

FORTY-SIXTH DAY

St. Paul, Minnesota, Tuesday, April 25, 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.

Prayer was offered by the Chaplain, Rev. Thomas M. Hansen.

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.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1000.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 24, 1995

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1000: A bill for an act relating to education; prekindergarten through grade 12; providing for general education revenue; transportation; special programs; community education; facilities; organization and cooperation; education excellence; other programs; miscellaneous

provisions; libraries; state agencies; technology; conforming amendments; appropriating money; amending Minnesota Statutes 1994, sections 43A.316, subdivision 2; 62L.08, subdivision 7a; 116J.655; 120.062, subdivision 7; 120.064, subdivision 4; 120.101, subdivision 5c; 120.17, subdivisions 3a, 3b, and by adding a subdivision; 120.185; 120.74, subdivision 1; 120.75, subdivision 1; 121.11, subdivision 7c; 121.702, by adding a subdivision; 121.705; 121.706; 121.707, subdivisions 4, 6, and 7; 121.708; 121.709; 121.710; 121.885, subdivisions 1 and 4; 121.904, subdivisions 4a and 4c; 121.912, subdivisions 1, 1b, and 6; 121.935, subdivision 1; 122.21, subdivision 4; 122.23, subdivision 2; 122.242, subdivision 9; 122.895, subdivisions 1, 8, and 9; 122.91, subdivisions 1, 2, and 2a; 122.92, subdivision 1; 122.93, subdivision 1; 122.94, subdivision 1; 123.35, subdivision 19b; 123.351, subdivisions 1, 3, 4, and 5; 123.3514, subdivisions 4d, 7, 8, and by adding a subdivision; 123.70, subdivision 8; 123.7991, subdivisions 2 and 3; 123.805, subdivisions 1 and 2; 124.14, by adding a subdivision; 124.17, subdivisions 1, 2f, and by adding a subdivision; 124.193; 124.195, subdivision 10, and by adding a subdivision; 124.2139; 124.214, subdivisions 2 and 3; 124.223, subdivision 7; 124.225, subdivisions 1, 3a, 7b, 7d, 7f, 8a, and 8m; 124.226, subdivisions 1 and 3; 124.243, subdivisions 2 and 8; 124.244, subdivisions 1, 4, and by adding a subdivision; 124.2455; 124.2711, subdivision 2a; 124.2713, subdivision 6; 124.2725, subdivisions 1, 3, 4, and 15; 124.2726, subdivision 1; 124.273, by adding subdivisions; 124.32, subdivisions 10 and 12; 124.321, subdivisions 1 and 2; 124.322; 124.323, subdivisions 1, 2, and by adding a subdivision; 124.573, subdivision 2e; 124.574, subdivision 9, and by adding subdivisions; 124.83, subdivision 4; 124.84, subdivision 3; 124.91, subdivision 5; 124.916, subdivision 2; 124.95, subdivisions 2, 4, and 6; 124.961; 124A.03, subdivisions 1g and 1h; 124A.0311, subdivision 4; 124A.22, subdivisions 2, 2a, 4, 4a, 4b, 8a, and 9; 124A.225, subdivisions 4 and 5; 124A.23, subdivisions 1 and 4; 124A.24; 124A.29, subdivision 1; 124C.07; 124C.08, subdivision 2; 124C.45, subdivision 1; 124C.46, subdivision 2; 124C.48, subdivision 1; 125.62, subdivisions 1 and 7; 125.623, subdivision 2; 126.031, subdivision 1; 126.15, subdivision 2; 126.49, by adding a subdivision; 126.70, subdivision 2a; 126A.01; 126A.02, subdivision 2; 126B.01; 126B.03, subdivisions 2 and 3; 127.30, subdivision 2; 128A.02, subdivisions 1, 3, 5, and by adding a subdivision; 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.10, subdivision 1; 134.155; 134.34, subdivision 4a; 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; 631.40, subdivision 1a; Laws 1992, chapter 499, article 11, section 9, as amended; Laws 1993, chapter 224, article 8, section 21, subdivision 1; Laws 1993, chapter 224, article 12, section 32, as amended; Laws 1993, chapter 224, article 12, sections 39, and 41; Laws 1994, chapter 587, article 3, section 19, subdivision 1; Laws 1994, chapter 647, article 1, section 36; Laws 1994, chapter 647, article 3, section 25; Laws 1994, chapter 647, article 7, section 15; proposing coding for new law in Minnesota Statutes, chapters 123; 124; 124C; 125; 126; 126B; 127; 134; 136D; 169; 604A; repealing Minnesota Statutes 1994, sections 121.602, subdivision 5; 121.702, subdivision 9; 121.703; 123.58; 124.17, subdivision 1b; 124.243, subdivisions 2a and 9; 124.2714; 124.273, subdivisions 1b and 2c; 124.32, subdivisions 1b, 1c, 1d, 1f, 2, and 3a; 124.574, subdivisions 2b, 3, 4, and 4a; 124.91, subdivision 5; 124.912, subdivision 8; 124.914, subdivisions 2, 3, and 4; 124.962; 124A.04, subdivision 1; 124A.27, subdivision 11; 124A.29, subdivision 2; 124A.291; 124A.292; 125.138, subdivisions 6, 7, 8, 9, 10, and 11; 126.019; 126B.02; 126B.03; 126B.04; 126B.05; 128A.02, subdivisions 2 and 4; 128A.03; 268.9755; Laws 1991, chapter 265, article 5, section 23, as amended; Laws 1992, chapter 499, article 7, sections 16, 17, and 27.

Mr. Moe, R.D. moved that H.F. No. 1000 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H.F. No. 244 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.
244S.F. No.
306

H.F. No.

S.F. No.

H.F. No.

S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 244 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 244 and insert the language after the enacting clause of S.F. No. 306, the second engrossment; further, delete the title of H.F. No. 244 and insert the title of S.F. No. 306, the second engrossment.

And when so amended H.F. No. 244 will be identical to S.F. No. 306, and further recommends that H.F. No. 244 be given its second reading and substituted for S.F. No. 306, 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. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 1056 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.
1056S.F. No.
837

H.F. No.

S.F. No.

H.F. No.

S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1056 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1056 and insert the language after the enacting clause of S.F. No. 837, the first engrossment; further, delete the title of H.F. No. 1056 and insert the title of S.F. No. 837, the first engrossment.

And when so amended H.F. No. 1056 will be identical to S.F. No. 837, and further recommends that H.F. No. 1056 be given its second reading and substituted for S.F. No. 837, 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. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 1709 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.
1709S.F. No.
1523

H.F. No.

S.F. No.

H.F. No.

S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1709 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1709 and insert the language after the enacting clause of S.F. No. 1523, the first engrossment; further, delete the title of H.F. No. 1709 and insert the title of S.F. No. 1523, the first engrossment.

And when so amended H.F. No. 1709 will be identical to S.F. No. 1523, and further recommends that H.F. No. 1709 be given its second reading and substituted for S.F. No. 1523, 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.

SECOND READING OF HOUSE BILLS

H.F. Nos. 244, 1056 and 1709 were read the second time.

MOTIONS AND RESOLUTIONS

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Mr. Solon introduced--

S.F. No. 1681: A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 1; prohibiting financing of certain education costs with property taxes.

Referred to the Committee on Taxes and Tax Laws.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1653 a special Order to be heard immediately.

SPECIAL ORDER

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.

Mr. Murphy moved to amend S.F. No. 1653 as follows:

Page 17, delete section 5

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 28 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Laidig	Novak	Scheevel
Bertram	Johnson, D.E.	Larson	Ourada	Stevens
Day	Johnston	Lesewski	Pariseau	Terwilliger
Dille	Kleis	Limmer	Robertson	Wiener
Finn	Knutson	Marty	Sams	
Frederickson	Kramer	Murphy	Samuelson	

Those who voted in the negative were:

Anderson	Cohen	Kroening	Oliver	Reichgott Junge
Beckman	Flynn	Langseth	Olson	Riveness
Berg	Hottinger	Merriam	Pappas	Solon
Berglin	Johnson, J.B.	Metzen	Piper	Spear
Betzold	Kelly	Mondale	Pogemiller	Stumpf
Chandler	Kiscaden	Morse	Price	Vickerman
Chmielewski	Krentz	Neuville	Ranum	

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

Mr. Johnson, D.E. moved to amend S.F. No. 1653 as follows:

Page 45, after line 27, insert:

"Sec. 50. [TASK FORCE ON CAPITOL AREA SECURITY.]

Subdivision 1. [CREATION; MEMBERSHIP.] A task force on capitol area security is created consisting of representatives or designees of the following:

- (1) the commissioner of public safety;
- (2) the commissioner of administration;
- (3) the adjutant general of the department of military affairs;
- (4) the superintendent of the bureau of criminal apprehension;
- (5) the director of capitol security;
- (6) the director of the division of emergency management;
- (7) the chief justice of the supreme court;
- (8) the attorney general;
- (9) the Ramsey county sheriff;
- (10) the St. Paul police chief;
- (11) one member of the majority caucus and one member of the minority caucus of the senate;
- (12) the secretary of the senate;
- (13) the sergeant at arms of the senate;
- (14) one member of the majority caucus and one member of the minority caucus of the house of representatives;
- (15) the chief clerk of the house of representatives; and
- (16) the sergeant at arms of the house of representatives.

The chair of the task force shall be the commissioner of public safety.

Subd. 2. [PURPOSE; REPORT.] The task force shall review the current level of security for state government buildings and property in the capitol area and determine whether the level of security is sufficient to reasonably protect employees and customers of state government agencies and services from potential dangers to life and property. The task force shall consult with representatives of the Federal Bureau of Investigation, the Secret Service, and the Bureau of Alcohol, Tobacco, and Firearms prior to making its recommendations. At the discretion of the chair, proceedings of the task force may be closed to all but the members of the task force and invited guests. The department of public safety shall provide staffing for the task force.

