

FORTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, April 27, 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. Curtis H. Johnson.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

April 26, 1995

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1995	Date Filed 1995
	1063	90	2:12 p.m. April 25	April 25
	843	91	2:14 p.m. April 25	April 25
	344	92	2:16 p.m. April 25	April 25

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 106: A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resource, and agricultural purposes; modifying provisions relating to disposition of certain revenues from state trust lands, sales of software, agricultural and environmental loans, food handlers, ethanol and oxygenated fuels, the citizen's council on Voyageurs National Park, local recreation grants, zoo admission charges, watercraft surcharge, water information, well sealing grants, pollution control agency fees, sale of tax-forfeited lands, and payments in lieu of taxes; establishing the Passing on the Farm Center; establishing special critical habitat license plates; authorizing establishment of a shooting area in Sand Dunes State Forest; prohibiting the adoption or enforcement of water quality standards that are not necessary to comply with federal law; abolishing the harmful substance compensation board and account; extending performance reporting requirements; providing for easements across state trails in certain circumstances; amending Minnesota Statutes 1994, sections 15.91, subdivision 1; 16A.125; 16B.405, subdivision 2; 17.117, subdivisions 2, 4, 6, 7, 8, 9, 10, 11, 14, 16, and by adding subdivisions; 28A.03; 28A.08; 41A.09, by adding subdivisions; 41B.02, subdivision 20; 41B.043, subdivisions 1b, 2, and 3; 41B.045, subdivision 2; 41B.046, subdivision 1, and by adding a subdivision; 84.631; 84.943, subdivision 3; 84B.11, subdivision 1; 85.015, by adding a subdivision; 85.019; 85A.02, subdivision 17; 86.72, subdivision 1; 86B.415, subdivision 7; 92.46, subdivision 1; 93.22; 97A.531, subdivision 1; 103A.43; 103F.725, subdivision 1a; 103H.151, by adding a subdivision; 103I.331, subdivision 4; 115.03, subdivision 5; 115A.03, subdivision 29; 115A.908, subdivision 3; 115B.20, subdivision 1; 115B.25, subdivision 1a; 115B.26, subdivision 2; 115B.41, subdivision 1; 115B.42; 115C.03, subdivision 9; 116.07, subdivision 4d, and by adding a subdivision; 116.12, subdivision 1; 116.96, subdivision 5; 116C.69, subdivision 3; 116P.11; 239.791, subdivision 8; 282.01, subdivisions 2 and 3; 282.011, subdivision 1; 282.02; 282.04, subdivision 1; 296.02, by adding a subdivision; 446A.07, subdivision 8; 446A.071, subdivision 2; 473.845, subdivision 2; 477A.11, subdivision 4; 477A.12; and 477A.14; proposing coding for new law in Minnesota Statutes, chapters 17; 28A; 89; 116; and 168; repealing Minnesota Statutes 1994, sections 28A.08, subdivision 2; 41A.09, subdivisions 2, 3, and 5; 97A.531, subdivisions 2, 3, 4, 5, and 6; 115B.26, subdivision 1; 239.791, subdivisions 4, 5, 6, and 9; 282.018; 296.02, subdivision 7; 325E.0951, subdivision 5; and 446A.071, subdivision 7; Laws 1993, chapter 172, section 10.

Senate File No. 106 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1995

Mr. Morse moved that the Senate do not concur in the amendments by the House to S.F. No. 106, and that a Conference Committee of 5 members be appointed by the Subcommittee on

Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1670: A bill for an act relating to the organization and operation of state government; appropriating money for community development and certain agencies of state government, with certain conditions; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; requiring studies and reports; amending Minnesota Statutes 1994, sections 116J.873, subdivision 3, and by adding subdivisions; 116M.16, subdivision 2; 116M.18, subdivisions 4, 5, and by adding a subdivision; 116N.03, subdivision 2; 116N.08, subdivisions 5, 6, and by adding a subdivision; 124.85, by adding a subdivision; 175.171; 268A.01, subdivisions 4, 5, 6, 9, and 10; 268A.03; 268A.06, subdivision 1; 268A.07; 268A.08, subdivisions 1 and 2; 268A.13; 462A.201, subdivision 2; 462A.204, subdivision 1; and 462A.21, subdivisions 3b, 8b, 21, and by adding a subdivision; Laws 1994, chapter 643, section 19, subdivision 9; proposing coding for new law in Minnesota Statutes, chapters 178; 268A; and 462A; repealing Minnesota Statutes 1994, sections 116J.874, subdivision 6; 268A.01, subdivisions 7, 11, and 12; and 268A.09.

Senate File No. 1670 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1995

Mr. Kroening moved that the Senate do not concur in the amendments by the House to S.F. No. 1670, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 258 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 258: A bill for an act relating to occupations and professions; board of medical practice; providing for the registration of physician assistants by the board of medical practice; providing for rulemaking; providing penalties; amending Minnesota Statutes 1994, sections 116J.70, subdivision 2a; 136A.1356, subdivision 1; 144.335, subdivision 1; 148B.60, subdivision 3; 151.01, subdivision 23; 151.37, subdivision 2a; 214.23, subdivision 1; and 604A.01, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 147A; repealing Minnesota Statutes 1994, sections 147.34; 147.35; and 147.36; Minnesota Rules, parts 5600.2600; 5600.2605; 5600.2610; 5600.2615; 5600.2620; 5600.2625; 5600.2630; 5600.2635; 5600.2640; 5600.2645; 5600.2650; 5600.2655; 5600.2660; 5600.2665; and 5600.2670.

Ms. Piper moved to amend S.F. No. 258 as follows:

Page 8, line 29, delete "[EXEMPTION FROM REGISTRATION.]" and insert "[EXEMPTIONS.]"

(a) This chapter does not apply to, control, prevent, or restrict the practice, service, or activities of persons listed in section 147.09, clauses (1) to (6) and (8) to (13), persons regulated under section 214.01, subdivision 2, or persons defined in section 136A.1356, subdivision 1, paragraphs (a) to (d).

(b)"

Page 9, after line 24, insert:

"Nothing in this chapter authorizes physician assistants to perform duties regulated by the boards listed in section 214.01, subdivision 2, other than the board of medical practice, and except as provided in this section."

The motion prevailed. So the amendment was adopted.

S.F. No. 258 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 55 and nays 4, as follows:

Those who voted in the affirmative were:

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

Mses. Anderson, Berglin, Messrs. Limmer and Merriam voted in the negative.

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1709 a Special Order to be heard immediately.

SPECIAL ORDER

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1037 a Special Order to be heard immediately.

SPECIAL ORDER

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 244 a Special Order to be heard immediately.

SPECIAL ORDER

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

Ms. Lesewski moved that the amendment made to H.F. No. 244 by the Committee on Rules and Administration in the report adopted April 25, 1995, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 244 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 990:

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

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

Entenza, Dawkins and Smith have been appointed as such committee on the part of the House.

House File No. 990 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 26, 1995

Ms. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 990, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Ms. Krentz moved that H.F. No. 1105 be taken from the table. The motion prevailed.

H.F. No. 1105: A bill for an act relating to paternity; eliminating a presumption for husbands in certain cases; allowing husbands to join in a recognition of parentage; amending Minnesota Statutes 1994, sections 257.55, subdivision 1; 257.57, subdivision 2; and 257.75, subdivisions 1, 2, 4, and by adding a subdivision.

Mr. Lessard moved to amend H.F. No. 1105, as amended pursuant to Rule 49, adopted by the Senate March 30, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 626.)

Page 3, after line 3, insert:

"Sec. 2. Minnesota Statutes 1994, section 257.57, subdivision 2, is amended to read:

Subd. 2. The child, the mother, or personal representative of the child, the public authority chargeable by law with the support of the child, the personal representative or a parent of the mother if the mother has died or is a minor, a man alleged or alleging himself to be the father, or the personal representative or a parent of the alleged father if the alleged father has died or is a minor may bring an action:

(1) at any time for the purpose of declaring the existence of the father and child relationship presumed under section 257.55, subdivision 1, paragraph (d), (e), (f), (g), or (h), or the nonexistence of the father and child relationship presumed under clause (d) of that subdivision;

(2) for the purpose of declaring the nonexistence of the father and child relationship presumed under section 257.55, subdivision 1, paragraph (e) or (g), only if the action is brought within ~~three years~~ six months after the ~~date of the execution of the declaration or recognition of parentage~~ person bringing the action obtains the results of blood or genetic tests that indicate that the presumed father is not the father of the child; or

(3) for the purpose of declaring the nonexistence of the father and child relationship presumed under section 257.55, subdivision 1, paragraph (f), only if the action is brought within three years after the party bringing the action, or the party's attorney of record, has been provided the blood test results."

Page 5, after line 13, insert:

"Sec. 7. [APPLICATION; TRANSITION.]

(a) Notwithstanding section 2, a person whose action to declare the existence of the father and child relationship would be barred by section 2 but not by Minnesota Statutes 1994, section 257.57, subdivision 2, clause (2), has until August 1, 1996, or until three years after the date of execution of the declaration or recognition of parentage, whichever is sooner, to bring an action to declare the nonexistence of the father and child relationship presumed under Minnesota Statutes, section 257.55, subdivision 1, paragraph (e) or (g).

(b) Notwithstanding any law to the contrary, a person whose action to declare the nonexistence of the father and child relationship presumed under Minnesota Statutes, section 257.55, subdivision 1, paragraph (e), or a person whose motion to vacate a paternity adjudication because of the results of blood or genetic tests obtained after the adjudication, was barred before the effective date of section 2, has until February 1, 1996, to commence the action or bring a motion to vacate the paternity adjudication."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Ms. Berglin imposed a call of the Senate for the balance of the proceedings on H.F. No. 1105. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 49 and nays 15, as follows:

Those who voted in the affirmative were:

Beckman	Hanson	Krentz	Morse	Sams
Belanger	Janezich	Kroening	Murphy	Samuelson
Berg	Johnson, D.E.	Laidig	Oliver	Scheevel
Bertram	Johnson, D.J.	Langseth	Ourada	Solon
Betzold	Johnston	Larson	Pariseau	Spear
Chmielewski	Kelly	Lesewski	Pogemiller	Stevens
Day	Kiscaden	Lessard	Price	Stumpf
Dille	Kleis	Limmer	Riveness	Terwilliger
Finn	Knutson	Marty	Robertson	Vickerman
Frederickson	Kramer	Metzen	Runbeck	

Those who voted in the negative were:

Anderson	Cohen	Merriam	Neuville	Piper
Berglin	Hottinger	Moe, R.D.	Novak	Ranum
Chandler	Johnson, J.B.	Mondale	Pappas	Wiener

The motion prevailed. So the amendment was adopted.

H.F. No. 1105 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Hottinger	Pappas	Piper	Ranum
Berglin	Merriam			

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1399:

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

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

Skoglund, Farrell and Lynch have been appointed as such committee on the part of the House.

House File No. 1399 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 26, 1995

Mr. Solon moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1399, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 1207 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 1207: A bill for an act relating to traffic regulations; increasing maximum length of certain combinations of vehicles from 65 to 70 feet; amending Minnesota Statutes 1994, section 169.81, subdivision 3.

Mr. Murphy moved to amend H.F. No. 1207, as amended pursuant to Rule 49, adopted by the Senate April 18, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 571.)

Page 1, line 14, strike "65" and insert "75"

The motion prevailed. So the amendment was adopted.

Mr. Murphy moved that H.F. No. 1207 be laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 365 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 365: A bill for an act relating to insurance; no-fault auto; regulating priorities of coverage for taxis; amending Minnesota Statutes 1994, section 65B.47, subdivision 1a.

Ms. Wiener moved to amend H.F. No. 365, as amended pursuant to Rule 49, adopted by the Senate March 29, 1995, as follows:

(The text of the amended House File is identical to S.F. No. 457.)

Page 1, line 17, delete "a taxi" and insert "a passenger in a taxi other than the driver"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Chandler imposed a call of the Senate for the balance of the proceedings on H.F. No. 365. The Sergeant at Arms was instructed to bring in the absent members.

H.F. No. 365 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.

