age of 18 has no living father, mother or guardian, the license shall not be issued to such person unless the application therefor is approved by the person's employer. Driver education courses offered in any public school shall be open for enrollment to persons

between the ages of 15 and 18 years residing in the school district or attending school therein. Any public school offering driver education courses may charge an enrollment fee for the driver education course which shall not exceed the actual cost thereof to the public school and the school district. The approval required herein shall contain a verification of the age of the applicant;

(2) To any person whose license has been suspended during the period of suspension except that a suspended license may be reinstated during the period of suspension upon the licensee furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act;

(3) To any person whose license has been revoked except upon furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act and if otherwise qualified;

(4) To any person who is a drug dependent person as defined in section 254A.02, subdivision 5;

(5) To any person who has been adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, and has not been restored to capacity, unless the department is satisfied that such person is competent to operate a motor vehicle with safety to persons or property;

(6) To any person who is required by this chapter to take an examination, unless such person shall have successfully passed such examination;

(7) To any person who is required under the provisions of the Minnesota no-fault automobile insurance act of this state to deposit proof of financial responsibility and who has not deposited such proof;

(8) To any person when the commissioner has good cause to believe that the operation of a motor vehicle on the highways by such person would be inimical to public safety or welfare;

(9) To any person when, in the opinion of the commissioner, such person is afflicted with or suffering from such physical or mental disability or disease as will affect such person in a manner to prevent the person from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways; nor to a person who is unable to read and understand official signs regulating, warning, and directing traffic;

(10) To a child for whom a court has ordered denial of driving privileges under section 260.191, subdivision 1, or 260.195, subdivision 3a, until the period of denial is completed; or

(11) To any person whose license has been canceled, during the period of cancellation.

Sec. 3. Minnesota Statutes 1994, section 260.131, is amended by adding a subdivision to read:

Subd. 1b. [CHILD IN NEED OF PROTECTION OR SERVICES; HABITUAL TRUANT.] If there is a county attorney mediation program operating in the child's school district, a petition alleging that a child is in need of protection or services as a habitual truant under section 260.015, subdivision 2a, clause (2), may not be filed until the applicable procedures under section 260A.05 have been exhausted.

Sec. 4. Minnesota Statutes 1994, section 260.132, subdivision 1, is amended to read:

Subdivision 1. [NOTICE.] When a peace officer, or attendance officer in the case of a habitual truant, has probable cause to believe that a child:

(1) is in need of protection or services under section 260.015, subdivision 2a, clause (11) or (12);

(2) is a juvenile petty offender; or

(3) has committed a delinquent act that would be a petty misdemeanor or misdemeanor if committed by an adult;

the officer may issue a notice to the child to appear in juvenile court in the county in which the

child is found or in the county of the child's residence or, in the case of a juvenile petty offense, or a petty misdemeanor or misdemeanor delinquent act, the county in which the offense was committed. If there is a county attorney mediation program operating in the child's school district, a notice to appear in juvenile court for a habitual truant may not be issued until the applicable procedures under section 260A.05 have been exhausted. The officer shall file a copy of the notice to appear with the juvenile court of the appropriate county. If a child fails to appear in response to the notice, the court may issue a summons notifying the child of the nature of the offense alleged and the time and place set for the hearing. If the peace officer finds it necessary to take the child into custody, sections 260.165 and 260.171 shall apply.

Sec. 5. Minnesota Statutes 1994, section 260.132, subdivision 4, is amended to read:

Subd. 4. [TRUANT.] When a peace officer or probation officer has probable cause to believe that a child is currently under age 16 and absent from school without lawful excuse, the officer may transport the child to the child's home and deliver the child to the custody of the child's parent or guardian, transport the child to the child's school of enrollment and deliver the child to the custody of a school superintendent or teacher or transport the child to a truancy service center under section 260A.04, subdivision 3. ~~For purposes of this subdivision, a truancy service center is a facility that receives truant students from peace officers or probation officers and takes appropriate action including one or more of the following:~~

- ~~(1) assessing the truant's attendance situation;~~
- ~~(2) assisting in coordinating intervention efforts where appropriate;~~
- ~~(3) contacting the parents or legal guardian of the truant and releasing the truant to the custody of the parent or guardian; and~~
- ~~(4) facilitating the truant's earliest possible return to school.~~

Sec. 6. Minnesota Statutes 1994, section 260.191, subdivision 1, is amended to read:

Subdivision 1. [DISPOSITIONS.] (a) If the court finds that the child is in need of protection or services or neglected and in foster care, it shall enter an order making any of the following dispositions of the case:

- (1) place the child under the protective supervision of the local social services agency or child-placing agency in the child's own home under conditions prescribed by the court directed to the correction of the child's need for protection or services;
- (2) transfer legal custody to one of the following:
 - (i) a child-placing agency; or
 - (ii) the local social services agency.

In placing a child whose custody has been transferred under this paragraph, the agencies shall follow the order of preference stated in section 260.181, subdivision 3;

(3) if the child is in need of special treatment and care for reasons of physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails or is unable to provide this treatment or care, the court may order it provided. The court shall not transfer legal custody of the child for the purpose of obtaining special treatment or care solely because the parent is unable to provide the treatment or care. If the court's order for mental health treatment is based on a diagnosis made by a treatment professional, the court may order that the diagnosing professional not provide the treatment to the child if it finds that such an order is in the child's best interests; or

(4) if the court believes that the child has sufficient maturity and judgment and that it is in the best interests of the child, the court may order a child 16 years old or older to be allowed to live independently, either alone or with others as approved by the court under supervision the court considers appropriate, if the county board, after consultation with the court, has specifically authorized this dispositional alternative for a child.

(b) If the child was adjudicated in need of protection or services because the child is a runaway or habitual truant, the court may order any of the following dispositions in addition to or as alternatives to the dispositions authorized under paragraph (a):

- (1) counsel the child or the child's parents, guardian, or custodian;
- (2) place the child under the supervision of a probation officer or other suitable person in the child's own home under conditions prescribed by the court, including reasonable rules for the child's conduct and the conduct of the parents, guardian, or custodian, designed for the physical, mental, and moral well-being and behavior of the child; or with the consent of the commissioner of corrections, place the child in a group foster care facility which is under the commissioner's management and supervision;
- (3) subject to the court's supervision, transfer legal custody of the child to one of the following:
 - (i) a reputable person of good moral character. No person may receive custody of two or more unrelated children unless licensed to operate a residential program under sections 245A.01 to 245A.16; or
 - (ii) a county probation officer for placement in a group foster home established under the direction of the juvenile court and licensed pursuant to section 241.021;
- (4) require the child to pay a fine of up to \$100. The court shall order payment of the fine in a manner that will not impose undue financial hardship upon the child;
- (5) require the child to participate in a community service project;
- (6) order the child to undergo a chemical dependency evaluation and, if warranted by the evaluation, order participation by the child in a drug awareness program or an inpatient or outpatient chemical dependency treatment program;
- (7) if the court believes that it is in the best interests of the child and of public safety that the child's driver's license or instruction permit be canceled, the court may ~~recommend to order~~ the commissioner of public safety ~~that to cancel the child's license be canceled or permit for any period up to the child's 18th birthday. If the child does not have a driver's license or permit, the court may order a denial of driving privileges for any period up to the child's 18th birthday. The court shall forward an order issued under this clause to the commissioner is authorized to, who shall cancel the license or permit or deny driving privileges without a hearing for the period specified by the court. At any time before the expiration of the period of cancellation or denial, the court may, for good cause, recommend to order the commissioner of public safety that to allow the child be authorized to apply for a new license or permit, and the commissioner may shall so authorize; or~~
- (8) order that the child's parent or legal guardian deliver the child to school at the beginning of each school day for a period of time specified by the court; or
- (9) require the child to perform any other activities or participate in any other treatment programs deemed appropriate by the court.

(c) If a child is adjudicated in need of protection or services because the child is a habitual truant and truancy procedures involving the child were previously dealt with by a county attorney mediation program under section 260A.05, the court shall order a cancellation or denial of driving privileges under paragraph (b), clause (7), until the child's 18th birthday.

Sec. 7. [260A.01] [TRUANCY PROGRAMS AND SERVICES.]

The programs in this chapter are designed to provide a continuum of intervention and services to support families and children in keeping children in school and combating truancy and educational neglect. School districts, county attorneys, and law enforcement may establish the programs and coordinate them with other community-based truancy services in order to provide the necessary and most effective intervention for children and their families. This continuum of intervention and services involves progressively intrusive intervention, beginning with strong service-oriented efforts at the school and community level and involving the court's authority only when necessary.

Sec. 8. [260A.02] [DEFINITIONS.]

Subdivision 1. [SCOPE.] The definition in this section applies to this chapter.

Subd. 2. [CONTINUING TRUANT.] "Continuing truant" means a child who is subject to the compulsory instruction requirements of section 120.101 and is absent from instruction in a school, as defined in section 120.05, without valid excuse within a single school year for:

- (1) three days if the child is in elementary school; or
- (2) four or more class periods on three days if the child is in middle school, junior high school, or high school.

A child is not a continuing truant if the child is withdrawn from school by the child's parents because of a dispute with the school concerning the provision of special education services under the Individuals with Disabilities Education Act or accommodations and modifications under the Americans with Disabilities Act, if the parent makes good faith efforts to provide the child educational services from any other source. No parent who withdraws a child from school during a dispute with the school concerning the provision of special education services or accommodations and modifications is required to file home school papers, if the parent provides written notice to the department of education or the district of the plan for the child's education.

Nothing in this section shall prevent a school district from notifying a truant child's parent or legal guardian of the child's truancy or otherwise addressing a child's attendance problems prior to the child becoming a continuing truant.

Sec. 9. [260A.03] [NOTICE TO PARENT OR GUARDIAN WHEN CHILD IS A CONTINUING TRUANT.]

Upon a child's initial classification as a continuing truant, the school attendance officer or other designated school official shall notify the child's parent or legal guardian, by first-class mail or other reasonable means, of the following:

- (1) that the child is truant;
- (2) that the parent or guardian should notify the school if there is a valid excuse for the child's absences;
- (3) that the parent or guardian is obligated to compel the attendance of the child at school pursuant to section 120.101 and parents or guardians who fail to meet this obligation may be subject to prosecution under section 127.20;
- (4) that this notification serves as the notification required by section 127.20;
- (5) that alternative educational programs and services may be available in the district;
- (6) that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
- (7) that if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under chapter 260;
- (8) that if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to section 260.191; and
- (9) that it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

Sec. 10. [260A.04] [COMMUNITY-BASED TRUANCY PROJECTS AND SERVICE CENTERS.]

Subdivision 1. [ESTABLISHMENT.] (a) Community-based truancy projects and service centers may be established to:

- (1) provide for identification of students with school attendance problems;
- (2) facilitate the provision of services geared to address the underlying issues that are contributing to a student's truant behavior; and
- (3) provide facilities to receive truant students from peace officers and probation officers.
- (b) Truancy projects and service centers may provide any of these services and shall provide for referral of children and families to other appropriate programs and services.