By February 1, 1996, the task force shall report to the governor, the senate majority leader, the senate minority leader, the speaker of the house, the minority leader of the house, the attorney general, and the chief justice of the supreme court. The task force report is not public data."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Metzen moved to amend S.F. No. 1653 as follows:

Page 5, line 15, delete "389,000" and insert "639,000" and delete "391,000" and insert "641,000"

Page 11, line 20, delete "\$2,636,000" and insert "\$2,136,000"

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

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

Mr. Merriam moved to amend S.F. No. 1653 as follows:

Page 100, line 14, delete the colon

Page 100, delete lines 15 to 20

Page 100, line 21, delete everything before "a"

Page 100, line 24, delete the quotation mark

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 6 and nays 48, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Flynn	Merriam	Spear
Berglin				

Those who voted in the negative were:

Beckman	Hottinger	Laidig	Novak	Riveness
Berg	Johnson, D.E.	Larson	Olson	Sams
Bertram	Johnson, J.B.	Lesewski	Ourada	Samuelson
Chandler	Johnston	Limmer	Pappas	Scheevel
Chmielewski	Kiscaden	Marty	Pariseau	Stevens
Cohen	Kleis	Metzen	Piper	Stumpf
Day	Knutson	Mondale	Pogemiller	Vickerman
Dille	Kramer	Morse	Price	Wiener
Finn	Krentz	Murphy	Ranum	
Frederickson	Kroening	Neuville	Reichgott Junge	

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

Mr. Neuville moved to amend S.F. No. 1653 as follows:

Page 100, line 22, delete "reasonable grounds" and insert "probable cause"

The motion prevailed. So the amendment was adopted.

Mr. Neuville then moved to amend S.F. No. 1653 as follows:

Page 63, line 3, delete everything after "the" and insert "chairs of the senate crime prevention and house of representatives judiciary committee for"

Page 63, delete lines 4 to 12

The motion prevailed. So the amendment was adopted.

Mr. Marty moved to amend S.F. No. 1653 as follows:

Page 17, after line 4, insert:

"Sec. 4. [15.87] [VICTIMS OF VIOLENCE.]

In furtherance of the state policy of zero tolerance for violence in section 1.50, the state shall have a goal of providing:

(1) every victim of violence in Minnesota, regardless of the county of residence, access to:

(i) crisis intervention services, including a 24-hour emergency phone line;

(ii) safe housing;

(iii) counseling and peer support services; and

(iv) assistance in pursuing legal remedies and appropriate medical care; and

(2) every child who is a witness to abuse or who is a victim of violence, access to:

(i) crisis nursery care;

(ii) safe supervised child visitation, when needed;

(iii) age appropriate counseling and support; and

(iv) assistance with legal remedies, medical care, and needed social services."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Ms. Kiscaden moved to amend the Marty amendment to S.F. No. 1653 as follows:

Page 1, line 8, delete the colon and insert "crisis services; and"

Page 1, delete lines 9 to 14

Page 1, line 16, delete the colon and insert "crisis services."

Page 1, delete lines 17 to 21

The question was taken on the adoption of the Kiscaden amendment to the Marty amendment.

The roll was called, and there were yeas 24 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger
Day
Dille
Frederickson
Johnson, D.E.

Johnston
Kiscaden
Kleis
Knutson
Kramer

Krentz
Laidig
Larson
Lesewski
Limmer

Merriam
Neuville
Oliver
Ourada
Pariseau

Robertson
Runbeck
Scheevel
Terwilliger

Those who voted in the negative were:

Anderson	Cohen	Kroening	Novak	Riveness
Beckman	Finn	Lessard	Pappas	Sams
Berglin	Flynn	Marty	Piper	Spear
Bertram	Hanson	Moe, R.D.	Pogemiller	Stumpf
Betzold	Hottinger	Mondale	Price	Vickerman
Chandler	Johnson, D.J.	Morse	Ranum	Wiener
Chmielewski	Kelly	Murphy	Reichgott Junge	

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

The question recurred on the adoption of the Marty amendment.

The roll was called, and there were yeas 46 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Finn	Krentz	Murphy	Sams
Beckman	Flynn	Kroening	Novak	Spear
Berglin	Frederickson	Laidig	Ourada	Stumpf
Bertram	Hanson	Lessard	Pappas	Terwilliger
Betzold	Hottinger	Marty	Piper	Vickerman
Chandler	Janezich	Merriam	Pogemiller	Wiener
Chmielewski	Johnson, D.E.	Metzen	Price	
Cohen	Johnson, D.J.	Moe, R.D.	Ranum	
Day	Kelly	Mondale	Reichgott Junge	
Dille	Kramer	Morse	Riveness	

Those who voted in the negative were:

Belanger	Kiscaden	Larson	Oliver	Robertson
Berg	Kleis	Limmer	Olson	Runbeck
Johnston	Knutson	Neuville	Pariseau	Scheevel

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend S.F. No. 1653 as follows:

Page 9, delete lines 19 to 36 and insert:

"The commissioner shall attempt to maximize the use of inmate labor throughout the state by entering into negotiations and agreements, where feasible, with state and local units of government to provide this labor. The commissioner shall not displace currently employed workers, but may replace workers who have retired, resigned, or transferred to other departments or agencies."

Mr. Finn moved to amend the Neuville amendment to S.F. No. 1653 as follows:

Page 1, line 7, delete everything after "feasible" and insert a period

Page 1, delete lines 8 to 13

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

Ms. Flynn moved to amend the Neuville amendment to S.F. No. 1653 as follows:

Page 1, line 2, delete "delete lines 19 to 36 and" and insert "after line 36,"

The question was taken on the adoption of the Flynn amendment to the Neuville amendment.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hottinger	Kroening	Riveness
Beckman	Cohen	Janezich	Marty	Samuelson
Berglin	Finn	Johnson, D.E.	Moe, R.D.	Stumpf
Bertram	Flynn	Johnson, D.J.	Novak	Wiener
Betzold	Frederickson	Johnson, J.B.	Pogemiller	
Chandler	Hanson	Kelly	Price	

Those who voted in the negative were:

Belanger	Kramer	Metzen	Pappas	Scheevel
Berg	Krentz	Mondale	Pariseau	Spear
Day	Laidig	Morse	Piper	Stevens
Dille	Larson	Murphy	Ranum	Terwilliger
Johnston	Lesewski	Neuville	Reichgott Junge	Vickerman
Kiscaden	Lessard	Oliver	Robertson	
Kleis	Limmer	Olson	Runbeck	
Knutson	Merriam	Ourada	Sams	

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

The question recurred on the Neuville amendment, as amended.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Finn	Pappas	Pogemiller	Samuelson
Berglin	Flynn	Piper		

The motion prevailed. So the Neuville amendment, as amended, was adopted.

Mr. Betzold moved to amend S.F. No. 1653 as follows:

Page 38, line 12, delete "December" and insert "January"

Page 44, line 25, delete "1" and insert "15"

Page 63, line 23, delete "1" and insert "15"

Page 64, line 36, delete "1" and insert "15"

The motion prevailed. So the amendment was adopted.

Mr. Betzold then moved to amend S.F. No. 1653 as follows:

Page 38, line 12, delete "1996" and insert "1997"

The motion prevailed. So the amendment was adopted.

Mr. Kelly moved to amend S.F. No. 1653 as follows:

Page 105, line 30, delete "8" and insert "7"

The motion prevailed. So the amendment was adopted.

Ms. Lesewski moved to amend S.F. No. 1653 as follows:

Page 56, line 12, after the period, insert "A court may place a juvenile in a facility which is out of state, if the facility is located within 100 miles of the juvenile's residence and there is no Minnesota facility within 100 miles from the juvenile's residence that meets the specialized program or security needs of the juvenile."

Mr. Spear moved to amend the Lesewski amendment to S.F. No. 1653 as follows:

Page 1, line 3, before the comma, insert "and which has been certified by the commissioner of corrections under paragraph (a), clauses (1) and (2)"

Page 1, line 6, delete "or" and insert "and"

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

The question was taken on the Lesewski amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Mr. Neuville moved to amend S.F. No. 1653 as follows:

Page 6, delete line 43 and insert:

"Subd. 12. Criminal Apprehension

17,598,000 16,295,000"

Page 22, lines 4 to 6, reinstate the stricken language and delete the new language

Page 22, line 9, reinstate the stricken language and delete the new language

Page 22, line 14, reinstate the stricken language and delete "superintendent"

Page 22, lines 24 and 25, reinstate the stricken language and delete the new language

Pages 65 to 84, delete article 4

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

Renumber the articles and 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 28 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Kiscaden	Larson	Neuville	Runbeck
Berg	Kleis	Lesewski	Novak	Scheevel
Day	Knutson	Lessard	Oliver	Stevens
Frederickson	Kramer	Limmer	Olson	Terwilliger
Johnson, D.E.	Kroening	Merriam	Pariseau	
Johnston	Laidig	Mondale	Robertson	

Those who voted in the negative were:

Anderson	Finn	Langseth	Piper	Solon
Beckman	Flynn	Marty	Pogemiller	Spear
Berglin	Hottinger	Metzen	Price	Stumpf
Bertram	Janezich	Moe, R.D.	Ranum	Vickerman
Betzold	Johnson, D.J.	Morse	Reichgott Junge	Wiener
Chandler	Johnson, J.B.	Murphy	Riveness	
Chmielewski	Kelly	Ourada	Sams	
Cohen	Krentz	Pappas	Samuelson	

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

Ms. Kiscaden moved to amend S.F. No. 1653 as follows:

Page 53, after line 2, insert:

"Sec. 8. [260.1735] [EXTENSION OF DETENTION PERIOD.]

