

STATE OF MINNESOTA

Journal of the Senate

EIGHTIETH LEGISLATURE

FORTY-FIFTH DAY

St. Paul, Minnesota, Wednesday, April 23, 1997

The Senate met at 8:00 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, Dr. Bill W. Lampher.

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

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

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

Mr. Stumpf was excused from the Session of today.

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. 1342.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 22, 1997

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. 145: A bill for an act relating to reemployment insurance; making technical and administrative changes; providing civil and criminal penalties; amending Minnesota Statutes 1996, sections 268.0111, by adding a subdivision; 268.022, subdivision 1; 268.04, subdivisions 5, 15, 17, 25, and by adding subdivisions; 268.06, subdivisions 1, 3a, 6, 8, 8a, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, and 31; 268.07, subdivisions 2, 3, 3a, and 3b; 268.071, subdivisions 3, 6, and 9; 268.08, subdivisions 1, 2, 3, 3a, 3b, 10, and by adding a subdivision; 268.09, subdivision 3, and by adding subdivisions; 268.101, subdivisions 2, 3, 4, and by adding a subdivision; 268.105; 268.11, subdivision 3; 268.12, subdivisions 8 and 9a; 268.121; 268.14, subdivision 1; 268.16, subdivision 2; 268.161, subdivisions 4, 6, and 7; 268.167; 268.18, subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; and 268.21; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1996, sections 268.026; 268.04, subdivisions 8, 13, 14, 20, 21, 32, and 35; 268.06, subdivisions 2, 4, 5, 30, and 33; 268.073, subdivision 7; 268.09, subdivisions 1, 2, 4, 5, 6, 7, and 8; 268.12, subdivisions 2, 4, 5, 7, and 11; 268.14, subdivisions 3 and 4; 268.16, subdivision 8; 268.161, subdivision 3; 268.165; and 268.18, subdivision 5.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 22, 1997

CONCURRENCE AND REPASSAGE

Ms. Runbeck moved that the Senate concur in the amendments by the House to S.F. No. 145 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 145 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Larson	Olson	Sams
Belanger	Higgins	Lesewski	Ourada	Scheevel
Berg	Janezich	Limmer	Pappas	Scheid
Betzold	Johnson, D.E.	Lourey	Pariseau	Solon
Cohen	Johnson, D.H.	Marty	Piper	Spear
Day	Junge	Metzen	Pogemiller	Ten Eyck
Dille	Kiscaden	Moe, R.D.	Price	Vickerman
Fischbach	Kleis	Morse	Ranum	Wiger
Flynn	Krentz	Murphy	Robertson	
Foley	Laidig	Neuville	Robling	
Frederickson	Langseth	Oliver	Runbeck	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2147:

H.F. No. 2147: A bill for an act relating to education; providing for early childhood education, community, prevention, and self-sufficiency programs; appropriating money; amending Minnesota Statutes 1996, sections 12.21, subdivision 3; 15.53, subdivision 2; 119A.01, subdivision 3; 119A.04, subdivision 6, and by adding a subdivision; 119A.13, subdivisions 2, 3,

and 4; 119A.14; 119A.15, subdivisions 2, 5, and by adding a subdivision; 119A.16; 119A.31, subdivisions 1 and 2; 119B.01, subdivisions 8, 9, 12, 16, 17, and by adding subdivisions; 119B.02; 119B.03, subdivisions 3, 4, 5, 6, 7, 8, and by adding subdivisions; 119B.04; 119B.05, subdivisions 1, 5, 6, and by adding a subdivision; 119B.07; 119B.08, subdivisions 1 and 3; 119B.09, subdivisions 1, 2, and by adding subdivisions; 119B.10, subdivision 1; 119B.11, subdivisions 1, 3, and by adding a subdivision; 119B.12; 119B.13, subdivision 1, and by adding subdivisions; 119B.15; 119B.16, subdivision 1; 119B.18, by adding a subdivision; 119B.20, subdivisions 7, 9, and 10; 119B.21, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11; 120.05, subdivision 2; 121.831, subdivisions 3 and 4; 121.8355, subdivision 1; 121.88, subdivisions 1, 10, and by adding a subdivision; 121.882, subdivisions 2 and 6; 124.17, subdivision 2e; 124.26, subdivision 2, and by adding a subdivision; 124.2601, subdivisions 3, 4, 5, 6, and by adding a subdivision; 124.261, subdivision 1; 124.2615, subdivisions 1 and 2; 124.2711, subdivisions 1 and 2a; 124.2713, subdivisions 6 and 8; 124.2716, subdivision 3; 268.38, by adding a subdivision; 268.53, subdivision 5; 268.55, by adding a subdivision; 268.912; 268.913, subdivisions 2 and 4; and 268.914, subdivision 1; Laws 1996, chapter 463, section 4, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 119A; and 119B; repealing Minnesota Statutes 1996, sections 119B.03, subdivision 7; 119B.05, subdivisions 2 and 3; 119B.11, subdivision 2; 119B.19, subdivision 2; 119B.21, subdivision 7; 121.8355, subdivision 1a; and 268.913, subdivision 5.