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

The roll was called, and there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Morse	Riveness
Belanger	Hottinger	Kroening	Novak	Robertson
Berglin	Janezich	Limmer	Pappas	Solon
Betzold	Johnson, D.J.	Marty	Pogemiller	Spear
Chandler	Johnson, J.B.	Metzen	Price	Stevens
Cohen	Kelly	Moe, R.D.	Ranum	Wiener
Flynn	Knutson	Mondale	Reichgott Junge	

Those who voted in the negative were:

Beckman	Day	Johnson, D.E.	Kramer	Lesewski
Berg	Dille	Johnston	Laidig	Lessard
Bertram	Finn	Kiscaden	Langseth	Merriam
Chmielewski	Frederickson	Kleis	Larson	Murphy

Neuville
Oliver
Ourada

Pariseau
Runbeck

Sams
Samuelson

Scheevel
Stumpf

Terwilliger
Vickerman

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

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

SPECIAL ORDER

S.F. No. 273: A bill for an act relating to water; providing for the classification of water supply systems and wastewater treatment facilities and certification of operators by the department of health and the pollution control agency; appropriating money; amending Minnesota Statutes 1994, sections 115.71, subdivisions 1, 4, 8, 10, and by adding subdivisions; 115.72; 115.73; 115.75; 115.76; 115.77; and 144.99, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115; repealing Minnesota Statutes 1994, sections 115.71, subdivisions 2, 3, and 3a; 115.74; 115.78; 115.79; 115.80; and 115.82.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 603 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 603: A bill for an act relating to taxation; making technical and administrative changes, corrections, and clarifications; amending Minnesota Statutes 1994, sections 270.47; 270.48; 270.485; 270.494; 270.50; 270.52; 270.53; 270.69, subdivision 10; 270B.03, subdivision 1; 270B.12, subdivision 2; 270B.14, subdivision 11; 272.121, subdivision 2; 273.11, subdivision 16; 273.1398, by adding a subdivision; 273.17, subdivision 2; 275.065, subdivision 6; 276.04, subdivision 2; 284.28, subdivision 2; 289A.18, subdivision 4; 289A.50, subdivision 1; 290.032, subdivisions 1 and 2; 290A.04, subdivisions 2h and 6; 295.50, subdivisions 1 and 4; 295.53, subdivisions 1 and 5; 295.55, by adding a subdivision; 295.57; 296.01, subdivision 34; 296.025, subdivision 1; 296.12, subdivisions 3 and 4; 297A.01, subdivision 3; 297E.02, subdivisions 1, 6, and 11; 297E.031, subdivision 1; 297E.13, subdivision 5; 298.75, subdivision 2; 325D.33, subdivision 4; 349.163, subdivision 5; 428A.01, subdivision 5; 428A.03, by adding a subdivision; 428A.05; 473.446, subdivision 1; and 473.711, subdivision 2; Laws 1994, chapter 587, article 1, section 27; repealing Minnesota Statutes 1994, sections 60A.15, subdivision 7; 270.49; 270.493; and 290A.04, subdivision 2; Laws 1988, chapter 698, section 5; and Laws 1989, First Special Session chapter 1, article 7, section 9.

Mr. Price moved that the amendment made to H.F. No. 603 by the Committee on Rules and Administration in the report adopted March 20, 1995, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Moe, R.D. moved to amend H.F. No. 603 as follows:

Page 49, after line 24, insert:

**"ARTICLE 6
PROPERTY TAX FREEZE**

Section 1. Minnesota Statutes 1994, section 6.745, subdivision 1, is amended to read:

Subdivision 1. [CITIES.] Annually, upon adoption of the city budget, the city council of each home rule charter or statutory city shall forward summary budget information to the office of the state auditor. The summary budget information shall be provided on forms prescribed by the state auditor. The office of the state auditor shall work with representatives of city government to develop a budget reporting form that conforms with city budgeting practices and provides the necessary summary budget information to the office of the state auditor. The summary budget data shall be provided to the office of the state auditor no later than December January 31 of the year ~~preceding~~ each budget year.

Sec. 2. Minnesota Statutes 1994, section 134.34, subdivision 4a, is amended to read:

Subd. 4a. [SUPPORT GRANTS.] In state fiscal years 1993, 1994, ~~and 1995, and 1996~~, a regional library basic system support grant also may be made to a regional public library system for a participating city or county which meets the requirements under paragraph (a) ~~or, (b), or (c).~~

(a) The city or county decreases the dollar amount provided by it for operating purposes of public library service if the amount provided by the city or county is not less than the amount provided by the city or county for such purposes in the second preceding year.

(b)(1) The city or county provided for operating purposes of public library services an amount exceeding 125 percent of the state average percentage of the adjusted net tax capacity or 125 percent of the state average local support per capita; and

(2) the local government aid distribution for the current calendar year under chapter 477A has been reduced below the originally certified amount for payment in the preceding calendar year, if the dollar amount of the reduction from the previous calendar year in support for operating purposes of public library services is not greater than the dollar amount by which support for operating purposes of public library service would be decreased if the reduction in support were in direct proportion to the local government aid reduction as a percentage of the previous calendar year's revenue base as defined in section 477A.011, subdivision 27. Determination of a grant under paragraph (b) shall be based on the most recent calendar year for which data are available.

(c) In 1996, the city or county maintains the dollar amount provided by it for operating purposes of public library service at least at the same dollar amount it provided in 1995.

The city or county shall file a report with the department of education indicating the dollar amount and percentage of reduction in public library operating funds.

Sec. 3. Minnesota Statutes 1994, section 254B.02, subdivision 3, is amended to read:

Subd. 3. [RESERVE ACCOUNT.] The commissioner shall allocate money from the reserve account to counties that, during the current fiscal year, have met or exceeded the base level of expenditures for eligible chemical dependency services from local money. ~~The commissioner shall establish the base level for fiscal year 1988 as the amount of local money used for eligible services in calendar year 1986. In later years, the base level must be increased in the same proportion as state appropriations to implement Laws 1986, chapter 394, sections 8 to 20, are increased. The base level must be decreased if the fund balance from which allocations are made under section 254B.02, subdivision 1, is decreased in later years. The base level of expenditures for each county is defined as 15 percent of the funds allocated to the county under subdivisions 1 and 2. The local match rate for the reserve account is the same rate as applied to the initial allocation. Reserve~~

account payments must not be included when calculating the county adjustments made according to subdivision 2.

Sec. 4. Minnesota Statutes 1994, section 256H.09, subdivision 3, is amended to read:

Subd. 3. [CHILD CARE FUND PLAN.] Effective January 1, 1992, the county will include the plan required under this subdivision in its biennial community social services plan required in this section, for the group described in section 256E.03, subdivision 2, paragraph (h). For the period July 1, 1989, to December 31, 1991, the county shall submit separate child care fund plans required under this subdivision for the periods July 1, 1989, to June 30, 1990; and July 1, 1990, to December 31, 1991. The commissioner shall establish the dates by which the county must submit these plans. The county and designated administering agency shall submit to the commissioner an annual child care fund allocation plan. The plan shall include:

(1) a narrative of the total program for child care services, including all policies and procedures that affect eligible families and are used to administer the child care funds;

(2) the number of families that requested a child care subsidy in the previous year, the number of families receiving child care assistance, the number of families on a waiting list, and the number of families projected to be served during the fiscal year;

(3) the methods used by the county to inform eligible groups of the availability of child care assistance and related services;

(4) the provider rates paid for all children by provider type;

(5) the county prioritization policy for all eligible groups under the basic sliding fee program and AFDC child care program;

(6) a report of all funds available to be used for child care assistance, ~~including demonstration of compliance with the maintenance of funding effort required under section 256H.12;~~ and

(7) other information as requested by the department to ensure compliance with the child care fund statutes and rules promulgated by the commissioner.

The commissioner shall notify counties within 60 days of the date the plan is submitted whether the plan is approved or the corrections or information needed to approve the plan. The commissioner shall withhold a county's allocation until it has an approved plan. Plans not approved by the end of the second quarter after the plan is due may result in a 25 percent reduction in allocation. Plans not approved by the end of the third quarter after the plan is due may result in a 100 percent reduction in the allocation to the county. Counties are to maintain services despite any reduction in their allocation due to plans not being approved.

Sec. 5. Minnesota Statutes 1994, section 279.09, is amended to read:

279.09 [PUBLICATION OF NOTICE AND LIST.]

The county auditor shall cause the notice and list of delinquent real property to be published ~~once in each of two consecutive weeks~~ in the newspaper designated, the first publication of which shall be made on or before March 20 immediately following the filing of such list with the court administrator of the district court. The auditor shall deliver such list to the publisher of the newspaper designated, at least 20 days before the date upon which the list shall be published ~~for the first time~~.

Sec. 6. Minnesota Statutes 1994, section 279.10, is amended to read:

279.10 [PUBLICATION CORRECTED.]

Immediately after preparing forms for printing such notice and list, and at least five days before the first day for the publication thereof, every such publisher shall furnish proof of the proposed publication to the county auditor for correction. When such copy has been corrected, the auditor shall return the same to the printer, who shall publish it as corrected. On the first day on which such notice and list are published, the publisher shall mail a copy of the newspaper containing the

same to the auditor. If during the publication of the notice and list, or within ten days after the last publication thereof, the auditor shall discover that such publication is invalid, the auditor shall forthwith direct the publisher to republish the same as corrected ~~for an additional period of two weeks~~. The publisher, if not neglectful, shall be entitled to the same compensation as allowed by law for the original publication, but shall receive no further compensation therefor if such republication is necessary by reason of the neglect of the publisher.

Sec. 7. Minnesota Statutes 1994, section 281.23, subdivision 3, is amended to read:

Subd. 3. [PUBLICATION.] As soon as practicable after the posting of the notice prescribed in subdivision 2, the county auditor shall cause to be published ~~for two successive weeks~~, in the official newspaper of the county, the notice prescribed by subdivision 2.

Sec. 8. Minnesota Statutes 1994, section 375.169, is amended to read:

375.169 [PUBLICATION OF SUMMARY BUDGET STATEMENT.]

Annually, upon adoption of the county budget, the county board shall cause a summary budget statement to be published in one of the following:

(1) the official newspaper of the county, or if there is none, in a qualified newspaper of general circulation in the county; or

(2) for a county in the metropolitan area as defined in section 473.121, subdivision 2, a county newsletter or other county mailing sent to all households in the city, or as an insert with the truth-in-taxation notice under section 275.065.

If the summary budget statement is published in a county newsletter, it must be the lead story. If the summary budget statement is published through a county newsletter or other county mailing, a copy of the newsletter or mailing shall be sent on request to any nonresident. If the summary budget statement is published by a mailing to households other than a newsletter, the color of the paper on which the summary budget statement is printed must be distinctively different than the paper containing other printed material included in the mailing. The statement shall contain information relating to anticipated revenues and expenditures in a form prescribed by the state auditor. The form prescribed shall be designed so that comparisons can be made between the current year and the budget year. A note shall be included that the complete budget is available for public inspection at a designated location within the county.

Sec. 9. Minnesota Statutes 1994, section 471.6965, is amended to read:

471.6965 [PUBLICATION OF SUMMARY BUDGET STATEMENT.]

Annually, upon adoption of the city budget, the city council shall publish a summary budget statement in either of the following:

(1) the official newspaper of the city, or if there is none, in a qualified newspaper of general circulation in the city; or

(2) for a city in the metropolitan area as defined in section 473.121, subdivision 2, a city newsletter or other city mailing sent to all taxpayers in the city, or as an insert with the truth-in-taxation notice under section 275.065.

If the summary budget statement is published in a city newsletter, it must be the lead cover story. If the summary budget statement is published by a mailing to taxpayers other than a newsletter, the color of the paper on which the summary budget statement is printed must be distinctively different than the paper containing other printed material included in the mailing.

The statement shall contain information relating to anticipated revenues and expenditures, in a form prescribed by the state auditor. The form prescribed shall be designed so that comparisons can be made between the current year and the budget year. A note shall be included that the complete budget is available for public inspection at a designated location within the city. If the summary budget statement is published through a city newsletter or other city mailing, a copy of the statement must be posted, in a common area, by the property owner of all residential

nonhomestead property as defined in section 273.13, subdivision 25, paragraphs (a) and (b), clause (1).

Sec. 10. [EDUCATION FINANCE FOR THE 1996-1997 SCHOOL YEAR.]

Subdivision 1. [ADJUSTED TAX CAPACITY FOR SCHOOL YEAR 1996-1997.] Notwithstanding any other law to the contrary, for purposes of any levy authorized under Minnesota Statutes, chapter 124, 124A, 124B, 136C, or 136D, the adjusted net tax capacity of a school district, education district, intermediate school district, or technical college under Minnesota Statutes, section 124.2131, for the 1996-1997 school year shall equal the adjusted net tax capacity used for computation of its levy limits for the 1995-1996 school year.

Subd. 2. [LOCAL EFFORT TAX RATE AND EQUALIZING FACTOR.] Notwithstanding any other law to the contrary, the local effort tax rates computed under Minnesota Statutes, sections 124.226, subdivision 1, and 124A.23, for the 1996-1997 school year shall equal the local effort tax rates established at the time of levy limit certification for the 1995-1996 school year. Notwithstanding any other law to the contrary, the equalizing factor under Minnesota Statutes, section 124A.02, for the 1996-1997 school year shall equal the equalizing factor for the 1995-1996 school year.