Subd. 2. [COMMUNITY-BASED ACTION PROJECTS.] Schools, community agencies, law enforcement, parent associations, and other interested groups may cooperate to provide coordinated intervention, prevention, and educational services for truant students and their families. Services may include:

- (1) assessment for underlying issues that are contributing to the child's truant behavior;
- (2) referral to other community-based services for the child and family, such as individual or family counseling, educational testing, psychological evaluations, tutoring, mentoring, and mediation;
- (3) transition services to integrate the child back into school and to help the child succeed once there;
- (4) culturally sensitive programming and staffing; and
- (5) increased school response, including in-school suspension, better attendance monitoring and enforcement, after-school study programs, and in-service training for teachers and staff.

Subd. 3. [TRUANCY SERVICE CENTERS.] (a) Truancy service centers may be established as facilities to receive truant students from peace officers and probation officers and provide other appropriate services. A truancy service center may:

- (1) assess a truant student's attendance situation, including enrollment status, verification of truancy, and school attendance history;
- (2) assist in coordinating intervention efforts where appropriate, including checking with juvenile probation and children and family services to determine whether an active case is pending and facilitating transfer to an appropriate facility, if indicated; and evaluating the need for and making referral to a health clinic, chemical dependency treatment, protective services, social or recreational programs, or other school or community-based services and programs described in subdivision 2;
- (3) contact the parents or legal guardian of the truant student and release the truant student to the custody of the parents or guardian; and
- (4) facilitate the student's earliest possible return to school.
- (b) Truancy service centers may not accept:
 - (1) juveniles taken into custody for criminal violations;
 - (2) intoxicated juveniles;
 - (3) ill or injured juveniles; or
 - (4) juveniles older than mandatory school attendance age.

(c) Truancy service centers may expand their service capability in order to receive curfew violators and take appropriate action, such as coordination of intervention efforts, contacting parents, and developing strategies to ensure that parents assume responsibility for their children's curfew violations.

Sec. 11. [260A.05] [COUNTY ATTORNEY TRUANCY MEDIATION PROGRAM.]

Subdivision 1. [ESTABLISHMENT; REFERRALS.] A county attorney may establish a truancy mediation program for the purpose of resolving truancy problems without court action. A student may be referred to the county attorney by the school district or law enforcement if the student continues to be truant after the parent or guardian has been sent or conveyed the notice under section 260A.03.

Subd. 2. [MEETING; NOTICE.] The county attorney may request the parent or legal guardian and the child referred under subdivision 1 to attend a meeting in the county attorney's office to discuss the possible legal consequences of the minor's truancy. The notice of the meeting must be served personally or by certified mail at least five days before the meeting on each person required to attend the meeting. The notice must include:

(1) the name and address of the person to whom the notice is directed;

(2) the date, time, and place of the meeting;

(3) the name of the minor classified as a truant;

(4) the basis for the referral to the county attorney; and

(5) a warning that a criminal complaint may be filed against the parents or guardians pursuant to section 127.20 for failure to compel the attendance of the minor at school or that action may be taken in juvenile court.

Subd. 3. [PROCEDURE.] At the beginning of the meeting under this section, the county attorney shall advise the parents or guardians and the child that any statements they make could be used against them in subsequent court proceedings. After the meeting the county attorney may file a petition or issue a citation under chapter 260 if the county attorney determines that available community resources cannot resolve the truancy problem, or if the student or the parent or guardian fail to cooperate or respond to services provided or to the directives of the school or the county attorney.

Sec. 12. [TRUANCY REDUCTION GRANT PILOT PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] A truancy reduction grant pilot program is established to help school districts, county attorneys, and law enforcement officials work collaboratively to improve school attendance and to reduce truancy.

Subd. 2. [EXPECTED OUTCOMES.] Grant recipients shall use the funds for programs designed to assist truant students and their families in resolving attendance problems without court intervention. Recipient programs must be designed to reduce truancy and educational neglect, and improve school attendance rates, by:

(1) providing early intervention and a continuum of intervention;

(2) supporting parental involvement and responsibility in solving attendance problems;

(3) working with students, families, school personnel, and community resources to provide appropriate services that address the underlying causes of truancy; and

(4) providing a speedy and effective alternative to juvenile court intervention in truancy cases.

Subd. 3. [GRANT ELIGIBILITY, APPLICATIONS, AND AWARDS.] A county attorney, together with a school district or group of school districts and law enforcement, may apply for a truancy reduction grant. The commissioner of public safety, in collaboration with the commissioner of education, shall prescribe the form and manner of applications by July 1, 1995, and shall award grants to applicants likely to meet the outcomes in subdivision 2. At least two grants must be awarded: one to a county in the seven-county metropolitan area and one to a county outside the metropolitan area. Grants must be awarded for the implementation of programs in the 1995-1996 school year. At minimum, each applicant group must have a plan for implementing an early intervention truancy program at the school district or building level, as well as a county attorney truancy mediation program under section 11.

Subd. 4. [EVALUATION.] The attorney general shall make a preliminary report on the effectiveness of the pilot programs as part of its 1996 annual report under article 6, section 1, and a final report as part of its 1997 annual report under article 6, section 1.

Sec. 13. [REPEALER.]

Minnesota Statutes 1994, section 126.25, is repealed.

Laws 1994, chapter 576, section 1, is repealed.

ARTICLE 6

SCHOOL SAFETY

Section 1. [8.36] [ANNUAL REPORT ON SCHOOL SAFETY.]

On or before January 15 of each year, the attorney general shall prepare a report on safety in secondary and post-secondary schools. The report must include an assessment and evaluation of the impact of existing laws and programs on school safety and antiviolenace and include recommendations for changes in law or policy that would increase the safety of schools and curb violence. The report must be submitted to the chairs of the senate and house of representatives committees with jurisdiction over education and crime issues.

Sec. 2. Minnesota Statutes 1994, section 120.73, is amended by adding a subdivision to read:

Subd. 2b. [SCHOOL UNIFORMS.] Notwithstanding section 120.74, a school board may require students to furnish or purchase clothing that constitutes a school uniform if the board has adopted a uniform requirement or program for the student's school. In adopting a uniform requirement, the board shall promote student, staff, parent, and community involvement in the program and account for the financial ability of students to purchase uniforms.

Sec. 3. [123.953] [SCHOOL DISTRICT EMPLOYEES; BACKGROUND CHECKS.]

Subdivision 1. [BACKGROUND CHECK REQUIRED.] A school district shall request a criminal history background check from the superintendent of the bureau of criminal apprehension on all individuals who are offered employment in the school district. In order to be eligible for employment, an individual who is offered employment must provide an executed criminal history consent form and a money order or cashier's check payable to the bureau of criminal apprehension for the fee for conducting the criminal history background check. A school district may charge a person offered employment an additional fee of up to \$2 to cover the school district's costs under this section. The superintendent shall perform the background check by retrieving criminal history data maintained in the criminal justice information system computers.

Subd. 2. [CONDITIONAL HIRING; DISCHARGE.] A school district may hire an individual pending completion of a background check under subdivision 1 but shall notify the individual that the individual's employment may be terminated based on the result of the background check. A school district is not liable for failing to hire or for terminating an individual's employment based on the result of a background check under this section.

Sec. 4. Minnesota Statutes 1994, section 125.05, is amended by adding a subdivision to read:

Subd. 8. [BACKGROUND CHECKS.] (a) The board of teaching and the state board of education shall request a criminal history background check from the superintendent of the bureau of criminal apprehension on all applicants for initial licenses under their jurisdiction. An application for a license under this section must be accompanied by:

(1) an executed criminal history consent form, including fingerprints; and

(2) a money order or cashier's check payable to the bureau of criminal apprehension for the fee for conducting the criminal history background check, plus an additional fee of \$2 payable to the board of teaching or the state board of education, as applicable.

(b) The superintendent of the bureau of criminal apprehension shall perform the background check required under paragraph (a) by retrieving criminal history data maintained in the criminal

justice information system computers and shall also conduct a search of the national criminal records repository, including the criminal justice data communications network. The superintendent is authorized to exchange fingerprints with the Federal Bureau of Investigation for purposes of the criminal history check. The superintendent shall recover the cost to the bureau of a background check through the fee charged to the applicant under paragraph (a).

Sec. 5. Minnesota Statutes 1994, section 125.09, subdivision 1, is amended to read:

Subdivision 1. [GROUNDS FOR REVOCATION, SUSPENSION, OR DENIAL.] The board of teaching or the state board of education, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, ~~or of a teacher organization, or of any other interested person,~~ which complaint shall specify the nature and character of the charges, refuse to issue, refuse to renew, suspend, or revoke such a teacher's license to teach for any of the following causes:

- (1) Immoral character or conduct;
- (2) Failure, without justifiable cause, to teach for the term of the teacher's contract;
- (3) Gross inefficiency or willful neglect of duty; or
- (4) Failure to meet licensure requirements; or
- (5) Fraud or misrepresentation in obtaining a license.

For purposes of this subdivision, the board of teaching is delegated the authority to suspend or revoke coaching licenses under the jurisdiction of the state board of education.

Sec. 6. [127.282] [EXPULSION FOR POSSESSION OF FIREARM.]

Notwithstanding the time limitation in section 127.27, subdivision 5, a school board must expel for a period of at least one year a pupil who is determined to have brought a firearm to school except the board may modify this expulsion requirement for a pupil on a case-by-case basis. For the purposes of this section, firearm is as defined in United States Code, title 18, section 921.

Sec. 7. [127.47] [SCHOOL LOCKER POLICY.]

Subdivision 1. [POLICY.] It is the policy of the state of Minnesota that:

"School lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have reasonable grounds to suspect that the search will uncover evidence of a violation of law or school rules."

Subd. 2. [DISSEMINATION.] The locker policy must be disseminated to parents and students in the way that other policies of general application to students are disseminated. A copy of the policy must be provided to a student the first time after the policy is effective that the student is given the use of a locker.

Sec. 8. Minnesota Statutes 1994, section 260.161, subdivision 3, is amended to read:

Subd. 3. [PEACE OFFICER RECORDS OF CHILDREN.] (a) Except for records relating to an offense where proceedings are public under section 260.155, subdivision 1, peace officers' records of children who are or may be delinquent or who may be engaged in criminal acts shall be kept separate from records of persons 18 years of age or older and are private data but shall be disseminated: (1) by order of the juvenile court, (2) as required by section 126.036, (3) as authorized under section 13.82, subdivision 2, (4) to the child or the child's parent or guardian unless disclosure of a record would interfere with an ongoing investigation, or (5) as otherwise provided in this subdivision. Except as provided in paragraph (c), no photographs of a child taken into custody may be taken without the consent of the juvenile court unless the child is alleged to have violated section 169.121 or 169.129. Peace officers' records containing data about children

who are victims of crimes or witnesses to crimes must be administered consistent with section 13.82, subdivisions 2, 3, 4, and 10. Any person violating any of the provisions of this subdivision shall be guilty of a misdemeanor.