Before July 1, 1997, and pursuant to a request from an eight-day temporary holdover facility, as defined in section 241.0221, the commissioner of corrections, or the commissioner's designee, may grant a one-time extension per child to the eight-day limit on detention under this chapter. This extension may allow such a facility to detain a child for up to 30 days including weekends and holidays. Upon the expiration of the extension, the child may not be transferred to another eight-day temporary holdover facility. The commissioner shall develop criteria for granting extensions under this section. These criteria must ensure that the child be transferred to a long-term juvenile detention facility as soon as such a transfer is possible. Nothing in this section changes the requirements in section 260.172 regarding the necessity of detention hearings to determine whether continued detention of the child is proper."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Beckman moved to amend S.F. No. 1653 as follows:

Pages 70 to 72, delete sections 7 to 9

Page 74, line 24, strike "DIVISION OF DEPARTMENT OF PUBLIC SAFETY" and insert "BUREAU CREATED"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Ms. Kiscaden moved to amend S.F. No. 1653 as follows:

Page 87, line 6, strike "or"

Page 87, line 8, before the period, insert "; or

(12) To a child determined to have possessed a dangerous weapon under section 127.283"

Page 100, after line 11, insert:

"Sec. 7. [127.283] [REPORT TO COMMISSIONER OF PUBLIC SAFETY.]

A school principal shall notify the commissioner of public safety of any child in the school determined to have possessed a dangerous weapon, as defined in section 609.02, in the school building."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Beckman moved to amend S.F. No. 1653 as follows:

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "providing for the implementation of, clarifying, and modifying certain criminal and juvenile provisions; providing for the implementation of, clarifying, and modifying certain penalty provisions; increasing the number of judges; providing for the implementation of, clarifying, and modifying certain provisions regarding bomb disposal units, correctional inmates, the peace officer standards and training board, soft body armor

reimbursements, public safety officer death benefits, the witness and victim protection fund, criminal background checks, court fees, surcharges, fines, assessments, and eligibility for public defenders; authorizing negotiations regarding correctional facilities; authorizing wage withholding and requiring reimbursement of certain expenses for public defenders; limiting and prohibiting placement of juveniles in certain facilities; establishing and expanding pilot programs, grant programs, task forces, committees, and studies; directing that rules be adopted and amended; establishing the bureau of criminal apprehension as an independent agency of the executive branch; transferring the criminal justice information system to the bureau; providing for the implementation of, clarifying, and modifying certain provisions regarding truancy and school safety;"

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend S.F. No. 1653 as follows:

Page 6, delete lines 26 to 38

Page 7, line 33, delete "\$700,000" and insert "\$1,150,000"

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

CALL OF THE SENATE

Mr. Kelly imposed a call of the Senate for the balance of the proceedings on S.F. No. 1653. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Berg	Kiscaden	Lesewski	Ourada	Stevens
Bertram	Kleis	Limmer	Pariseau	Terwilliger
Day	Knutson	Merriam	Robertson	
Frederickson	Kramer	Neuville	Runbeck	
Johnson, D.E.	Laidig	Oliver	Scheevel	
Johnston	Larson	Olson	Solon	

Those who voted in the negative were:

Anderson	Finn	Kroening	Murphy	Riveness
Beckman	Flynn	Langseth	Novak	Samuelson
Belanger	Hanson	Lessard	Pappas	Spear
Berglin	Hottinger	Marty	Piper	Stumpf
Betzold	Janezich	Metzen	Pogemiller	Vickerman
Chandler	Johnson, J.B.	Moe, R.D.	Price	Wiener
Cohen	Kelly	Mondale	Ranum	
Dille	Krentz	Morse	Reichgott Junge	

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

S.F. No. 1653 was read the third time, as amended, and placed on its final passage.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

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

The roll was called, and there were yeas 61 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Dille	Janezich	Kelly
Beckman	Chandler	Finn	Johnson, D.E.	Kleis
Belanger	Chmielewski	Flynn	Johnson, D.J.	Knutson
Berg	Cohen	Hanson	Johnson, J.B.	Kramer
Berglin	Day	Hottinger	Johnston	Krentz

Kroening	Metzen	Ourada	Riveness	Stumpf
Laidig	Moe, R.D.	Pappas	Runbeck	Terwilliger
Langseth	Mondale	Pariseau	Sams	Vickerman
Lesewski	Morse	Piper	Samuelson	Wiener
Lessard	Neuville	Pogemiller	Scheevel	
Limmer	Novak	Price	Solon	
Marty	Oliver	Ranum	Spear	
Merriam	Olson	Reichgott Junge	Stevens	

Those who voted in the negative were:

Bertram	Kiscaden	Larson	Murphy	Robertson
Frederickson				

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

Mr. Moe, R.D. moved that S.F. No. 1653 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that H.F. No. 1000 be taken from the table. The motion prevailed.

H.F. No. 1000: A bill for an act relating to education; prekindergarten through grade 12; providing for general education revenue; transportation; special programs; community education; facilities; organization and cooperation; education excellence; other programs; miscellaneous provisions; libraries; state agencies; technology; conforming amendments; appropriating money; amending Minnesota Statutes 1994, sections 43A.316, subdivision 2; 62L.08, subdivision 7a; 116J.655; 120.062, subdivision 7; 120.064, subdivision 4; 120.101, subdivision 5c; 120.17, subdivisions 3a, 3b, and by adding a subdivision; 120.185; 120.74, subdivision 1; 120.75, subdivision 1; 121.11, subdivision 7c; 121.702, by adding a subdivision; 121.705; 121.706; 121.707, subdivisions 4, 6, and 7; 121.708; 121.709; 121.710; 121.885, subdivisions 1 and 4; 121.904, subdivisions 4a and 4c; 121.912, subdivisions 1, 1b, and 6; 121.935, subdivision 1; 122.21, subdivision 4; 122.23, subdivision 2; 122.242, subdivision 9; 122.895, subdivisions 1, 8, and 9; 122.91, subdivisions 1, 2, and 2a; 122.92, subdivision 1; 122.93, subdivision 1; 122.94, subdivision 1; 123.35, subdivision 19b; 123.351, subdivisions 1, 3, 4, and 5; 123.3514, subdivisions 4d, 7, 8, and by adding a subdivision; 123.70, subdivision 8; 123.7991, subdivisions 2 and 3; 123.805, subdivisions 1 and 2; 124.14, by adding a subdivision; 124.17, subdivisions 1, 2f, and by adding a subdivision; 124.193; 124.195, subdivision 10, and by adding a subdivision; 124.2139; 124.214, subdivisions 2 and 3; 124.223, subdivision 7; 124.225, subdivisions 1, 3a, 7b, 7d, 7f, 8a, and 8m; 124.226, subdivisions 1 and 3; 124.243, subdivisions 2 and 8; 124.244, subdivisions 1, 4, and by adding a subdivision; 124.2455; 124.2711, subdivision 2a; 124.2713, subdivision 6; 124.2725, subdivisions 1, 3, 4, and 15; 124.2726, subdivision 1; 124.273, by adding subdivisions; 124.32, subdivisions 10 and 12; 124.321, subdivisions 1 and 2; 124.322; 124.323, subdivisions 1, 2, and by adding a subdivision; 124.573, subdivision 2e; 124.574, subdivision 9, and by adding subdivisions; 124.83, subdivision 4; 124.84, subdivision 3; 124.91, subdivision 5; 124.916, subdivision 2; 124.95, subdivisions 2, 4, and 6; 124.961; 124A.03, subdivisions 1g and 1h; 124A.0311, subdivision 4; 124A.22, subdivisions 2, 2a, 4, 4a, 4b, 8a, and 9; 124A.225, subdivisions 4 and 5; 124A.23, subdivisions 1 and 4; 124A.24; 124A.29, subdivision 1; 124C.07; 124C.08, subdivision 2; 124C.45, subdivision 1; 124C.46, subdivision 2; 124C.48, subdivision 1; 125.62, subdivisions 1 and 7; 125.623, subdivision 2; 126.031, subdivision 1; 126.15, subdivision 2; 126.49, by adding a subdivision; 126.70, subdivision 2a; 126A.01; 126A.02, subdivision 2; 126B.01; 126B.03, subdivisions 2 and 3; 127.30, subdivision 2; 128A.02, subdivisions 1, 3, 5, and by adding a subdivision; 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.10, subdivision 1; 134.155; 134.34, subdivision 4a; 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; 631.40, subdivision 1a; Laws 1992, chapter 499, article 11, section 9, as amended; Laws 1993, chapter 224, article 8, section 21, subdivision 1; Laws 1993, chapter 224, article 12, section 32, as amended; Laws 1993, chapter 224, article 12, sections 39, and 41; Laws 1994, chapter 587, article 3, section 19, subdivision 1; Laws 1994,

chapter 647, article 1, section 36; Laws 1994, chapter 647, article 3, section 25; Laws 1994, chapter 647, article 7, section 15; proposing coding for new law in Minnesota Statutes, chapters 123; 124; 124C; 125; 126; 126B; 127; 134; 136D; 169; 604A; repealing Minnesota Statutes 1994, sections 121.602, subdivision 5; 121.702, subdivision 9; 121.703; 123.58; 124.17, subdivision 1b; 124.243, subdivisions 2a and 9; 124.2714; 124.273, subdivisions 1b and 2c; 124.32, subdivisions 1b, 1c, 1d, 1f, 2, and 3a; 124.574, subdivisions 2b, 3, 4, and 4a; 124.91, subdivision 5; 124.912, subdivision 8; 124.914, subdivisions 2, 3, and 4; 124.962; 124A.04, subdivision 1; 124A.27, subdivision 11; 124A.29, subdivision 2; 124A.291; 124A.292; 125.138, subdivisions 6, 7, 8, 9, 10, and 11; 126.019; 126B.02; 126B.03; 126B.04; 126B.05; 128A.02, subdivisions 2 and 4; 128A.03; 268.9755; Laws 1991, chapter 265, article 5, section 23, as amended; Laws 1992, chapter 499, article 7, sections 16, 17, and 27.