Subd. 3. [COMPUTATION OF PUPIL UNITS FOR LEVY LIMITS.] Notwithstanding Minnesota Statutes, section 124.17, or any other law to the contrary, the number of pupil units and AFDC pupil units for a school district, education district, intermediate school district, or technical college for use in computing the levy limits of the district or technical college for the 1996-1997 school year shall be the pupil units and AFDC pupil units used for the levy limit computation of the school district, education district, intermediate school district, or technical college for the 1995-1996 school year. For purposes of computing the revenue entitlement of a school district under Minnesota Statutes, chapter 124, 124A, 124B, 136C, or 136D, for the 1996-1997 school year, the pupil units or AFDC pupil units shall be as otherwise provided under Minnesota Statutes, section 124.17. If any section of Minnesota Statutes, chapters 124, 124A, and 124B, provides that an aid entitlement is equal to the difference between the revenue entitlement and the authorized levy, then the aid entitlement for the 1996-1997 school year shall equal the difference between the revenue entitlement and authorized levies computed under this section and sections 11 to 71. If any section of Minnesota Statutes, chapters 124, 124A, and 124B, other than sections 124.321 and 124.912, subdivision 2, provide that the aid entitlement will be reduced if a district fails to exercise its full levy authority and the district failed to levy its full authority for the 1995-1996 school year, the commissioner shall assume that, absent the provisions of this act, the district would have elected to exercise the same portion of its levy authority for the 1996-1997 school year as it did in the prior year and determine the district's aid under the applicable section and the prior sentence.

Sec. 11. [TRANSITIONAL LEVIES.]

Notwithstanding Minnesota Statutes, sections 122.247, subdivision 3, and 122.533, a school district's levy under those sections for taxes payable in 1996 shall be no greater than it was for the prior year.

Sec. 12. [TRANSPORTATION AID.]

For purposes of computing transportation aid under Minnesota Statutes, section 124.225, subdivision 8a, for the 1996-1997 school year, levies shall be those computed under the provisions of sections 10 and 13 to 21.

Sec. 13. [TRANSPORTATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 2, a school district's levy for additional transportation costs as the result of leasing a school in another district shall be no greater for the 1996-1997 school year than it was for the prior year.

Sec. 14. [OFF-FORMULA ADJUSTMENT.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 3, a school district's off-formula adjustment for taxes payable in 1996 shall be no less than that computed for taxes payable in the prior year. If the resulting levy reduction is greater than that which would have

otherwise occurred under Minnesota Statutes, section 124.226, subdivision 3, the district will receive additional aid equal to the difference.

Sec. 15. [TRANSPORTATION LEVY EQUITY.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 3a, a school district's aid reduction for transportation levy equity for the 1996-1997 school year shall be based on levies computed under sections 10 and 13 to 21.

Sec. 16. [NONREGULAR TRANSPORTATION COSTS LEVY.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 4, a school district's levy for nonregular transportation costs for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 17. [EXCESS TRANSPORTATION COSTS LEVY.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 5, a school district's levy for excess transportation costs for the 1996-1997 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have been authorized to levy under Minnesota Statutes, section 124.226, subdivision 5, the district shall receive additional aid equal to the difference.

Sec. 18. [BUS PURCHASES; LEVY.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 6, a school district's levy to eliminate a projected deficit in its reserved fund balance for bus purchases in its transportation fund as of June 30 of the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 19. [CONTRACTED SERVICES LEVY.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 7, a school district's levy for taxes payable in 1996 under that subdivision shall be no greater than it was in the prior year. If the resulting levy is less than the school district would have been authorized to levy under that subdivision, the district will receive additional aid equal to the difference.

Sec. 20. [LEVY FOR POST-SECONDARY TRANSPORTATION.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 8, a school district levy for transportation of secondary students enrolled in courses provided in an agreement authorized by Minnesota Statutes, section 123.33, subdivision 7, for school year 1996-1997 shall be no greater than it was for the prior year.

Sec. 21. [LATE ACTIVITY BUSES LEVY.]

Notwithstanding Minnesota Statutes, section 124.226, subdivision 9, a school district's levy for late activity buses for the 1995-1996 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have been authorized to levy under Minnesota Statutes, section 124.226, subdivision 9, the school district shall receive additional aid equal to the difference.

Sec. 22. [BONDS.]

(a) Notwithstanding Minnesota Statutes, section 124.239, after March 30, 1995, no school district can sell bonds under that section the debt service payments of which would require a levy first becoming payable in 1996 or authorize a levy under Minnesota Statutes, section 124.239, subdivision 5, clause (b), that is not pursuant to a plan adopted prior to March 30, 1995. This restriction shall not apply to (1) refunding bonds sold to refund bonds originally sold before March 30, 1995, or (2) bonds for which the amount of the levy first becoming due in 1996 would not exceed the amount by which the school district's total levy for debt service on bonds for taxes payable in 1996 prior to issuance of those bonds is less than the municipality's total levy for debt service for bonds for taxes payable in 1995.

(b) For purposes of this section, bonds will be deemed to have been sold before March 30, 1995, if:

(1) an agreement has been entered into between the school district and a purchaser or underwriter for the sale of the bonds by that date;

(2) the issuing school district is a party to a contract or letter of understanding entered into before March 30, 1995, with the federal government that requires the school district to pay for a project, and the project will be funded with the proceeds of the bonds; or

(3) the proceeds of the bonds will be used to fund a project or acquisition with respect to which the school district has entered into a contract with a builder or supplier before March 30. Debt service payments due on bonds described in this paragraph during calendar year 1996 will be paid by the state. The amount of those payments must be repaid by the school district to the state in three equal annual installments beginning in 1997. No interest will be due on those payments if timely paid by June 15 of the year due.

Sec. 23. [CAPITAL EXPENDITURE FACILITY LEVY.]

Notwithstanding Minnesota Statutes, sections 124.243 and 124.2442, subdivision 3, a school district's capital expenditures facilities levy for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 24. [CAPITAL EXPENDITURE EQUIPMENT LEVY.]

Notwithstanding Minnesota Statutes, sections 124.244, subdivision 2, and 124.2442, a school district's capital expenditures equipment levy for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 25. [LEVY FOR ADULT BASIC EDUCATION AID.]

Notwithstanding Minnesota Statutes, section 124.2601, school districts which did not levy for adult basic education for taxes payable in 1995, may not levy for that purpose for taxes payable in 1996.

Sec. 26. [EARLY CHILDHOOD FAMILY EDUCATION AND HOME VISITATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.2711, subdivisions 2a and 5, a school district's levy for early childhood family education and home visitation under Minnesota Statutes, section 124.2711, subdivision 5, for school year 1996-1997 shall be no greater than it was for the prior year.

Sec. 27. [COMMUNITY EDUCATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.2713, subdivision 6, 6a, or 6b, the community education levy of a school district for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 28. [LEVY FOR ADDITIONAL COMMUNITY EDUCATION REVENUE.]

Notwithstanding Minnesota Statutes, section 124.2714, a school district's levy under that section for school year 1996-1997 shall be no greater than it was for the prior year.

Sec. 29. [PROGRAMS FOR ADULTS WITH DISABILITIES; LEVY.]

Notwithstanding Minnesota Statutes, section 124.2715, subdivision 3, a school district's levy for community education programs for adults with disabilities for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 30. [EXTENDED DAY LEVY.]

Notwithstanding Minnesota Statutes, section 124.2716, a school district's levy under that section for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 31. [COOPERATION AND COMBINATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.2725, subdivisions 3 and 4, a school district's levy for cooperation and combination for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 32. [EARLY RETIREMENT AND SEVERANCE LEVY.]

Notwithstanding Minnesota Statutes, section 124.2725, subdivision 15, a school district's levy for the 1996-1997 school year for severance pay or early retirement incentives for licensed and nonlicensed staff who retire early as the result of combination or cooperation shall be no greater than it was for the prior year.

Sec. 33. [CONSOLIDATION; RETIREMENT LEVY.]

Notwithstanding Minnesota Statutes, section 124.2726, subdivision 3, a school district's levy for retirement incentives under Minnesota Statutes, section 122.23, subdivision 20, for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 34. [DISTRICT COOPERATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.2727, subdivisions 6b and 9, a school district's levy for district cooperation for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 35. [SPECIAL EDUCATION EQUALIZATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.321, subdivisions 3 and 5, a school district's special education equalization levy for the 1996-1997 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have levied under Minnesota Statutes, section 124.321, subdivisions 3 and 5, the district shall receive additional aid equal to the difference.

Sec. 36. [ALTERNATIVE DELIVERY LEVY.]

Notwithstanding Minnesota Statutes, section 124.322, subdivision 4, a school district's levy for alternative delivery of specialized instructional services for the 1996-1997 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have levied under Minnesota Statutes, section 124.322, subdivision 4, the district shall receive additional aid equal to the difference.

Sec. 37. [JOINT POWERS BOARD; EARLY RETIREMENT AND SEVERANCE LEVY.]

Notwithstanding Minnesota Statutes, section 124.4945, a school district's levy for the 1996-1997 school year for severance pay and early retirement incentives to a teacher as defined in Minnesota Statutes, section 125.12, subdivision 1, who is placed on unrequested leave as the result of a cooperative secondary facility agreement shall be no greater than it was for the prior year.

Sec. 38. [FACILITIES DOWN PAYMENT LEVY REFERENDUM.]

Notwithstanding Minnesota Statutes, section 124.82, subdivision 3, no facilities down payment levy referendum held after March 27, 1995, may authorize a levy first becoming payable in 1996.

Sec. 39. [HEALTH AND SAFETY LEVY.]

Notwithstanding Minnesota Statutes, section 124.83, subdivisions 4 and 7, a school district's levy for a health and safety program under Minnesota Statutes, section 124.83, for the 1996-1997 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have levied under Minnesota Statutes, section 124.83, subdivisions 4 and 7, the district shall receive additional aid equal to the difference.

Sec. 40. [HANDICAPPED ACCESS AND FIRE SAFETY LEVY.]

Notwithstanding Minnesota Statutes, section 124.84, subdivisions 3 and 4, a school district's levy for purposes of Minnesota Statutes, section 124.84, subdivisions 1 and 2, for the 1996-1997 school year shall be no greater than it was for the prior year. If the resulting levy is less than the

school district would have levied under Minnesota Statutes, section 124.84, subdivision 3, the district may levy the difference in the subsequent year notwithstanding the five-year limitation in section 124.84, subdivision 3.

Sec. 41. [LEVY TO RENT OR LEASE BUILDING OR LAND.]

Notwithstanding Minnesota Statutes, section 124.91, subdivision 1, after March 30, 1995, the commissioner of education shall not authorize any school district to make any additional capital expenditure levy to rent or lease a building or land for instructional purposes if the levy for that purpose first becomes due and payable in 1996 unless the district's capital expenditure levy for taxes payable in 1996, including the levy for the new obligation, would not exceed its levy for that purpose for taxes payable in 1995.

Sec. 42. [LEVY FOR LEASE PURCHASE OR INSTALLMENT BUYS.]

(a) Except as provided in paragraphs (b) and (c), notwithstanding Minnesota Statutes, section 124.91, subdivision 3, after March 30, 1995, no school district may enter into an installment contract or a lease purchase agreement the levy for which would first become payable in 1996 unless the district's total levy for installment contracts and lease purchase agreements for taxes payable in 1996, including the levy for the new obligation, would not exceed its levy for that purpose for taxes payable in 1995.

(b) The limitation in paragraph (a) does not apply to an installment contract entered into before July 1, 1995, if it:

(1) relates to a high school construction project that was approved by the commissioner of education under Minnesota Statutes, section 121.15, before July 1, 1994; and

(2) relates at least in part to bids awarded between September 8, 1994, and February 21, 1995.

Payments due on installment contracts described in this paragraph during calendar year 1996 will be paid by the state. The amount of those payments will be repaid by the school district to the state in three equal annual installments beginning in 1997. No interest will be due on those payments if timely paid by June 15 of the year due.

(c) For purposes of this section, installment contracts or lease purchase agreements will be deemed to have been entered into before March 30, 1995, if:

(1) an agreement has been entered into between the school district and a lessor or seller by that date;

(2) the school district is a party to contract or letter of understanding entered into before March 30, 1995, with the federal government that requires the school district to pay for a project, and the project will be funded with the proceeds of the installment contracts or lease purchase agreements; or

(3) the installment contracts or lease purchase agreements will be used to fund a project or acquisition with respect to which the school district has entered into a contract with a builder or supplier before March 30. Payments due on installment contracts or lease purchase agreements described in this paragraph during calendar year 1996 will be paid by the state. The amount of those payments must be repaid by the school district to the state in three equal annual installments beginning in 1997. No interest will be due on those payments if timely paid by June 15 of the year due.