In the case of computerized records maintained about juveniles by peace officers, the requirement of this subdivision that records about juveniles must be kept separate from adult records does not mean that a law enforcement agency must keep its records concerning juveniles on a separate computer system. Law enforcement agencies may keep juvenile records on the same computer as adult records and may use a common index to access both juvenile and adult records so long as the agency has in place procedures that keep juvenile records in a separate place in computer storage and that comply with the special data retention and other requirements associated with protecting data on juveniles.

(b) Nothing in this subdivision prohibits the exchange of information by law enforcement agencies if the exchanged information is pertinent and necessary to the requesting agency in initiating, furthering, or completing a criminal investigation.

(c) A photograph may be taken of a child taken into custody pursuant to section 260.165, subdivision 1, clause (b), provided that the photograph must be destroyed when the child reaches the age of 19 years. The commissioner of corrections may photograph juveniles whose legal custody is transferred to the commissioner. Photographs of juveniles authorized by this paragraph may be used only for institution management purposes, case supervision by parole agents, and to assist law enforcement agencies to apprehend juvenile offenders. The commissioner shall maintain photographs of juveniles in the same manner as juvenile court records and names under this section.

(d) Traffic investigation reports are open to inspection by a person who has sustained physical harm or economic loss as a result of the traffic accident. Identifying information on juveniles who are parties to traffic accidents may be disclosed as authorized under section 13.82, subdivision 4, and accident reports required under section 169.09 may be released under section 169.09, subdivision 13, unless the information would identify a juvenile who was taken into custody or who is suspected of committing an offense that would be a crime if committed by an adult, or would associate a juvenile with the offense, and the offense is not a minor traffic offense under section 260.193.

(e) A law enforcement agency shall notify the principal or chief administrative officer of a juvenile's school of an incident occurring within the agency's jurisdiction if:

(1) the agency has probable cause to believe that the juvenile has committed an offense that would be a crime if committed as an adult, that the victim of the offense is a student or staff member of the school, and that notice to the school is reasonably necessary for the protection of the victim; or

(2) the agency has probable cause to believe that the juvenile has committed an offense described in subdivision 1b, paragraph (a), clauses (1) to (3), that would be a crime if committed by an adult, regardless of whether the victim is a student or staff member of the school.

A law enforcement agency is not required to notify the school under this paragraph if the agency determines that notice would jeopardize an ongoing investigation. Notwithstanding section 138.17, data from a notice received from a law enforcement agency under this paragraph must be destroyed when the juvenile graduates from the school or at the end of the academic year when the juvenile reaches age 23, whichever date is earlier. For purposes of this paragraph, "school" means a public or private elementary, middle, or secondary school.

(f) In any county in which the county attorney operates or authorizes the operation of a juvenile prepetition or pretrial diversion program, a law enforcement agency or county attorney's office may provide the juvenile diversion program with data concerning a juvenile who is a participant in or is being considered for participation in the program.

(g) Upon request of a local social service agency, peace officer records of children who are or may be delinquent or who may be engaged in criminal acts may be disseminated to the agency to promote the best interests of the subject of the data.

Sec. 9. Minnesota Statutes 1994, section 364.09, is amended to read:

364.09 [EXCEPTIONS.]

(a) This chapter does not apply to the licensing process for peace officers; to law enforcement agencies as defined in section 626.84, subdivision 1, paragraph (h); to fire protection agencies; to eligibility for a private detective or protective agent license; to eligibility for a family day care license, a family foster care license, or a home care provider license; to eligibility for school bus driver endorsements; or to eligibility for special transportation service endorsements. This chapter also shall not apply to ~~eligibility for a license issued or renewed by the board of teaching or state board of education or~~ to eligibility for juvenile corrections employment, where the offense involved child physical or sexual abuse or criminal sexual conduct.

(b) This chapter does not apply to a school district or to eligibility for a license issued or renewed by the board of teaching or the state board of education.

(c) Nothing in this section precludes the Minnesota police and peace officers training board or the state fire marshal from recommending policies set forth in this chapter to the attorney general for adoption in the attorney general's discretion to apply to law enforcement or fire protection agencies.

Sec. 10. Minnesota Statutes 1994, section 466.03, is amended by adding a subdivision to read:

Subd. 18. [SCHOOL BUILDING SECURITY.] Any claim based on injury arising out of a decision by a school or school district to obtain a fire code variance for purposes of school building security, if the decision was made in good faith and in accordance with applicable law governing variances.

Sec. 11. Minnesota Statutes 1994, section 609.605, subdivision 4, is amended to read:

Subd. 4. [TRESPASSES ON SCHOOL PROPERTY.] (a) It is a misdemeanor for a person to enter or be found in a public or nonpublic elementary, middle, or secondary school building unless the person:

(1) is an enrolled student in, a parent or guardian of an enrolled student in, or an employee of the school or school district;

(2) has permission or an invitation from a school official to be in the building;

(3) is attending a school event, class, or meeting to which the person, the public, or a student's family is invited; or

(4) has reported the person's presence in the school building in the manner required for visitors to the school.

(b) It is a gross misdemeanor for a group of three or more persons to enter or be found in a public or nonpublic elementary, middle, or secondary school building unless one of the persons:

(1) is an enrolled student in, a parent or guardian of an enrolled student in, or an employee of the school or school district;

(2) has permission or an invitation from a school official to be in the building;

(3) is attending a school event, class, or meeting to which the person, the public, or a student's family is invited; or

(4) has reported the person's presence in the school building in the manner required for visitors to the school.

(c) It is a misdemeanor for a person to enter or be found on school property within six months after being told by the school principal or the principal's designee to leave the property and not to return, unless the principal or the principal's designee has given the person permission to return to the property. As used in this paragraph, "school property" has the meaning given in section 152.01, subdivision 14a, clauses (1) and (3).

(e) (d) A school principal or a school employee designated by the school principal to maintain order on school property, who has reasonable cause to believe that a person is violating this subdivision may detain the person in a reasonable manner for a reasonable period of time pending the arrival of a peace officer. A school principal or designated school employee is not civilly or criminally liable for any action authorized under this paragraph if the person's action is based on reasonable cause.

(d) (e) A peace officer may arrest a person without a warrant if the officer has probable cause to believe the person violated this subdivision within the preceding four hours. The arrest may be made even though the violation did not occur in the peace officer's presence.

Sec. 12. [REPEALER.]

Section 1 is repealed effective August 1, 1997.

Sec. 13. [EFFECTIVE DATE.]

Section 8 is effective beginning with the 1995-1996 school year."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after "2;" insert "120.14; 120.73, by adding a subdivision; 125.05, by adding a subdivision; 125.09, subdivision 1; 171.04, subdivision 1;"

Page 1, line 14, before the second semicolon, insert ", and by adding a subdivision; 260.132, subdivisions 1 and 4; 260.161, subdivision 3"

Page 1, line 15, after the semicolon, insert "260.191, subdivision 1;"

Page 1, line 24, after "6;" insert "364.09; 466.03, by adding a subdivision;"

Page 1, line 26, after the second semicolon, insert "609.605, subdivision 4;"

Page 1, line 28, after the first semicolon, insert "611.27, subdivision 4;"

Page 1, line 33, after "2;" insert "Laws 1994, chapter 643, section 79, subdivisions 1, 3, and 4;"

Page 1, line 34, delete everything after "chapters" and insert "8; 120; 123; 127; 242; 260;"

Page 1, line 35, before the period, insert "; proposing coding for new law as Minnesota Statutes, chapter 260A; repealing Minnesota Statutes 1994, section 126.25; and Laws 1994, chapter 576, section 1"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1678, 944 and 1653 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 628 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Vickerman moved that his name be stricken as a co-author to S.F. No. 1037. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Langseth be added as a co-author to S.F. No. 1037. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1234 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1234: A bill for an act relating to education; appropriating money for education and related purposes to the higher education coordinating board, board of trustees of the Minnesota state colleges and universities, board of regents of the University of Minnesota, and the Mayo medical foundation, with certain conditions; requiring public post-secondary institutions to convert to the semester system; creating definitions and actions during financial emergencies; establishing a nursing grant program; revising allocations and use of the peace officers training account; assigning duties to the library and information services task force; requiring expansion of the transfer curriculum; setting goals for compensation plans and labor agreements; establishing a new funding formula for public higher education systems; modifying provisions relating to the higher education coordinating board; modifying higher education grant programs; providing for technical colleges land acquisition and sale; consolidating and restructuring certain higher education statutes to reflect the merger of the community colleges, state universities, and technical colleges; amending Minnesota Statutes 1994, sections 15.38, subdivision 3; 123.3514, subdivision 3; 126.56, subdivision 5; 135A.08, subdivisions 1, 2, and 3; 135A.10, subdivision 1; 135A.15, subdivision 1; 136A.01; 136A.02, subdivisions 1, 6, and 7; 136A.04, subdivision 1; 136A.043; 136A.05, subdivision 1; 136A.07; 136A.101, subdivisions 5 and 8; 136A.121, subdivisions 5, 6, 9, 16, and by adding a subdivision; 136A.125, subdivisions 4 and 6; 136A.1359, subdivisions 1, 2, and 3; 136A.42; 136A.87; 136E.01, subdivision 1; 136E.02, subdivisions 1 and 3; 136E.021, subdivision 2; 136E.03; 136E.04, subdivisions 1, 3, and 7; 136E.05; 136E.31; 136E.525, subdivisions 1, 2, and 3; 136E.692, subdivisions 1, 3, and 4; 144.1487, subdivision 1; 144.1488, subdivisions 1 and 4; 144.1489, subdivisions 1, 3, and 4; 144.1490; 144.1491, subdivision 2; 179A.07, subdivision 4; 298.2214, subdivision 5; and 626.861, subdivision 4; Laws 1991, chapter 356, article 9, section 9, as amended; Laws 1993, chapter 326, article 12, section 15, subdivisions 1, 4, and 5; and Laws 1994, chapter 643, section 69, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 135A; and 136A; proposing coding for new law as Minnesota Statutes, chapter 136F; repealing Minnesota Statutes 1994, sections 15.38, subdivision 4; 135A.031; 135A.032, subdivision 2; 135A.033; 135A.052, subdivision 3; 136.01; 136.015; 136.017; 136.02; 136.03; 136.031; 136.036; 136.045; 136.065; 136.07; 136.09; 136.10; 136.11; 136.111; 136.12; 136.13; 136.14; 136.141; 136.142; 136.143; 136.144; 136.145; 136.146; 136.147; 136.17; 136.171; 136.172; 136.18; 136.19; 136.20; 136.21; 136.22; 136.232; 136.24; 136.25; 136.261; 136.27; 136.31; 136.311; 136.32; 136.33; 136.34; 136.35; 136.36; 136.37; 136.38; 136.40; 136.41; 136.42; 136.43; 136.44; 136.45; 136.46; 136.47; 136.48; 136.49; 136.50; 136.501; 136.502; 136.503; 136.504; 136.505; 136.506; 136.507; 136.55; 136.56; 136.57; 136.58; 136.60; 136.6011; 136.602; 136.603; 136.61; 136.62; 136.621; 136.622; 136.63; 136.65; 136.651; 136.653; 136.67; 136.70; 136.71; 136.72; 136.88; 136.90; 136A.04, subdivision 2; 136A.041; 136A.125, subdivision 5; 136A.85; 136A.86; 136A.88; 136C.01; 136C.02; 136C.03; 136C.04; 136C.041; 136C.042; 136C.043; 136C.044; 136C.05; 136C.06; 136C.07; 136C.075; 136C.08; 136C.13; 136C.15; 136C.17; 136C.31; 136C.34; 136C.41; 136C.411; 136C.43; 136C.44; 136C.50; 136C.51; 136C.60; 136C.61; 136C.62; 136C.63; 136C.64; 136C.65; 136C.66; 136C.67; 136C.68; 136C.69; 136C.70; 136C.71; 136C.75; 136D.77; 136D.81, subdivision 2; 136E.04, subdivisions 2, 4, 5, and 6; 136E.395; 144.1488, subdivision 2; and 148.236; Laws 1993, chapter 326, article 12, section 15, subdivision 2; Laws 1993, First Special Session chapter 2, article 1, sections 2, subdivision 8; and 9, subdivision 6; and Laws 1994, chapter 532, article 6, section 12, paragraph (a).

