

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

NINETY-THIRD DAY

St. Paul, Minnesota, Wednesday, March 22, 2000

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

CALL OF THE SENATE

Senator 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. Roger D. Ezell.

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

| | | | | |
|--------------|---------------|-----------|------------|-------------|
| Anderson | Higgins | Krentz | Novak | Sams |
| Belanger | Hottinger | Laidig | Oliver | Samuelson |
| Berg | Janezich | Langseth | Olson | Scheevel |
| Berglin | Johnson, D.E. | Larson | Ourada | Scheid |
| Betzold | Johnson, D.J. | Lesewski | Pariseau | Solon |
| Cohen | Junge | Lessard | Piper | Spear |
| Day | Kelley, S.P. | Limmer | Pogemiller | Stevens |
| Dille | Kelly, R.C. | Lourey | Price | Stumpf |
| Fischbach | Kierlin | Marty | Ranum | Terwilliger |
| Flynn | Kinkel | Metzen | Ring | Vickerman |
| Foley | Kiscaden | Moe, R.D. | Robertson | Wiener |
| Frederickson | Kleis | Murphy | Robling | Wiger |
| Hanson | Knutson | Neuville | Runbeck | Ziegler |

The President declared a quorum present.

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

MEMBERS EXCUSED

Senators Johnson, D.H. and Pappas were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 20, 2000

The Honorable Allan H. Spear
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 2485, 2465, 2692 and 2346.

Sincerely,
Jesse Ventura, Governor

March 21, 2000

The Honorable Steve Sviggum
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 2000 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 2000 | Date Filed 2000 |
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|
| 2485 | | 262 | 4:10 p.m. March 20 | March 20 |
| 2465 | | 263 | 4:10 p.m. March 20 | March 20 |
| 2692 | | 264 | 4:05 p.m. March 20 | March 20 |
| 2346 | | 265 | 4:10 p.m. March 20 | March 20 |

Sincerely,
Mary Kiffmeyer
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, herewith returned: S.F. No. 2813.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 21, 2000

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. 2615: A bill for an act relating to public health; providing that a person who leaves an unharmed newborn child at a hospital may not be prosecuted; providing for duties to be undertaken by a hospital when accepting an unharmed newborn child; providing immunity from liability for hospitals and their personnel when carrying out those duties; limiting duty to implement certain relative preference placement requirements; proposing coding for new law in Minnesota Statutes, chapters 145; and 609.

Senate File No. 2615 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 21, 2000

Senator Foley moved that the Senate do not concur in the amendments by the House to S.F. No.

2615, 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 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 House Files, herewith transmitted: H.F. Nos. 2891 and 3800.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 21, 2000

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. 3286: A bill for an act relating to education; amending state graduation requirements; amending graduation rules; amending Minnesota Statutes 1998, sections 120A.41; and 120B.03, subdivision 2, and by adding subdivisions; Minnesota Statutes 1999 Supplement, sections 120B.02; and 120B.30, subdivision 1; repealing Minnesota Statutes 1998, sections 120B.03, subdivisions 1 and 3; and 120B.04; Minnesota Rules, parts 3501.0330, subparts 2, item A, and 7, item B; 3501.0370, subparts 1, 2, and 4; 3501.0420, subparts 1, item D, and 4; and 3501.0430.

Senate File No. 3286 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 21, 2000

Senator Pogemiller moved that the Senate do not concur in the amendments by the House to S.F. No. 3286, 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 to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1590:

H.F. No. 1590: A bill for an act relating to peace officers; clarifying warrant authority of alcohol and gambling agents; amending Minnesota Statutes 1998, section 626.11.

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

Mahoney, Finseth and Osthoff have been appointed as such committee on the part of the House.

House File No. 1590 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 March 21, 2000

Senator Berg moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1590, 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.

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2891: A bill for an act relating to transportation; appropriating money for state road construction, public transit, and other purposes; establishing an intergovernmental cooperative facilities loan fund; establishing a major transportation projects commission; restricting expenditures for commuter rail and light rail transit; canceling bonding authorization for light rail transit; directing a study of freeway ramp meters in the metropolitan area; providing for a grant to the University of Minnesota for design and engineering of personal rapid transit; directing a study of high-occupancy vehicle lane use by certain vehicles; providing for approval of and payment under supplemental goods or services agreements of the commissioner of transportation; authorizing suspension of motor vehicle registration when tax is paid by dishonored check; exempting dealers in firefighting equipment from motor vehicle dealer licensing; providing for commuter rail plan dispute resolution; providing for inspection of vehicles of motor carriers; requiring the budget for light rail transit to include cost of utility relocation; requiring a municipality to issue permits for a specific business or use that uses river transportation as a major mode of transportation once a special permit has been issued and an environmental assessment worksheet has been completed; expanding eligibility for replacement transit service program; requiring a report on metro mobility; establishing working group to assess impact of DM&E rail line project; requiring study and legislative report on statewide public safety radio system; clarifying a definition of state license and service fees; sunsetting a department fee and an account; amending Minnesota Statutes 1998, sections 16A.6701, subdivision 1; 161.32, by adding a subdivision; 168.27, subdivision 8; 168A.29, subdivision 1; 169.781, by adding a subdivision; 174.35; 216B.16, by adding a subdivision; 221.131, subdivision 4; 221.132; and 473.388, subdivision 2; Minnesota Statutes 1999 Supplement, sections 168.17; 174.88; 174.86, subdivision 2, and by adding a subdivision; and 221.0252, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 161; 174; and 462; repealing Minnesota Statutes 1998, section 299A.70.

Senator Moe, R.D. moved that H.F. No. 2891 be laid on the table. The motion prevailed.

H.F. No. 3800: A bill for an act relating to education; providing for family and early childhood education; making changes to adult basic education programs; modifying child care licensing and inservice training requirements; transferring energy assistance programs; changing eligibility for individual development accounts; changing requirements for child care assistance; providing for kindergarten through grade 12 general education, special programs, employment and transitions, facilities and technology, educational excellence and other policy, nutrition, fund transfers, libraries, and technical, conforming, and clarifying amendments; providing for higher education; modifying salary and compensation procedures for the chancellor and other personnel of the Minnesota state colleges and universities; requiring board of regents and board of trustees to maintain certain data to be eligible for capital funding; modifying and making technical changes for state designer selection board, student residency, and child care grant provisions; increasing aggregate principal amount of revenue bonds issued by board of trustees; requiring a study and report; modifying state graduation requirements; providing for the North Star Standard alternative to the profile of learning; requiring board of trustees to plan and coordinate programs with certain intermediate school districts and to provide relief to campuses experiencing increased health care costs; transferring certain programs from the higher education services office to the department of children, families, and learning; appropriating money to Minnesota state colleges and universities to fund increased enrollment; appropriating money; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; 16B.33, subdivisions 2 and 3a; 120A.22, subdivision 3; 120A.41; 120B.03, subdivisions 1 and 3; 121A.61, subdivision 3; 122A.18, subdivision 2; 122A.31, subdivision 4; 123A.06, by adding a subdivision; 123A.485, subdivision 4; 123B.02, by adding a subdivision; 123B.51, subdivision 6; 123B.52, by adding a subdivision; 123B.53, by adding subdivisions; 123B.59, subdivision 6, and by adding subdivisions; 123B.71, subdivisions 3 and 10; 123B.75, subdivision 5; 123B.79, subdivision 7; 123B.85, subdivision 1; 123B.86, subdivision 1; 123B.88, subdivision 3; 124D.081, subdivision 6; 124D.111, subdivision 1; 124D.128, subdivision 4; 124D.44; 124D.454, subdivisions 2 and 10; 124D.52, subdivisions 1,