Sec. 43. [COOPERATING DISTRICTS; CAPITAL LEVY.]

Notwithstanding Minnesota Statutes, section 124.91, subdivision 4, a school district's levy under that subdivision for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 44. [LEVY FOR INTERACTIVE TELEVISION.]

Notwithstanding Minnesota Statutes, section 124.91, subdivision 5, a school district's levy for

interactive television for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 45. [ENERGY CONSERVATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.91, subdivision 6, a school district may not enter into a loan under Minnesota Statutes, sections 216C.37 or 298.292 to 298.298 after March 27, 1995, if the levy for repayment of the loan would first become payable in 1996.

Sec. 46. [LEVY FOR STATUTORY OBLIGATIONS.]

Notwithstanding Minnesota Statutes, section 124.912, subdivision 1, a school district's levy as otherwise authorized under that subdivision for the 1996-1997 school year shall be no greater than it was for the prior year. To the extent that the portion of the resulting levy for the school district's obligation under Minnesota Statutes, section 268.06, subdivision 25, and section 268.08, is less than the school district would have been otherwise authorized to levy under Minnesota Statutes, section 124.912, subdivision 1, the school district shall receive additional aid equal to the difference. To the extent that the portion of the resulting levy for judgments under Minnesota Statutes, section 127.05, is less than the school district would have been authorized to levy under Minnesota Statutes, section 124.912, subdivision 1, for this purpose, the school district may levy the difference in the subsequent year.

Sec. 47. [DESEGREGATION LEVY.]

Notwithstanding Minnesota Statutes, section 124.912, subdivision 2, a school district's levy as otherwise authorized under that subdivision for the 1995-1996 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have levied under that subdivision, the school district shall receive additional aid equal to the difference.

Sec. 48. [RULE COMPLIANCE LEVY.]

Notwithstanding Minnesota Statutes, section 124.912, subdivision 3, a school district's levy as otherwise authorized under that subdivision for the 1995-1996 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have levied under that subdivision, the school district shall receive additional aid equal to the difference.

Sec. 49. [LEVY FOR CRIME RELATED COSTS.]

Notwithstanding Minnesota Statutes, section 124.912, subdivision 6, a school district's levy as otherwise authorized under that subdivision for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 50. [ICE ARENA LEVY.]

Notwithstanding Minnesota Statutes, section 124.912, subdivision 7, a school district's levy as otherwise authorized under that subdivision for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 51. [OUTPLACEMENT LEVY.]

Notwithstanding Minnesota Statutes, section 124.912, subdivision 8, the levy as otherwise authorized under that subdivision for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 52. [ABATEMENT LEVY.]

Notwithstanding Minnesota Statutes, section 124.912, subdivision 9, a school district's levy as otherwise authorized under that subdivision for the 1996-1997 school year shall be no greater than it was for the prior year. To the extent the portion of the resulting levy otherwise authorized under Minnesota Statutes, section 124.912, subdivision 9, paragraph (a), clause (1), is less than the school district would have been authorized to levy under that clause, the district shall receive additional aid equal to the difference. The remaining portion of the resulting levy that is less than the school district would have been authorized to levy under the remainder of Minnesota Statutes,

section 124.912, subdivision 9, may be levied over a four-year period notwithstanding the three-year limitation of Minnesota Statutes, section 124.912, subdivision 9, paragraph (b).

Sec. 53. [OPERATING DEBT LEVIES.]

Notwithstanding Minnesota Statutes, section 122.531, subdivision 4a; 124.914; or Laws 1992, chapter 499, article 7, sections 25 and 26, a school district's levy as otherwise authorized under those sections for the 1996-1997 school year shall be no greater than it was for the prior year. To the extent this prevents a district from amortizing its reorganization operating debt as defined in Minnesota Statutes, section 121.915, clause (1), in five years, the district shall be permitted to levy the remainder in a subsequent year.

Sec. 54. [HEALTH INSURANCE BENEFITS LEVY.]

Notwithstanding Minnesota Statutes, section 124.916, subdivision 1, or Laws 1993, chapter 224, article 8, section 18, a school district's levy for retired employees health insurance as otherwise authorized under those provisions of law for the taxes payable in 1996 shall be no greater than it was for the prior year.

Sec. 55. [RETIREMENT LEVY.]

Notwithstanding Minnesota Statutes, section 124.916, subdivision 3, a school district's levy as otherwise authorized under that subdivision for taxes payable in 1996 shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have been authorized to levy under that subdivision, the school district shall receive additional aid equal to the difference.

Sec. 56. [MINNEAPOLIS HEALTH INSURANCE SUBSIDY.]

Notwithstanding Minnesota Statutes, section 124.916, subdivision 4, a school district's levy as otherwise authorized under that section for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 57. [LEVY FOR TACONITE PAYMENT.]

Notwithstanding Minnesota Statutes, section 124.918, subdivision 8, a school district's levy reduction as otherwise authorized under that subdivision for the 1996-1997 school year shall be no less than it was for the prior year. General education aid reduction for the 1996-1997 school year shall be governed by Minnesota Statutes, section 124A.035, subdivision 5, and the levy reduction as dictated by this section.

Sec. 58. [EQUALIZED DEBT SERVICE LEVY.]

Notwithstanding Minnesota Statutes, section 124.95, subdivision 4, a school district's levy as otherwise authorized under that subdivision for the 1996-1997 school year taxes payable in 1996 shall be based on the actual pupil units in the district for the 1992-1993 school year and the 1993 adjusted net tax of the district.

Sec. 59. [UNEQUALIZED REFERENDUM LEVY.]

Notwithstanding Minnesota Statutes, section 124A.03, subdivision 1i, a school district's unequalized referendum levy for the 1996-1997 school year shall be no greater than it was for the prior year. If the resulting levy is less than the school district would have levied under that subdivision, the school district shall receive additional aid equal to the difference.

Sec. 60. [REFERENDUM LEVY.]

(a) Except as provided in paragraph (b) or (c), notwithstanding Minnesota Statutes, section 124A.03, subdivision 2 or 2b, or 124B.03, subdivision 2, no referendum conducted after March 30, 1995, under those sections may authorize a levy first becoming payable in 1996.

(b) A referendum may authorize such a levy if the referendum provides for continuation of a referendum levy that terminates beginning with taxes payable in 1996. If the terminated levy had been based on net tax capacity, the referendum relating to taxes payable in 1996 must be based on

net tax capacity and the ballot shall state the estimated referendum tax rate based on net tax capacity for taxes levied in 1996, notwithstanding Minnesota Statutes, section 124A.03, subdivisions 2 and 2a. To the extent the referendum relates to taxes payable in 1997 and subsequent years, the levies for those years are subject to Minnesota Statutes, sections 124A.03, subdivision 2a, and 124A.0311, subdivision 3, and the ballot shall also state the estimated referendum tax rate as a percentage of market value for taxes levied in 1997.

(c) A referendum may authorize such a levy if the levy required under the referendum would not result in an increase for taxes payable in 1996 in the total levy for all purposes imposed by the school district over the total levy imposed by the district for taxes payable in 1995.

Sec. 61. [REFERENDUM AUTHORITY; CONVERSION.]

Notwithstanding Minnesota Statutes, section 124A.0311, subdivisions 2 and 3, no school district may convert its referendum authority currently authorized to be levied against net tax capacity to referendum authority authorized to be levied against referendum market value effective for taxes payable in 1996.

Sec. 62. [TRAINING AND EXPERIENCE LEVY.]

Notwithstanding Minnesota Statutes, section 124A.22, subdivision 4a, a school district's training and experience levy for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 63. [SUPPLEMENTAL LEVY.]

Notwithstanding Minnesota Statutes, section 124A.22, subdivision 8a, a school district's supplemental levy for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 64. [GENERAL EDUCATION LEVY; OFF-FORMULA DISTRICTS.]

Notwithstanding Minnesota Statutes, section 124A.23, subdivision 3, an off-formula school district's levy for general education for the 1996-1997 school year shall be no greater than it was for the prior year. An off-formula school district's aid reduction for general education levy equity under Minnesota Statutes, section 124A.24, shall be computed using the levy computed under this section. If an off-formula district payments pursuant to Minnesota Statutes, section 124A.035, subdivision 4, are reduced from that received in the prior school year, the district shall receive additional aid equal to the difference.

Sec. 65. [LEVY REDUCTION.]

Notwithstanding Minnesota Statutes, section 124A.26, subdivision 2, a district's levy reduction for the 1996-1997 school year under that subdivision shall be no less than it was in the prior year. To the extent that the resulting reduction is greater than the school district would have otherwise received under that subdivision, the school district shall receive additional aid equal to the difference.

Sec. 66. [STAFF DEVELOPMENT LEVY.]

Notwithstanding Minnesota Statutes, section 124A.292, subdivision 3, a school district's levy for staff development for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 67. [SCHOOL RESTRUCTURING LEVIES.]

Notwithstanding Minnesota Statutes, section 126.019, a school district's levy under that section for taxes payable in 1996 shall be no greater than it was in the prior year. To the extent the resulting levy is less than the district would have otherwise been authorized to levy under that section, the district shall receive additional aid equal to the difference.

Sec. 68. [LEVY FOR LOCAL SHARE OF TECHNICAL COLLEGE CONSTRUCTION.]

Notwithstanding Minnesota Statutes, section 136C.411, the levy as otherwise authorized under that section for the 1996-1997 school year shall be no greater than it was for the prior year. If the

resulting levy is less than is necessary for the district to pay its local share of the costs of construction in that year, the joint vocational technical district shall receive additional aid equal to the difference.

Sec. 69. [JOINT VOCATIONAL TECHNICAL DISTRICT TAX LEVY.]

Notwithstanding Minnesota Statutes, section 136C.67, a joint vocational technical district's levy under that subdivision for the 1996-1997 school year shall be no greater than it was for the prior year.

Sec. 70. [LEVY ADJUSTMENT.]

Notwithstanding any other law to the contrary, any adjustment of a school district's levy authority other than for debt redemption fund excesses under Minnesota Statutes, section 475.61, for taxes payable in 1996 shall not result in a levy that is greater than it was in 1995. If the resulting levy adjustments reduce the district's revenues below that which the district would have otherwise received in the absence of this section, the district will receive additional aid equal to the difference.

Sec. 71. [OTHER LEVY AUTHORITY.]

A school district's levy under any special law or any authority other than that contained in Minnesota Statutes, chapters 124, 124A, and 136C, shall not be greater for taxes payable in 1996 than it was for taxes payable in 1995 except for any debt service on obligations, certificates of indebtedness, capital notes, or other debt instruments issued prior to March 30, 1995, or to make payments on installment purchase contracts or lease purchase agreements entered into prior to March 30, 1995.

Sec. 72. [BENEFIT RATIO FOR RURAL SERVICE DISTRICTS.]

Notwithstanding Minnesota Statutes, section 272.67, subdivision 6, the benefit ratio used for apportioning levies to a rural service district for taxes payable in 1996 shall not be greater than that in effect for taxes payable in 1995.

Sec. 73. [PROHIBITION AGAINST INCURRING NEW DEBT.]

Subdivision 1. [GENERALLY.] (a) After March 30, 1995, no municipality as defined in Minnesota Statutes, section 475.51, or any special taxing district as defined under Minnesota Statutes, section 275.066, may sell obligations, certificates of indebtedness, or capital notes under Minnesota Statutes, chapter 475, section 412.301, or any other law authorizing obligations, certificates of indebtedness, capital notes, or other debt instruments or enter into installment purchase contracts or lease purchase agreements under Minnesota Statutes, section 465.71, or any other law authorizing installment purchase contracts or lease purchase agreements if issuing those debt instruments or entering into those contracts would require a levy first becoming due in 1996. This restriction does not apply to (1) refunding bonds sold to refund bonds originally sold before March 30, 1995, or (2) obligations for which the amount of the levy first becoming due in 1996 would not exceed the amount by which the municipality's total debt service levy for taxes payable in 1996 prior to issuance of those obligations is less than the municipality's total debt service levy for taxes payable in 1995. As used in clause (2), "obligations" includes certificates of indebtedness, capital notes, or other debt instruments or installment purchase contracts or lease purchase agreements.