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 H.F. No. 1000 and that the rules of the Senate be so far suspended as to give H.F. No. 1000 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1000 was read the second time.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the proceedings on H.F. No. 1000. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Pogemiller moved to amend H.F. No. 1000 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 1000, and insert the language after the enacting clause, and the title, of S.F. No. 944, the third engrossment.

The motion prevailed. So the amendment was adopted.

Mr. Pogemiller then moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 12, line 7, after "122.248" insert a comma

Page 27, line 28, delete the comma

Page 70, line 2, after "attributable" insert "to"

Page 82, lines 26 and 31, after "Bend" insert a comma

Page 83, lines 3 and 5, after "Bend" insert a comma

Page 85, after line 19, insert:

"Sec. 118. [NO AID REDUCTION.]

The commissioner of education shall not reduce aid to a district under Minnesota Statutes, section 124.14, subdivision 3, for the 1992-1993 school year because the district did not provide the number of instructional days provided for in Minnesota Statutes 1992, section 120.101, as long as the district provided at least the minimum instructional hours required by the rules of the state board of education during the 1992-1993 school year."

Page 88, line 2, after "123.3514" insert a comma

Page 88, line 21, delete from ". The" through page 88, line 23, to "system"

Page 88, after line 24, insert:

"The grantee district shall cooperate with at least two other school districts in developing and implementing the system."

Page 89, line 30, after "Preston-Fountain" insert a comma

Page 97, line 7, delete the comma

Page 141, line 36, after "Lake" insert a comma

Page 149, line 11, after "council" insert a comma

Page 160, line 20, delete "extend" and insert "extent"

Page 164, line 17, delete "implementing" and insert "implementation of"

Page 164, line 22, delete "develop" and insert "development of"

Page 167, line 8, after "126B" insert a comma

Page 173, line 8, delete "19" and insert "24"

Page 199, line 29, delete the comma

Pages 216 to 218, delete sections 27 to 30

Page 220, delete section 32

Page 264, line 31, after "committee" insert a comma

Page 269, line 35, delete the comma

Page 276, line 32, delete "Funds" and insert "The Minnesota science and mathematics foundation may make funds" and delete "may"

Page 276, line 33, delete "be made"

Page 277, line 18, after "pupil" insert "calculated as if the pupil were"

Page 277, line 21, delete the comma

Page 279, line 29, after the comma, insert "and"

Page 279, line 31, delete the comma

Page 280, line 11, after "public" insert "or"

Page 284, line 12, after the first period, insert "[DEPARTMENT OF EDUCATION.] The sums indicated in this section are appropriated from the-general fund to the department of education for the fiscal years designated."

Subd. 2."

Page 284, lines 14 and 15, delete "\$8,272,000" and insert "\$8,428,000"

Page 284, line 20, delete "2" and insert "3"

Page 284, line 29, delete "3" and insert "4" and delete "INFORMS" and insert "INFORMNS"

Page 284, line 33, delete "4" and insert "5"

Page 285, line 4, delete "5" and insert "6"

Page 285, after line 14, insert:

"The board of directors of SciMath MN shall be the initial board of directors of the foundation."

Page 285, line 15, delete "6" and insert "7"

Page 285, line 22, delete "7" and insert "8"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Belanger moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Pages 100 and 101, delete section 8

Pages 128 and 129, delete section 31

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger	Johnston	Larson	Neuville	Robertson
Berg	Kleis	Lesewski	Oliver	Runbeck
Day	Knutson	Limmer	Olson	Scheevel
Finn	Kramer	Metzen	Ourada	Stevens
Frederickson	Laidig	Moe, R.D.	Pariseau	Terwilliger
Johnson, D.E.	Langseth	Murphy	Price	

Those who voted in the negative were:

Anderson	Flynn	Krentz	Novak	Sams
Beckman	Hanson	Kroening	Pappas	Samuelson
Bertram	Hottinger	Lessard	Piper	Spear
Betzold	Janezich	Marty	Pogemiller	Stumpf
Chandler	Johnson, D.J.	Merriam	Ranum	Vickerman
Cohen	Johnson, J.B.	Mondale	Reichgott Junge	Wiener
Dille	Kelly	Morse	Riveness	

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

Mr. Knutson moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 295, line 27, after the period, insert "The state board of education may continue its proceedings to adopt rules pursuant to Minnesota Statutes, section 121.11, subdivisions 7c and 7d, but the board must not take final action under Minnesota Statutes, sections 14.131 to 14.20, to adopt such rules until specifically authorized by law to do so."

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger	Day	Hanson	Kleis	Kroening
Berg	Dille	Johnson, D.E.	Knutson	Laidig
Chmielewski	Frederickson	Johnston	Kramer	Langseth

Larson
Lesewski
Lessard
Limmer

Marty
Neuville
Olson
Ourada

Pariseau
Price
Runbeck
Samuelson

Scheevel
Solon
Stevens
Terwilliger

Vickerman

Those who voted in the negative were:

Anderson
Beckman
Berglin
Bertram
Betzold
Chandler
Cohen

Finn
Flynn
Hottinger
Janezich
Johnson, D.J.
Johnson, J.B.
Kelly

Kiscaden
Krentz
Merriam
Metzen
Moe, R.D.
Mondale
Morse

Murphy
Novak
Pappas
Piper
Pogemiller
Ranum
Reichgott Junge

Riveness
Robertson
Sams
Spear
Stumpf
Wiener

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

Mr. Pogemiller moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 100, line 23, delete the colon

Page 100, line 24, delete everything before the first "the"

Page 100, line 27, delete "; and" and insert a period

Page 100, delete lines 28 and 29

The motion prevailed. So the amendment was adopted.

Mr. Solon moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Pages 270 and 271, delete section 97

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Ms. Kiscaden moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 309, after line 4, insert:

"Subd. 14. [SCHOOL DISTRICT DEBT.] A school district may issue obligations, certificates of indebtedness, or capital notes under Minnesota Statutes, chapter 475, or any other law authorizing school district debt instruments and may certify tax levies as needed to pay the principal and interest for taxes payable in 1996."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger
Berg
Day
Dille
Frederickson
Johnson, D.E.

Johnston
Kiscaden
Kleis
Knutson
Kramer
Krentz

Laidig
Larson
Lesewski
Limmer
Marty
Neuville

Oliver
Olson
Ourada
Pariseau
Riveness
Robertson

Runbeck
Scheevel
Spear
Stevens
Terwilliger
Wiener

Those who voted in the negative were:

Anderson	Cohen	Johnson, J.B.	Mondale	Price
Beckman	Finn	Kelly	Morse	Reichgott Junge
Berglin	Flynn	Kroening	Murphy	Sams
Bertram	Hanson	Langseth	Novak	Samuelson
Betzold	Hottinger	Lessard	Pappas	Solon
Chandler	Janezich	Metzen	Piper	Vickerman
Chmielewski	Johnson, D.J.	Moe, R.D.	Pogemiller	

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

Mr. Knutson moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 61, after line 21, insert:

"Sec. 78. Minnesota Statutes 1994, section 124A.03, subdivision 3b, is amended to read:

Subd. 3b. [REFERENDUM ALLOWANCE REDUCTION.] A district's referendum allowance under subdivision 1c is reduced by the amounts calculated in paragraphs (a), (b), (c), and (d).

(a) The referendum allowance reduction equals the amount by which a district's supplemental revenue reduction exceeds the district's supplemental revenue allowance for fiscal year 1993.

(b) Notwithstanding paragraph (a), if a district's initial referendum allowance is less than ten percent of the formula allowance for that year, the reduction equals the lesser of (1) an amount equal to \$100, or (2) the amount calculated in paragraph (a).

(c) Notwithstanding paragraph (a) or (b), a school district's referendum allowance reduction equals (1) an amount equal to \$100, times (2) one minus the ratio of 20 percent of the formula allowance minus the district's initial referendum allowance limit to 20 percent of the formula allowance for that year if:

(i) the district's adjusted net tax capacity for assessment year 1992 per actual pupil unit for fiscal year 1995 is less than \$3,000;

(ii) the district's net unappropriated operating fund balance as of June 30, 1993, divided by the actual pupil units for fiscal year 1995 is less than \$200;

(iii) the district's supplemental revenue allowance for fiscal year 1993 is equal to zero; and

(iv) the district's initial referendum revenue authority for the current year divided by the district's net tax capacity for assessment year 1992 is greater than ten percent.

(d) Notwithstanding paragraph (a), (b), or (c), the referendum revenue reduction for a newly reorganized district is computed as follows:

(1) for a newly reorganized district created effective July 1, 1994, the referendum revenue reduction equals the lesser of the amount calculated for the combined district under paragraph (a), (b), or (c), or the sum of the amounts by which each of the reorganizing district's supplemental revenue reduction exceeds its respective supplemental revenue allowances calculated for the districts as if they were still in existence for fiscal year 1995; or

(2) for a newly reorganized district created after July 1, 1994, the referendum revenue reduction equals the lesser of the amount calculated for the combined district under paragraph (a), (b), or (c), or the sum of the amounts by which each of the reorganizing district's supplemental revenue reduction exceeds its respective supplemental revenue allowances calculated for the year preceding the year of reorganization.

(e) A district may levy an amount up to the amounts calculated in paragraphs (a), (b), (c), and (d), times the district's actual pupil units for the school year. This levy is not eligible for referendum equalization aid under subdivision 1h.