2, 3, and by adding subdivisions; 124D.86, subdivision 6, and by adding subdivisions; 125A.76, subdivision 7; 126C.10, by adding a subdivision; 126C.12, subdivision 2; 126C.40, subdivision 1, and by adding a subdivision; 126C.69, subdivision 3; 127A.05, subdivision 4; 127A.41, subdivisions 8 and 9; 127A.48, subdivision 1; 135A.031, subdivision 2; 136A.125, by adding a subdivision; 136D.281, subdivision 4; 136D.741, subdivision 4; 136D.88, subdivision 4; 136F.40; 136F.98, subdivision 1; 245A.14, subdivision 4, and by adding subdivisions; 471.15; and 475.53, subdivision 4; Minnesota Statutes 1999 Supplement, sections 119B.011, subdivision 20; 120B.02; 120B.30, subdivision 1; 122A.09, subdivision 4; 123B.53, subdivisions 4, 6, and by adding subdivisions; 123B.54; 123B.59, subdivision 6, and by adding subdivisions; 124D.10, subdivisions 3, 4, 6, 8, 10, 11, 14, 15, and 23; 124D.11, subdivisions 1, 4, and 6; 124D.1155, subdivision 2; 124D.128, subdivision 2; 124D.453, subdivision 3; 124D.53, subdivision 3; 124D.84, subdivision 1; 124D.86, subdivisions 1 and 3; 124D.87; 125A.023, subdivisions 3 and 5; 125A.08; 125A.15; 125A.76, subdivision 2; 125A.79, subdivision 8; 125A.80; 125B.21, subdivision 3; 126C.052; 126C.10, subdivisions 1, 2, 14, 23, 24, 25, and 26; 126C.12, subdivision 1; 126C.17, subdivision 9; 126C.40, subdivision 6; 126C.44; 126C.63, subdivision 8; 126C.69, subdivision 9; 127A.45, subdivision 12a; 127A.51; 181A.04, subdivision 6; 260C.143, subdivision 4; and 290.0674, subdivision 1; Laws 1997, First Special Session chapter 4, article 8, section 4, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10, subdivision 1, as amended; 11, subdivision 2, as amended; Laws 1999, chapter 205, article 1, sections 65; 71, subdivisions 3, 7, and 9; article 2, section 4, subdivisions 2, 3, and 4; article 3, section 5, subdivision 9; article 4, section 12, subdivisions 5, 6, and 7; chapter 241, article 1, sections 66; 68, subdivisions 4 and 5; 69; and 70; article 2, section 60, subdivisions 7, 9, 12, 13, 14, 17, and 19; article 3, sections 3, subdivisions 2 and 4; 5; article 4, sections 27, subdivisions 2, 3, 4, 5, 7, 10, and 11; and 29; article 5, section 18, subdivisions 5 and 6; article 6, section 14, subdivisions 2, 3, 4, and 5; article 8, section 4, subdivision 5; article 9, section 49; article 10, section 6; proposing coding for new law in Minnesota Statutes, chapters 16A; 120B; 121A; 122A; 123B; 124D; 125B; 134; repealing Minnesota Statutes 1998, sections 120B.03, subdivision 2; 120B.04; 123B.59, subdivision 7; 124D.453; 124D.53; 126C.30; 126C.31; 126C.32; 126C.33; 126C.34; 126C.35; 126C.36; 136D.281, subdivision 8; 136D.741, subdivision 8; and 136D.88, subdivision 8; Laws 1998, First Special Session chapter 1, article 1, section 10, subdivision 2, as amended; Laws 1999, chapters 216, article 4, section 12; 241, article 1, section 64; article 9, sections 35 and 36; article 10, section 5; and 245, article 4, section 3; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320, subpart 2, items E and F; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430, items A to D; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; 3501.0469; 3535.9920; and 4830.9005 to 4830.9030.

Senator Moe, R.D. moved that H.F. No. 3800 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H.F. No. 2563 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

| GENERAL ORDERS | | CONSENT CALENDAR | | CALENDAR | |
|----------------|----------|------------------|----------|----------|----------|
| H.F. No. | S.F. No. | H.F. No. | S.F. No. | H.F. No. | S.F. No. |
| 2563 | 2381 | | | | |

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2563 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2563 and insert the language after the enacting clause of S.F. No. 2381, the second engrossment; further, delete the title of H.F. No. 2563 and insert the title of S.F. No. 2381, the second engrossment.

And when so amended H.F. No. 2563 will be identical to S.F. No. 2381, and further recommends that H.F. No. 2563 be given its second reading and substituted for S.F. No. 2381, 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.

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

H.F. No. 3534 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

| GENERAL ORDERS | | CONSENT CALENDAR | | CALENDAR | |
|-----------------------|----------|-------------------------|----------|-----------------|----------|
| H.F. No. | S.F. No. | H.F. No. | S.F. No. | H.F. No. | S.F. No. |
| 3534 | 3070 | | | | |

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3534 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3534 and insert the language after the enacting clause of S.F. No. 3070, the first engrossment; further, delete the title of H.F. No. 3534 and insert the title of S.F. No. 3070, the first engrossment.

And when so amended H.F. No. 3534 will be identical to S.F. No. 3070, and further recommends that H.F. No. 3534 be given its second reading and substituted for S.F. No. 3070, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 2563 and 3534 were read the second time.

MOTIONS AND RESOLUTIONS

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. 3633:

H.F. No. 3633: A bill for an act relating to state observances; designating Mighty Eighth Air Force Week; proposing coding for new law in Minnesota Statutes, chapter 10.

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

Rhodes, Rostberg and McCollum have been appointed as such committee on the part of the House.

House File No. 3633 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 March 21, 2000

Senator Terwilliger moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 3633, 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, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 3142 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 3142: A bill for an act relating to highways; designating the Richard J. Mathiowetz Memorial Highway; amending Minnesota Statutes 1998, section 161.14, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 3, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|------------|-------------|
| Anderson | Higgins | Langseth | Ourada | Scheid |
| Belanger | Hottinger | Larson | Pariseau | Solon |
| Berg | Janezich | Lessard | Piper | Spear |
| Berglin | Johnson, D.E. | Limmer | Pogemiller | Stumpf |
| Betzold | Johnson, D.J. | Lourey | Price | Terwilliger |
| Cohen | Junge | Marty | Ranum | Vickerman |
| Day | Kelly, R.C. | Metzen | Ring | Wiener |
| Dille | Kierlin | Moe, R.D. | Robertson | Wiger |
| Fischbach | Kinkel | Murphy | Robling | Ziegler |
| Foley | Kleis | Neuville | Sams | |
| Frederickson | Knutson | Novak | Samuelson | |
| Hanson | Krentz | Olson | Scheevel | |

Those who voted in the negative were:

| | | |
|-------|----------|--------|
| Flynn | Lesewski | Oliver |
|-------|----------|--------|

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Moe, R.D. moved that H.F. No. 2891 be taken from the table. The motion prevailed.

H.F. No. 2891: A bill for an act relating to transportation; appropriating money for state road construction, public transit, and other purposes; establishing an intergovernmental cooperative facilities loan fund; establishing a major transportation projects commission; restricting expenditures for commuter rail and light rail transit; canceling bonding authorization for light rail transit; directing a study of freeway ramp meters in the metropolitan area; providing for a grant to

the University of Minnesota for design and engineering of personal rapid transit; directing a study of high-occupancy vehicle lane use by certain vehicles; providing for approval of and payment under supplemental goods or services agreements of the commissioner of transportation; authorizing suspension of motor vehicle registration when tax is paid by dishonored check; exempting dealers in firefighting equipment from motor vehicle dealer licensing; providing for commuter rail plan dispute resolution; providing for inspection of vehicles of motor carriers; requiring the budget for light rail transit to include cost of utility relocation; requiring a municipality to issue permits for a specific business or use that uses river transportation as a major mode of transportation once a special permit has been issued and an environmental assessment worksheet has been completed; expanding eligibility for replacement transit service program; requiring a report on metro mobility; establishing working group to assess impact of DM&E rail line project; requiring study and legislative report on statewide public safety radio system; clarifying a definition of state license and service fees; sunsetting a department fee and an account; amending Minnesota Statutes 1998, sections 16A.6701, subdivision 1; 161.32, by adding a subdivision; 168.27, subdivision 8; 168A.29, subdivision 1; 169.781, by adding a subdivision; 174.35; 216B.16, by adding a subdivision; 221.131, subdivision 4; 221.132; and 473.388, subdivision 2; Minnesota Statutes 1999 Supplement, sections 168.17; 174.88; 174.86, subdivision 2, and by adding a subdivision; and 221.0252, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 161; 174; and 462; repealing Minnesota Statutes 1998, section 299A.70.

SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2891 and that the rules of the Senate be so far suspended as to give H.F. No. 2891 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2891 was read the second time.

Senator Johnson, D.E. moved to amend H.F. No. 2891 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 2891, and insert the language after the enacting clause, and the title, of S.F. No. 3793, the third engrossment.

The motion prevailed. So the amendment was adopted.