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

Kinkel, McGuire, Mariani, Sykora and Mulder have been appointed as such committee on the part of the House.

House File No. 2147 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 22, 1997

Ms. Piper moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2147, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2158.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 22, 1997

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 2158: A bill for an act relating to the organization and operation of state government; appropriating money for economic development and certain agencies of state government; establishing and modifying certain programs; providing for regulation of certain activities and practices; standardizing certain licensing service fees; establishing and modifying certain fees; modifying housing programs; establishing a task force; providing for a manufactured home park to be a conditional use; requiring reports; amending Minnesota Statutes 1996, sections 38.02, subdivisions 1, 2, and 3; 44A.01, subdivision 2; 60A.075, by adding a subdivision; 60A.23, subdivision 8; 60A.71, by adding a subdivision; 60K.06, subdivision 2; 65B.48, subdivision 3; 72B.04, subdivision 10; 79.253, subdivision 1; 79.255, by adding a subdivision; 79.361, subdivision 1; 79.371, by adding a subdivision; 82.21, subdivision 1; 82B.09, subdivision 1;

115A.908, subdivision 2; 115B.03, subdivision 5; 115C.021, by adding a subdivision; 115C.03, subdivision 9; 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 115C.13; 116J.551; 116J.552, subdivision 4; 116J.553, subdivision 2; 116J.554, subdivision 1; 116J.615, subdivision 1; 116L.04, subdivision 1; 116O.05, by adding a subdivision; 116O.122, subdivision 1; 138.91, by adding a subdivision; 155A.045, subdivision 1; 176.181, subdivision 2a; 268.022, subdivision 2; 268.362, subdivision 2; 268.38, subdivision 7; 268.63; 268.672, subdivision 6, and by adding subdivisions; 268.673, subdivisions 3, 4a, and 5; 268.6751, subdivision 1; 268.677, subdivision 1; 268.681; 268.917; 270.97; 298.22, by adding a subdivision; 326.86, subdivision 1; 394.25, by adding a subdivision; 446A.04, subdivision 5; 446A.081, subdivisions 1, 4, and 9; 446A.12, subdivision 1; 462.357, by adding a subdivision; 462A.05, subdivisions 14d, 30, 39, and by adding a subdivision; 462A.13; 462A.201, subdivision 2; 462A.205; 462A.206, subdivisions 2 and 4; 462A.207, subdivisions 1, 2, 3, 4, and 6; 462A.21, subdivision 12a; 469.303; and 469.305, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 45; 79; 116J; 268; 366; 462A; and 469; repealing Minnesota Statutes 1996, sections 115A.908, subdivision 3; 268.39; 268.672, subdivision 4; 268.673, subdivision 6; 268.676; 268.677, subdivisions 2 and 3; 268.678; 268.679, subdivision 3; 462A.05, subdivision 20; 462A.206, subdivision 5; and 462A.21, subdivisions 4k, 12, and 14.

Mr. Moe, R.D. moved that H.F. No. 2158 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Ms. Krentz moved that the names of Messrs. Laidig, Foley and Marty be added as co-authors to S.F. No. 1342. The motion prevailed.

Ms. Pappas, Mr. Hottinger, Mrs. Lourey, Mses. Kiscaden and Piper introduced--

Senate Resolution No. 46: A Senate resolution honoring the Centennial Anniversary of Gillette Children's Specialty Healthcare.