Mr. Morse moved to amend S.F. No. 1234 as follows:

Page 3, delete line 2 and insert:

"120,222,000

122,012,000

242,234,000"

Page 3, delete line 5 and insert:

"464,760,000 464,471,000 929,231,000"

Page 3, delete lines 16 and 17 and insert:

"Subdivision 1. Total
Appropriation 120,222,000 122,012,000"

Page 5, delete line 46 and insert:

"2,356,000 2,356,000"

Page 6, delete lines 1 and 2 and insert:

"Subdivision 1. Total
Appropriation 464,760,000 464,471,000"

Page 6, line 18, delete "\$616,427,000" and insert "\$617,546,000"

Page 6, line 19, delete "\$616,434,000" and insert "\$617,553,000"

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Anderson	Finn	Kramer	Merriam	Riveness
Belanger	Flynn	Krentz	Mondale	Sams
Berg	Hanson	Laidig	Morse	Samuelson
Bertram	Hottinger	Langseth	Novak	Scheevel
Betzold	Johnson, J.B.	Lessard	Ourada	Spear
Chandler	Kelly	Limmer	Pariseau	Stevens
Day	Kleis	Marty	Reichgott Junge	Vickerman

Those who voted in the negative were:

Beckman	Johnson, D.J.	Metzen	Pappas	Runbeck
Chmielewski	Johnston	Moe, R.D.	Piper	Solon
Dille	Kiscaden	Murphy	Pogemiller	Stumpf
Frederickson	Kroening	Neuville	Price	Terwilliger
Janezich	Larson	Oliver	Ranum	Wiener
Johnson, D.E.	Lesewski	Olson	Robertson	

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S.F. No. 1234 as follows:

Page 42, line 16, delete from "taxpayer" through page 42, line 18, to "invested" and insert "the award to a student attending a private college to the award that would have been made"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 47, as follows:

Those who voted in the affirmative were:

Anderson	Chandler	Hottinger	Morse	Riveness
Berg	Finn	Kelly	Pappas	Spear
Betzold	Flynn	Merriam	Price	

Those who voted in the negative were:

Belanger	Johnson, J.B.	Lessard	Ourada	Scheevel
Bertram	Johnston	Limmer	Pariseau	Solon
Chmielewski	Kiscaden	Marty	Piper	Stevens
Day	Kleis	Metzen	Pogemiller	Stumpf
Dille	Kramer	Moe, R.D.	Ranum	Terwilliger
Frederickson	Krentz	Mondale	Reichgott Junge	Vickerman
Hanson	Kroening	Murphy	Robertson	Wiener
Janezich	Laidig	Neuville	Runbeck	
Johnson, D.E.	Larson	Oliver	Sams	
Johnson, D.J.	Lesewski	Olson	Samuelson	

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

Ms. Wiener moved to amend S.F. No. 1234 as follows:

Page 42, line 16, delete from "Maximum" through page 42, line 24, to "considered."

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.J. moved to amend S.F. No. 1234 as follows:

Page 10, after line 46, insert:

"Subd. 3. Layoffs

In order to maximize the delivery of services to the public, if layoffs of state employees as defined in Minnesota Statutes, chapter 43A, of post-secondary systems are necessary during the biennium ending June 30, 1997, the system shall reduce at least the same percentage of filled management and supervisory positions as line and support positions."

The motion prevailed. So the amendment was adopted.

Mr. Larson moved to amend S.F. No. 1234 as follows:

Page 17, after line 27, insert:

"Sec. 19. [STATE EMPLOYEE COMPENSATION STUDY.]

The legislative auditor shall conduct a study of the compensation, including salary and benefits, provided for work performed by state employees with compensation provided for similar work performed by non-state employees. The legislative auditor shall provide an analysis of the findings and make recommendations for improving the way in which the state compensates its employees based upon the findings. The study shall be provided to the senate and the house of representatives not later than February 15, 1996."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Limmer moved to amend S.F. No. 1234 as follows:

Page 12, after line 10, insert:

"Sec. 10. [136.654] [COMMUNITY COLLEGE INTERCOLLEGIATE SPORT PROGRAM TERMINATION OR SUSPENSION; LIMITATION.]

A community college intercollegiate sport funded fully, or in part, by nontuition funds derived from students, shall not be suspended or terminated, unless a majority of the community college's full-time students voting on the issue vote to suspend or terminate the program."

Page 17, after line 30, insert:

"Sec. 21. [EFFECTIVE DATE; RETROACTIVE APPLICATION.]

Section 10 is effective the day following final enactment and applies to all community college intercollegiate sport program suspensions or terminations that occurred on or after January 1, 1995."

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 34 and nays 25, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Kleis	Limmer	Pariseau
Bertram	Hanson	Kramer	Merriam	Reichgott Junge
Chandler	Hottinger	Krentz	Metzen	Samuelson
Chmielewski	Janezich	Kroening	Murphy	Stevens
Day	Johnson, D.E.	Laidig	Novak	Terwilliger
Dille	Johnson, D.J.	Lesewski	Olson	Wiener
Flynn	Johnston	Lessard	Ourada	

Those who voted in the negative were:

Anderson	Kelly	Morse	Pogemiller	Runbeck
Berg	Kiscaden	Neuville	Price	Solon
Betzold	Larson	Oliver	Ranum	Spear
Finn	Marty	Pappas	Riveness	Stumpf
Johnson, J.B.	Mondale	Piper	Robertson	Vickerman

The motion prevailed. So the amendment was adopted.

Mr. Oliver moved to amend S.F. No. 1234 as follows:

Page 17, line 24, delete "and"

Page 17, after line 24, insert:

"(4) create a salary system that rewards instructional performance and creativity, workload, and responsiveness to students;

(5) limit the granting of sabbaticals to those employees who specifically demonstrate that the sabbatical will improve their classroom teaching skill; and"

Page 17, line 25, delete "(4)" and insert "(6)"

Ms. Kiscaden moved to amend the Oliver amendment to S.F. No. 1234 as follows:

Page 1, line 9, before the semicolon, insert "or their scholarship and knowledge of their field of specialization"

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

Mr. Oliver requested division of the amendment, as amended, as follows:

First portion:

Page 17, line 24, delete "and"

Page 17, after line 24, insert:

"(4) create a salary system that rewards instructional performance and creativity, workload, and responsiveness to students; and"

Page 17, line 25, delete "(4)" and insert "(5)"

Second portion:

Page 17, line 24, delete "and"

Page 17, after line 24, insert:

"(4) limit the granting of sabbaticals to those employees who specifically demonstrate that the sabbatical will improve their classroom teaching skill or their scholarship and knowledge of their field of specialization; and"

Page 17, line 25, delete "(4)" and insert "(5)"

The question was taken on the adoption of the first portion of the amendment.

The roll was called, and there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Lesewski	Ourada	Stevens
Berg	Johnston	Lessard	Pariseau	Terwilliger
Chmielewski	Kiscaden	Limmer	Robertson	Vickerman
Day	Kramer	Neuville	Runbeck	
Dille	Laidig	Oliver	Sams	
Frederickson	Larson	Olson	Scheevel	

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Novak	Solon
Bertram	Janezich	Marty	Pappas	Spear
Betzold	Johnson, J.B.	Merriam	Piper	Stumpf
Chandler	Kelly	Metzen	Price	Wiener
Finn	Kleis	Moe, R.D.	Ranum	
Flynn	Krentz	Morse	Reichgott Junge	
Hanson	Kroening	Murphy	Riveness	

The motion did not prevail. So the first portion of the amendment was not adopted.

The question was taken on the adoption of the second portion of the amendment, as amended.

The roll was called, and there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Lesewski	Robertson	Vickerman
Berg	Johnston	Merriam	Runbeck	
Day	Kiscaden	Neuville	Scheevel	
Dille	Kramer	Oliver	Stevens	
Frederickson	Larson	Pariseau	Terwilliger	

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Novak	Samuelson
Bertram	Janezich	Lessard	Olson	Solon
Betzold	Johnson, J.B.	Limmer	Pappas	Spear
Chandler	Kelly	Marty	Piper	Stumpf
Chmielewski	Kleis	Moe, R.D.	Pogemiller	Wiener
Finn	Krentz	Mondale	Price	
Flynn	Kroening	Morse	Ranum	
Hanson	Laidig	Murphy	Sams	

The motion did not prevail. So the second portion of the amendment, as amended, was not adopted.

Ms. Pappas moved to amend S.F. No. 1234 as follows:

Page 17, after line 27, insert:

"Sec. 19. [MODEL INSTRUCTION PROGRAM.]

Subdivision 1. [CHARGE.] The higher education board shall develop a model instruction program in spoken language interpreting and translating services, as provided in this section. In developing the program, the board shall consult with the University of Minnesota; non-English speaking communities; the prosecution, defense, and judiciary systems; the interpreting and translating communities; battered women's programs; and government and nonprofit agencies providing human, social, and health services.

Subd. 2. [DEFINITIONS.] For the purposes of this section, the following definitions apply.

(a) "Interpreter" means any person who is readily able to comprehend a message uttered in one language and reexpress that message in a spoken form in a second language without modifying the meaning in any significant way.

(b) "Translator" means any person who is readily able to comprehend a message written in one language and reexpress the message in a written form in a second language without modifying the meaning in any significant way.

Subd. 3. [BOARD RESPONSIBILITIES.] (a) The board shall determine the need for and recommend programs to meet educational training needs in spoken language interpreting and translating services at the certificate level, associate degree level, or both. Courses shall be designed to articulate with advanced education and training programs in the field. The curriculum shall, at a minimum, include instruction in:

- (1) spoken language proficiency to meet potential client needs;
- (2) technical terminology needed for specialization;
- (3) ethical standards involved in interpreting and translating;
- (4) background in the culture of the language relevant to the interpretation and translation;
- (5) internship needs and other practical opportunities to serve clients; and
- (6) fundamental skills in effective interpreting and translating.

(b) The board shall review and recommend programs to train providers in the appropriate use of interpreters and translators.