(b) For purposes of this section, bonds will be deemed to have been sold before March 30, 1995, if:

(1) an agreement has been entered into between the municipality and a purchaser or underwriter for the sale of the bonds by that date;

(2) the issuing municipality is a party to contract or letter of understanding entered into before March 30, 1995, with the federal government or the state government that requires the municipality to pay for a project, and the project will be funded with the proceeds of the bonds; or

(3) the proceeds of the bonds will be used to fund a project or acquisition with respect to which

the municipality has entered into a contract with a builder or supplier before March 30. Debt service payments due on bonds described in this paragraph during calendar year 1996 will be paid by the state. The amount of those payments must be repaid by the municipality to the state in three equal annual installments beginning in 1997. No interest will be due on those payments if timely paid by June 15 of the year due.

Subd. 2. [EXCEPTION.] Notwithstanding subdivision 1, certificates of indebtedness, capital notes, installment purchase contracts, lease purchase agreements or any other debt instruments, and the debt service levies for the obligations shall, for purposes of this act, be treated as if sold prior to March 30, 1995, if:

(a) The municipality or other governmental authority has satisfied any one of the following conditions prior to March 30, 1995:

(1) it has adopted a resolution or ordinance authorizing the issuance of the obligations;

(2) it has declared official intent to issue the obligations under federal tax laws and regulations;

or

(3) it has entered into a binding agreement to design or construct a project or acquire property to be financed with the obligations; and

(b) The municipality makes a finding at the time of the sale of the bonds that no levy will be required for taxes payable in 1996 to pay the debt service on the obligations because sufficient funds are available from nonproperty tax sources to pay the debt service.

Sec. 74. [ASSESSMENT LIMITATIONS.]

Subdivision 1. [1995 ASSESSMENT.] Notwithstanding Minnesota Statutes, section 273.11, or any other law to the contrary, the value of property for the 1995 assessment shall not exceed the lesser of its limited market value determined for the 1994 assessment pursuant to Minnesota Statutes, section 273.11, subdivision 1a, or its market value as otherwise determined for the 1994 assessment provided that any value attributable to new construction or improvements to the extent it does not qualify for deferral under Minnesota Statutes, section 273.11, subdivision 16, shall be added to the prior year's value used to determine its tax capacity. It is further provided that previously tax exempt property that loses its tax exempt status pursuant to Minnesota Statutes, section 272.02, subdivision 4, shall not have its assessment limited in any way under this subdivision.

Subd. 2. [1996 ASSESSMENT.] The provisions of Minnesota Statutes, section 273.11, subdivision 1a, shall govern in determining the value of property classified as agricultural homestead or nonhomestead, residential homestead or nonhomestead, or noncommercial seasonal residential for the 1996 assessment provided that "five percent" shall be substituted for "ten percent" in that section.

Sec. 75. [LEVY LIMITATION TAXES PAYABLE IN 1996.]

Subdivision 1. [TAXES PAYABLE IN 1996 PROPOSED LEVY.] Notwithstanding any other law to the contrary, for purposes of the certification required by Minnesota Statutes, section 275.065, subdivision 1, in 1995, no taxing authority other than a school district shall certify to the county auditor a proposed property tax levy or in the case of a township, a final property tax levy, greater than the amount certified to the county auditor pursuant to Minnesota Statutes, section 275.07, subdivision 1, in the prior year except as provided in subdivisions 3, 4, and 5.

Subd. 2. [TAXES PAYABLE IN 1996 FINAL LEVY.] Notwithstanding any other law to the contrary, for purposes of the certification required by Minnesota Statutes, section 275.07, subdivision 1, in 1995, no taxing authority other than a school district shall certify to the county auditor a property tax levy greater than the amount certified to the county auditor pursuant to Minnesota Statutes, section 275.07, subdivision 1, in the prior year except as provided in subdivisions 4 to 6.

Subd. 3. [SCHOOL DISTRICTS.] School district levies shall be governed by sections 10 to 71.

Subd. 4. [DEBT SERVICE EXCEPTION.] If a payable 1996 levy for debt service on obligations, certificates of indebtedness, capital notes, or other debt instruments sold prior to March 30, 1995, or to make payments on installment purchase contracts or lease purchase agreements entered into prior to March 30, 1995, exceeds the levy a taxing authority certified pursuant to Minnesota Statutes, section 275.07, subdivision 1, for taxes payable in 1995 for the same purpose, the excess may be levied notwithstanding the limitations of subdivisions 1 and 2.

Subd. 5. [ANNEXATION EXCEPTION.] The city tax rate for taxes payable in 1996 on any property annexed under chapter 414 may not be increased over the city or township tax rate in effect on the property in 1995, notwithstanding any law, municipal board order, or ordinance to the contrary. The limit on the annexing city's levy under subdivisions 1 and 2 may be increased in excess of that limit by an amount equal to the net tax capacity of the property annexed times the city or township tax rate in effect on that property for taxes payable in 1995. The levy limit of the city or township from which the property was annexed shall be reduced by the same amount.

Subd. 6. [INCREASE AUTHORIZED.] Notwithstanding the limitation of subdivision 1, a taxing authority other than a school district may increase its levy for taxes payable in 1996 over that certified to the county pursuant to Minnesota Statutes, section 275.07, subdivision 1, in the prior year by an amount equal to the taxing authority's net tax capacity pursuant to section 74, subdivision 1, times its tax rate for taxes payable in 1995 less the taxing authority's levy under subdivision 1.

Sec. 76. [FREEZE ON LOCAL MATCH REQUIREMENTS.]

Notwithstanding any other law to the contrary, the local funding or local match required from any city, town, or county for any state grant or program shall not be increased for calendar year 1996 above the dollar amount of the local funding or local match required for the same grant or program in 1995, regardless of the level of state funding provided; and any new local match or local funding requirements for new or amended state grants or programs shall not be effective until calendar year 1997. Nothing in this section shall affect the eligibility of a city, town, or county, for the receipt of state grants or program funds in 1996 or reduce the amount of state funding a city, town, or county would otherwise receive in 1996 if the local match requirements of the state grant or program were met in 1996.

Sec. 77. [SUSPENSION OF SALARY AND BUDGET APPEAL AUTHORIZATION.]

After April 11, 1995, no county sheriff may exercise the authority granted under Minnesota Statutes, section 387.20, subdivision 7, and no county attorney may exercise the authority granted under Minnesota Statutes, section 388.18, subdivision 6, to the extent that the salary or budget increase sought in the appeal would result in an increase in county expenditures in calendar year 1996.

Sec. 78. [SUSPENSION OF PUBLICATION AND HEARING REQUIREMENTS.]

A local taxing authority is not required to comply with the public advertisement notice of Minnesota Statutes, section 275.065, subdivision 5a, or the public hearing requirement of Minnesota Statutes, section 275.065, subdivision 6, with respect to taxes levied in 1995, payable in 1996, only.

Sec. 79. [LEVY LIMITATION TAXES PAYABLE IN 1997.]

Subdivision 1. [DEFINITION.] The "percentage increase in the implicit price deflator" means the percentage change in the implicit price deflator for state and local governments purchases of goods and services as calculated in Minnesota Statutes, section 477A.03, subdivision 3, provided that the 2.5 percent and five percent limits do not apply and that the increase can not be less than zero percent.

Subd. 2. [TAXES PAYABLE IN 1997 PROPOSED LEVY.] Notwithstanding any other law to the contrary, for purposes of the certification required by Minnesota Statutes, section 275.065, subdivision 1, in 1996, no taxing authority other than a school district or a joint vocational technical district shall certify to the county auditor a proposed property tax levy or in the case of a township, a final property tax levy, that is greater than the product of:

(1) the sum of one plus the lesser of (i) three percent, or (ii) the percentage increase in the implicit price deflator; and

(2) the amount certified to the county auditor pursuant to Minnesota Statutes, section 275.07, subdivision 1, in the prior year, except as provided in subdivisions 4 and 5.

Subd. 3. [TAXES PAYABLE IN 1997 FINAL LEVY.] Notwithstanding any other law to the contrary, for purposes of the certification required by Minnesota Statutes, section 275.07, subdivision 1, in 1996, no taxing authority other than a school district or a joint vocational technical district shall certify to the county auditor a property tax levy that is greater than the product of:

(1) the sum of one plus the lesser of (i) three percent, or (ii) the percentage increase in the implicit price deflator; and

(2) the amount certified to the county auditor pursuant to Minnesota Statutes, section 275.07, subdivision 1, in the prior year, except as provided in subdivisions 4, 5, and 6.

Subd. 4. [REFERENDA.] (a) A taxing authority other than a school district or an education district may increase its levy above the limits provided in subdivisions 2 and 3, by the amount approved by the voters residing in the jurisdiction of the authority at a referendum called for the purpose. The referendum may be called by the governing body or shall be called by the governing body upon written petition of qualified voters of the jurisdiction. The referendum shall be conducted during the calendar year before the increased levy authority, if approved, first becomes payable. Only one election to approve an increase may be held in a calendar year. The referendum must be held on the first Tuesday after the first Monday in November. The ballot shall state the maximum amount of the increased levy and the estimated referendum tax rate as a percentage of taxable net tax capacity in the year it is to be levied. The ballot may contain a textual portion with the information required in this subdivision and a question stating substantially the following:

"Shall the increase in the levy proposed by (petition to) the governing body of, be approved?"

(b) The governing body shall prepare and deliver by first class mail at least 15 days but no more than 30 days prior to the day of the referendum to each taxpayer a notice of the referendum and the proposed levy increase. The governing body need not mail more than once notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners shall be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer shall be deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose. The notice must project the anticipated amount of tax increase in annual dollars and annual percentage for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the jurisdiction of the taxing authority.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes."

(c) A petition authorized by paragraph (a) shall be effective if signed by a number of qualified voters in excess of 15 percent of the registered voters of the jurisdiction of the taxing authority on the day the petition is filed with the governing body. A referendum invoked by petition shall be held on the date specified in paragraph (a).

(d) The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this subdivision.

(e) A bond authorization under Minnesota Statutes, section 475.59, shall be deemed to meet the requirements of this subdivision provided the ballot includes the information required in paragraph (a) and the notice required in paragraph (b) is distributed.

Subd. 5. [DEBT SERVICE EXCEPTION.] If a payable 1997 levy for debt service on obligations, certificates of indebtedness, capital notes, or other debt instruments sold prior to

March 30, 1995, or to make payments on installment purchase contracts or lease purchase agreements entered into prior to March 30, 1995, exceeds the levy a taxing authority certified pursuant to Minnesota Statutes, section 275.07, subdivision 1, for taxes payable in 1996 for the same purpose, or a payable 1997 levy for general obligations exceeds any payable 1997 levy required as a condition for the issuance of such general obligations, the excess may be levied notwithstanding the limitations of subdivisions 2 and 3.

Subd. 6. [LEVY OF TOWN BEING MERGED INTO CITY.] If a town has entered into an agreement to merge with a home rule charter or statutory city, and the merger has been approved by a referendum, the town's levy for taxes payable in 1997 shall not exceed the greater of (1) the amount determined under subdivisions 1 to 5, or (2) the amount established as a term of the merger agreement with the city.

Sec. 80. [FISCAL DISPARITIES FREEZE.]

Notwithstanding Minnesota Statutes, section 473F.08, subdivision 2, clause (a), the amount to be deducted from a governmental unit's net tax capacity for taxes payable in 1996 under that clause shall equal the amount deducted for taxes payable in 1995. Notwithstanding Minnesota Statutes, section 473F.08, subdivision 2, clause (b), the amount to be added to a governmental unit's net tax capacity for taxes payable in 1996 under that clause shall equal the same amount added for taxes payable in 1995. Notwithstanding Minnesota Statutes, section 473F.08, subdivision 3, the areawide portion of the levy for each governmental unit shall be determined using the local tax rate for the 1993 levy year. Notwithstanding Minnesota Statutes, section 473F.08, subdivision 6, the portion of commercial-industrial property within a municipality subject to the areawide tax rate shall be computed using the amount determined under Minnesota Statutes, sections 473F.06 and 473F.07, for taxes payable in 1995.

Sec. 81. [TAX RATE FREEZE.]

Subdivision 1. [REDUCTION OF LEVY; PAYMENT.] If in the course of determining local tax rates for taxes payable in 1996 after reductions for disparity reduction aid under Minnesota Statutes, section 275.08, subdivisions 1c and 1d, the county auditor finds the local tax rate exceeds that in effect for taxes payable in 1995, the county auditor shall reduce the local government's levy so the local tax rate does not exceed that in effect for taxes payable in 1995. The difference between the levy as originally certified by the local government and the reduced levy shall be certified to the commissioner of revenue at the time the abstracts are submitted under Minnesota Statutes, section 275.29. That amount shall be paid to the local government on or before August 31.