WHEREAS, Gillette Children's Specialty Healthcare was created 100 years ago on April 23, 1897, by an act of the Minnesota legislature; and

WHEREAS, Gillette Children's was the first hospital in the nation to be a publicly funded hospital dedicated solely to the care of children with chronic conditions and disabilities; and

WHEREAS, Gillette Children's has provided care for more than 40,000 children from every county in Minnesota, the region, and around the world and continues to provide comprehensive, internationally renowned expertise for children with chronic conditions; and

WHEREAS, Gillette Children's remains committed to its original mission, which is to meet the health needs of children with disabilities and provide them and their families with greater independence and enjoyment in life; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it honors the contribution Gillette Children's Specialty Healthcare has made to the citizens of Minnesota in caring for children with disabilities over the past 100 years.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Chair of the Senate Rules and Administration Committee, and transmit it to the appropriate representatives of Gillette Children's Specialty Healthcare.

Ms. Pappas moved the adoption of the foregoing resolution. The motion prevailed. So the resolution 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. 156: Messrs. Ten Eyck, Betzold and Knutson.

S.F. No. 277: Mr. Solon, Ms. Wiener and Mr. Belanger.

S.F. No. 1722: Messrs. Sams, Samuelson and Day.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of the Calendar.

CALENDAR

H.F. No. 1075: A bill for an act relating to health; regulating professional health services under the professional corporation act; amending Minnesota Statutes 1996, section 319A.02, 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Larson	Olson	Sams
Belanger	Higgins	Lesewski	Ourada	Scheevel
Berg	Janezich	Limmer	Pappas	Scheid
Betzold	Johnson, D.E.	Lourey	Pariseau	Solon
Cohen	Johnson, D.H.	Marty	Piper	Spear
Day	Johnson, J.B.	Metzen	Pogemiller	Ten Eyck
Dille	Junge	Moe, R.D.	Price	Vickerman
Fischbach	Kleis	Morse	Ranum	Wiger
Flynn	Krentz	Murphy	Robertson	
Foley	Laidig	Neuville	Robling	
Frederickson	Langseth	Oliver	Runbeck	

So the bill passed and its title was agreed to.

H.F. No. 704: A bill for an act relating to utilities; exempting large electric power generating plant from certificate of need proceeding when selected by public utilities commission from a bidding process to select resources to meet utility's projected energy demand; amending Minnesota Statutes 1996, section 216B.2422, subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Larson	Olson	Sams
Belanger	Higgins	Lesewski	Ourada	Scheevel
Berg	Janezich	Limmer	Pappas	Scheid
Betzold	Johnson, D.E.	Lourey	Pariseau	Solon
Cohen	Johnson, D.H.	Marty	Piper	Spear
Day	Johnson, J.B.	Metzen	Pogemiller	Ten Eyck
Dille	Junge	Moe, R.D.	Price	Vickerman
Fischbach	Kleis	Morse	Ranum	Wiger
Flynn	Krentz	Murphy	Robertson	
Foley	Laidig	Neuville	Robling	
Frederickson	Langseth	Oliver	Runbeck	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that H.F. No. 2158 be taken from the table. The motion prevailed.