(c) The board shall:

(1) collect and review recent data to determine the number of non-English speaking residents and the native language of these persons;

(2) determine geographic areas in Minnesota with the greatest need for spoken language and translator services;

(3) determine the most efficient and effective ways of delivering the program to areas of need;

(4) recommend what provider or providers can best implement and deliver the program, with emphasis on encouraging collaborative efforts;

(5) determine the cost of implementing and providing the program, including the possibility of competitive grants; and

(6) consult with persons developing the statewide judicial interpreter certification and training program under Laws 1994, chapter 636, article 1, section 14.

(d) The board shall transmit its recommendations, together with its plan to develop appropriate programs, to the appropriate committees of the legislature by January 20, 1996."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Berg moved to amend S.F. No. 1234 as follows:

Page 8, after line 38, insert:

"No money from this appropriation shall be expended for the farmer-lender mediation program."

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

Mr. Morse moved to amend S.F. No. 1234 as follows:

Page 3, delete line 5 and insert:

"466,510,000	466,221,000	932,731,000"
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Page 3, delete line 7 and insert:

"482,080,000	479,191,000	961,271,000"
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Page 6, delete lines 1 and 2 and insert:

"Subdivision 1. Total
Appropriation

466,510,000	466,221,000"
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Page 6, line 18, delete "\$616,427,000" and insert "\$620,158,000"

Page 6, line 19, delete "\$616,434,000" and insert "\$620,165,000"

Page 7, delete lines 36 and 37 and insert:

"Subdivision 1. Total
Appropriation

482,080,000	479,191,000"
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Page 7, delete lines 41 and 42 and insert:

"Subd. 2. Operations and
Maintenance

393,652,000	390,488,000"
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Page 7, line 46, delete "\$422,040,000" and insert "\$418,309,000"

Page 7, line 47, delete "\$418,789,000" and insert "\$415,058,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 10 and nays 47, as follows:

Those who voted in the affirmative were:

Chmielewski	Kleis	Laidig	Morse	Scheevel
Hottinger	Kramer	Lessard	Pariseau	Stevens

Those who voted in the negative were:

Anderson	Frederickson	Limmer	Olson	Sams
Belanger	Janezich	Marty	Ourada	Samuelson
Berg	Johnson, D.E.	Merriam	Pappas	Spear
Bertram	Johnson, D.J.	Metzen	Piper	Stumpf
Betzold	Johnson, J.B.	Moe, R.D.	Pogemiller	Terwilliger
Chandler	Johnston	Mondale	Price	Vickerman
Day	Krentz	Murphy	Ranum	Wiener
Dille	Kroening	Neuville	Riveness	
Finn	Larson	Novak	Robertson	
Flynn	Lesewski	Oliver	Runbeck	

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

S.F. No. 1234 was read the third time, as amended.

Mr. Moe, R.D. moved that S.F. No. 1234 be laid on the table. The motion prevailed.

Mr. Moe, R.D. moved that S.F. No. 1234 be taken from the table. The motion prevailed.

S.F. No. 1234 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 55 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Janezich	Larson	Olson	Runbeck
Belanger	Johnson, D.E.	Lesewski	Ourada	Sams
Berg	Johnson, D.J.	Lessard	Pappas	Samuelson
Bertram	Johnson, J.B.	Limmer	Pariseau	Scheevel
Betzold	Johnston	Metzen	Piper	Solon
Chandler	Kelly	Moe, R.D.	Pogemiller	Spear
Chmielewski	Kiscaden	Mondale	Price	Stevens
Day	Kramer	Murphy	Ranum	Stumpf
Dille	Krentz	Neuville	Reichgott Junge	Terwilliger
Flynn	Kroening	Novak	Riveness	Vickerman
Frederickson	Laidig	Oliver	Robertson	Wiener

Those who voted in the negative were:

Finn	Kleis	Marty	Merriam	Morse
Hottinger				

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

Mr. Moe, R.D. moved that S.F. No. 1234 be laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 992 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 992: A bill for an act relating to health; reinstating certain advisory councils and a task force; amending Minnesota Statutes 1994, section 326.41.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Krentz	Novak	Samuelson
Belanger	Frederickson	Laidig	Oliver	Scheevel
Berg	Hottinger	Larson	Olson	Solon
Berglin	Janezich	Lesewski	Pappas	Spear
Bertram	Johnson, D.E.	Marty	Pariseau	Stevens
Betzold	Johnson, J.B.	Merriam	Piper	Stumpf
Chandler	Johnston	Metzen	Pogemiller	Terwilliger
Chmielewski	Kelly	Moe, R.D.	Ranum	Vickerman
Day	Kiscaden	Mondale	Riveness	Wiener
Dille	Kleis	Morse	Robertson	
Finn	Kramer	Neuville	Runbeck	

Mr. Limmer voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 702 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 702: A bill for an act relating to traffic regulations; allowing school authorities to appoint nonpupil adults to school safety patrols; amending Minnesota Statutes 1994, section 126.15, subdivision 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Novak	Runbeck
Belanger	Hottinger	Laidig	Olson	Sams
Berg	Janezich	Larson	Ourada	Samuelson
Berglin	Johnson, D.E.	Lesewski	Pappas	Scheevel
Bertram	Johnson, D.J.	Limmer	Pariseau	Solon
Betzold	Johnson, J.B.	Marty	Piper	Spear
Chandler	Johnston	Merriam	Pogemiller	Stevens
Chmielewski	Kelly	Metzen	Price	Stumpf
Day	Kiscaden	Mondale	Ranum	Terwilliger
Dille	Kleis	Morse	Reichgott Junge	Vickerman
Finn	Knutson	Murphy	Riveness	Wiener
Flynn	Kramer	Neuville	Robertson	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 273 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 273: A bill for an act relating to motor vehicles; allowing license plates for collector vehicles to be transferred and reissued; imposing fees; amending Minnesota Statutes 1994, section 168.10, subdivisions 1a, 1b, 1c, 1d, 1h, and 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kramer	Neuville	Runbeck
Belanger	Hanson	Krentz	Oliver	Sams
Berg	Hottinger	Laidig	Olson	Samuelson
Berglin	Janezich	Langseth	Ourada	Scheevel
Bertram	Johnson, D.E.	Larson	Pariseau	Solon
Betzold	Johnson, D.J.	Lesewski	Piper	Spear
Chandler	Johnson, J.B.	Limmer	Pogemiller	Stevens
Chmielewski	Johnston	Marty	Price	Terwilliger
Day	Kelly	Merriam	Ranum	Vickerman
Dille	Kiscaden	Metzen	Reichgott Junge	Wiener
Finn	Kleis	Mondale	Riveness	
Flynn	Knutson	Morse	Robertson	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 598 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 598: A bill for an act relating to civil actions; limiting the liability of grocery stores and delicatessens as food donors to the elderly or needy; amending Minnesota Statutes 1994, section 604A.10, subdivision 1.

Ms. Runbeck moved that S.F. No. 598, No. 38 on Special Orders, be stricken and re-referred to the Committee on Agriculture and Rural Development. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 901 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 901: A bill for an act relating to drivers' licenses; requiring additional information in drivers' education programs, the driver's license examination, and the driver's manual regarding the legal and financial consequences of violating DWI-related laws; amending Minnesota Statutes 1994, sections 169.121, by adding a subdivision; and 171.13, subdivisions 1 and 1b.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Novak	Runbeck
Belanger	Hottinger	Langseth	Oliver	Sams
Berg	Johnson, D.E.	Larson	Olson	Samuelson
Berglin	Johnson, D.J.	Lesewski	Ourada	Scheevel
Bertram	Johnson, J.B.	Limmer	Pariseau	Solon
Betzold	Johnston	Marty	Piper	Spear
Chandler	Kelly	Merriam	Pogemiller	Stevens
Chmielewski	Kiscaden	Metzen	Price	Terwilliger
Day	Kleis	Mondale	Ranum	Vickerman
Dille	Knutson	Morse	Reichgott Junge	Wiener
Flynn	Kramer	Murphy	Riveness	
Frederickson	Krentz	Neuville	Robertson	

Mr. Finn voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 651 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 651: A bill for an act relating to crime; expanding the scope of the dangerous and career offender sentencing law and the crimes of second degree murder, criminal sexual conduct in the fifth degree, and harassment and stalking; expanding the restitution laws; increasing the age for curfew under countywide curfew ordinances; amending Minnesota Statutes 1994, sections 145A.05, subdivision 7a; 609.152, subdivision 1; 609.19; 609.3451, subdivision 1; 609.749, subdivision 5; 611A.01; 611A.04, subdivision 1; and 624.712, subdivision 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Murphy	Robertson
Belanger	Hanson	Laidig	Neuville	Runbeck
Berg	Hottinger	Langseth	Oliver	Sams
Berglin	Janezich	Larson	Olson	Samuelson
Bertram	Johnson, D.J.	Lesewski	Ourada	Scheevel
Betzold	Johnson, J.B.	Lessard	Pappas	Solon
Chandler	Johnston	Limmer	Pariseau	Spear
Chmielewski	Kelly	Marty	Piper	Stevens
Day	Kiscaden	Merriam	Pogemiller	Stumpf
Dille	Kleis	Metzen	Price	Terwilliger
Finn	Knutson	Mondale	Ranum	Wiener
Flynn	Kramer	Morse	Reichgott Junge	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1641 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 1641: A bill for an act relating to local government; requiring a local governmental unit to furnish copies of any ordinances adopted to the county law library; amending Minnesota Statutes 1994, sections 375.52; and 415.021.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Neuville	Robertson
Belanger	Hanson	Laidig	Oliver	Runbeck
Berg	Hottinger	Langseth	Olson	Sams
Berglin	Janezich	Larson	Ourada	Samuelson
Bertram	Johnson, D.J.	Lesewski	Pappas	Scheevel
Betzold	Johnson, J.B.	Lessard	Pariseau	Solon
Chandler	Johnston	Limmer	Piper	Spear
Chmielewski	Kelly	Marty	Pogemiller	Stevens
Day	Kiscaden	Merriam	Price	Stumpf
Dille	Kleis	Metzen	Ranum	Terwilliger
Finn	Knutson	Morse	Reichgott Junge	Wiener
Flynn	Kramer	Murphy	Riveness	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 870 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 870: A bill for an act relating to elevator safety; changing responsibility for certain administrative and enforcement activities; changing certain exemptions; imposing penalties; amending Minnesota Statutes 1994, sections 16B.61, subdivisions 1 and 1a; 16B.72; 16B.73; 183.351, subdivisions 2 and 5; 183.353; 183.354; 183.355, subdivisions 1, 3, and by adding a subdivision; 183.357, subdivisions 1 and 3; 183.358; and 326.244, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 183.