This section shall be effective for taxes payable in 1997 and later years."

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 33, as follows:

Those who voted in the affirmative were:

Belanger	Kiscaden	Limmer	Oliver	Robertson
Berg	Kleis	Marty	Olson	Runbeck
Day	Knutson	Metzen	Ourada	Scheevel
Dille	Kramer	Mondale	Pariseau	Stevens
Frederickson	Laidig	Murphy	Price	Terwilliger
Johnson, D.E.	Larson	Neuville	Reichgott Junge	Wiener
Johnston	Lesewski	Novak	Riveness	

Those who voted in the negative were:

Anderson	Cohen	Johnson, J.B.	Moe, R.D.	Samuelson
Beckman	Finn	Kelly	Morse	Solon
Berglin	Flynn	Krentz	Pappas	Spear
Bertram	Hanson	Kroening	Piper	Stumpf
Betzold	Hottinger	Langseth	Pogemiller	Vickerman
Chandler	Janezich	Lessard	Ranum	
Chmielewski	Johnson, D.J.	Merriam	Sams	

The motion prevailed. So the amendment was adopted.

Mr. Stevens moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 271, after line 29, insert:

"Sec. 101. [UNFUNDED SCHOOL MANDATE PROHIBITION.]

Subdivision 1. [DEFINITION.] As used in this section, "state mandates" has the meaning given in Minnesota Statutes, section 3.881.

Subd. 2. [FUNDING OF THE COST OF MANDATES.] If the fiscal note prepared by the commissioner of finance under Minnesota Statutes, section 3.982, indicates that a new or expanded mandate in a bill introduced in the legislature will impose a statewide cost on school districts in excess of \$500,000, the school districts are not required to implement the mandate unless the legislature, by appropriation enacted before the mandate is required to be implemented, provides reimbursement to the school districts for the costs incurred."

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 32 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Laidig	Oliver	Scheevel
Berg	Johnson, D.E.	Larson	Ourada	Stevens
Bertram	Johnston	Lesewski	Pariseau	Terwilliger
Chmielewski	Kiscaden	Lessard	Riveness	Vickerman
Day	Kleis	Limmer	Runbeck	
Dille	Knutson	Metzen	Sams	
Finn	Kramer	Neuville	Samuelson	

Those who voted in the negative were:

Anderson	Hanson	Kroening	Murphy	Reichgott Junge
Beckman	Hottinger	Langseth	Novak	Robertson
Berglin	Janezich	Marty	Pappas	Solon
Betzold	Johnson, D.J.	Merriam	Piper	Spear
Chandler	Johnson, J.B.	Moe, R.D.	Pogemiller	Stumpf
Cohen	Kelly	Mondale	Price	Wiener
Flynn	Krentz	Morse	Ranum	

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

Mrs. Pariseau moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 235, after line 32, insert:

"Sec. 43. [126.091] [MOMENT OF SILENCE.]

At the commencement of the first class each day in all public schools the teacher in charge of the room in which each such class is held may announce that a period of silence, not to exceed one minute in duration, may be observed, and during any such period silence may be maintained and no activity engaged in."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Neuville moved to amend the Pariseau amendment to H.F. No. 1000 as follows:

Page 1, lines 9 and 10, delete ", not to exceed one minute in duration,"

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

Mr. Ourada moved to amend the Pariseau amendment to H.F. No. 1000 as follows:

Page 1, line 7, delete "At the commencement of the first class"

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

The question was taken on the Pariseau amendment, as amended.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Kroening	Oliver	Solon
Berg	Johnson, D.E.	Laidig	Olson	Stevens
Bertram	Johnston	Larson	Ourada	Stumpf
Chmielewski	Kelly	Lesewski	Pariseau	Terwilliger
Day	Kleis	Lessard	Runbeck	Vickerman
Dille	Knutson	Limmer	Sams	
Frederickson	Kramer	Neuville	Scheevel	

Those who voted in the negative were:

Anderson	Flynn	Langseth	Murphy	Reichgott Junge
Beckman	Hottinger	Marty	Novak	Riveness
Berglin	Janezich	Merriam	Pappas	Robertson
Betzold	Johnson, D.J.	Metzen	Piper	Samuelson
Chandler	Johnson, J.B.	Moe, R.D.	Pogemiller	Spear
Cohen	Kiscaden	Mondale	Price	Wiener
Finn	Krentz	Morse	Ranum	

The motion did not prevail. So the Pariseau amendment, as amended, was not adopted.

Mr. Moe, R.D. moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 3, after line 11, insert:

"Sec. 2. Minnesota Statutes 1994, section 16A.152, subdivision 1, is amended to read:

Subdivision 1. ~~[BUDGET RESERVE AND CASH FLOW ACCOUNT ESTABLISHED.]~~ (a) ~~A budget reserve and cash flow account is created in the general fund in the state treasury. The commissioner of finance shall restrict part or all of the balance before reserves in the general fund as may be necessary to fund the budget reserve and cash flow account as provided by law from time to time.~~

(b) The commissioner of finance shall transfer the amount necessary to bring the total amount of the ~~budget reserve and cash flow account~~, including any existing balance in the account on June 30, 1993, to \$360,000,000. The amounts restricted shall remain in the account until drawn down under subdivision 1 ~~or increased under subdivision 2~~ 3.

Sec. 3. Minnesota Statutes 1994, section 16A.152, is amended by adding a subdivision to read:

Subd. 1a. [BUDGET RESERVE ESTABLISHED.] A budget reserve is created in the general fund in the state treasury. The commissioner of finance shall transfer the amount necessary to bring the total amount in the account to \$220,000,000 on July 1, 1995. The amount restricted shall remain in the account until drawn down under the provisions of subdivision 3 or 4.

Sec. 4. Minnesota Statutes 1994, section 16A.152, subdivision 2, is amended to read:

Subd. 2. [ADDITIONAL REVENUES; PRIORITY.] If on the basis of a forecast of general fund revenues and expenditures the commissioner of finance determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of finance must allocate money an amount equal to the lesser of the forecast increase in total net general fund tax receipts or the total positive unrestricted budgetary balance to the budget reserve, and cash flow account until the total amount in the account equals five percent of total general fund appropriations for the current biennium as established by the most recent legislative session. Beginning July 1, 1993, forecast unrestricted budgetary general fund balances are first appropriated to restore the budget reserve and cash flow account to \$500,000,000. Additional biennial unrestricted budgetary general fund balances available after November 1 of every odd-numbered calendar year are appropriated in January of the following year to reduce the property tax levy recognition percent under section 121.904, subdivision 4a, to zero before additional money beyond \$500,000,000 is allocated to the budget reserve and cash flow account. \$180,000,000 of the budget reserve and cash flow account shall be dedicated to elementary and secondary education.

The amounts necessary to meet the requirements of this section are appropriated from the general fund.

Sec. 5. Minnesota Statutes 1994, section 16A.152, subdivision 3, is amended to read:

Subd. 3. [USE.] (a) The purpose of the cash flow account is to reserve sufficient cash balances to meet cash flow deficiencies resulting from uneven distribution of revenue collections and required expenditure payments during a fiscal year. Appropriations from this account shall be restricted to modifying state expenditures payment dates in a manner that reduces the amount needed in the account to avoid short-term borrowing. Appropriations for this purpose shall not exceed the value of the improvement in forecast annual cash lowpoints.

(b) The use of the budget reserve is restricted to the following purposes:

(1) to offset a decline in forecast general fund tax receipts for the current biennium, subject to the provisions of subdivision 4;

(2) to provide interim funding of programs affected by federal funding reductions by appropriation in regular or special legislative session or in accordance with the provisions of section 3.30; or

(3) to provide one-time funding for program dissolution or restructuring costs by appropriation in regular or special legislative session or in accordance with the provisions of section 3.30.

(c) The use of the budget reserve should be governed by principles based on the full economic cycle rather than the budget cycle. The budget reserve may be used when a negative budgetary balance is projected and when objective measures, such as reduced growth in total wages, retail sales, or employment, reflect downturns in the state's economy.

Sec. 6. Minnesota Statutes 1994, section 16A.152, subdivision 4, is amended to read:

Subd. 4. [REDUCTION.] (a) If the commissioner determines that ~~probable~~ forecast tax receipts for the general fund will be less than anticipated, and that the amount available for the remainder of forecast total general fund resources for the biennium will be less than needed, the commissioner shall, with the approval of the governor, and after consulting the legislative advisory commission, reduce the amount in the budget reserve ~~and cash flow account as needed up to an amount equal to the reduction in net forecast tax revenues, not to exceed the amount necessary~~ to balance expenditures with revenue.

(b) An additional deficit shall, with the approval of the governor, and after consulting the legislative advisory commission, be made up by reducing unexpended allotments of any prior appropriation or transfer. Notwithstanding any other law to the contrary, the commissioner is empowered to defer or suspend prior statutorily created obligations which would prevent effecting such reductions.

(c) If the commissioner determines that probable receipts for any other fund, appropriation, or item will be less than anticipated, and that the amount available for the remainder of the term of the appropriation or for any allotment period will be less than needed, the commissioner shall notify the agency concerned and then reduce the amount allotted or to be allotted so as to prevent a deficit.

(d) In reducing allotments, the commissioner may consider other sources of revenue available to recipients of state appropriations and may apply allotment reductions based on all sources of revenue available.

(e) In like manner, the commissioner shall reduce allotments to an agency by the amount of any saving that can be made over previous spending plans through a reduction in prices or other cause."