H.F. No. 2158: A bill for an act relating to the organization and operation of state government; appropriating money for economic development and certain agencies of state government; establishing and modifying certain programs; providing for regulation of certain activities and practices; standardizing certain licensing service fees; establishing and modifying certain fees; modifying housing programs; establishing a task force; providing for a manufactured home park to be a conditional use; requiring reports; amending Minnesota Statutes 1996, sections 38.02, subdivisions 1, 2, and 3; 44A.01, subdivision 2; 60A.075, by adding a subdivision; 60A.23, subdivision 8; 60A.71, by adding a subdivision; 60K.06, subdivision 2; 65B.48, subdivision 3; 72B.04, subdivision 10; 79.253, subdivision 1; 79.255, by adding a subdivision; 79.361, subdivision 1; 79.371, by adding a subdivision; 82.21, subdivision 1; 82B.09, subdivision 1; 115A.908, subdivision 2; 115B.03, subdivision 5; 115C.021, by adding a subdivision; 115C.03, subdivision 9; 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 115C.13; 116J.551; 116J.552, subdivision 4; 116J.553, subdivision 2; 116J.554, subdivision 1; 116J.615, subdivision 1; 116L.04, subdivision 1; 116O.05, by adding a subdivision; 116O.122, subdivision 1; 138.91, by adding a subdivision; 155A.045, subdivision 1; 176.181, subdivision 2a; 268.022, subdivision 2; 268.362, subdivision 2; 268.38, subdivision 7; 268.63; 268.672, subdivision 6, and by adding subdivisions; 268.673, subdivisions 3, 4a, and 5; 268.6751, subdivision 1; 268.677, subdivision 1; 268.681; 268.917; 270.97; 298.22, by adding a subdivision; 326.86, subdivision 1; 394.25, by adding a subdivision; 446A.04, subdivision 5; 446A.081, subdivisions 1, 4, and 9; 446A.12, subdivision 1; 462.357, by adding a subdivision; 462A.05, subdivisions 14d, 30, 39, and by adding a subdivision; 462A.13; 462A.201, subdivision 2; 462A.205; 462A.206, subdivisions 2 and 4; 462A.207, subdivisions 1, 2, 3, 4, and 6; 462A.21, subdivision 12a; 469.303; and 469.305, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 45; 79; 116J; 268; 366; 462A; and 469; repealing Minnesota Statutes 1996, sections 115A.908, subdivision 3; 268.39; 268.672, subdivision 4; 268.673, subdivision 6; 268.676; 268.677, subdivisions 2 and 3; 268.678; 268.679, subdivision 3; 462A.05, subdivision 20; 462A.206, subdivision 5; and 462A.21, subdivisions 4k, 12, and 14.

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2158 and that the rules of the Senate be so far suspended as to give H.F. No. 2158 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2158 was read the second time.

Mr. Moe, R.D. moved that H.F. No. 2158 be laid on the table. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 10:00 a.m. The motion prevailed.

The hour of 10:00 a.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Hottinger introduced--

S.F. No. 1926: A bill for an act relating to taxation; changing the formula for the amount of allowable increase in market value; extending the number of years the program is effective; amending Minnesota Statutes 1996, section 273.11, subdivision 1a.

Referred to the Committee on Local and Metropolitan Government.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Beckman moved that H.F. No. 2158 be taken from the table. The motion prevailed.

H.F. No. 2158: A bill for an act relating to the organization and operation of state government; appropriating money for economic development and certain agencies of state government; establishing and modifying certain programs; providing for regulation of certain activities and practices; standardizing certain licensing service fees; establishing and modifying certain fees; modifying housing programs; establishing a task force; providing for a manufactured home park to be a conditional use; requiring reports; amending Minnesota Statutes 1996, sections 38.02, subdivisions 1, 2, and 3; 44A.01, subdivision 2; 60A.075, by adding a subdivision; 60A.23, subdivision 8; 60A.71, by adding a subdivision; 60K.06, subdivision 2; 65B.48, subdivision 3; 72B.04, subdivision 10; 79.253, subdivision 1; 79.255, by adding a subdivision; 79.361, subdivision 1; 79.371, by adding a subdivision; 82.21, subdivision 1; 82B.09, subdivision 1; 115A.908, subdivision 2; 115B.03, subdivision 5; 115C.021, by adding a subdivision; 115C.03, subdivision 9; 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 115C.13; 116J.551; 116J.552, subdivision 4; 116J.553, subdivision 2; 116J.554, subdivision 1; 116J.615, subdivision 1; 116L.04, subdivision 1; 116O.05, by adding a subdivision; 116O.122, subdivision 1; 138.91, by adding a subdivision; 155A.045, subdivision 1; 176.181, subdivision 2a; 268.022, subdivision 2; 268.362, subdivision 2; 268.38, subdivision 7; 268.63; 268.672, subdivision 6, and by adding subdivisions; 268.673, subdivisions 3, 4a, and 5; 268.6751, subdivision 1; 268.677, subdivision 1; 268.681; 268.917; 270.97; 298.22, by adding a subdivision; 326.86, subdivision 1; 394.25, by adding a subdivision; 446A.04, subdivision 5; 446A.081,

subdivisions 1, 4, and 9; 446A.12, subdivision 1; 462.357, by adding a subdivision; 462A.05, subdivisions 14d, 30, 39, and by adding a subdivision; 462A.13; 462A.201, subdivision 2; 462A.205; 462A.206, subdivisions 2 and 4; 462A.207, subdivisions 1, 2, 3, 4, and 6; 462A.21, subdivision 12a; 469.303; and 469.305, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 45; 79; 116J; 268; 366; 462A; and 469; repealing Minnesota Statutes 1996, sections 115A.908, subdivision 3; 268.39; 268.672, subdivision 4; 268.673, subdivision 6; 268.676; 268.677, subdivisions 2 and 3; 268.678; 268.679, subdivision 3; 462A.05, subdivision 20; 462A.206, subdivision 5; and 462A.21, subdivisions 4k, 12, and 14.