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:

Anderson	Frederickson	Krentz	Murphy	Riveness
Belanger	Hanson	Kroening	Neuville	Robertson
Berg	Hottinger	Laidig	Oliver	Runbeck
Berglin	Janezich	Larson	Olson	Sams
Bertram	Johnson, D.J.	Lesewski	Ourada	Samuelson
Betzold	Johnson, J.B.	Lessard	Pappas	Scheevel
Chandler	Johnston	Limmer	Pariseau	Solon
Chmielewski	Kelly	Marty	Piper	Spear
Day	Kiscaden	Merriam	Pogemiller	Stevens
Dille	Kleis	Metzen	Price	Stumpf
Finn	Knutson	Mondale	Ranum	Terwilliger
Flynn	Kramer	Morse	Reichgott Junge	Wiener

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 720 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 720: A bill for an act relating to motor vehicles; modifying appearance of special license plates issued to amateur radio station licensees; amending Minnesota Statutes 1994, section 168.12, subdivision 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kroening	Murphy	Riveness
Belanger	Hanson	Laidig	Neuville	Robertson
Berg	Hottinger	Langseth	Novak	Sams
Berglin	Janezich	Larson	Oliver	Samuelson
Bertram	Johnson, D.J.	Lesewski	Olson	Scheevel
Betzold	Johnson, J.B.	Limmer	Ourada	Solon
Chandler	Johnston	Marty	Pariseau	Spear
Chmielewski	Kiscaden	Merriam	Piper	Stevens
Day	Kleis	Metzen	Pogemiller	Stumpf
Dille	Knutson	Moe, R.D.	Price	Terwilliger
Finn	Kramer	Mondale	Ranum	Wiener
Flynn	Krentz	Morse	Reichgott Junge	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 399 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 399: A bill for an act relating to the secretary of state; regulating filings and related matters; providing for service of process; amending Minnesota Statutes 1994, sections 5.22, subdivision 1; 48.185, subdivision 7; 79A.06, subdivision 5; 168.27, subdivision 19a; 221.67; 302A.115, subdivision 1; 302A.121, subdivision 1; 302A.701; 302A.901, subdivision 1; 303.03; 303.06, subdivision 1; 303.13, subdivision 1; 303.14, subdivision 3; 308A.121, subdivision 1; 309.56, subdivision 1; 317A.115, subdivision 2; 317A.823, subdivision 1; 317A.901, subdivision 1; 319A.03; 319A.06, subdivision 2; 322A.02; 322A.761; 322B.12, subdivision 1; 322B.80, subdivision 1; 322B.876, subdivision 1; 322B.955; 322B.960, subdivisions 1 and 3; 323.02, by adding a subdivision; 323.44, subdivisions 2, 4, 5, and 6; 323.45, subdivisions 1 and 5; 323.46; 323.47, subdivision 1; 325F.70, subdivision 2; 330.11, subdivision 3; 333.001; 333.01; 333.055, subdivision 4; 333.21, subdivision 1; 336.9-403; 336A.11, subdivision 2; 540.152; and 543.08; proposing coding for new law in Minnesota Statutes, chapters 5; and 323; repealing Minnesota Statutes 1994, sections 302A.901, subdivisions 2, 2a, 3, and 4; 303.13, subdivisions 2, 3, 4, and 5; 317A.901, subdivisions 2, 3, and 4; 322B.876, subdivisions 2, 3, and 4; 322B.901; and 323.47, subdivisions 2, 3, and 4.

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:

Anderson	Hanson	Kroening	Morse	Riveness
Belanger	Hottinger	Laidig	Murphy	Robertson
Berg	Janezich	Langseth	Neuville	Runbeck
Berglin	Johnson, D.J.	Larson	Novak	Sams
Bertram	Johnson, J.B.	Lesewski	Oliver	Samuelson
Betzold	Johnston	Lessard	Ourada	Scheevel
Chandler	Kelly	Limmer	Pariseau	Solon
Chmielewski	Kiscaden	Marty	Piper	Spear
Day	Kleis	Merriam	Pogemiller	Stevens
Dille	Knutson	Metzen	Price	Stumpf
Finn	Kramer	Moe, R.D.	Ranum	Terwilliger
Flynn	Krentz	Mondale	Reichgott Junge	Wiener

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 651 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 651: A bill for an act relating to probate; clarifying and correcting provisions of the uniform probate code; expanding authority for safe deposit box searches, division and merger of trusts, and granting of power-of-attorney to spouses in certain cases; amending Minnesota Statutes 1994, sections 55.10, subdivision 4; 501B.16; 501B.71, by adding a subdivision; 507.02; 519.06; 519.07; 519.11, subdivision 2; 523.23, subdivision 1; 523.24, subdivision 1; 524.1-201; 524.2-508; 524.3-914; 524.3-916; 524.3-1001; 524.3-1008; 524.3-1201; 524.3-1202; and 524.3-1203; proposing coding for new law in Minnesota Statutes, chapters 501B; and 524; repealing Minnesota Statutes 1994, sections 525.145; and 525.51.

Mr. Finn moved to amend H.F. No. 651, as amended pursuant to Rule 49, adopted by the Senate March 20, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 591.)

Page 3, line 31, delete everything after the period

Page 3, delete lines 32 and 33

Page 3, line 34, delete everything before "If"

Page 8, line 35, after "finds" insert "by clear and convincing evidence"

Page 8, line 36, delete everything after "is" and insert "an incapacitated person as defined in section 525.54"

Page 9, line 1, delete everything before the comma

Page 9, line 7, after the period, insert "The decree may not be granted or must be vacated if the petitioner caused or contributed to the incapacity or disappearance of the petitioner's spouse."

Page 9, after line 11, insert:

"Sec. 8. Minnesota Statutes 1994, section 519.11, subdivision 2, is amended to read:

Subd. 2. [WRITING; EXECUTION.] Antenuptial or postnuptial contracts or settlements shall be in writing, executed in the presence of two witnesses and acknowledged by the parties, executing the same before any officer or person authorized to administer an oath under the laws of this state. An antenuptial contract must be entered into and executed prior to the day of solemnization of marriage. A power of attorney may not be used to accomplish the purposes of this section."

Page 35, after line 10, insert:

"Sec. 22. [EFFECTIVE DATE; APPLICATION.]

(a) This act is effective January 1, 1996.

(b) Sections 1, 14, 17, 18, 19, and 20 apply to all decedents' estates, whenever the decedent died.

(c) Section 4 applies to all trusts, whenever executed or created.

(d) Sections 6 and 10 apply to powers of attorney executed on or after the effective date.

(e) Sections 12, 13, and 15 apply to the rights of successors of decedents dying on or after the effective date and to any wills of decedents dying on or after the effective date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 651 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kroening	Morse	Runbeck
Belanger	Hanson	Laidig	Neuville	Sams
Berg	Hottinger	Langseth	Novak	Samuelson
Berglin	Janezich	Larson	Oliver	Scheevel
Bertram	Johnson, D.J.	Lesewski	Ourada	Solon
Betzold	Johnson, J.B.	Lessard	Pariseau	Spear
Chandler	Johnston	Limmer	Piper	Stevens
Chmielewski	Kiscaden	Marty	Pogemiller	Stumpf
Day	Kleis	Merriam	Price	Terwilliger
Dille	Knutson	Metzen	Reichgott Junge	Wiener
Finn	Kramer	Moe, R.D.	Riveness	
Flynn	Krentz	Mondale	Robertson	

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 32 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 32: A bill for an act relating to marriage; authorizing retired court administrators to solemnize marriages; amending Minnesota Statutes 1994, section 517.04.

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 10, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Ourada	Solon
Berg	Janezich	Lessard	Pariseau	Spear
Berglin	Johnson, D.J.	Marty	Piper	Stevens
Bertram	Johnson, J.B.	Metzen	Reichgott Junge	Stumpf
Betzold	Kiscaden	Moe, R.D.	Riveness	Vickerman
Chandler	Kleis	Mondale	Robertson	Wiener
Day	Knutson	Morse	Runbeck	
Finn	Krentz	Neuville	Sams	
Flynn	Laidig	Novak	Samuelson	
Hanson	Langseth	Oliver	Scheevel	

Those who voted in the negative were:

Belanger	Dille	Kramer	Limmer	Price
Chmielewski	Johnston	Kroening	Merriam	Terwilliger

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1399 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 1399: A bill for an act relating to crime; imposing penalties for assaulting a police horse while it is being used for law enforcement purposes; proposing coding for new law in Minnesota Statutes, chapter 609.

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:

Anderson	Flynn	Kroening	Novak	Sams
Belanger	Hanson	Larson	Oliver	Samuelson
Berg	Hottinger	Lesewski	Ourada	Scheevel
Berglin	Janezich	Lessard	Pariseau	Solon
Bertram	Johnson, D.J.	Limmer	Piper	Spear
Betzold	Johnson, J.B.	Marty	Pogemiller	Stevens
Chandler	Johnston	Merriam	Price	Stumpf
Chmielewski	Kiscaden	Metzen	Ranum	Terwilliger
Cohen	Kleis	Moe, R.D.	Reichgott Junge	Vickerman
Day	Knutson	Mondale	Riveness	Wiener
Dille	Kramer	Morse	Robertson	
Finn	Krentz	Neuville	Runbeck	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 529 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 529: A bill for an act relating to eminent domain proceedings; amending Minnesota Statutes 1994, sections 117.065; 117.115, subdivision 2; and 117.145.

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:

Anderson	Finn	Knutson	Merriam	Piper
Belanger	Flynn	Kramer	Metzen	Pogemiller
Berg	Hanson	Krentz	Moe, R.D.	Price
Berglin	Hottinger	Kroening	Mondale	Ranum
Bertram	Janezich	Laidig	Morse	Reichgott Junge
Betzold	Johnson, D.J.	Langseth	Neuville	Riveness
Chandler	Johnson, J.B.	Larson	Novak	Robertson
Chmielewski	Johnston	Lesewski	Oliver	Runbeck
Cohen	Kelly	Lessard	Ourada	Sams
Day	Kiscaden	Limmer	Pappas	Samuelson
Dille	Kleis	Marty	Pariseau	Scheevel

Solon
Spear

Stevens

Stumpf

Terwilliger

Vickerman

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 150 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 150: A bill for an act relating to game and fish; removing certain requirements relating to fish taken in Canada; appropriating money; amending Minnesota Statutes 1994, section 97A.531, subdivision 1; repealing Minnesota Statutes 1994, section 97A.531, subdivisions 2, 3, 4, 5, and 6.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Novak	Sams
Belanger	Hottinger	Langseth	Oliver	Samuelson
Berg	Janezich	Larson	Ourada	Scheevel
Berglin	Johnson, D.J.	Lesewski	Pappas	Solon
Bertram	Johnson, J.B.	Lessard	Pariseau	Spear
Betzold	Johnston	Limmer	Piper	Stevens
Chandler	Kelly	Marty	Pogemiller	Stumpf
Chmielewski	Kiscaden	Merriam	Price	Terwilliger
Cohen	Kleis	Metzen	Ranum	Vickerman
Day	Knutson	Moe, R.D.	Reichgott Junge	Wiener
Dille	Kramer	Mondale	Riveness	
Finn	Krentz	Morse	Robertson	
Flynn	Kroening	Neuville	Runbeck	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 340 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 340: A bill for an act relating to commerce; motor vehicle sales and distribution; regulating the establishment and relocation of dealerships; amending Minnesota Statutes 1994, section 80E.14.