H.F. No. 2891 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 2, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|------------|-------------|
| Anderson | Hanson | Krentz | Olson | Scheevel |
| Belanger | Higgins | Langseth | Ourada | Scheid |
| Berg | Hottinger | Larson | Pariseau | Solon |
| Berglin | Janezich | Lesewski | Piper | Spear |
| Betzold | Johnson, D.E. | Lessard | Pogemiller | Stumpf |
| Cohen | Johnson, D.J. | Lourey | Price | Terwilliger |
| Day | Junge | Metzen | Ranum | Vickerman |
| Dille | Kelly, R.C. | Moe, R.D. | Ring | Wiener |
| Fischbach | Kierlin | Murphy | Robertson | Wiger |
| Flynn | Kinkel | Neuville | Robling | Ziegler |
| Foley | Kleis | Novak | Sams | |
| Frederickson | Knutson | Oliver | Samuelson | |

Those who voted in the negative were:

Limmer Marty

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

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Moe, R.D. moved that the Senate take up the Calendar. The motion prevailed.

CALENDAR

S.F. No. 3145: A bill for an act relating to the city of Minnetonka; providing a variation from the general statutory priority for designation of a qualified newspaper for publication of its official proceedings and public notices.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|------------|-------------|
| Anderson | Hanson | Langseth | Ourada | Solon |
| Belanger | Higgins | Larson | Pariseau | Spear |
| Berg | Hottinger | Lessard | Piper | Stumpf |
| Berglin | Janezich | Limmer | Pogemiller | Terwilliger |
| Betzold | Johnson, D.E. | Lourey | Price | Vickerman |
| Cohen | Johnson, D.J. | Marty | Ring | Wiener |
| Day | Junge | Metzen | Robertson | Wiger |
| Dille | Kelly, R.C. | Moe, R.D. | Robling | Ziegler |
| Fischbach | Kierlin | Murphy | Sams | |
| Flynn | Kinkel | Novak | Samuelson | |
| Foley | Kleis | Oliver | Scheevel | |
| Frederickson | Krentz | Olson | Scheid | |

So the bill passed and its title was agreed to.

RECESS

Senator Moe, R.D. moved that the Senate do now recess until 10:20 a.m. The motion prevailed.

The hour of 10:20 a.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

Senator Moe, R.D. moved that H.F. No. 3800 be taken from the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

H.F. No. 3800: A bill for an act relating to education; providing for family and early childhood education; making changes to adult basic education programs; modifying child care licensing and inservice training requirements; transferring energy assistance programs; changing eligibility for individual development accounts; changing requirements for child care assistance; providing for kindergarten through grade 12 general education, special programs, employment and transitions, facilities and technology, educational excellence and other policy, nutrition, fund transfers, libraries, and technical, conforming, and clarifying amendments; providing for higher education; modifying salary and compensation procedures for the chancellor and other personnel of the Minnesota state colleges and universities; requiring board of regents and board of trustees to

maintain certain data to be eligible for capital funding; modifying and making technical changes for state designer selection board, student residency, and child care grant provisions; increasing aggregate principal amount of revenue bonds issued by board of trustees; requiring a study and report; modifying state graduation requirements; providing for the North Star Standard alternative to the profile of learning; requiring board of trustees to plan and coordinate programs with certain intermediate school districts and to provide relief to campuses experiencing increased health care costs; transferring certain programs from the higher education services office to the department of children, families, and learning; appropriating money to Minnesota state colleges and universities to fund increased enrollment; appropriating money; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; 16B.33, subdivisions 2 and 3a; 120A.22, subdivision 3; 120A.41; 120B.03, subdivisions 1 and 3; 121A.61, subdivision 3; 122A.18, subdivision 2; 122A.31, subdivision 4; 123A.06, by adding a subdivision; 123A.485, subdivision 4; 123B.02, by adding a subdivision; 123B.51, subdivision 6; 123B.52, by adding a subdivision; 123B.53, by adding subdivisions; 123B.59, subdivision 6, and by adding subdivisions; 123B.71, subdivisions 3 and 10; 123B.75, subdivision 5; 123B.79, subdivision 7; 123B.85, subdivision 1; 123B.86, subdivision 1; 123B.88, subdivision 3; 124D.081, subdivision 6; 124D.111, subdivision 1; 124D.128, subdivision 4; 124D.44; 124D.454, subdivisions 2 and 10; 124D.52, subdivisions 1, 2, 3, and by adding subdivisions; 124D.86, subdivision 6, and by adding subdivisions; 125A.76, subdivision 7; 126C.10, by adding a subdivision; 126C.12, subdivision 2; 126C.40, subdivision 1, and by adding a subdivision; 126C.69, subdivision 3; 127A.05, subdivision 4; 127A.41, subdivisions 8 and 9; 127A.48, subdivision 1; 135A.031, subdivision 2; 136A.125, by adding a subdivision; 136D.281, subdivision 4; 136D.741, subdivision 4; 136D.88, subdivision 4; 136F.40; 136F.98, subdivision 1; 245A.14, subdivision 4, and by adding subdivisions; 471.15; and 475.53, subdivision 4; Minnesota Statutes 1999 Supplement, sections 119B.011, subdivision 20; 120B.02; 120B.30, subdivision 1; 122A.09, subdivision 4; 123B.53, subdivisions 4, 6, and by adding subdivisions; 123B.54; 123B.59, subdivision 6, and by adding subdivisions; 124D.10, subdivisions 3, 4, 6, 8, 10, 11, 14, 15, and 23; 124D.11, subdivisions 1, 4, and 6; 124D.1155, subdivision 2; 124D.128, subdivision 2; 124D.453, subdivision 3; 124D.53, subdivision 3; 124D.84, subdivision 1; 124D.86, subdivisions 1 and 3; 124D.87; 125A.023, subdivisions 3 and 5; 125A.08; 125A.15; 125A.76, subdivision 2; 125A.79, subdivision 8; 125A.80; 125B.21, subdivision 3; 126C.052; 126C.10, subdivisions 1, 2, 14, 23, 24, 25, and 26; 126C.12, subdivision 1; 126C.17, subdivision 9; 126C.40, subdivision 6; 126C.44; 126C.63, subdivision 8; 126C.69, subdivision 9; 127A.45, subdivision 12a; 127A.51; 181A.04, subdivision 6; 260C.143, subdivision 4; and 290.0674, subdivision 1; Laws 1997, First Special Session chapter 4, article 8, section 4, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10, subdivision 1, as amended; 11, subdivision 2, as amended; Laws 1999, chapter 205, article 1, sections 65; 71, subdivisions 3, 7, and 9; article 2, section 4, subdivisions 2, 3, and 4; article 3, section 5, subdivision 9; article 4, section 12, subdivisions 5, 6, and 7; chapter 241, article 1, sections 66; 68, subdivisions 4 and 5; 69; and 70; article 2, section 60, subdivisions 7, 9, 12, 13, 14, 17, and 19; article 3, sections 3, subdivisions 2 and 4; 5; article 4, sections 27, subdivisions 2, 3, 4, 5, 7, 10, and 11; and 29; article 5, section 18, subdivisions 5 and 6; article 6, section 14, subdivisions 2, 3, 4, and 5; article 8, section 4, subdivision 5; article 9, section 49; article 10, section 6; proposing coding for new law in Minnesota Statutes, chapters 16A; 120B; 121A; 122A; 123B; 124D; 125B; 134; repealing Minnesota Statutes 1998, sections 120B.03, subdivision 2; 120B.04; 123B.59, subdivision 7; 124D.453; 124D.53; 126C.30; 126C.31; 126C.32; 126C.33; 126C.34; 126C.35; 126C.36; 136D.281, subdivision 8; 136D.741, subdivision 8; and 136D.88, subdivision 8; Laws 1998, First Special Session chapter 1, article 1, section 10, subdivision 2, as amended; Laws 1999, chapters 216, article 4, section 12; 241, article 1, section 64; article 9, sections 35 and 36; article 10, section 5; and 245, article 4, section 3; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320, subpart 2, items E and F; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430, items A to D; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; 3501.0469; 3535.9920; and 4830.9005 to 4830.9030.

SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3800 and that the rules of the Senate be so far suspended as to give H.F. No. 3800 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 3800 was read the second time.

Senator Pogemiller moved to amend H.F. No. 3800 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 3800, and insert the language after the enacting clause, and the title, of S.F. No. 3801, the second engrossment.

The motion prevailed. So the amendment was adopted.

Senator Robertson moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Pages 172 and 173, delete section 15

Page 173, line 34, delete "124D.523" and insert "124D.522"

Page 183, after line 19, insert:

"Sec. 31. [ADULT BASIC EDUCATION POLICY TASK FORCE.]