Mr. Beckman then moved to amend H.F. No. 2158 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 2158, and insert the language after the enacting clause, and the title, of S.F. No. 1909, the second engrossment.

The motion prevailed. So the amendment was adopted.

H.F. No. 2158 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 55 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Kleis	Morse	Sams
Beckman	Hottinger	Knutson	Murphy	Samuelson
Belanger	Janezich	Krentz	Novak	Scheid
Berglin	Johnson, D.E.	Laidig	Oliver	Solon
Betzold	Johnson, D.H.	Langseth	Pappas	Spear
Cohen	Johnson, D.J.	Larson	Pariseau	Stevens
Day	Johnson, J.B.	Lesewski	Piper	Ten Eyck
Flynn	Junge	Limmer	Pogemiller	Terwilliger
Foley	Kelley, S.P.	Lourey	Price	Vickerman
Frederickson	Kelly, R.C.	Marty	Ranum	Wiener
Hanson	Kiscaden	Moe, R.D.	Runbeck	Wiger

Those who voted in the negative were:

Neuville	Ourada	Robertson	Robling	Scheevel
Olson				

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 1925 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1925: A bill for an act relating to general education; special programs; lifework development; education organization and cooperation; education excellence; nutrition and other education programs; nonfunding education policy issues; libraries; technology; state agencies; making conforming technical changes; appropriating money; amending Minnesota Statutes 1996, sections 12.21, subdivision 3; 120.062, subdivisions 3, 6, 7, 9, and 11; 120.064, subdivisions 3, 8, 10, 20a, and by adding a subdivision; 120.101, subdivision 5; 120.1701, subdivision 3; 120.181; 121.11, subdivisions 7c and 9; 121.15, subdivisions 6, 7, and by adding subdivisions; 121.602, subdivisions 1, 2, and 4; 121.611; 121.615, subdivisions 2, 3, 5, 6, 7, 8, 9, and 10; 121.703, subdivision 3; 121.904, subdivision 4a; 121.932, by adding a subdivision; 123.35, subdivision 8, and by adding a subdivision; 123.3514, subdivisions 4, 4a, 4e, 6, 6c, 8, and by adding subdivisions; 123.39, subdivision 6; 123.70, subdivisions 5, 7, and 10; 123.799, subdivision 1;