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:

Anderson	Dille	Kiscaden	Limmer	Ourada
Belanger	Finn	Kleis	Marty	Pappas
Berg	Flynn	Knutson	Merriam	Pariseau
Berglin	Frederickson	Kramer	Metzen	Piper
Bertram	Hanson	Krentz	Moe, R.D.	Pogemiller
Betzold	Hottinger	Kroening	Mondale	Price
Chandler	Janezich	Laidig	Morse	Ranum
Chmielewski	Johnson, D.J.	Larson	Neuville	Reichgott Junge
Cohen	Johnson, J.B.	Lesewski	Novak	Riveness
Day	Johnston	Lessard	Oliver	Robertson

Runbeck
Sams
Samuelson

Scheevel
Solon

Spear
Stevens

Stumpf
Terwilliger

Vickerman
Wiener

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1402 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1402: A bill for an act relating to state government; asking state employees to submit suggestions to improve the efficiency and effectiveness of state government.

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 45 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson
Belanger
Berglin
Bertram
Betzold
Chandler
Day
Dille
Finn

Flynn
Hanson
Hottinger
Janezich
Johnson, D.J.
Johnson, J.B.
Johnston
Knutson
Krentz

Kroening
Laidig
Larson
Lesewski
Lessard
Limmer
Marty
Metzen
Moe, R.D.

Mondale
Morse
Neuville
Novak
Pappas
Pariseau
Piper
Pogemiller
Price

Ranum
Reichgott Junge
Riveness
Sams
Spear
Stumpf
Terwilliger
Vickerman
Wiener

Those who voted in the negative were:

Berg
Chmielewski
Kiscaden

Kleis
Kramer
Merriam

Oliver
Ourada
Robertson

Runbeck
Samuelson
Scheevel

Stevens

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 990 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 990: A bill for an act relating to consumer protection; providing warranties for new assistive devices; providing enforcement procedures; proposing coding for new law in Minnesota Statutes, chapter 325G.

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 2, as follows:

Those who voted in the affirmative were:

Anderson
Belanger
Berg
Berglin
Bertram
Betzold
Chandler
Chmielewski
Cohen
Day

Dille
Finn
Flynn
Frederickson
Hanson
Hottinger
Janezich
Johnson, D.E.
Johnson, D.J.
Johnson, J.B.

Johnston
Kiscaden
Kleis
Knutson
Kramer
Krentz
Kroening
Laidig
Langseth
Larson

Lesewski
Lessard
Limmer
Marty
Merriam
Metzen
Moe, R.D.
Mondale
Morse
Neuville

Novak
Ourada
Pappas
Pariseau
Piper
Pogemiller
Price
Ranum
Reichgott Junge
Riveness

Robertson
Sams
Samuelson

Scheevel
Solon

Spear
Stevens

Stumpf
Terwilliger

Vickerman
Wiener

Mr. Oliver and Ms. Runbeck voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1678 and that the rules of the Senate be so far suspended as to give S.F. No. 1678, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S.F. No. 1678: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative 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; amending Minnesota Statutes 1994, sections 3.9741, subdivision 2; 5.14; 15.50, subdivision 2; 15.91, subdivision 2; 16B.39, by adding a subdivision; 16B.42, subdivision 3; 197.05; 240A.08; and 349A.08, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 16B; and 43A.

Mr. Kramer moved to amend S.F. No. 1678 as follows:

Page 32, after line 10, insert:

"Sec. 47. Minnesota Statutes 1994, section 309.501, is amended by adding a subdivision to read:

Subd. 3a. [RELATED ORGANIZATIONS.] No two federated funding campaigns that are "related organizations," as defined in section 317A.011, subdivision 18, may be registered to participate in the state employee combined charitable campaign."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Merriam questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the Kramer amendment.

The roll was called, and there were yeas 54 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Dille	Kiscaden	Metzen	Riveness
Beckman	Finn	Kleis	Mondale	Robertson
Belanger	Flynn	Knutson	Morse	Runbeck
Berg	Frederickson	Kramer	Neuville	Sams
Berglin	Hanson	Krentz	Novak	Samuelson
Bertram	Hottinger	Laidig	Olson	Scheevel
Betzold	Janezich	Langseth	Ourada	Spear
Chandler	Johnson, D.E.	Lesewski	Pappas	Stevens
Chmielewski	Johnson, J.B.	Lessard	Pariseau	Vickerman
Cohen	Johnston	Limmer	Price	Wiener
Day	Kelly	Marty	Ranum	

Those who voted in the negative were:

Kroening	Merriam	Piper	Reichgott Junge	Stumpf
Larson	Moe, R.D.	Pogemiller	Solon	Terwilliger

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Cohen imposed a call of the Senate for the balance of the proceedings on S.F. No. 1678. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Cohen moved to amend S.F. No. 1678 as follows:

Page 2, line 38, delete "10,642,000" and insert "11,234,000"

Page 2, line 40, delete "10,611,000" and insert "11,202,000"

Page 3, after line 48, insert:

"Subd. 5. General Reduction

-0- (591,000)

The legislative coordinating commission shall allocate the general reduction among the senate, the house of representatives, and legislative commissions."

The motion prevailed. So the amendment was adopted.

Ms. Pappas moved to amend S.F. No. 1678 as follows:

Page 28, after line 23, insert:

"Sec. 44. Minnesota Statutes 1994, section 16B.88, subdivision 1, is amended to read:

Subdivision 1. [INFORMATION CENTER FOR VOLUNTEER PROGRAMS.] (a) ~~The office of citizenship and volunteer services is under the supervision and administration of an executive a director appointed by the commissioner and referred to in this section as "director."~~ The office shall: (1) operate as a state information, technical assistance, and promotion center for volunteer programs and needed services that could be delivered by volunteer programs; and (2) promote and facilitate citizen participation in local governance and public problem solving.

(b) In furtherance of the mission in paragraph (a), clause (2), the office shall:

(1) engage in education and other activities designed to enhance the capacity of citizens to solve problems affecting their communities;

(2) promote and support efforts by citizens, community-based organizations, non-profits, churches, and local governments to collaborate in solving community problems;

(3) encourage local governments to provide increased opportunities for citizen involvement in public decision making and public problem solving;

(4) refer innovative approaches to encourage greater public access to and involvement in state and local government decisions to appropriate state and local government officials;

(5) encourage units of state and local government to respond to citizen initiatives and ideas;

(6) promote processes for involving citizens in government decisions; and

(7) recognize and publicize models of effective public problem solving by citizens.

~~A person or public or private agency may request information on the availability of volunteer programs relating to specific services and may report to the director whenever a volunteer program is needed or desired.~~

Sec. 45. Minnesota Statutes 1994, section 16B.88, subdivision 2, is amended to read:

Subd. 2. [COOPERATION WITH OTHER GROUPS.] The director shall cooperate with

national, state, and local ~~volunteer~~ groups in collecting information on federal, state, and private resources which may encourage and improve volunteer projects within the state. The office shall coordinate its research and other work on citizen engagement with the board of government innovation and cooperation, the Minnesota extension service, and Project Public Life, Humphrey Institute, University of Minnesota.

Sec. 46. Minnesota Statutes 1994, section 16B.88, subdivision 3, is amended to read:

Subd. 3. [MONEY.] The director may accept and disburse public or private funds and gifts made available for the promotion of ~~volunteer~~ the office's programs.

Sec. 47. Minnesota Statutes 1994, section 16B.88, subdivision 4, is amended to read:

Subd. 4. [RESEARCH AND INFORMATION.] The director shall ~~conduct research to:~~ (1) identify methods for increasing the capacity of citizens to influence decisions affecting their lives, identify methods citizens can use to solve problems in their communities, and promote innovative techniques for citizen and community-based organizations to collaborate in understanding and solving community problems; and (2) identify needs of volunteer programs and to assess community needs for volunteer services. The director may issue informational materials relating to volunteer programs in Minnesota and results of the director's research."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend S.F. No. 1678 as follows:

Page 15, line 17, delete "1,931,000" and insert "2,081,000" and delete "1,914,000" and insert "2,064,000"

Page 15, line 48, delete "4,876,000" and insert "4,726,000" in both places

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 13 and nays 51, as follows:

Those who voted in the affirmative were:

Belanger	Dille	Kramer	Neuville	Stevens
Berg	Johnston	Larson	Pariseau	
Day	Knutson	Lesewski	Scheevel	

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Olson	Samuelson
Beckman	Janezich	Lessard	Ourada	Solon
Berglin	Johnson, D.E.	Limmer	Pappas	Spear
Bertram	Johnson, D.J.	Marty	Piper	Stumpf
Betzold	Johnson, J.B.	Merriam	Pogemiller	Terwilliger
Chandler	Kelly	Metzen	Price	Vickerman
Cohen	Kiscaden	Moe, R.D.	Ranum	Wiener
Finn	Kleis	Mondale	Reichgott Junge	
Flynn	Krentz	Morse	Riveness	
Frederickson	Kroening	Novak	Robertson	
Hanson	Laidig	Oliver	Runbeck	

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

Mr. Cohen moved to amend S.F. No. 1678 as follows:

Page 3, after line 48, insert:

"Subd. 6. Compensation Council

The salary increases recommended by the compensation council on April 1, 1995, for legislators, constitutional officers, and judges may not take effect unless ratified or approved as modified by S.F. No. 1406."

The motion prevailed. So the amendment was adopted.

Mr. Morse moved to amend S.F. No. 1678 as follows:

Page 30, after line 15, insert:

"Sec. 45. Minnesota Statutes 1994, section 126A.01, is amended to read:

126A.01 [ENVIRONMENTAL EDUCATION GOALS AND PLAN.]

Subdivision 1. [GOALS.] The environmental education program described in this chapter has these goals for the pupils and other citizens of this state:

(a) Pupils and citizens should be able to apply informed decision-making processes to maintain a sustainable lifestyle. In order to do so, citizens should:

- (1) ~~to understand ecological systems;~~
- (2) ~~to understand the cause and effect relationship between human attitudes and behavior and the environment;~~
- (3) ~~to be able to analyze, develop, and use problem solving skills to understand the decision-making process of individuals, institutions, and nations regarding environmental issues;~~
- (4) ~~to be able to evaluate alternative responses to environmental issues before deciding on alternative courses of action; and~~
- (5) ~~to (4) understand the potential complementary nature effects of multiple uses of the environment;~~
- (6) ~~to provide experiences to assist citizens to increase their sensitivity and stewardship for the environment; and~~
- (7) ~~to provide the~~ (b) Pupils and citizens shall have access to information citizens need and experiences needed to make informed decisions about actions to take on environmental issues.

(c) For purposes of this chapter, "state plan" means "Greenprint for Minnesota: A State Plan for Environmental Education."

Sec. 46. Minnesota Statutes 1994, section 126A.02, is amended to read:

126A.02 [~~OFFICE OF ENVIRONMENTAL EDUCATION COUNCIL.~~]

Subd. 2. [~~BOARD COUNCIL MEMBERS.~~] A 17-member board shall advise the director ~~19-member environmental education council is created.~~ The board council ~~The board council~~ is made up of the commissioners of the department of natural resources; the pollution control agency; the department of agriculture; the department of education; the department of health; the director of the office of strategic and long-range planning; the director of the office of environmental assistance; the chair of the board of water and soil resources; the executive director of the higher education coordinating board; the executive secretary of the board of teaching; the director of the extension service; and eight citizen members representing diverse interests appointed by the governor. The governor shall appoint one citizen member from each congressional district. The citizen members are subject to section 15.0575. Two of the citizen members appointed by the governor must be licensed teachers currently teaching in the K-12 system. The governor shall annually designate a member to serve as chair for the next year.