Subdivision 1. [ESTABLISHMENT.] A nine-member adult basic education policy task force shall recommend to the legislature on program and funding policies for adult basic education programs that receive aid under Minnesota Statutes, section 124D.531. The commissioner of children, families, and learning shall appoint task force members. Members do not receive per diem, but may be reimbursed for expenses as specified in Minnesota Statutes, section 15.059, subdivision 3. All other matters of the task force's operation, except expiration of the board under subdivision 4, are governed by Minnesota Statutes, section 15.069.

Subd. 2. [MEMBERSHIP.] Members are appointed by the commissioner of children, families, and learning. The commissioner must appoint two members of the task force from rural programs, two members from suburban programs, two members from urban programs, one member from a nonprofit group that has knowledge and expertise in the area of adult literacy, one member who is currently an adult basic education learner or has participated in an adult basic education program, and one member who is an adult basic education instructor. The composition of the task force must allow for equal representation from adult basic education learners, instructors, and administrators.

Subd. 3. [DUTIES.] The task force must:

(1) recommend to the legislature a mission statement for a statewide system of adult basic education programs that includes educational outcomes, services, eligible learners, requirements for teacher licensing, expectations for student advancement and progress, and recognition of the importance of distance learning and other technology-based instruction methods;

(2) recommend to the legislature the minimum number of contact hours that are necessary in order for the program to continue;

(3) recommend to the legislature an adequate and reasonable hourly rate for smaller programs;

(4) recommend to the legislature a reasonable range for the number of instructional hours or a reasonable cap on the number of hours individuals may spend in adult basic education instruction;

(5) recommend to the legislature an outcome-based adult basic education funding system that rewards and recognizes student progress in attaining educational goals; and

(6) review statewide grant applications for supplemental services under Minnesota Statutes, section 124D.522.

Subd. 4. [EXPIRATION.] The adult basic education policy task force expires on January 2, 2001."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 161, after line 15, insert:

"Sec. 4. Minnesota Statutes 1999 Supplement, section 136A.121, subdivision 5, is amended to read:

Subd. 5. [GRANT STIPENDS.] The grant stipend shall be based on a sharing of responsibility for covering the recognized cost of attendance by the applicant, the applicant's family, and the government. The amount of a financial stipend must not exceed a grant applicant's recognized cost of attendance, as defined in subdivision 6, after deducting the following:

(1) the assigned student responsibility of at least 46 percent of the cost of attending the institution of the applicant's choosing;

(2) the assigned family responsibility as defined in section 136A.101; and

(3) the amount of a federal Pell grant award for which the grant applicant is eligible, calculated as if the maximum Pell grant were \$3,125.

The minimum financial stipend is \$100 per academic year."

Page 162, line 42, before "Minnesota" insert:

"(a)"

Page 162, after line 43, insert:

"(b) Minnesota Statutes, section 136A.1211, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate for the balance of the proceedings on H.F. No. 3800. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 19 and nays 39, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|----------|----------|-------------|
| Anderson | Frederickson | Lesewski | Ourada | Terwilliger |
| Belanger | Kleis | Limmer | Robling | Wiger |
| Dille | Knutson | Oliver | Runbeck | Ziegler |
| Fischbach | Laidig | Olson | Scheevel | |

Those who voted in the negative were:

| | | | | |
|---------|---------------|----------|------------|-----------|
| Berg | Higgins | Kiscaden | Moe, R.D. | Robertson |
| Berglin | Janezich | Krentz | Murphy | Scheid |
| Betzold | Johnson, D.E. | Langseth | Neuville | Solon |
| Cohen | Johnson, D.J. | Larson | Piper | Spear |
| Day | Junge | Lessard | Pogemiller | Stumpf |
| Flynn | Kelley, S.P. | Lourey | Price | Vickerman |
| Foley | Kelly, R.C. | Marty | Ranum | Wiener |
| Hanson | Kierlin | Metzen | Ring | |

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

Senator Stumpf moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 158, line 4, delete "is a one-time" and after "appropriation" insert "is"

The motion prevailed. So the amendment was adopted.

Senator Pogemiller moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 12, after line 26, insert:

"Sec. 21. Minnesota Statutes 1998, section 126C.16, is amended to read:

126C.16 [REFERENDUM AND DESEGREGATION REVENUE CONVERSION.]

Subdivision 1. [REVENUE CONVERSION.] Except as provided under subdivision 3, the referendum authority under section 126C.17 and the levy authority under section 124.912, subdivisions 2 and 3, of a district must be converted by the department according to this section.

Subd. 2. [RATE ADJUSTMENT.] The department must adjust a district's referendum authority for a referendum approved before July 1, 1991, excluding authority based on a dollar amount, and the levy authority under section 124.912, subdivisions 2 and 3, by multiplying the sum of the rates authorized by a district under section 126C.17 and the rates in section 124.912, subdivisions 2 and 3, by the ratio determined under subdivision 2 for the assessment year for which the revenue is attributable. The adjusted rates for assessment year 1993 apply to later years for which the revenue is authorized.

Subd. 3. [PER PUPIL REVENUE CONVERSION.] (a) The department must convert each district's referendum revenue authority for fiscal year 2002 and later years to an allowance per pupil unit as follows: the revenue allowance equals the amount determined by dividing the district's maximum revenue under section 126C.17, for fiscal year 2001 by the district's 2000-2001 resident marginal cost pupil units. A district's maximum revenue for all later years for which the revenue is authorized equals the revenue allowance times the district's resident marginal cost pupil units for that year.

(b) The referendum allowance reduction must be applied first to the authority with the earliest expiration date."

Pages 23 and 24, delete section 3

Page 24, lines 24 and 33, strike "resident" and insert "contracting"

Page 24, lines 26 to 30, delete new language

Page 25, after line 7, insert:

"(c) Notwithstanding paragraphs (a) and (b), for an eligible program that provides chemical treatment services to students, the department must pay 100 percent of the revenue to the eligible program.

EFFECTIVE DATE: This section is effective the day following final enactment."

Page 43, line 25, strike "federally-chartered" and insert "federally chartered"

Page 124, line 24, delete "pre-tenure" and insert "pretenure"

Page 134, after line 34, insert:

"Subd. 12. [LAKEVIEW SCHOOLS.] Notwithstanding any law to the contrary, independent school district No. 2167, Lakeview schools, is authorized to retain a cooperative facilities grant awarded in fiscal year 1995, and may permanently transfer that amount to its reserve account for operating capital."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kelley, S.P. moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 58, line 24, delete everything after the period

Page 58, delete lines 25 to 28

The motion prevailed. So the amendment was adopted.

Senator Pogemiller moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 58, line 24, before "effective" insert "cost"

The motion prevailed. So the amendment was adopted.

Senator Kiscaden moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 82, line 13, after "be" insert "FDA approved and"

Page 82, line 14, delete "a" and insert "an original"

The motion prevailed. So the amendment was adopted.

Senator Pariseau moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 79, after line 11, insert:

"Sec. 2. [120B.25] [PROHIBITION AGAINST PROGRAMS ADVOCATING SEXUAL ACTIVITY BY STUDENTS.]