Page 25, line 28, delete ".55" and insert ".5125"

Page 25, line 32, delete "1.1" and insert "1.025"

Page 72, line 25, delete "0.1" and insert "0.025"

Page 85, line 27, delete "\$78,353,000" and insert "\$74,751,000"

Page 85, line 28, delete "\$11,848,100" and insert "\$11,212,000"

Page 85, line 30, delete "\$67,139,000" and insert "\$63,537,000"

Page 85, line 31, delete "\$11,848,100" and insert "\$11,212,000"

Page 85, line 35, delete "\$41,933,400" and insert "\$39,995,000"

Page 85, line 36, delete "\$ 6,379,700" and insert "\$ 6,038,000"

Page 86, line 2, delete "\$36,151,400" and insert "\$34,213,000"

Page 86, line 3, delete "\$6,379,700" and insert "\$6,038,000"

Page 86, line 27, delete "\$14,070,300" and insert "\$12,902,000"

Page 86, line 28, delete "\$12,797,700" and insert "\$11,492,000"

Page 86, line 30, delete "\$11,955,300" and insert "\$10,787,000"

Page 86, line 31, delete "\$2,109,800" and insert "\$1,904,000"

Page 86, line 32, delete "\$10,687,900" and insert "\$9,589,000"

Page 87, line 15, delete "\$2,072,750,000" and insert "\$1,981,685,000"

Page 87, line 16, delete "\$2,320,338,000" and insert "\$2,217,487,000"

Page 87, line 18, delete "\$1,770,785,000" and insert "\$1,679,720,000"

Page 87, line 20, delete "\$1,995,164,000" and insert "\$1,892,312,000"

Page 109, line 10, delete "\$410,296,000" and insert "\$385,296,000"

Page 114, line 14, delete "\$327,574,000" and insert "\$321,151,000"

Page 139, line 13, delete "\$195,291,000" and insert "\$192,018,000"

Page 139, line 14, delete "\$29,482,000" and insert "\$28,903,000"

Page 139, line 16, delete "\$167,061,000" and insert "\$163,788,000"

Page 139, line 17, delete "\$29,482,000" and insert "\$28,903,000"

Page 140, line 11, delete "\$379,059,000" and insert "\$364,911,000"

Page 140, line 13, delete "\$455,476,000" and insert "\$429,307,000"

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

Mr. Frederickson requested division of the amendment as follows:

First portion:

Page 3, after line 11, insert:

"Sec. 2. Minnesota Statutes 1994, section 16A.152, subdivision 1, is amended to read:

Subdivision 1. ~~[BUDGET RESERVE AND CASH FLOW ACCOUNT ESTABLISHED.]~~ (a) ~~A budget reserve and cash flow account is created in the general fund in the state treasury. The commissioner of finance shall restrict part or all of the balance before reserves in the general fund as may be necessary to fund the budget reserve and cash flow account as provided by law from time to time.~~

(b) The commissioner of finance shall transfer the amount necessary to bring the total amount of the ~~budget reserve and cash flow account~~, including any existing balance in the account on June 30, 1993, to \$360,000,000. The amounts restricted shall remain in the account until drawn down under subdivision 1 ~~or increased under subdivision 2~~ 3.

Sec. 3. Minnesota Statutes 1994, section 16A.152, is amended by adding a subdivision to read:

Subd. 1a. [BUDGET RESERVE ESTABLISHED.] A budget reserve is created in the general fund in the state treasury. The commissioner of finance shall transfer the amount necessary to bring the total amount in the account to \$220,000,000 on July 1, 1995. The amount restricted shall remain in the account until drawn down under the provisions of subdivision 3 or 4.

Sec. 4. Minnesota Statutes 1994, section 16A.152, subdivision 2, is amended to read:

Subd. 2. [ADDITIONAL REVENUES; PRIORITY.] If on the basis of a forecast of general fund revenues and expenditures the commissioner of finance determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of finance must allocate money an amount equal to the lesser of the forecast increase in total net general fund tax receipts or the total positive unrestricted budgetary balance to

~~the budget reserve, and cash flow account until the total amount in the account equals five percent of total general fund appropriations for the current biennium as established by the most recent legislative session. Beginning July 1, 1993, forecast unrestricted budgetary general fund balances are first appropriated to restore the budget reserve and cash flow account to \$500,000,000. Additional biennial unrestricted budgetary general fund balances available after November 1 of every odd-numbered calendar year are appropriated in January of the following year to reduce the property tax levy recognition percent under section 121.904, subdivision 4a, to zero before additional money beyond \$500,000,000 is allocated to the budget reserve and cash flow account. \$180,000,000 of the budget reserve and cash flow account shall be dedicated to elementary and secondary education.~~

The amounts necessary to meet the requirements of this section are appropriated from the general fund.

Sec. 5. Minnesota Statutes 1994, section 16A.152, subdivision 3, is amended to read:

Subd. 3. [USE.] (a) The purpose of the cash flow account is to reserve sufficient cash balances to meet cash flow deficiencies resulting from uneven distribution of revenue collections and required expenditure payments during a fiscal year. Appropriations from this account shall be restricted to modifying state expenditures payment dates in a manner that reduces the amount needed in the account to avoid short-term borrowing. Appropriations for this purpose shall not exceed the value of the improvement in forecast annual cash lowpoints.

(b) The use of the budget reserve is restricted to the following purposes:

(1) to offset a decline in forecast general fund tax receipts for the current biennium, subject to the provisions of subdivision 4;

(2) to provide interim funding of programs affected by federal funding reductions by appropriation in regular or special legislative session or in accordance with the provisions of section 3.30; or

(3) to provide one-time funding for program dissolution or restructuring costs by appropriation in regular or special legislative session or in accordance with the provisions of section 3.30.

(c) The use of the budget reserve should be governed by principles based on the full economic cycle rather than the budget cycle. The budget reserve may be used when a negative budgetary balance is projected and when objective measures, such as reduced growth in total wages, retail sales, or employment, reflect downturns in the state's economy.

Sec. 6. Minnesota Statutes 1994, section 16A.152, subdivision 4, is amended to read:

Subd. 4. [REDUCTION.] (a) If the commissioner determines that probable forecast tax receipts for the general fund will be less than anticipated, and that the amount available for the remainder of forecast total general fund resources for the biennium will be less than needed, the commissioner shall, with the approval of the governor, and after consulting the legislative advisory commission, reduce the amount in the budget reserve and cash flow account as needed up to an amount equal to the reduction in net forecast tax revenues, not to exceed the amount necessary to balance expenditures with revenue.

(b) An additional deficit shall, with the approval of the governor, and after consulting the legislative advisory commission, be made up by reducing unexpended allotments of any prior appropriation or transfer. Notwithstanding any other law to the contrary, the commissioner is empowered to defer or suspend prior statutorily created obligations which would prevent effecting such reductions.

(c) If the commissioner determines that probable receipts for any other fund, appropriation, or item will be less than anticipated, and that the amount available for the remainder of the term of the appropriation or for any allotment period will be less than needed, the commissioner shall notify the agency concerned and then reduce the amount allotted or to be allotted so as to prevent a deficit.

(d) In reducing allotments, the commissioner may consider other sources of revenue available

to recipients of state appropriations and may apply allotment reductions based on all sources of revenue available.

(e) In like manner, the commissioner shall reduce allotments to an agency by the amount of any saving that can be made over previous spending plans through a reduction in prices or other cause."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Second portion:

Page 25, line 28, delete ".55" and insert ".5125"

Page 25, line 32, delete "1.1" and insert "1.025"

Page 72, line 25, delete "0.1" and insert "0.025"

Page 85, line 27, delete "\$78,353,000" and insert "\$74,751,000"

Page 85, line 28, delete "\$11,848,100" and insert "\$11,212,000"

Page 85, line 30, delete "\$67,139,000" and insert "\$63,537,000"

Page 85, line 31, delete "\$11,848,100" and insert "\$11,212,000"

Page 85, line 35, delete "\$41,933,400" and insert "\$39,995,000"

Page 85, line 36, delete "\$ 6,379,700" and insert "\$ 6,038,000"

Page 86, line 2, delete "\$36,151,400" and insert "\$34,213,000"

Page 86, line 3, delete "\$6,379,700" and insert "\$6,038,000"

Page 86, line 27, delete "\$14,070,300" and insert "\$12,902,000"

Page 86, line 28, delete "\$12,797,700" and insert "\$11,492,000"

Page 86, line 30, delete "\$11,955,300" and insert "\$10,787,000"

Page 86, line 31, delete "\$2,109,800" and insert "\$1,904,000"

Page 86, line 32, delete "\$10,687,900" and insert "\$9,589,000"

Page 87, line 15, delete "\$2,072,750,000" and insert "\$1,981,685,000"

Page 87, line 16, delete "\$2,320,338,000" and insert "\$2,217,487,000"

Page 87, line 18, delete "\$1,770,785,000" and insert "\$1,679,720,000"

Page 87, line 20, delete "\$1,995,164,000" and insert "\$1,892,312,000"

Page 109, line 10, delete "\$410,296,000" and insert "\$385,296,000"

Page 114, line 14, delete "\$327,574,000" and insert "\$321,151,000"

Page 139, line 13, delete "\$195,291,000" and insert "\$192,018,000"

Page 139, line 14, delete "\$29,482,000" and insert "\$28,903,000"

Page 139, line 16, delete "\$167,061,000" and insert "\$163,788,000"

Page 139, line 17, delete "\$29,482,000" and insert "\$28,903,000"

Page 140, line 11, delete "\$379,059,000" and insert "\$364,911,000"

Page 140, line 13, delete "\$455,476,000" and insert "\$429,307,000"

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

The roll was called, and there were yeas 0 and nays 66, as follows:

Those who voted in the negative were:

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

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

Mr. Moe, R.D. withdrew the first portion of the amendment.

RECONSIDERATION

Having voted on the prevailing side, Ms. Reichgott Junge moved that the vote whereby the Knutson amendment to H.F. No. 1000 was adopted on April 25, 1995, be now reconsidered. The motion did not prevail.