Subd. 3. [COUNCIL DUTIES.] The council shall facilitate the implementation of the "Greenprint for Minnesota: A State Plan for Environmental Education"; may initiate, develop,

implement, evaluate, and market environmental education programs consistent with the state plan; and shall promote state government and private sector policy that is consistent with the state plan.

Subd. 4. [TRANSFER.] Citizen members serving on the Minnesota environmental education advisory board shall be transferred to the environmental education council to serve out their terms.

Subd. 5. [STAFF.] (a) The staff and consultant support for the council shall be provided by the office of strategic and long-range planning. This support shall be provided based upon an annual budget and work program developed by the council and certified to the director of the office.

(b) Classified and unclassified state employees involved in the implementation and administration of the duties of the environmental education advisory board shall be transferred to the office of strategic and long-range planning in the classified service of the state without competitive examination and shall be placed in the proper classification by the commissioner of employee relations with compensation as provided for the classifications. Nothing in this paragraph shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the commissioner's or managerial plans for unrepresented employees or the terms of an agreement between the exclusive representatives of public employees and the state or one of its appointing authorities.

(c) The office of strategic and long-range planning shall provide office space and administrative and fiscal support for the council and the staff as necessary to carry out the responsibilities of the council as prescribed in sections 126A.01 to 126A.12. The authorized budget of the environmental education advisory board is transferred to the office of strategic and long-range planning to support the activities of the environmental education council.

(d) The staff shall initiate, develop, implement, evaluate, and market environmental education programs consistent with the state plan; shall promote state government and private sector policy that is consistent with the state plan as directed by the council; and shall support the activities of the environmental education council.

Sec. 47. Minnesota Statutes 1994, section 126A.04, is amended to read:

126A.04 [POWERS AND DUTIES.]

~~Subdivision 1. [PLANNING.] The director may develop a plan and establish a continuing planning process to achieve the goals for environmental education. The director may integrate the environmental education plans, strategies, and policies developed by the department of education and post-secondary institutions when developing their planning process and plan.~~

~~Subd. 2. [LEGISLATION.] The director council may review proposed legislation and funding requests relating to informal environmental education for ensure consistency with the state plan. The director shall council may also develop with the department of education and post-secondary institutions a process for coordinating the development of K-12 and post-secondary environmental education legislation and funding requests with the state plan.~~

~~Subd. 3. [ENVIRONMENTAL EDUCATION CONFERENCE.] The director council may conduct an environmental education conference every other year to bring together the environmental education community to identify future issues, ascertain needs, and set priorities and goals. The results of the conference may be used in revising the state plan.~~

~~Subd. 4. [ADVISORY COMMITTEES.] The director shall council may establish advisory committees and a process to receive input from committees and others on K-12, post-secondary, and informal environmental education programs and needs, priority issues, and target audiences.~~

~~Subd. 5. [GRANTS.] The director office of strategic and long-range planning may apply for, receive, and allocate grants and other money for environmental education to support the activities of the council. The office of strategic and long-range planning has the right to retain money collected from conference receipts to support the activities of the environmental education council. The director shall continue to make a grant to an environmental library located in the metropolitan area.~~

Subd. 6. [COMMUNICATION.] The council may establish and maintain methods of

communication between environmental education producers, distributors, and consumers to encourage effective and timely programs.

Subd. 7. [TECHNICAL ASSISTANCE.] The council may provide technical assistance to agencies and organizations for effective design and marketing of environmental education programs and for the writing of environmental education components in legislative materials.

Subd. 8. [MARKETING AND PUBLICITY.] The council may provide marketing and publicity for environmental education programs of other agencies and organizations within the priorities developed in the state plan.

Subd. 9. [COOPERATION AND SUPPORT.] The council shall cooperate with and support the environmental education programs developed by the environmental quality board that are consistent with the state plan."

Page 32, after line 31, insert:

"Sec. 51. Laws 1993, chapter 224, article 12, section 32, is amended to read:

Sec. 32. [REPEALER.]

(a) Minnesota Statutes 1992, sections 120.095; 120.101, subdivision 5a; 120.75, subdivision 2; 120.80, subdivision 2; 121.11, subdivisions 6 and 13; 121.165; 121.19; 121.49; 121.883; 121.90; 121.901; 121.902; 121.904, subdivisions 5, 6, 8, 9, 10, 11a, and 11c; 121.908, subdivision 4; 121.9121, subdivisions 3 and 5; 121.931, subdivisions 6, 6a, 7, and 8; 121.934; 121.936 subdivisions 1, 2, and 3; 121.937; 121.94; 121.941; 121.942; 121.943; 123.33, subdivisions 10, 14, 15, and 16; 123.35, subdivision 14; 123.352; 123.36, subdivisions 2, 3, 4, 4a, 6, 8, 9, and 12; 123.40, subdivisions 4 and 6; 123.61; 123.67; 123.709; 123.744; 124.615; 124.62; 124.64; 124.645; 124.67; 124.68; 124.69; 124.79; 125.12, subdivisions 3a and 4a; 125.17, subdivisions 2a and 3a; 126.09; 126.111; 126.112; 126.20, subdivision 4; 126.24; and 126.268, are repealed.

(b) Minnesota Statutes 1992, section 121.11, subdivision 15, is repealed.

(c) Minnesota Statutes 1992, sections 120.101, subdivision 5b; 121.11, subdivision 16; 121.585, subdivision 3; 124.19, subdivisions 1, 1b, 6, and 7; 126.02; 126.025; 126.031; 126.06; 126.08; 126.12, subdivision 2; 126.662; 126.663; 126.664; 126.665; 126.666; 126.67; 126.68; ~~126A.01; 126A.02; 126A.04;~~ 126A.05; 126A.07; 126A.08; 126A.09; 126A.10; 126A.11; and 126A.12, are repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend S.F. No. 1678 as follows:

Page 5, after line 23, insert:

"\$625,000 the first year and \$625,000 the second year are for salary increases.

\$638,000 the first year and \$637,000 the second year are for computer system improvements."

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

Ms. Ranum moved to amend S.F. No. 1678 as follows:

Page 7, delete lines 21 to 25 and insert:

"\$250,000 the first year and \$200,000 the second year are for the government information access council, of which \$50,000 the first year and \$200,000 the second year are available only as

matched, dollar for dollar, by contributions from nonstate sources.

\$366,000 the first year and \$266,000 the second year are for public information policy analysis for data and records management."

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

Mr. Kramer moved to amend S.F. No. 1678 as follows:

Page 27, line 21, after "person" insert ", including a private citizen,"

The motion prevailed. So the amendment was adopted.

S.F. No. 1678 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 41 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Langseth	Pappas	Spear
Beckman	Hottinger	Lessard	Piper	Stumpf
Berg	Janezich	Marty	Pogemiller	Terwilliger
Berglin	Johnson, D.J.	Merriam	Price	Vickerman
Betzold	Johnson, J.B.	Metzen	Ranum	Wiener
Chmielewski	Kelly	Moe, R.D.	Reichgott Junge	
Cohen	Krentz	Morse	Riveness	
Flynn	Kroening	Murphy	Samuelson	
Frederickson	Laidig	Novak	Solon	

Those who voted in the negative were:

Belanger	Johnson, D.E.	Kramer	Neuville	Robertson
Bertram	Johnston	Larson	Oliver	Runbeck
Day	Kiscaden	Lesewski	Olson	Sams
Dille	Kleis	Limmer	Ourada	Scheevel
Finn	Knutson	Mondale	Pariseau	Stevens

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

MOTIONS AND RESOLUTIONS - CONTINUED

RECONSIDERATION

Mr. Finn moved that the vote whereby the Senate refused to concur in the House amendments to S.F. No. 830 on April 20, 1995, be now reconsidered. The motion prevailed.

S.F. No. 830: A bill for an act relating to state lands; allowing the sale of certain state forest lands; requiring the commissioner of natural resources to convey certain land to the city of Akeley for public purposes; proposing coding for new law in Minnesota Statutes, chapter 89.

CONCURRENCE AND REPASSAGE

Mr. Finn moved that the Senate concur in the amendments by the House to S.F. No. 830 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 830 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Novak	Sams
Beckman	Hottinger	Langseth	Oliver	Samuelson
Belanger	Janezich	Larson	Olson	Scheevel
Berg	Johnson, D.E.	Lesewski	Ourada	Solon
Berglin	Johnson, D.J.	Lessard	Pappas	Spear
Bertram	Johnson, J.B.	Limmer	Pariseau	Stevens
Betzold	Johnston	Marty	Piper	Stumpf
Chmielewski	Kelly	Merriam	Pogemiller	Terwilliger
Cohen	Kiscaden	Metzen	Price	Vickerman
Day	Kleis	Moe, R.D.	Ranum	Wiener
Dille	Knutson	Mondale	Reichgott Junge	
Finn	Kramer	Morse	Riveness	
Flynn	Krentz	Murphy	Robertson	
Frederickson	Kroening	Neuville	Runbeck	

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Marty introduced--

S.F. No. 1679: A bill for an act relating to taxation; reducing the class rates on certain residential property; providing for additional state aid; amending Minnesota Statutes 1994, sections 124.2131, by adding a subdivision; and 273.13, subdivision 25.

Referred to the Committee on Taxes and Tax Laws.

Ms. Johnson, J.B.; Mr. Morse, Mses. Anderson, Piper and Mr. Spear introduced--

S.F. No. 1680: A bill for an act relating to the environment; providing for the reduction of toxic waste in environmental high impact areas; requiring risk assessments; providing for technical assistance; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 115D.

Referred to the Committee on Environment and Natural Resources.

MEMBERS EXCUSED

Mr. Beckman was excused from the Session of today from 12:15 to 3:15 p.m. Ms. Berglin was excused from the Session of today from 10:30 a.m. to 1:50 p.m. Mr. Cohen was excused from the Session of today from 10:30 a.m. to 2:30 p.m. Mr. Kelly was excused from the Session of today from 10:30 to 11:50 a.m. Mr. Knutson was excused from the Session of today from 11:45 a.m. to 2:00 p.m. Ms. Hanson was excused from the Session of today from 1:45 to 2:00 p.m. Mr. Johnson, D.E. was excused from the Session of today from 2:15 to 2:45 p.m. Mr. Langseth was excused from the Session of today from 1:30 to 2:00 p.m. Mr. Lessard was excused from the Session of today from 3:00 to 3:30 p.m. Ms. Olson was excused from the Session of today from 2:20 to 3:00 p.m. Ms. Reichgott Junge was excused from the Session of today from 2:00 to 2:30 p.m. Ms. Runbeck was excused from the Session of today from 10:30 to 11:30 a.m. Mr. Vickerman was excused from the Session of today from 2:10 to 2:30 p.m. Mr. Chandler was excused from the Session of today at 4:10 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Tuesday, April 25, 1995.
The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