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Robertson moved to amend the Pariseau amendment to H.F. No. 3800 as follows:

Page 1, line 8, delete ", or state"

Page 1, line 9, delete "agency"

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

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

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|----------|------------|--------|
| Anderson | Janezich | Langseth | Pogemiller | Solon |
| Berglin | Johnson, D.E. | Lourey | Price | Spear |
| Betzold | Johnson, D.J. | Marty | Ranum | Stumpf |
| Cohen | Junge | Metzen | Ring | Wiener |
| Flynn | Kelley, S.P. | Murphy | Robertson | Wiger |
| Foley | Kinkel | Novak | Sams | |
| Higgins | Kiscaden | Oliver | Samuelson | |
| Hottinger | Krentz | Piper | Scheid | |

Those who voted in the negative were:

| | | | | |
|--------------|---------|----------|----------|-----------|
| Belanger | Hanson | Larson | Olson | Scheevel |
| Day | Kierlin | Lesewski | Ourada | Stevens |
| Dille | Kleis | Lessard | Pariseau | Vickerman |
| Fischbach | Knutson | Limmer | Robling | Ziegler |
| Frederickson | Laidig | Neuville | Runbeck | |

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

Senator Berglin moved to amend the Pariseau amendment to H.F. No. 3800 as follows:

Page 1, line 11, before the period, insert "except that public health programs shall be permitted"

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

The roll was called, and there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|----------|------------|-------------|
| Anderson | Janezich | Langseth | Piper | Spear |
| Berg | Johnson, D.E. | Lessard | Pogemiller | Stumpf |
| Berglin | Johnson, D.J. | Lourey | Price | Terwilliger |
| Betzold | Junge | Marty | Ranum | Wiener |
| Cohen | Kelley, S.P. | Metzen | Ring | Wiger |
| Foley | Kiscaden | Murphy | Robertson | |
| Higgins | Krentz | Novak | Scheid | |
| Hottinger | Laidig | Oliver | Solon | |

Those who voted in the negative were:

| | | | | |
|--------------|---------|----------|-----------|-----------|
| Belanger | Hanson | Lesewski | Robling | Vickerman |
| Day | Kierlin | Limmer | Runbeck | Ziegler |
| Dille | Kinkel | Neuville | Sams | |
| Fischbach | Kleis | Olson | Samuelson | |
| Flynn | Knutson | Ourada | Scheevel | |
| Frederickson | Larson | Pariseau | Stevens | |

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

Senator Scheid moved to amend the Pariseau amendment to H.F. No. 3800 as follows:

Page 1, line 10, delete "or demonstrable effect"

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

The question recurred on the Pariseau amendment, as amended.

The roll was called, and there were yeas 52 and nays 10, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------|------------|-------------|
| Anderson | Johnson, D.E. | Laidig | Ourada | Solon |
| Belanger | Johnson, D.J. | Langseth | Pariseau | Stevens |
| Berg | Junge | Larson | Pogemiller | Stumpf |
| Day | Kelley, S.P. | Lesewski | Ring | Terwilliger |
| Dille | Kelly, R.C. | Lessard | Robertson | Vickerman |
| Fischbach | Kierlin | Limmer | Robling | Wiener |
| Foley | Kinkel | Metzen | Runbeck | Wiger |
| Frederickson | Kiscaden | Murphy | Sams | Ziegler |
| Hanson | Kleis | Neuville | Samuelson | |
| Hottinger | Knutson | Oliver | Scheevel | |
| Janezich | Krentz | Olson | Scheid | |

Those who voted in the negative were:

| | | | | |
|---------|-------|---------|-------|-------|
| Berglin | Cohen | Higgins | Piper | Ranum |
| Betzold | Flynn | Lourey | Price | Spear |

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

Senator Pogemiller moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 22, after line 24, insert:

"(c) For fiscal year 2001 only, a school district that is located in a city with population exceeding 75,000 and is located outside the seven-county metropolitan area but is not eligible for metro equity aid under paragraph (b) is eligible for metro equity aid equal to \$20 times its district equity index, under Minnesota Statutes, section 126C.10, subdivision 27, times its adjusted marginal cost pupil units."

Page 23, line 2, delete "\$9,566,000" and insert "\$9,709,000"

Page 125, line 29, delete "\$150,000" and insert "\$7,000"

The motion prevailed. So the amendment was adopted.

Senator Dille moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Pages 126 to 128, delete section 1

Page 132, delete section 10

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

Amend the title accordingly

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

Senator Larson moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 126, line 4, before "Minnesota" insert "(a)"

Page 126, after line 5, insert:

"(b) Minnesota Statutes 1998, section 123B.05, subdivisions 2, 3, 4, and 5; and Minnesota Statutes 1999 Supplement, section 123B.05, subdivision 1, are repealed."

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 37, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|--------------|----------|----------|-------------|
| Belanger | Frederickson | Knutson | Oliver | Runbeck |
| Berg | Kelly, R.C. | Larson | Olson | Scheevel |
| Day | Kierlin | Lesewski | Ourada | Stevens |
| Dille | Kiscaden | Limmer | Pariseau | Terwilliger |
| Fischbach | Kleis | Neuville | Robling | Ziegler |

Those who voted in the negative were:

| | | | | |
|----------|---------------|------------|-----------|-----------|
| Anderson | Hottinger | Langseth | Price | Spear |
| Berglin | Janezich | Lessard | Ranum | Stumpf |
| Betzold | Johnson, D.J. | Lourey | Ring | Vickerman |
| Cohen | Junge | Marty | Robertson | Wiener |
| Flynn | Kelley, S.P. | Metzen | Sams | Wiger |
| Foley | Kinkel | Murphy | Samuelson | |
| Hanson | Krentz | Piper | Scheid | |
| Higgins | Laidig | Pogemiller | Solon | |

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

Senator Neuville moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 82, after line 14, insert:

"Sec. 5. Minnesota Statutes 1998, section 121A.45, subdivision 2, is amended to read:

Subd. 2. [GROUNDS FOR DISMISSAL.] A pupil may be dismissed on any of the following grounds:

(a) willful violation of any reasonable school board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements;

(b) willful conduct that ~~materially and substantially~~ significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn; or

(c) willful conduct that disrupts a classroom, the school environment, or the functions of a school; or

(d) willful conduct that endangers the pupil or other pupils, or surrounding persons, including school district employees, or property of the school."

Page 83, after line 13, insert:

"Sec. 7. Minnesota Statutes 1998, section 121A.61, subdivision 2, is amended to read:

Subd. 2. [GROUNDS FOR REMOVAL FROM CLASS.] The policy must establish the various

grounds for which a student may be removed from a class in the district for a period of time pursuant to under the procedures specified in the policy. The grounds in the policy must include at least the following provisions as well as other grounds determined appropriate by the board:

(a) willful conduct ~~which materially and substantially~~ that disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;

(b) willful conduct ~~which~~ that endangers surrounding persons, including school district employees, the student or other students, or the property of the school; and

(c) willful violation of any rule of conduct specified in the discipline policy adopted by the board."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Olson moved to amend the Neuville amendment to H.F. No. 3800 as follows:

Page 1, line 33, after "that" insert "significantly"

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

Senator Robertson moved to amend the Neuville amendment to H.F. No. 3800 as follows:

Page 1, lines 19 to 21, delete the new language

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

The roll was called, and there were yeas 37 and nays 27, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|------------|--------|
| Anderson | Hottinger | Krentz | Novak | Solon |
| Berglin | Janezich | Laidig | Piper | Spear |
| Betzold | Johnson, D.J. | Lourey | Pogemiller | Stumpf |
| Cohen | Junge | Marty | Price | Wiener |
| Flynn | Kelley, S.P. | Metzen | Ranum | Wiger |
| Foley | Kelly, R.C. | Moe, R.D. | Ring | |
| Frederickson | Kinkel | Murphy | Robertson | |
| Higgins | Kiscaden | Neuville | Scheid | |

Those who voted in the negative were:

| | | | | |
|---------------|----------|----------|-----------|-------------|
| Belanger | Kierlin | Lessard | Robling | Terwilliger |
| Berg | Kleis | Limmer | Runbeck | Vickerman |
| Day | Knutson | Oliver | Sams | Ziegler |
| Dille | Langseth | Olson | Samuelson | |
| Fischbach | Larson | Ourada | Scheevel | |
| Johnson, D.E. | Lesewski | Pariseau | Stevens | |

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

The question recurred on the Neuville amendment, as amended.

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

Those who voted in the affirmative were:

| | | | | |
|---------------|----------|----------|-----------|-------------|
| Belanger | Kierlin | Lesewski | Pariseau | Terwilliger |
| Berg | Kinkel | Lessard | Robertson | Vickerman |
| Day | Kiscaden | Limmer | Robling | Wiger |
| Dille | Kleis | Neuville | Runbeck | Ziegler |
| Fischbach | Knutson | Oliver | Sams | |
| Frederickson | Langseth | Olson | Scheevel | |
| Johnson, D.E. | Larson | Ourada | Stevens | |

Those who voted in the negative were:

| | | | | |
|----------|---------------|-----------|------------|--------|
| Anderson | Higgins | Krentz | Novak | Scheid |
| Berglin | Hottinger | Laidig | Piper | Solon |
| Betzold | Janezich | Lourey | Pogemiller | Spear |
| Cohen | Johnson, D.J. | Marty | Price | Stumpf |
| Flynn | Junge | Metzen | Ranum | Wiener |
| Foley | Kelley, S.P. | Moe, R.D. | Ring | |
| Hanson | Kelly, R.C. | Murphy | Samuelson | |

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

Senator Runbeck moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 107, after line 19, insert:

"Sec. 37. [125B.22] [INTERNET ACCESS FOR STUDENTS.]