Subd. 2. [APPROPRIATION.] An amount sufficient to pay the aid provided for under this section is appropriated from the general fund to the commissioner of revenue for payment to counties, cities, townships, and special taxing districts. An amount sufficient to pay the aid provided for under this section is appropriated from the general fund to the commissioner of education for payment to school districts.

Sec. 82. [PENSION LIABILITIES.]

Notwithstanding any other law or charter provision to the contrary, no levy for taxes payable in 1996 for a local police and fire relief association for the purpose of amortizing an unfunded pension liability may exceed the levy for that purpose for taxes payable in 1995.

Sec. 83. [DUTIES OF TOWNSHIP BOARD OF SUPERVISORS.]

Notwithstanding Minnesota Statutes, section 365.10, in 1995 the township board of supervisors shall adjust the levy and in 1996 the township board of supervisors may adjust the expenditures of a township below the level authorized by the electors to adjust for any reduction in the previously authorized levy of the township pursuant to section 75.

Sec. 84. [PROPERTY TAX AND EDUCATION AIDS REFORM.]

Subdivision 1. [RECOMMENDED PROGRAM.] The legislative commission on planning and fiscal policy shall prepare and recommend to the legislature a property tax reform and education aids reform program that includes:

- (1) a property tax classification and class rate system;
- (2) elementary and secondary education aids and levies; and
- (3) aids to local government.

Subd. 2. [STANDARDS.] (a) The recommended program must provide for accountability, equity, revenue adequacy, and efficiency as provided in paragraphs (b) to (e).

(b) The recommended program must provide accountability by being understandable to the taxpayer, by linking the costs of services to the taxes paid for those services, and by correlating the responsibility for raising revenues with the ability to make spending decisions.

(c) The recommended program must provide equity by minimizing large, short-term shifts in tax burdens, and by ensuring that tax burdens and aids are progressive and related to the ability to pay or raise revenue.

(d) The recommended program must provide for adequate revenue by controlling costs and the need for increased revenue, minimizing reductions or shifts in revenues available to local governments to provide needed services, and directing aids to meet needs and fund services based on established funding priorities.

(e) The program must promote efficiency by providing stable predictable property taxes and local government revenues that are competitive with those of other states and areas so that property taxes and aids have minimal impact on the economic decisions of taxpayers.

Subd. 3. [TASK FORCE.] The commission may designate a task force to advise the commission in carrying out its duties under this section. The task force may include legislators, agency and legislative staff, state and local governmental officials, educators, and taxpayers and members of the public. The task force expires on January 1, 1997.

Subd. 4. [SERVICES.] The commission may enter into contracts for the professional and other services necessary to carry out its duties under this section.

Subd. 5. [REPORT.] The commission shall report its recommendations to the legislature on or before January 1, 1997. The report shall include proposed legislation to implement the recommendations of the commission.

Sec. 85. [UNFUNDED 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 on a political subdivision in a bill introduced in the legislature will impose a statewide cost on counties in excess of \$500,000 or a statewide cost on cities or townships in excess of \$250,000, the political subdivisions 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 political subdivisions for the costs incurred.

Sec. 86. [SAVINGS CLAUSE.]

Notwithstanding the repealers in section 88 or any other provision in this act to the contrary, nothing in this act constitutes an impairment of any obligations, certificates of indebtedness, capital notes, or other debt instruments, including installment purchase contracts or lease purchase agreements, issued before the date of final enactment of this act, by a municipality as defined in Minnesota Statutes, section 469.174, subdivision 6, or a special taxing district as defined in Minnesota Statutes, section 275.066.

Sec. 87. [PIPESTONE COUNTY.]

Subdivision 1. [BOND AUTHORIZATION.] The county of Pipestone may issue its general obligation bonds in a principal amount of not to exceed \$598,000 to defray the expense of repair

and renovation of the county courthouse and courthouse annex. The bonds shall be issued in accordance with Minnesota Statutes, chapter 475. No further election proceedings are required and Minnesota Statutes, section 275.61, shall not apply.

Subd. 2. [EFFECTIVE DATE.] This section takes effect the day after the county board of Pipestone county complies with Minnesota Statutes, section 645.021, subdivision 3.

Sec. 88. [REPEALER.]

Subdivision 1. Minnesota Statutes 1994, sections 124.01; 124.05; 124.06; 124.07; 124.76; 124.82; 124.829; 124.83; 124.84; 124.85; 124.86; 124.90; 124.91; 124.912; 124.914; 124.916; 124.918; 124.95; 124.961; 124.962; 124.97; 124A.02, subdivisions 16, 23, and 24; 124A.03, subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, and 1i; 124A.0311; 124A.032; 124A.04; 124A.22, subdivisions 1, 2, 3, 4, 4a, 4b, 6, 6a, 8, and 9; 124A.23; 124A.24; 124A.26, subdivisions 1, 2, and 3; 124A.27; 124A.28; and 124A.29, subdivision 2, are repealed. Laws 1991, chapter 265, article 7, section 35, is repealed.

Subd. 2. Minnesota Statutes 1994, sections 273.13; 273.135; 273.136; 273.1391; 473F.001; 473F.01; 473F.02; 473F.03; 473F.05; 473F.06; 473F.07; 473F.08; 473F.09; 473F.10; 473F.11; 473F.13; 477A.011; 477A.012; 477A.0121; 477A.0122; 477A.013; 477A.0132; 477A.014; 477A.015; 477A.016; 477A.017; 477A.03; 477A.11; 477A.12; 477A.13; 477A.14; and 477A.15, are repealed.

Subd. 3. [REPEALER.] Minnesota Statutes 1994, sections 245.48; and 256H.12, subdivision 3, are repealed.

Sec. 89. [EFFECTIVE DATE.]

Sections 2 to 5 and 85, subdivision 3, are effective July 1, 1995. Section 88, subdivision 2, is effective for taxes payable in 1998, and section 88, subdivision 1, is effective for the 1998-1999 school year, provided that if the legislature does not pass and the governor does not approve legislation by the conclusion of the 1997 session that states in its body that it is replacing the provisions of the repealed chapters and sections in section 88, the repealed chapters and sections are reenacted.

Sections 10 to 71, and section 75, subdivision 3, will not become effective if a bill styled as S.F. No. 944 is enacted during the 1995 session of the legislature and that bill provides for the imposition of levies by school districts for taxes payable in 1996."

Amend the title accordingly

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the proceedings on H.F. No. 603. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Johnston	Laidig	Neuville	Scheevel
Berg	Kelly	Larson	Oliver	Spear
Day	Kiscaden	Lesewski	Ourada	Stevens
Dille	Kleis	Limmer	Pariseau	Terwilliger
Frederickson	Knutson	Marty	Robertson	
Johnson, D.E.	Kramer	Merriam	Runbeck	

The motion prevailed. So the amendment was adopted.

H.F. No. 603 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 37 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Johnston	Laidig	Neuville	Scheevel
Berg	Kelly	Larson	Oliver	Spear
Day	Kiscaden	Lesewski	Ourada	Stevens
Dille	Kleis	Limmer	Pariseau	Terwilliger
Frederickson	Knutson	Marty	Robertson	
Johnson, D.E.	Kramer	Merriam	Runbeck	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Belanger moved that his name be stricken as a co-author to S.F. No. 514. The motion prevailed.

Mr. Bertram moved that S.F. No. 475 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Agriculture and Rural Development. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 1:30 p.m. The motion prevailed.

The hour of 1:30 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

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 and Second Reading of House Bills.

REPORTS OF COMMITTEES

Ms. Flynn moved that the Committee Report 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. 1238 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
1238	897

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
----------	----------

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1238 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1238 and insert the language after the enacting clause of S.F. No. 897, the first engrossment; further, delete the title of H.F. No. 1238 and insert the title of S.F. No. 897, the first engrossment.

And when so amended H.F. No. 1238 will be identical to S.F. No. 897, and further recommends that H.F. No. 1238 be given its second reading and substituted for S.F. No. 897, 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. No. 1238 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Berg moved that S.F. No. 1180 be taken from the table. The motion prevailed.

S.F. No. 1180: A bill for an act relating to natural resources; off-highway motorcycles; all-terrain vehicles; reciprocal agreements; migratory game birds; fish house identification; fish taken in Canada; exotic species; powers of enforcement officers; collector snowmobiles; disabled hunters; providing penalties; amending Minnesota Statutes 1994, sections 18.317; 84.796; 84.81, by adding a subdivision; 84.82, by adding a subdivision; 84.92, subdivision 8; 84.968, subdivision 1; 84.9691; 84.9692, subdivisions 1, 2, and by adding a subdivision; 86B.401, subdivision 11; 97A.045, by adding a subdivision; 97A.205; 97A.215, subdivision 1; 97A.401, subdivision 3; 97A.531, subdivision 1; 97B.055, subdivision 3; 97B.731, subdivision 1; 97C.355, subdivision 2; and Laws 1994, chapter 623, article 1, section 45; proposing coding for new law in Minnesota Statutes, chapter 18; repealing Minnesota Statutes 1994, sections 97A.531, subdivisions 2, 3, 4, 5, and 6; and 97C.505, subdivision 4.

Mr. Vickerman withdrew his amendment.

Mr. Vickerman then moved to amend S.F. No. 1180 as follows:

Page 8, after line 26, insert:

"Sec. 13. [87A.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 87A.01 to 87A.03.

Subd. 2. [PERSON.] "Person" means an individual, proprietorship, partnership, corporation, club, or other legal entity.

Subd. 3. [SHOOTING RANGE OR RANGE.] "Shooting range" or "range" means an outdoor area or facility designed and operated for the use of firearms or archery.

Subd. 4. [GENERALLY ACCEPTED OPERATION PRACTICES.] "Generally accepted operation practices" means those guidelines adopted by the commissioner of natural resources for shooting ranges. In developing the practices, the commissioner shall consider all information reasonably available regarding the safe operation of shooting ranges, including practices established by a nationally recognized nonprofit membership organization that provides voluntary firearm safety programs that include training individuals in the safe handling and use of firearms, which practices are developed with consideration of all information reasonably available regarding the safe operation of shooting ranges. The generally accepted operation practices shall be reviewed at least every five years by the commissioner of natural resources and revised as the commissioner considers necessary. The commissioner shall adopt the guidelines required under this section by January 1, 1996.

Subd. 5. [UNIT OF GOVERNMENT.] "Unit of government" means a home rule charter or statutory city, county, town, municipal corporation, or other political subdivision, or any of their instrumentalities.

Sec. 14. [87A.02] [LOCAL ORDINANCE PROTECTION; EXISTING OPERATIONS.]

(a) A shooting range that is in operation and not in violation of existing law at the time of the enactment of an ordinance must be permitted to continue in operation even if the operation of the shooting range at a later date does not conform to the new ordinance or an amendment to an existing ordinance.

(b) A shooting range that operates in compliance with generally accepted operation practices, even if not in compliance with an ordinance of a local unit of government, must be permitted to do all of the following within its preexisting geographic boundaries if done in compliance with generally accepted operation practices:

(1) repair, remodel, or reinforce any conforming or nonconforming building or structure as may be necessary in the interest of public safety or to secure the continued use of the building or structure;

(2) reconstruct, repair, restore, remodel, or resume the use of a nonconforming building damaged by fire, collapse, explosion, act of God, or act of war occurring after the effective date of this section; and

(3) do anything authorized under generally accepted operation practices, including:

(i) expand or increase its membership or opportunities for public participation;

(ii) expand or increase events, facilities, and activities, within the preexisting geographic boundaries of the range, and in conformance with local codes and ordinances; and

(iii) make those structural repairs or improvements necessary to comply with generally accepted operation practices.

Sec. 15. [87A.03] [LIMITS ON CLOSING SHOOTING RANGES; PAYMENT OF CERTAIN COSTS.]

(a) Except as provided in section 87A.03, a shooting range may not be prevented from operating by any state agency or unit of government unless because of new development of adjacent land: (1) the range becomes a clear and proven safety hazard to the adjacent population; or (2) the range becomes unable to meet the minimum range safety standards contained in generally accepted operation practices adopted by the commissioner.

(b)(1) If the requirements of paragraph (a), clause (1), are met, a shooting range may be relocated by a state agency or a unit of government if the following conditions are met:

(i) the clear and proven safety hazard is documented through a hearing, testimony, and a clear and precise statement of the hazard by the agency or unit of government; and

(ii) the agency or unit of government obtaining the closure pays the fair market value of the range business as a going concern to the operators and the fair market value of the land including improvements, to the owner of the land; and

(2) upon final full payment, the range operator and landowners shall relinquish their interest in the property to the agency or unit of government obtaining the closure.

(c) If the requirements of paragraph (a), clause (2), are met, the shooting range operations may be suspended if:

(1) the range operators are given reasonable notice and opportunity to respond; and

(2) the range operators are given a reasonable opportunity to correct safety defects and meet the minimum range safety standards contained in generally accepted operation practices.