Mr. Kramer moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 163, line 20, after "involvement" insert "until marriage"

Page 164, line 14, after "involvement" insert "until marriage"

Page 165, line 25, after "involvement" insert "until marriage"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Laidig	Oliver	Solon
Berg	Johnson, D.E.	Larson	Olson	Stevens
Bertram	Johnston	Lesewski	Ourada	Stumpf
Chmielewski	Kleis	Lessard	Pariseau	Terwilliger
Day	Kramer	Limmer	Runbeck	Vickerman
Finn	Kroening	Neuville	Scheevel	

Those who voted in the negative were:

Anderson	Hottinger	Langseth	Novak	Riveness
Beckman	Janezich	Marty	Pappas	Robertson
Berglin	Johnson, D.J.	Merriam	Piper	Samuelson
Betzold	Johnson, J.B.	Metzen	Pogemiller	Spear
Chandler	Kelly	Moe, R.D.	Price	Wiener
Cohen	Kiscaden	Mondale	Ranum	
Flynn	Krentz	Morse	Reichgott Junge	

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

Ms. Kiscaden moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 185, line 32, delete "and" and after "2" insert "and 126.12, subdivision 1"

Amend the title accordingly

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

Mr. Scheevel moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 90, line 31, after "9;" insert "124A.22, subdivision 2a;"

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 42, as follows:

Those who voted in the affirmative were:

Belanger	Johnston	Krentz	Oliver	Scheevel
Bertram	Kleis	Laidig	Pariseau	Stevens
Frederickson	Knutson	Lesewski	Price	Terwilliger
Johnson, D.E.	Kramer	Neuville	Runbeck	

Those who voted in the negative were:

Anderson	Dille	Lessard	Ourada	Samuelson
Beckman	Finn	Limmer	Pappas	Solon
Berg	Flynn	Marty	Piper	Spear
Berglin	Hanson	Merriam	Pogemiller	Stumpf
Betzold	Hottinger	Metzen	Ranum	Vickerman
Chandler	Johnson, J.B.	Moe, R.D.	Reichgott Junge	Wiener
Chmielewski	Kroening	Morse	Riveness	
Cohen	Langseth	Murphy	Robertson	
Day	Larson	Novak	Sams	

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

Mr. Oliver moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 57, delete section 74

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Mr. Scheevel moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 74, lines 11 and 12, strike ", and 2.5 percent in fiscal year 1996"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 40 and nays 26, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Krentz	Metzen	Price
Berg	Hottinger	Laidig	Morse	Riveness
Bertram	Johnson, D.E.	Langseth	Murphy	Robertson
Betzold	Johnston	Larson	Neuville	Runbeck
Chandler	Kiscaden	Lesewski	Oliver	Scheevel
Day	Kleis	Lessard	Olson	Stevens
Dille	Knutson	Limmer	Ourada	Terwilliger
Frederickson	Kramer	Merriam	Pariseau	Vickerman

Those who voted in the negative were:

Anderson	Flynn	Moe, R.D.	Ranum	Stumpf
Beckman	Janezich	Mondale	Reichgott Junge	Wiener
Berglin	Johnson, D.J.	Novak	Sams	
Chmielewski	Johnson, J.B.	Pappas	Samuelson	
Cohen	Kroening	Piper	Solon	
Finn	Marty	Pogemiller	Spear	

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 90, after line 28, insert:

"Subd. 24. [ADDITIONAL GENERAL EDUCATION AID.] For general education aid according to section 119:

\$5,000,000	1996
\$5,000,000	1997

Sec. 119. [ADDITIONAL GENERAL EDUCATION AID.]

For fiscal years 1996 and 1997 only, additional basic general education aid in each year is the quotient of \$5,000,000 divided by the actual number of pupil units for the school year. This amount is added to the basic general education revenue in Minnesota Statutes, section 124A.22, subdivision 2, only for the purpose of computing additional basic general education aid. The additional aid shall not be included in the computation of any other aid or levy. The additional aid is not subject to the levy equity provision in Minnesota Statutes, section 124A.24. The additional general education aid in this section is not included in the calculation of the general education aid according to Minnesota Statutes, section 124A.032."

Page 295, line 9, delete "\$23,050,000" and insert "\$18,050,000"

Page 295, line 10, delete "\$21,703,000" and insert "\$16,703,000"

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 55 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Day	Johnston	Lessard	Neuville
Beckman	Dille	Kelly	Limmer	Oliver
Belanger	Finn	Kiscaden	Marty	Olson
Berg	Frederickson	Kleis	Merriam	Ourada
Berglin	Hanson	Knutson	Metzen	Pariseau
Bertram	Hottinger	Kramer	Moe, R.D.	Piper
Betzold	Johnson, D.E.	Kroening	Mondale	Price
Chandler	Johnson, D.J.	Langseth	Morse	Ranum
Cohen	Johnson, J.B.	Lesewski	Murphy	Reichgott Junge

Riveness
Runbeck

Sams
Samuelson

Scheevel
Solon

Stevens
Stumpf

Vickerman
Wiener

Those who voted in the negative were:

Chmielewski
Flynn
Janezich

Krentz
Laidig

Larson
Novak

Pappas
Pogemiller

Robertson
Spear

The motion prevailed. So the amendment was adopted.

Ms. Lesewski moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 90, line 33, delete "123.37, subdivision 1b;"

Amend the title accordingly

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

Mr. Neuville moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 239, after line 32, insert:

"Sec. 47. [126.85] [PROHIBITION AGAINST PROGRAMS ADVOCATING SEXUAL ACTIVITY BY MINORS.]

A public elementary, middle or secondary school, or state agency shall not implement or carry out a program, activity, or curriculum that has the purpose of encouraging sexual activity by minors."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Mrs. Pariseau moved to amend the Neuville amendment to H.F. No. 1000 as follows:

Page 1, line 7, after "MINORS" insert "OR HOMOSEXUAL LIFESTYLE"

Page 1, line 11, after "minors" and insert "or advocating that minors accept homosexuality as a positive lifestyle alternative"

The question was taken on the adoption of the Pariseau amendment to the Neuville amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 34 and nays 30, as follows:

Those who voted in the affirmative were:

Beckman
Belanger
Berg
Bertram
Chmielewski
Day
Dille

Frederickson
Hanson
Johnson, D.E.
Johnston
Kleis
Knutson
Kramer

Kroening
Laidig
Langseth
Larson
Lesewski
Lessard
Limmer

Murphy
Neuville
Olson
Ourada
Pariseau
Price
Runbeck

Sams
Samuelson
Scheevel
Stevens
Stumpf
Vickerman

Those who voted in the negative were:

Anderson
Berglin
Betzold
Chandler
Cohen
Finn

Flynn
Hottinger
Janezich
Johnson, D.J.
Johnson, J.B.
Kelly

Kiscaden
Marty
Merriam
Metzen
Moe, R.D.
Mondale

Morse
Novak
Pappas
Piper
Pogemiller
Ranum

Reichgott Junge
Riveness
Robertson
Solon
Spear
Wiener

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

The question was taken on the Neuville amendment, as amended. Mr. Neuville withdrew his amendment.

RECONSIDERATION

Having voted on the prevailing side, Mr. Hottinger moved that the vote whereby the second Scheevel amendment to H.F. No. 1000 was adopted on April 25, 1995, be now reconsidered. The motion prevailed. So the vote was reconsidered.

The question was taken on the adoption of the second Scheevel amendment.

The roll was called, and there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Krentz	Oliver	Scheevel
Berg	Johnson, D.E.	Laidig	Olson	Stevens
Bertram	Johnston	Langseth	Ourada	Terwilliger
Chandler	Kiscaden	Larson	Pariseau	Vickerman
Day	Kleis	Limmer	Price	
Dille	Knutson	Merriam	Riveness	
Frederickson	Kramer	Neuville	Runbeck	

Those who voted in the negative were:

Anderson	Hottinger	Marty	Pappas	Samuelson
Beckman	Janezich	Metzen	Piper	Solon
Berglin	Johnson, D.J.	Moe, R.D.	Pogemiller	Spear
Betzold	Johnson, J.B.	Mondale	Ranum	Stumpf
Cohen	Kelly	Morse	Reichgott Junge	Wiener
Finn	Kroening	Murphy	Robertson	
Flynn	Lessard	Novak	Sams	

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

Ms. Runbeck moved to amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 90, after line 28, insert:

"Sec. 119. [GENERAL STATEMENT OF POLICY.]

It is the policy of the state of Minnesota that public programs shall be of the highest quality and value and promote fairness. As such, the legislature and governor will apply the following principles, where feasible and to as great an extent as possible, when developing and reviewing education programs:

(1) programs will provide funds directly to people rather than to institutions, agencies, or service providers;

(2) public subsidies will be targeted to people and jurisdictions and other recipients primarily based on need and the state's constitutional obligations;

(3) competition will be used as a tool to align institutional self-interest with the public's interest;

(4) the cost of public goods and services will reflect the true and complete costs of providing those goods and services;

(5) spending reforms will attempt to meet public responsibilities through nongovernmental entities with which people already have relationships of mutual obligation; and

(6) spending reforms will give preference to investment-type spending over consumption-type spending and stress the importance of long-term economic growth and the development of physical and human capital."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Neuville reoffered his withdrawn amendment, as amended by the Pariseau amendment to H.F. No. 1000 as follows:

Amend H.F. No. 1000, as amended by the Senate April 25, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 944.)

Page 239, after line 32, insert:

"Sec. 47. [126.85] [PROHIBITION AGAINST PROGRAMS ADVOCATING SEXUAL ACTIVITY BY MINORS OR HOMOSEXUAL LIFESTYLE.]