(a) Recognizing the difference between school libraries, school computer labs, and school media centers, which serve unique educational purposes, and public libraries, which are designed for public inquiry, all computers at a school site with access to the Internet available for student use must be equipped, to the maximum extent permitted under law, to restrict, including by use of available software filtering technology, all student access to material that is reasonably believed to be obscene or child pornography or material harmful to minors under federal or state law.

(b) A school site is not required to purchase filtering technology if the school site would incur more than incidental expense in making the purchase.

(c) "School site" means an education site as defined in section 123B.04, subdivision 1, or charter school under section 124D.10."

Page 109, after line 3, insert:

"Sec. 40. [134.77] [INTERNET ACCESS FOR CHILDREN.]

(a) Recognizing the difference between public libraries, which are designed for public inquiry, and school libraries, school computer labs, and school media centers, which serve unique educational purposes, all public library computers with access to the Internet available for use by children under the age of 17 must be equipped, to the maximum extent permitted under law, to restrict, including by use of available software filtering technology, all access by children to material that is reasonably believed to be obscene or child pornography or material harmful to minors under federal or state law.

(b) A public library is not required to purchase filtering technology if the public library would incur more than incidental expense in making the purchase.

(c) This section does not apply to the libraries of post-secondary institutions."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Pogemiller moved to amend the Runbeck amendment to H.F. No. 3800 as follows:

Page 1, line 12, delete "permitted under law" and insert "possible"

Page 1, lines 30 and 31, delete "permitted under law" and insert "possible"

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

The question recurred on the adoption of the Runbeck amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Pogemiller moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 40, line 6, delete "RESOLUTION" and insert "FEDERAL MANDATE"

Page 40, line 7, delete "Be it resolved by"

Page 40, line 8, delete ", that it" and insert "strongly"

Page 40, line 12, delete everything after the period

Page 40, line 13, delete "finds that the" and insert "Current"

The motion prevailed. So the amendment was adopted.

Senator Betzold moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 40, delete section 27

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

Amend the title accordingly

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

Senator Robling moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Pages 9 and 10, delete section 12 and insert:

"Sec. 12. Minnesota Statutes 1999 Supplement, section 126C.05, subdivision 5, is amended to read:

Subd. 5. [ADJUSTED PUPIL UNITS.] (a) Adjusted pupil units for a district or charter school means the sum of:

(1) the number of pupil units served, according to subdivision 7, plus

(2) pupil units according to subdivision 1 for whom the district or charter school pays tuition under section 123A.18, 123A.22, 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03 to 125A.24, 125A.51, or 125A.65, minus

(3) pupil units according to subdivision 1 for whom the district or charter school receives tuition under section 123A.18, 123A.22, 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03 to 125A.24, 125A.51, or 125A.65.

(b) Adjusted marginal cost pupil units means the greater of:

(1) the sum of .9 times the pupil units defined in paragraph (a) for the current school year and .1 times the pupil units defined in paragraph (a) for the previous school year; or

(2) the sum of .77 times the pupil units defined in paragraph (a), for the current school year and .23 times the pupil units defined in paragraph (a) for the previous school year."

Page 18, line 32, delete "\$3,261,304,000" and insert "\$3,265,329,000"

Page 18, line 36, delete "\$2,950,862,000" and insert "\$2,954,887,000"

Page 21, delete section 35

Page 22, delete lines 30 to 32

Page 22, line 33, delete "3" and insert "2"

Page 23, line 1, delete "4" and insert "3"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 34, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------|----------|---------|-------------|
| Belanger | Hanson | Larson | Oliver | Stevens |
| Day | Kierlin | Lesewski | Olson | Terwilliger |
| Dille | Knutson | Lessard | Ourada | Wiener |
| Foley | Krentz | Limmer | Price | Wiger |
| Frederickson | Laidig | Metzen | Robling | Ziegler |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|-----------|------------|-----------|
| Anderson | Hottinger | Langseth | Pogemiller | Scheevel |
| Berglin | Janezich | Lourey | Ranum | Scheid |
| Betzold | Johnson, D.E. | Marty | Ring | Solon |
| Cohen | Johnson, D.J. | Moe, R.D. | Robertson | Spear |
| Fischbach | Kelley, S.P. | Murphy | Runbeck | Stumpf |
| Flynn | Kelly, R.C. | Novak | Sams | Vickerman |
| Higgins | Kinkel | Piper | Samuelson | |

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

Senator Lesewski moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 89, after line 21, insert:

"Sec. 14. [122A.628] [TEACHER HIRING BONUS.]

Subdivision 1. [ESTABLISHMENT.] A teacher hiring bonus program is established. The commissioner shall develop application forms and procedures under this section, and shall administer all aspects of the program.

Subd. 2. [ELIGIBILITY.] A post-secondary graduate after January 1, 2000, is eligible for the teacher hiring bonus program if the graduate is licensed under Minnesota Rules, chapter 8710, as a teacher of agricultural education, teacher of English as a second language, teacher of mathematics, teacher of science, teacher of technology, teacher of world languages and cultures, or teacher of special education.

Subd. 3. [HIRING BONUS.] The commissioner may approve hiring bonus payments for eligible teachers in each fiscal year. Approved applicants are eligible for payments of \$2,000 each fiscal year. Applicants employed as teachers in public school districts located in Minnesota outside the metropolitan area, as defined in section 473.121, subdivision 2, and serving on average 100 or fewer pupils per grade, are eligible to receive an additional payment of \$2,000 each fiscal year. Participation in the program is limited to three years. If the amount appropriated is insufficient to fully fund all approved applicants, the commissioner shall prorate the appropriated amount evenly."

Page 126, after line 2, insert:

"Subd. 5. [TEACHER HIRING BONUS PROGRAM.] For the teacher hiring bonus program:
\$4,000,000 2001 "

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 46, as follows:

Those who voted in the affirmative were:

| | | | | |
|---------|----------|--------|----------|-------------|
| Day | Kleis | Limmer | Scheevel | Terwilliger |
| Dille | Larson | Ourada | Stevens | Ziegler |
| Kierlin | Lesewski | | | |

Those who voted in the negative were:

| | | | | |
|--------------|---------------|-----------|------------|-----------|
| Berg | Janezich | Langseth | Pogemiller | Solon |
| Berglin | Johnson, D.E. | Lessard | Price | Spear |
| Betzold | Johnson, D.J. | Lourey | Ranum | Stumpf |
| Cohen | Kelley, S.P. | Marty | Ring | Vickerman |
| Flynn | Kelly, R.C. | Metzen | Robertson | Wiener |
| Foley | Kinkel | Moe, R.D. | Robling | Wiger |
| Frederickson | Kiscaden | Murphy | Runbeck | |
| Hanson | Knutson | Oliver | Sams | |
| Higgins | Krentz | Olson | Samuelson | |
| Hottinger | Laidig | Piper | Scheid | |

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

Senator Knutson moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 10, line 2, after "(b)" insert "For revenue for fiscal year 2002 and thereafter,"

Page 10, lines 3 and 4, delete the new language and reinstate the stricken language

Page 10, after line 5, insert:

"(c) For fiscal year 2001 only, adjusted marginal cost pupil units means the sum of .77 times the pupil units defined in paragraph (a) for the current school year and .23 times the pupil units defined in paragraph (a) for the previous school year."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 42, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|---------|----------|-------------|-------|
| Belanger | Knutson | Lesewski | Robling | Wiger |
| Dille | Krentz | Metzen | Stevens | |
| Hanson | Laidig | Ourada | Terwilliger | |
| Kiscaden | Larson | Price | Wiener | |

Those who voted in the negative were:

| | | | | |
|--------------|---------------|-----------|------------|-----------|
| Anderson | Higgins | Langseth | Piper | Scheid |
| Berg | Hottinger | Lessard | Pogemiller | Solon |
| Berglin | Janezich | Limmer | Ranum | Spear |
| Betzold | Johnson, D.E. | Lourey | Ring | Stumpf |
| Cohen | Johnson, D.J. | Marty | Robertson | Vickerman |
| Day | Kelley, S.P. | Moe, R.D. | Runbeck | Ziegler |
| Flynn | Kelly, R.C. | Murphy | Sams | |
| Foley | Kierlin | Oliver | Samuelson | |
| Frederickson | Kinkel | Olson | Scheevel | |

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

Senator Kelley, S.P. moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 142, line 35, delete everything after "and" and insert "learning's"

Page 142, delete line 36

Page 143, line 1, delete "that" and insert "shall"

Page 143, line 2, delete everything after "systems" and insert a period

Page 143, delete line 3

The motion prevailed. So the amendment was adopted.