(d) If a shooting range is suspended from operation because the requirements of paragraph (a), clause (2), are met and if the shooting range operators are able to obtain a current certificate of reasonable shooting range safety compliance from an organization establishing range safety standards, any order of a state agency, or unit of government to suspend the shooting range operation must, upon application by the operators, be vacated."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Ms. Krentz imposed a call of the Senate for the balance of the proceedings on S.F. No. 1180. The Sergeant at Arms was instructed to bring in the absent members.

Ms. Anderson moved to amend the Vickerman amendment to S.F. No. 1180 as follows:

Page 3, delete lines 19 to 26

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

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

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

Those who voted in the affirmative were:

Beckman	Dille	Kleis	Merriam	Robertson
Belanger	Frederickson	Kramer	Metzen	Sams
Berg	Hanson	Kroening	Mondale	Samuelson
Bertram	Janezich	Langseth	Murphy	Scheevel
Chandler	Johnson, D.E.	Larson	Neuville	Solon
Chmielewski	Johnson, D.J.	Lesewski	Ourada	Stevens
Day	Johnston	Lessard	Pariseau	Vickerman

Those who voted in the negative were:

Anderson	Hottinger	Laidig	Piper	Runbeck
Betzold	Johnson, J.B.	Marty	Pogemiller	Spear
Cohen	Kelly	Morse	Price	Stumpf
Finn	Knutson	Novak	Ranum	Wiener
Flynn	Krentz	Pappas	Reichgott Junge	

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

Mr. Laidig moved to amend S.F. No. 1180 as follows:

Page 11, after line 3, insert:

"Sec. 18. Minnesota Statutes 1994, section 97A.531, is amended by adding a subdivision to read:

Subd. 7. [FISH TAKEN BY GILLNET IN BORDER WATERS.] A person may not import or sell game fish taken by gillnet in Minnesota-Ontario border waters."

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

S.F. No. 1180 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.

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

The roll was called, and there were yeas 50 and nays 14, as follows:

Those who voted in the affirmative were:

Beckman	Frederickson	Kleis	Moe, R.D.	Runbeck
Belanger	Hanson	Kramer	Mondale	Sams
Berg	Hottinger	Kroening	Morse	Samuelson
Bertram	Janezich	Langseth	Murphy	Scheevel
Chandler	Johnson, D.E.	Larson	Oliver	Solon
Chmielewski	Johnson, D.J.	Lesewski	Ourada	Stevens
Day	Johnson, J.B.	Lessard	Pariseau	Stumpf
Dille	Johnston	Limmer	Pogemiller	Terwilliger
Finn	Kelly	Merriam	Riveness	Vickerman
Flynn	Kiscaden	Metzen	Robertson	Wiener

Those who voted in the negative were:

Anderson	Cohen	Laidig	Piper	Reichgott Junge
Berglin	Knutson	Marty	Price	Spear
Betzold	Krentz	Pappas	Ranum	

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

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 and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 1543: A bill for an act relating to public finance; changing procedures for allocating bonding authority; amending Minnesota Statutes 1994, sections 474A.03, subdivisions 1 and 4; 474A.061, subdivisions 2a, 2c, 4, and 6; 474A.091, subdivisions 3 and 5; and 474A.131, subdivision 2.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1994, section 462C.01, is amended to read:

462C.01 [AUTHORIZATION.]

A city may develop and administer programs of (1) making or purchasing mortgage or rehabilitation loans pursuant to section 462C.03 to finance the acquisition or rehabilitation of

single family housing by low and moderate income persons and families anywhere within its boundaries, or (2) making or purchasing loans pursuant to section 462C.05 to finance multifamily housing developments or the rehabilitation of multifamily housing developments ~~upon the following conditions:~~

~~(a) The city develops a housing plan as required by section 462C.03;~~

~~(b) A public hearing is held thereon after one publication of notice in a newspaper circulating generally in the city, at least 30 days before the hearing, after which the plan may be adopted by resolution of the governing body with or without amendment;~~

~~(c) The plan is submitted for review pursuant to section 462C.04, subdivision 1; and~~

~~(d) Each if the program provided for in the plan is submitted for review pursuant to section 462C.04, subdivision 2.~~

Sec. 2. Minnesota Statutes 1994, section 462C.02, subdivision 3, is amended to read:

Subd. 3. "Program" means an individual component of ~~the~~ a city's overall program for housing plan for which one or more issues of revenue bonds or obligations is proposed.

Sec. 3. Minnesota Statutes 1994, section 462C.04, subdivision 2, is amended to read:

Subd. 2. [PROGRAM REVIEW.] A public hearing shall be held on each program after one publication of notice in a newspaper circulating generally in the city, at least 15 days before the hearing. On or before the day on which notice of the public hearing is published, the city shall submit the program to the metropolitan council, if the city is located in the metropolitan area as defined in section 473.121, subdivision 2, or to the regional development commission for the area in which the city is located, if any, for review and comment. The appropriate reviewing agency shall comment on:

~~(a) whether the program is consistent with the housing plan of the city; and~~

~~(b) whether the program furthers local and regional housing policies and is consistent with the metropolitan development guide, if the city is located in the metropolitan area, or adopted policies of the regional development commission; and~~

~~(b) the compatability of the program with the housing portion of the comprehensive plan of the city, if any.~~

Review of the program may be conducted either by the board of the reviewing agency or by the staff of the agency. Any comment submitted by the reviewing agency to the city must be presented to the body considering the proposed program at the public hearing held on the program.

A member or employee of the reviewing agency shall be permitted to present the comments of the reviewing agency at the public hearing. After conducting the public hearing, the program may be adopted with or without amendment, provided that any amendments must not be inconsistent with the comments, if any, of the reviewing agency and must not contain any material changes from the program submitted to the reviewing agency other than changes in the financial aspects of any proposed issue of bonds or obligations. If any material change other than a change in the financial aspects of a proposed issue of bonds or obligations, or any change which is inconsistent with the comments of the reviewing agency is adopted, the amended program shall be resubmitted to the appropriate reviewing agency for review and comment, and a public hearing shall be held on the amended program after one publication of notice in a newspaper circulating generally in the city at least 15 days before the hearing. The amended program shall be considered after the public hearing in the same manner as consideration of the initial program.

Sec. 4. Minnesota Statutes 1994, section 462C.04, subdivision 3, is amended to read:

Subd. 3. [CITY REPORT.] Within 30 days after the bonds are issued for a housing program, the city shall submit a report to the Minnesota housing finance agency, the metropolitan council if the city is located within the metropolitan area as defined in section 473.121, subdivision 2, or the appropriate regional development commission. The report must include a program description, the amount of bonds issued, the income limits, and the rent levels.

Sec. 5. Minnesota Statutes 1994, section 462C.071, subdivision 2, is amended to read:

Subd. 2. [LIMITATION; ORIGINATION PERIOD.] During the first ten months of an origination period, a city may make loans financed with proceeds of mortgage bonds for the purchase of existing housing. Loans financed with the proceeds of mortgage bonds for new housing in the metropolitan area may be made during the first ten months of an origination period only if at least one of the following conditions is met:

(1) the new housing is located in a redevelopment area;

(2) the new housing is replacing a structurally substandard structure or structures;

(3) the new housing is located on a parcel purchased by the city or conveyed to the city under section 282.01, subdivision 1; or

(4) the new housing is part of a housing affordability initiative, other than those financed with the proceeds from the sale of bonds, in which federal, state, or local assistance is used to substantially improve the terms of the financing or to substantially write down the purchase price of the new housing; or

(5) the new housing is located in a city that has entered into a housing affordability agreement with the metropolitan council.

Upon expiration of the first ten-month period, a city may make loans financed with the proceeds of mortgage bonds for the purchase of new and existing housing."

Page 1, line 16, delete "\$57,000,000" and insert "\$55,000,000"

Page 1, line 17, delete "\$54,000,000" and insert "\$56,000,000"

Page 1, line 18, delete "\$35,000,000" and insert "\$37,000,000"

Page 2, line 25, after "age" insert "or older"

Page 2, line 26, after the period, insert "If an issuer that receives an allocation under this paragraph does not issue obligations equal to all or a portion of the allocation received within 120 days of the allocation or returns the allocation to the commissioner, the amount of the allocation is canceled and returned for reallocation through the housing pool."

(b)"

Page 3, after line 17, insert:

"Applications by a consortium shall include the name of each member of the consortium and the amount of allocation requested by each member."

Page 3, line 19, strike "July 1" and insert "June 15" and strike "July 15" and insert "June 30"

Page 3, line 22, strike everything after the period

Page 3, strike lines 23 and 24

Page 3, line 25, strike "applicants." and strike "agreement" and insert "agency"

Page 3, line 26, strike "among the applicants"

Page 3, line 27, after "means" insert "a" and after "county" insert "or a consortium of local government units that agree through a joint powers agreement to apply together for single-family housing programs."

Page 3, line 28, strike ", and" and insert a period

Page 3, strike lines 30 to 32

Page 3, line 33, strike everything before "The" and insert:

"(c) The total amount of allocation for mortgage bonds for one city is limited to the lesser of: (i) the amount requested, or (ii) the product of the total amount available for mortgage bonds from the housing pool, multiplied by the ratio of each applicant's population as determined by the most recent estimate of the city's population released by the state demographer's office to the total of all the applicants' population, except that each applicant shall be allocated a minimum of \$100,000 regardless of the amount requested or the amount determined under the formula in clause (ii). If a city applying for an allocation is located within a county that has also applied for an allocation, the city's population will be deducted from the county's population in calculating the amount of allocations under this paragraph.

Upon determining the amount of each applicant's allocation, the agency shall forward a list specifying the amounts allotted to each application and application deposit checks to the commissioner.

(d)"

Page 4, line 9, strike "(c)" and insert "(e)"

Page 4, line 18, strike "agreement" and insert "list" and strike "(b)" and insert "(c)"

Page 4, line 25, strike "(d)"

Page 4, line 26, strike "(c)" and insert "(d)"

Page 4, strike lines 35 and 36

Page 5, strike lines 1 to 3

Page 5, line 4, delete "February" and strike the period

Page 5, line 9, strike everything after "by"

Page 5, strike line 10

Page 5, line 11, strike everything before "may" and insert "the date applications are due for the first allocation that is made from the housing pool for single-family housing programs in the immediately succeeding calendar year"

Page 5, line 13, strike "under" and insert "from"

Page 5, line 14, strike "agreement" and after the period, insert "Each local government unit in a consortium must meet the requirements of this paragraph."

Page 10, line 36, delete "On July 3, 1995,"

Page 11, line 1, before the comma, insert "on the effective date of this section"

Page 11, line 6, delete "15" and insert "7"

Page 11, after line 6, insert:

"Sec. 16. [REPEALER.]

Minnesota Statutes 1994, sections 462C.02, subdivision 2; 462C.03, subdivisions 1 and 5; and 462C.04, subdivision 1, are repealed."

Page 11, delete line 8 and insert:

"Sections 8 and 15 are effective the day following final enactment, provided that section 8, paragraph (g), applies to allocations made on or after the day following final enactment. Section 12 is effective January 1, 1996."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "changing provisions relating to housing programs and plans;"

Page 1, line 4, after "sections" insert "462C.01; 462C.02, subdivision 3; 462C.04, subdivisions 2 and 3; 462C.071, subdivision 2;"

Page 1, line 6, before the period, insert "; repealing Minnesota Statutes 1994, sections 462C.02, subdivision 2; 462C.03, subdivisions 1 and 5; and 462C.04, subdivision 1"

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

SECOND READING OF SENATE BILLS

S.F. No. 1543 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Ms. Reichgott Junge and Mr. Johnson, D.J. introduced--

S.F. No. 1684: A bill for an act relating to taxation; proposing an amendment to the Minnesota Constitution by amending article XIII, section 1; requiring state funding of certain costs of education; reserving certain budget surplus to fund education costs; providing for establishment of aid distribution councils; establishing task forces to study local government and education finance; providing for payments of certain aids and imposition of levies; appropriating money; amending Minnesota Statutes 1994, sections 16A.152, subdivision 2; and 465.795, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 465; repealing Minnesota Statutes 1994, sections 124A.02, subdivisions 16 and 24; 124A.03, subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, and 3b; 124A.034; 124A.035; 124A.036; 124A.04; 124A.22, subdivisions 2, 3, 4, 4a, 4b, 8, and 9; 124A.225; 124A.23; 124A.24; 124A.26; 124A.28; 124A.29, subdivision 1; 273.138; 273.1398; 273.1399; 273.166; 477A.011; 477A.012; 477A.0121; 477A.0122; 477A.013; 477A.0132; 477A.014; 477A.015; and 477A.03.