A public elementary, middle or secondary school, or state agency shall not implement or carry out a program, activity, or curriculum that has the purpose of encouraging sexual activity by minors or advocating that minors accept homosexuality as a positive lifestyle alternative."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Ms. Berglin moved to amend the Neuville amendment to H.F. No. 1000 as follows:

Page 1, line 11, after the period, insert "This section shall not be construed to prevent the provision of counseling, curriculum, or services relating to pregnancy and disease prevention, suicide prevention, or violence prevention."

The question was taken on the adoption of the Berglin amendment to the Neuville amendment.

The roll was called, and there were yeas 44 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Krentz	Murphy	Riveness
Beckman	Hottinger	Laidig	Novak	Robertson
Berglin	Janezich	Langseth	Ourada	Runbeck
Betzold	Johnson, D.E.	Marty	Pappas	Sams
Chandler	Johnson, D.J.	Merriam	Piper	Solon
Cohen	Johnson, J.B.	Metzen	Pogemiller	Spear
Day	Kelly	Moe, R.D.	Price	Terwilliger
Dille	Kiscaden	Mondale	Ranum	Wiener
Finn	Knutson	Morse	Reichgott Junge	

Those who voted in the negative were:

Belanger	Hanson	Larson	Olson	Stumpf
Berg	Johnston	Lesewski	Pariseau	Vickerman
Bertram	Kleis	Lessard	Samuelson	
Chmielewski	Kramer	Limmer	Scheevel	
Frederickson	Kroening	Neuville	Stevens	

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

The question was taken on the third Neuville amendment, as amended. The motion prevailed. So the amendment was adopted.

H.F. No. 1000 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 51 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Krentz	Olson	Samuelson
Beckman	Frederickson	Kroening	Ourada	Scheevel
Berglin	Hanson	Laidig	Pappas	Spear
Bertram	Hottinger	Langseth	Pariseau	Stevens
Betzold	Janezich	Larson	Piper	Stumpf
Chandler	Johnson, D.E.	Lesewski	Pogemiller	Vickerman
Chmielewski	Johnson, J.B.	Limmer	Ranum	Wiener
Cohen	Kelly	Metzen	Reichgott Junge	
Day	Kleis	Moe, R.D.	Robertson	
Dille	Knutson	Mondale	Runbeck	
Finn	Kramer	Morse	Sams	

Those who voted in the negative were:

Belanger	Kiscaden	Merriam	Novak	Riveness
Berg	Lessard	Murphy	Oliver	Solon
Johnson, D.J.	Marty	Neuville	Price	Terwilliger
Johnston				

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

Mr. Pogemiller moved that S.F. No. 944, No. 120 on General Orders, be stricken and laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

REPORTS OF COMMITTEES

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

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

S.F. No. 1120: A bill for an act relating to gambling; creating a special account for money received by the gambling control board as reimbursement for costs of testing pull-tab dispensing devices; appropriating money in the account to the board for that purpose; amending Minnesota Statutes 1994, section 349.151, subdivision 4b.

Reports the same back with the recommendation that the bill do pass. Report adopted.

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

S.F. No. 1395: A bill for an act relating to state obligations; authorizing listing of state obligations; amending Minnesota Statutes 1994, section 16A.672, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

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

S.F. No. 1037: A bill for an act relating to workers' compensation; repealing the sunset of the targeted industry fund for loggers.

Reports the same back with the recommendation that the bill do pass. Report adopted.

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

H.F. No. 1194: A bill for an act relating to state government; allocating certain appropriations to regional arts councils; amending Minnesota Statutes 1994, section 129D.01; proposing coding for new law in Minnesota Statutes, chapter 129D.

Reports the same back with the recommendation that the bill do pass. Report adopted.

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

S.F. No. 1127: A bill for an act relating to state lands; authorizing public sale of certain state land that borders public water in Hennepin county; appropriating money.

Reports the same back with the recommendation that the bill do pass. Report adopted.

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

H.F. No. 1008: A bill for an act relating to family law; authorizing courts to require parties to participate in orientation programs in proceedings involving children; proposing coding for new law in Minnesota Statutes, chapter 518.

Reports the same back with the recommendation that the bill do pass. Report adopted.

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

H.F. No. 217: A bill for an act relating to insurance; life; regulating living benefits settlements; adopting the NAIC viatical settlements model act; prescribing powers and duties; amending Minnesota Statutes 1994, section 13.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

Page 4, line 33, delete "the general fund" and insert "a special account"

Page 7, line 35, after the comma, insert "acknowledges"

Page 10, line 30, delete "the general fund" and insert "a special account"

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "appropriating money;"

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. 835: A bill for an act relating to metropolitan government; authorizing financing for transit and paratransit facilities and equipment; removing the limitation on metro mobility funding for capital costs; amending Minnesota Statutes 1994, section 473.39, subdivision 1b, and by adding a subdivision.

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

Page 1, line 23, after the period, insert "None of the proceeds of the certificates of indebtedness, bonds, or other obligations under this section may be used for uniforms or for planning, engineering, design, or construction of light rail transit facilities."

Page 2, line 9, after the period, insert "None of the proceeds of the certificates of indebtedness, bonds, or other obligations under this section may be used for uniforms or for planning, engineering, design, or construction of light rail transit facilities."

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

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

S.F. No. 1310: A bill for an act relating to state government; providing for the development of a long-range expenditure plan for state expenditures; creating a budget reserve account; restricting use of budget reserve and cash flow account balances; amending Minnesota Statutes 1994, sections 16A.152, subdivisions 1, 2, 3, 4, and by adding a subdivision; 121.904, subdivision 4a; and 124.195, subdivisions 7 and 10; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1994, sections 121.904, subdivisions 4c and 4d.

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

Page 1, line 23, delete "Monday" and insert "Tuesday"

Pages 3 to 5, delete sections 2 to 5

Page 5, line 20, reinstate the stricken "and cash flow account"

Pages 6 to 8, delete sections 7 to 9

Page 8, delete section 11

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete from "creating" through page 1, line 6, to "balances;"

Page 1, line 7, delete "sections" and insert "section" and delete "subdivisions 1, 2, 3, 4, and by"

Page 1, delete line 8

Page 1, line 9, delete "124.195, subdivisions 7 and 10" and insert "subdivision 4"

Page 1, line 10, delete from "; repealing" through page 1, line 12, to "4d"

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

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

S.F. No. 1078: A bill for an act relating to state finance; changing certain accounting procedures; changing the dollar threshold for approval of gifts to the state; changing procedures for collection of debt by the state; changing terminology for the petroleum tank release cleanup account; amending Minnesota Statutes 1994, sections 7.09, subdivision 1; 15.415; 16A.129, subdivision 3; 16A.28, subdivisions 1 and 6; 16A.40; 16A.57; 16A.72; 115C.02, by adding a subdivision; and 115C.08, subdivisions 1, 2, and 4; proposing coding for new law in Minnesota Statutes, chapter 16D; repealing Minnesota Statutes 1994, section 115C.02, subdivision 1a.

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

Page 2, lines 14 to 22, delete the new language

Page 2, line 23, delete "or original entry"

Page 2, lines 24 and 25, delete the new language

Page 2, after line 25, insert:

"Sec. 3. Minnesota Statutes 1994, section 16A.127, subdivision 8, is amended to read:

Subd. 8. [EXEMPTIONS.] (a) No statewide or agency indirect cost liability shall be accrued to any program, appropriation, or account that is specifically exempted from the liability in federal or state law, or if the commissioner determines the funds to be held in trust, or to be a pass-through, workshop, or seminar account. Accounts receiving proceeds from bond issues; ~~and these accounts whose funds are determined by the commissioner to originate from the general fund;~~ accounts are also exempt from this section.

(b) Except for the costs of the legislative auditor to conduct financial audits of federal funds, this section does not apply to the community college board, state university board, or the state board of technical colleges. Receipts attributable to financial audits conducted by the legislative auditor of federal funds administered by these post-secondary education boards shall be deposited in the general fund."

Page 3, delete section 4 and insert:

"Sec. 5. Minnesota Statutes 1994, section 16A.28, subdivision 5, is amended to read:

Subd. 5. [PERMANENT IMPROVEMENTS.] An appropriation for permanent improvements, including the acquisition of real property, does not lapse until the purposes of the appropriation are determined by the commissioner, after consultation with the affected agencies, to be accomplished or abandoned. This subdivision also applies to any part of an appropriation for a fiscal year that has been requisitioned to acquire real property or construct permanent improvements."

Page 4, line 34, delete "state or"

Page 4, line 35, delete "is" and insert "and"

Page 5, line 3, delete "or rule"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the second semicolon, insert "16A.127, subdivision 8;"

Page 1, line 9, delete "1" and insert "5"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1120, 1395, 1037, 1127, 1310 and 1078 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1194, 1008 and 217 were read the second time.

MEMBERS EXCUSED

Messrs. Chmielewski; Janezich; Johnson, D.J. and Solon were excused from the Session of today from 10:50 to 11:50 a.m. Ms. Hanson was excused from the Session of today from 12:20 to 1:45 p.m. Ms. Johnson, J.B. was excused from the Session of today from 10:40 a.m. to 12:00 noon. Ms. Robertson was excused from the Session of today from 11:00 to 11:40 a.m. Ms. Runbeck was excused from the Session of today from 10:20 a.m. to 12:00 noon. Ms. Berglin was excused from the Session of today from 2:00 to 2:30 p.m. Ms. Kiscaden was excused from the Session of today from 11:00 to 11:30 a.m. and 1:30 to 2:15 p.m. and 3:00 to 3:30 p.m. Mr. Lessard was excused from the Session of today from 10:50 to 11:50 a.m. and 1:00 to 1:30 p.m. Mr. Terwilliger was excused from the Session of today from 5:00 to 5:45 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Wednesday, April 26, 1995. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