Senator Runbeck moved to amend H.F. No. 3800, as amended by the Senate March 22, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 3801.)

Page 85, after line 4, insert:

"Sec. 8. Minnesota Statutes 1999 Supplement, section 122A.20, subdivision 1, is amended to read:

Subdivision 1. [GROUNDS FOR REVOCATION, SUSPENSION, OR DENIAL.] (a) The board of teaching or the commissioner, with the advice from an advisory task force of supervisory personnel established under section 15.014, whichever has jurisdiction over a teacher's licensure, may, on the written complaint of the school board employing a teacher, a teacher organization, or any other interested person, refuse to issue, refuse to renew, suspend, or revoke a teacher's license to teach for any of the following causes:

(1) Immoral character or conduct;

(2) Failure, without justifiable cause, to teach for the term of the teacher's contract;

(3) Gross inefficiency or willful neglect of duty; or

(4) Knowingly altering, counterfeiting, or misreporting student assessment information required under chapter 120B, with the intent to deceive;

~~(4)~~ (5) Failure to meet licensure requirements; or

~~(5)~~ (6) Fraud or misrepresentation in obtaining a license.

The written complaint must specify the nature and character of the charges. A school district must automatically submit a written complaint to the board of teaching or the commissioner, whichever has jurisdiction over the teacher's license, for any action under clause (4).

(b) The board of teaching or the commissioner of children, families, and learning whichever has jurisdiction over a teacher's licensure, shall refuse to issue, refuse to renew, or automatically revoke a teacher's license to teach without the right to a hearing upon receiving a certified copy of a conviction showing that the teacher has been convicted of child abuse, as defined in section 609.185, or sexual abuse under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 617.23, subdivision 3, or under a similar law of another state or the United States. The board shall send notice of this licensing action to the district in which the teacher is currently employed.

(c) A person whose license to teach has been revoked, not issued, or not renewed under

paragraph (b), may petition the board to reconsider the licensing action if the person's conviction for child abuse or sexual abuse is reversed by a final decision of the court of appeals or the supreme court or if the person has received a pardon for the offense. The petitioner shall attach a certified copy of the appellate court's final decision or the pardon to the petition. Upon receiving the petition and its attachment, the board shall schedule and hold a disciplinary hearing on the matter under section 214.10, subdivision 2, unless the petitioner waives the right to a hearing. If the board finds that, notwithstanding the reversal of the petitioner's criminal conviction or the issuance of a pardon, the petitioner is disqualified from teaching under paragraph (a), clause (1), the board shall affirm its previous licensing action. If the board finds that the petitioner is not disqualified from teaching under paragraph (a), clause (1), it shall reverse its previous licensing action.

(d) For purposes of this subdivision, the board of teaching is delegated the authority to suspend or revoke coaching licenses."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Runbeck then moved to amend the Runbeck amendment to H.F. No. 3800 as follows:

Page 1, lines 27 to 30, delete the new language

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

The question recurred on the adoption of the Runbeck amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

H.F. No. 3800 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|------------|-------------|
| Anderson | Higgins | Laidig | Oliver | Scheevel |
| Belanger | Hottinger | Langseth | Olson | Scheid |
| Berg | Janezich | Larson | Ourada | Solon |
| Berglin | Johnson, D.E. | Lesewski | Piper | Spear |
| Betzold | Johnson, D.J. | Lessard | Pogemiller | Stevens |
| Cohen | Kelley, S.P. | Limmer | Price | Stumpf |
| Day | Kelly, R.C. | Lourey | Ranum | Terwilliger |
| Dille | Kierlin | Marty | Ring | Vickerman |
| Fischbach | Kinkel | Metzen | Robertson | Wiener |
| Flynn | Kiscaden | Moe, R.D. | Robling | Wiger |
| Foley | Kleis | Murphy | Runbeck | Ziegler |
| Frederickson | Knutson | Neuville | Sams | |
| Hanson | Krentz | Novak | Samuelson | |

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Pogemiller moved that S.F. No. 3801, No. 131 on General Orders, be stricken and laid on the table. The motion prevailed.

SPECIAL ORDERS

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 2521, 1733, 3626 and 3259.

SPECIAL ORDER

S.F. No. 2521: A bill for an act relating to local government; establishing standards for the creation of corporations by political subdivisions; providing for the continuation of existing corporations created by political subdivisions; amending Minnesota Statutes 1998, section 238.08, subdivision 3; proposing coding for new law in Minnesota Statutes 1998, chapter 465; repealing Minnesota Statutes 1998, section 465.715, subdivisions 1, 2, and 3; Minnesota Statutes 1999 Supplement, section 465.715, subdivision 1a.

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 | Higgins | Laidig | Oliver | Scheevel |
| Belanger | Hottinger | Langseth | Olson | Scheid |
| Berg | Janezich | Larson | Ourada | Solon |
| Berglin | Johnson, D.E. | Lesewski | Piper | Spear |
| Betzold | Johnson, D.J. | Lessard | Pogemiller | Stevens |
| Cohen | Kelley, S.P. | Limmer | Price | Stumpf |
| Day | Kelly, R.C. | Lourey | Ranum | Terwilliger |
| Dille | Kierlin | Marty | Ring | Vickerman |
| Fischbach | Kinkel | Metzen | Robertson | Wiener |
| Flynn | Kiscaden | Moe, R.D. | Robling | Wiger |
| Foley | Kleis | Murphy | Runbeck | Ziegler |
| Frederickson | Knutson | Neuville | Sams | |
| Hanson | Krentz | Novak | Samuelson | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1733: A bill for an act relating to alcoholic beverages; imposing civil third-party liability for damages caused by intoxication of persons under age 21; prohibiting certain subrogation claims; proposing coding for new law in Minnesota Statutes, chapter 340A.

Senator Betzold moved to amend S.F. No. 1733 as follows:

Page 1, line 13, after "person" insert "under 21 years of age"

Page 2, line 1, delete "chapter 340A" and insert "this chapter"

The motion prevailed. So the amendment was adopted.

Senator Hottinger moved to amend S.F. No. 1733 as follows:

Page 2, after line 13, insert:

"Subd. 3. [COVERAGE EXCLUDED.] There shall be no coverage for liability created under this section under homeowner's insurance as defined under section 65A.27."

The motion prevailed. So the amendment was adopted.

S.F. No. 1733 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|-----------|-------------|
| Belanger | Higgins | Laidig | Oliver | Scheevel |
| Berg | Hottinger | Langseth | Olson | Scheid |
| Berglin | Johnson, D.E. | Larson | Ourada | Solon |
| Betzold | Johnson, D.J. | Lesewski | Piper | Spear |
| Cohen | Kelley, S.P. | Lessard | Price | Stevens |
| Day | Kelly, R.C. | Lourey | Ranum | Stumpf |
| Dille | Kierlin | Marty | Ring | Terwilliger |
| Fischbach | Kinkel | Metzen | Robertson | Vickerman |
| Flynn | Kiscaden | Moe, R.D. | Robling | Wiener |
| Foley | Kleis | Murphy | Runbeck | Wiger |
| Frederickson | Knutson | Neuville | Sams | Ziegler |
| Hanson | Krentz | Novak | Samuelson | |

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

SPECIAL ORDER

S.F. No. 3626: A bill for an act relating to insurance; adjusting aspects of eligibility and coverage in the comprehensive health association; requiring a study of premium rates; amending Minnesota Statutes 1998, sections 62E.05, subdivision 2; 62E.08; 62E.10, by adding a subdivision; 62E.101; 62E.13, subdivision 2; 62E.14, subdivision 1; 62E.15, by adding a subdivision; and 62E.18; Minnesota Statutes 1999 Supplement, section 62E.12.

Senator Weiner moved to amend S.F. No. 3626 as follows:

Page 10, line 9, delete "This act is" and insert "Sections 1 to 6 and 8 to 10 are"

Page 10, after line 9, insert:

"Section 7 is effective August 1, 2000."

The motion prevailed. So the amendment was adopted.