Referred to the Committee on Taxes and Tax Laws.

Ms. Runbeck introduced--

S.F. No. 1685: A bill for an act relating to retirement; limiting the definition of salary for calculating service pensions and other retirement benefits for members of police and salaried firefighters relief associations; amending Minnesota Statutes 1994, section 423A.01, subdivision 2.

Referred to the Committee on Governmental Operations and Veterans.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe. R.D. moved that Senate Resolution No. 54 be taken from the table. The motion prevailed.

Senate Resolution No. 54: A Senate resolution adopting permanent rules of the Senate.

Mr. Knutson moved to amend Senate Resolution No. 54 as follows:

Page 18, lines 13 to 16, delete the new language

CALL OF THE SENATE

Ms. Reichgott Junge imposed a call of the Senate for the balance of the proceedings on the adoption of Senate rules. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Johnson, D.E. moved to amend Senate Resolution No. 54 as follows:

Page 17, line 21, delete "eightieth" and insert "seventy-sixth"

Ms. Reichgott Junge moved to amend the Johnson, D.E. amendment to Senate Resolution No. 54 as follows:

Page 1, line 4, delete "seventy-sixth" and insert "seventy-eighth"

The question was taken on the adoption of the Reichgott Junge amendment to the Johnson, D.E. amendment.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

The question was taken on the Johnson, D.E. amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Ms. Berglin moved to amend Senate Resolution No. 54 as follows:

Page 9, line 27, after the period, insert "Upon its introduction, the first author of the bill shall deliver a copy of the fiscal note on the bill to the chair of the standing committee to which the bill has been referred."

The motion prevailed. So the amendment was adopted.

Ms. Runbeck moved to amend Senate Resolution No. 54 as follows:

Page 18, line 27, after the period, insert "The majority and minority shall each be represented on all conference committees of the Senate substantially in proportion to their numbers in the Senate, provided that the members of the minority group appointed to a conference committee must be in accord with the position of the Senate."

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

Ms. Robertson moved to amend Senate Resolution No. 54 as follows:

Page 18, line 15, after "may" insert "temporarily"

Page 18, line 16, after "committees" insert "during the interim"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 39, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Terwilliger moved to amend Senate Resolution No. 54 as follows:

Page 29, after line 14, insert:

"VOTE ON TAX BILLS

78. An action relating to a bill, amendment, committee report or conference committee report that provides for an increase in the rate of an income tax or a sales tax is agreed to by the Senate only if three-fifths of the members who vote on the action vote in favor of it."

Mr. Spear raised a point of order that the amendment was out of order.

The President ruled that the amendment was out of order.

Mr. Terwilliger appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 40 and nays 20, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Johnston	Laidig	Oliver	Runbeck
Day	Kiscaden	Lesewski	Olson	Scheevel
Dille	Kleis	Limmer	Ourada	Stevens
Johnson, D.E.	Knutson	Neuville	Pariseau	Terwilliger

The decision of the President was sustained.

Mr. Berg moved to amend Senate Resolution No. 54 as follows:

Page 28, line 33, delete "a violation of"

Page 28, line 34, delete "this rule" and insert "improper conduct" and after the period, insert "Improper conduct includes conduct that violated a rule or administrative policy of the Senate, that violated accepted norms of Senate behavior, that betrayed the public trust, or that tended to bring the Senate into dishonor or disrepute."

The motion prevailed. So the amendment was adopted.

Mr. Limmer moved to amend Senate Resolution No. 54 as follows:

Page 20, line 36, after the period, insert "Members of the minority caucus are entitled to the same number of personal, committee, and caucus employees per member as are members of the majority caucus."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 41, as follows:

Those who voted in the affirmative were:

Belanger	Johnston	Kroening	Olson	Scheevel
Day	Kiscaden	Larson	Ourada	Stevens
Dille	Kleis	Lesewski	Pariseau	Terwilliger
Frederickson	Knutson	Limmer	Robertson	
Johnson, D.E.	Kramer	Oliver	Runbeck	

Those who voted in the negative were:

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

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

Mr. Limmer then moved to amend Senate Resolution No. 54 as follows:

Page 17, line 19, after the period, insert "A member prohibited by this rule from continuing to serve as chair of a particular committee may not serve as chair of any other standing committee or division until the member has served an additional Senate term as not a chair of any standing committee or division."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 43, as follows:

Those who voted in the affirmative were:

Belanger	Kleis	Lesewski	Ourada	Scheevel
Day	Knutson	Limmer	Pariseau	Stevens
Johnston	Kramer	Oliver	Runbeck	Terwilliger
Kiscaden				

Those who voted in the negative were:

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

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

Mrs. Pariseau moved to amend Senate Resolution No. 54 as follows:

Page 9, line 13, after the second period, insert "A member may not be listed as first author on more than ten bills each year, other than omnibus appropriation or tax bills."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Johnston	Kroening	Limmer	Robertson
Bertram	Kiscaden	Laidig	Neuville	Scheevel
Day	Kleis	Larson	Oliver	Stevens
Dille	Knutson	Lesewski	Ourada	Terwilliger
Johnson, D.E.	Kramer	Lessard	Pariseau	

Those who voted in the negative were:

Anderson	Finn	Langseth	Pappas	Samuelson
Beckman	Flynn	Marty	Piper	Spear
Berg	Hanson	Merriam	Pogemiller	Stumpf
Berglin	Janezich	Metzen	Price	Vickerman
Betzold	Johnson, D.J.	Moe, R.D.	Ranum	Wiener
Chandler	Johnson, J.B.	Mondale	Reichgott Junge	
Chmielewski	Kelly	Morse	Riveness	
Cohen	Krentz	Novak	Sams	

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

Mrs. Pariseau then moved to amend Senate Resolution No. 54 as follows:

Page 9, line 13, strike "shall not exceed five" and insert "is not limited"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 39, as follows:

Those who voted in the affirmative were:

Belanger	Kleis	Larson	Pariseau	Terwilliger
Johnson, D.E.	Knutson	Limmer	Robertson	
Johnston	Kramer	Neuville	Scheevel	
Kiscaden	Laidig	Oliver	Stevens	

Those who voted in the negative were:

Anderson	Cohen	Krentz	Murphy	Riveness
Beckman	Day	Lessard	Novak	Sams
Berg	Dille	Marty	Pappas	Samuelson
Berglin	Finn	Merriam	Piper	Spear
Bertram	Flynn	Metzen	Pogemiller	Stumpf
Betzold	Hottinger	Moe, R.D.	Price	Vickerman
Chandler	Janezich	Mondale	Ranum	Wiener
Chmielewski	Johnson, J.B.	Morse	Reichgott Junge	

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

Ms. Kiscaden moved to amend Senate Resolution No. 54 as follows:

Page 18, line 14, before the comma, insert "and with the consent of the affected members"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 38, as follows:

Those who voted in the affirmative were:

Belanger	Kiscaden	Lesewski	Ourada	Terwilliger
Day	Kleis	Limmer	Pariseau	
Dille	Knutson	Neuville	Robertson	
Johnson, D.E.	Kramer	Oliver	Scheevel	
Johnston	Laidig	Olson	Stevens	

Those who voted in the negative were:

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

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

Mr. Dille moved to amend Senate Resolution No. 54 as follows:

Page 2, line 11, after the period, insert "All remarks during debate shall be addressed to the presiding officer; however, a member may turn toward other members when speaking, rather than facing the presiding officer."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Chandler voted in the negative.

The motion prevailed. So the amendment was adopted.

Mr. Dille then moved to amend Senate Resolution No. 54 as follows:

Page 6, line 6, after the period, insert "A member may refer to the actions of the Governor or of the House of Representatives."

Mr. Neuville moved to amend the second Dille amendment to Senate Resolution No. 54 as follows:

Page 1, line 3, after "may" insert "respectfully"

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

Mr. Kramer moved to amend the second Dille amendment to Senate Resolution No. 54 as follows:

Page 1, line 5, after "Representatives" insert "except that it may not be done to influence the vote of other members"

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

The question was taken on the second Dille amendment, as amended.

The roll was called, and there were yeas 21 and nays 43, as follows:

Those who voted in the affirmative were:

Berg	Kelly	Larson	Neuville	Stevens
Chmielewski	Kiscaden	Lesewski	Oliver	
Day	Kleis	Lessard	Pariseau	
Dille	Knutson	Limmer	Robertson	
Johnson, D.E.	Kramer	Marty	Scheevel	

Those who voted in the negative were:

Anderson	Flynn	Laidig	Olson	Sams
Beckman	Frederickson	Langseth	Ourada	Samuelson
Belanger	Hottinger	Merriam	Pappas	Spear
Berglin	Janezich	Metzen	Piper	Stumpf
Bertram	Johnson, D.J.	Moe, R.D.	Pogemiller	Terwilliger
Betzold	Johnson, J.B.	Mondale	Price	Vickerman
Chandler	Johnston	Morse	Ranum	Wiener
Cohen	Krentz	Murphy	Reichgott Junge	
Finn	Kroening	Novak	Riveness	

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

Mr. Stevens moved to amend Senate Resolution No. 54 as follows:

Page 18, line 9, after the period, insert "After January 1, 1997, each standing committee must include at least one member from each congressional district."

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

Mr. Dille moved to amend Senate Resolution No. 54 as follows:

Page 2, line 11, after the period, insert "An employee of the Senate may walk and stand erect when distributing printed material, delivering messages, or speaking to a member at the member's desk in the Chamber."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 32, as follows:

Those who voted in the affirmative were:

Belanger	Johnston	Laidig	Neuville	Stevens
Chmielewski	Kelly	Langseth	Oliver	Terwilliger
Day	Kiscaden	Larson	Olson	
Dille	Kleis	Lesewski	Ourada	
Frederickson	Knutson	Lessard	Robertson	
Johnson, D.E.	Kramer	Limmer	Scheevel	

Those who voted in the negative were:

Beckman	Finn	Merriam	Piper	Spear
Berg	Flynn	Metzen	Pogemiller	Stumpf
Berglin	Hottinger	Moe, R.D.	Price	Vickerman
Bertram	Janezich	Mondale	Ranum	Wiener
Betzold	Johnson, D.J.	Morse	Reichgott Junge	
Chandler	Johnson, J.B.	Novak	Riveness	
Cohen	Krentz	Pappas	Samuelson	

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

Mr. Moe, R.D. moved the adoption of the foregoing resolution, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 52 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dille	Kleis	Kramer	Murphy	Scheevel
Kiscaden	Knutson	Limmer	Oliver	

The motion prevailed. So the resolution, as amended, was adopted.

RECESS

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

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

APPOINTMENTS

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

H.F. No. 413: Mr. Samuelson, Ms. Johnston and Mr. Chmielewski.

H.F. No. 323: Mses. Johnson, J.B.; Anderson and Kiscaden.

H.F. No. 853: Messrs. Betzold, Kelly and Limmer.

H.F. No. 990: Mses. Anderson, Flynn and Mr. Kleis.

S.F. No. 106: Messrs. Morse, Lessard, Finn, Ms. Olson and Mr. Laidig.

H.F. No. 1399: Mr. Solon, Ms. Ranum and Mr. Knutson.

S.F. No. 1670: Messrs. Kroening, Novak, Chandler, Ms. Johnson, J.B. and Mr. Dille.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Lessard moved that the name of Mr. Morse be added as a co-author to S.F. No. 1362. The motion prevailed.

MEMBERS EXCUSED

Mr. Hottinger was excused from the Session of today from 9:00 to 10:00 a.m. Mr. Janezich was excused from the Session of today from 9:00 to 10:40 a.m. Mr. Kramer was excused from the Session of today from 11:15 to 11:25 a.m. Ms. Piper was excused from the Session of today from 11:00 to 11:30 a.m. Ms. Berglin, Mr. Oliver and Ms. Kiscaden were excused from the Session of today from 2:30 to 3:15 p.m. Ms. Olson was excused from the Session of today from 9:00 a.m. to 4:00 p.m. Ms. Robertson was excused from the Session of today from 4:15 to 4:45 p.m. Ms. Runbeck was excused from the Session of today at 4:50 p.m. Mr. Solon was excused from the Session of today at 3:30 p.m. Mr. Lessard was excused from the Session of today from 4:45 to 5:00 p.m. Ms. Hanson was excused from the Session of today from 5:00 to 5:25 p.m. Ms. Johnson, J.B. was excused from the Session of today from 10:45 to 11:00 a.m. Mr. Sams was excused from the Session of today from 5:30 to 5:45 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 1:00 p.m., Friday, April 28, 1995. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