S.F. No. 3626 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|------------|-------------|
| Belanger | Hottinger | Langseth | Olson | Scheid |
| Berg | Janezich | Larson | Ourada | Solon |
| Berglin | Johnson, D.E. | Lesewski | Piper | Spear |
| Betzold | Johnson, D.J. | Lessard | Pogemiller | Stevens |
| Cohen | Kelley, S.P. | Limmer | Price | Stumpf |
| Day | Kelly, R.C. | Lourey | Ranum | Terwilliger |
| Dille | Kierlin | Marty | Ring | Vickerman |
| Fischbach | Kinkel | Metzen | Robertson | Wiener |
| Flynn | Kiscaden | Moe, R.D. | Robling | Wiger |
| Foley | Kleis | Murphy | Runbeck | Ziegler |
| Frederickson | Knutson | Neuville | Sams | |
| Hanson | Krentz | Novak | Samuelson | |
| Higgins | Laidig | Oliver | Scheevel | |

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

SPECIAL ORDER

S.F. No. 3259: A bill for an act relating to the state building code; providing for certain energy code rules to remain in effect.

Senator Limmer moved to amend S.F. No. 3259 as follows:

Page 1, line 11, after "govern" insert "new, detached single one- and two-family" and after "All" insert "new, detached single one- and two-family"

Page 1, line 15, after "All" insert "new, detached single one- and two-family"

Page 1, line 16, after "recovery" insert "or balanced" and delete "or" and insert a period

Page 1, delete lines 17 to 20 and insert "All new detached single one- and two-family R-3 occupancy buildings having fuel-burning equipment using nonsolid fuels for space heating, service water heating, or hearth products must install direct vent, power vent, or sealed combustion equipment. If any single exhaust device over 300 cubic feet per minute is installed, sealed combustion space heating equipment must be used."

Page 1, line 21, after "(b)" insert "As an alternative to compliance with paragraph (a), compliance with" and delete "are delayed" and insert "is optional for a contractor or owner"

Page 2, line 2, delete "need, expense,"

Page 2, line 3, delete "and cost-benefit analysis" and insert "cost benefit, as well as air quality, building durability, moisture, enforcement, enforceability, and liability"

Page 2, line 4, after "chapters" insert "7670," and after "7672" insert a comma

The motion prevailed. So the amendment was adopted.

S.F. No. 3259 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|-----------|------------|-------------|
| Belanger | Hottinger | Langseth | Olson | Scheid |
| Berg | Janezich | Larson | Ourada | Solon |
| Berglin | Johnson, D.E. | Lesewski | Piper | Spear |
| Betzold | Johnson, D.J. | Lessard | Pogemiller | Stevens |
| Cohen | Kelley, S.P. | Limmer | Price | Stumpf |
| Day | Kelly, R.C. | Lourey | Ranum | Terwilliger |
| Dille | Kierlin | Marty | Ring | Vickerman |
| Fischbach | Kinkel | Metzen | Robertson | Wiener |
| Flynn | Kiscaden | Moe, R.D. | Robling | Wiger |
| Foley | Kleis | Murphy | Runbeck | Ziegler |
| Frederickson | Knutson | Neuville | Sams | |
| Hanson | Krentz | Novak | Samuelson | |
| Higgins | Laidig | Oliver | Scheevel | |

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. 1415:

H.F. No. 1415: A bill for an act relating to natural resources; providing for gray wolf management; providing criminal penalties; amending Minnesota Statutes 1998, sections 97A.331, by adding a subdivision; and 97B.645; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Finseth, Holsten, Westfall, Bakk and Hausman have been appointed as such committee on the part of the House.

House File No. 1415 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 March 21, 2000

Senator Laidig moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1415, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Lourey moved that the name of Senator Johnson, D.J. be added as a co-author to S.F. No. 3744. The motion prevailed.

RECESS

Senator 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

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

S.F. No. 2615: Senators Foley, Wiener and Kiscaden.

H.F. No. 1590: Senators Berg, Knutson and Vickerman.

H.F. No. 3633: Senators Terwilliger, Robertson and Wiener.

H.F. No. 1415: Senators Laidig, Krentz, Stumpf, Lourey and Sams.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Berglin introduced--

S.F. No. 3807: A bill for an act relating to human services; modifying premium payment for

the MinnesotaCare program; amending Minnesota Statutes 1998, section 256L.15, subdivision 3; Minnesota Statutes 1999 Supplement, section 256L.15, subdivision 2.

Referred to the Committee on Health and Family Security.

Senator Berglin introduced--

S.F. No. 3808: A bill for an act relating to human services; allowing the commissioner of human services to implement presumptive eligibility for children; amending Minnesota Statutes 1999 Supplement, section 256B.056, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Solon, Stumpf, Hottinger, Kleis and Kiscaden introduced--

S.F. No. 3809: A bill for an act relating to higher education; creating a technical college printing and publishing program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136F.

Referred to the Committee on Children, Families and Learning.

Senator Langseth, for the Committee on Education Finance, introduced--

S.F. No. 3810: A bill for an act relating to capital improvements; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; appropriating money; amending Minnesota Statutes 1998, sections 134.45; 136A.29, subdivision 9; and 136F.98, subdivision 1; Minnesota Statutes 1999 Supplement, section 16B.616, subdivision 1; Laws 1994, chapter 643, section 19, subdivision 9, as amended; and Laws 1998, chapter 404, section 3, subdivision 24.

Under the Rules of the Senate, laid over one day.

MEMBERS EXCUSED

Senators Kiscaden and Runbeck were excused from the Session of today from 9:00 to 9:50 a.m. Senator Stevens was excused from the Session of today from 9:00 a.m. to 12:10 p.m. Senator Sams was excused from the Session of today from 11:35 to 11:45 a.m. Senator Moe, R.D. was excused from the Session of today from 12:00 noon to 1:15 p.m. Senator Pariseau was excused from the Session of today from 1:35 to 3:00 p.m. Senator Junge was excused from the Session of today at 2:00 p.m. Senator Anderson was excused from the Session of today at 2:35 p.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 23, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Wednesday, March 22, 2000

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 5693 to 5694

CHAPTER LAWS

| S.F. Nos. | H.F. Nos. | Session Laws Chapter No. | Page |
|-----------|-----------|-----------------------------|------|
| 2485 | | 262 | 5694 |
| 2465 | | 263 | 5694 |
| 2692 | | 264 | 5694 |
| 2346 | | 265 | 5694 |

MESSAGES FROM THE HOUSE AND FIRST READINGS OF HOUSE FILES

| S.F. Nos. | Message Page | H.F. Nos. | Message Page | 1st Reading Page |
|--------------|-----------------|--------------|-----------------|------------------------|
| 2615 | 5694 | 1415 | 5719 | |
| 3286 | 5695 | 1590 | 5695 | |
| | | 2891 | 5695 | 5696 |
| | | 3633 | 5699 | |
| | | 3800 | 5695 | 5696 |

SUSPENSION OF RULES

| S.F. Nos. | Page | H.F. Nos. | Page |
|-----------|------|------------|------|
| | | 2891 | 5700 |
| | | 3800 | 5703 |

REPORTS OF COMMITTEES AND SECOND READINGS

| S.F. Nos. | Report Page | 2nd Reading Page | H.F. Nos. | Report Page | 2nd Reading Page |
|--------------|----------------|------------------------|--------------|----------------|------------------------|
| | | | 2563 | 5697 | 5698 |
| | | | 3534 | 5698 | 5698 |

MOTIONS AND RESOLUTIONS

| | | | |
|-----------|------|------------|------|
| S.F. Nos. | Page | H.F. Nos. | Page |
| | | 2891 | 5799 |

APPOINTMENTS TO CONFERENCE COMMITTEES

| | | | |
|------------|------|------------|------|
| S.F. Nos. | Page | H.F. Nos. | Page |
| 1615 | 5720 | 1415 | 5720 |
| 3633 | 5720 | 1590 | 5720 |

CALENDAR

| | | | |
|------------|------|-----------|------|
| S.F. Nos. | Page | H.F. Nos. | Page |
| 3145 | 5701 | | |

SPECIAL ORDERS

| | | | |
|------------|------|------------|------|
| S.F. Nos. | Page | H.F. Nos. | Page |
| 1733 | 5717 | 3142 | 5699 |
| 2521 | 5717 | | |
| 3259 | 5718 | | |
| 3626 | 5718 | | |

INTRODUCTION AND FIRST READING OF SENATE BILLS

| | |
|------------------------------|--------------------|
| S.F. Nos. 3807 to 3810 | Pages 5720 to 5721 |
|------------------------------|--------------------|