123.7991, subdivisions 1 and 2; 123.951; 123.972, subdivision 5; 124.08; 124.17, subdivisions 1, 1d, 4, and by adding a subdivision; 124.193; 124.195, subdivisions 2, 7, 10, 11, and by adding a subdivision; 124.225, subdivisions 1, 13, 14, 15, 16, and 17; 124.226, subdivision 10; 124.2445; 124.2455; 124.248, subdivision 4, and by adding a subdivision; 124.26, subdivision 1b; 124.2613, subdivisions 3, 4, and 6; 124.2711, subdivision 2a; 124.2727, subdivision 6d; 124.273, subdivisions 1d, 1e, 1f, and 1g; 124.276, subdivision 3, and by adding a subdivision; 124.312, subdivisions 4 and 5; 124.313; 124.314, subdivisions 1 and 2; 124.3201, subdivisions 1, 2, 3, and 4; 124.323, subdivisions 1 and 2; 124.42, subdivision 4; 124.431, subdivision 11; 124.45; 124.48, subdivision 3; 124.481; 124.574, subdivisions 1, 2d, 2f, 5, 6, and 9; 124.83, subdivisions 1 and 2; 124.86, subdivision 2, and by adding a subdivision; 124.91, subdivisions 1 and 5; 124.912, subdivisions 1, 2, 3, and 6; 124.916, subdivisions 1, 2, and 3; 124.918, subdivision 6, and by adding a subdivision; 124.95, subdivision 2; 124A.02, subdivision 21; 124A.03, subdivisions 1c, 1f, 1g, and 3c; 124A.22, subdivisions 2, 3, 8a, 10, 11, 13, 13c, 13d, and by adding a subdivision; 124A.225, subdivision 1; 124A.23, subdivisions 1, 2, 3, and 5; 124A.26; 124A.28; 124C.45, subdivision 1a; 124C.46, subdivisions 1 and 2; 124C.498, subdivisions 1, 2, and 3; 125.05, subdivisions 1c and 2; 126.036; 126.037, subdivision 1; 126.113; 126.22, subdivisions 2, 3, and 3a; 126.23, subdivision 1; 126.531, subdivision 3; 127.26; 127.27, subdivisions 5, 6, 7, 8, 10, and by adding a subdivision; 127.281; 127.29; 127.30, subdivisions 1, 2, 3, and by adding a subdivision; 127.31, subdivisions 2, 7, 8, 13, 14, and 15; 127.311; 127.32; 127.33; 127.36; 127.37; 127.38; 128A.02, by adding a subdivision; 128C.02, subdivision 2, and by adding a subdivision; 128C.12, subdivision 1; 129C.10, subdivision 3; 134.155, subdivisions 2 and 3; 134.34, subdivision 4; 136D.72, subdivisions 2 and 3; 144.29; 169.01, subdivision 6; 169.21, subdivision 2; 169.435, subdivision 2; 169.443, subdivision 3; 169.444, subdivisions 2, 5, 6, 7, and by adding a subdivision; 169.447, subdivision 6; 169.4501, subdivisions 1 and 2; 169.4502, subdivisions 2, 7, 9, 11, and by adding subdivisions; 169.4503, subdivisions 1, 2, 10, 13, 14, 17, 19, 23, 24, and by adding a subdivision; 169.4504, subdivision 1, and by adding a subdivision; 169.452; 171.321, subdivision 3; 171.3215, subdivision 4; 179A.03, subdivision 19; 245.493, subdivision 1; 245.91, subdivision 2; 260A.02, subdivision 3; and 268.665, subdivision 2; Laws 1991, chapter 265, article 1, section 30, as amended; Laws 1993, chapter 146, article 5, section 20; Laws 1994, chapter 647, article 7, section 18, subdivisions 2 and 3; Laws 1995, First Special Session chapter 3, articles 1, section 56; 2, section 52; 3, section 11, subdivisions 1, 2, and 5; 4, section 29, subdivision 8; 8, section 25, subdivision 12; 11, section 21, subdivision 3; and 12, section 7, subdivision 1; Laws 1996, chapters 412, article 4, section 34, subdivision 4; and 461, section 3, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121; 124; 124A; 126; 127; 128C; 135A; and 290; repealing Minnesota Statutes 1996, sections 120.105; 120.65; 121.11, subdivision 8; 121.602, subdivisions 3 and 5; 121.904, subdivisions 4c and 4d; 121.912, subdivision 7; 124.155; 124.223; 124.225, subdivisions 3a, 7a, 7b, 7d, 7e, 8a, and 8k; 124.226; 124.2728; 124.276, subdivision 2; 124.312, subdivisions 4 and 5; 124.3201, subdivisions 2a and 2b; 124.912, subdivisions 2 and 3; 124A.02, subdivision 24; 124A.22, subdivisions 4, 4a, and 4b; 124A.26, subdivisions 1a, 2, 3, 4, and 5; 127.31, subdivision 6; 128B.10; 134.34, subdivision 4a; 134.46; 169.4502, subdivision 6; 169.4503, subdivisions 3, 8, 9, 11, 12, and 22; and 169.454, subdivision 11.

Mr. Moe, R.D. moved to amend S.F. No. 1925 as follows:

Page 141, line 19, delete "and" and after "Breckenridge" insert "; 595, East Grand Forks; and other districts affected by the 1997 floods"

Page 141, line 27, after the period, insert "The commissioner may request any necessary information from school districts before awarding a grant."

The motion prevailed. So the amendment was adopted.

Mr. Novak moved to amend S.F. No. 1925 as follows:

Page 38, line 36, delete "\$3,540" and insert "\$3,575"

Page 39, line 2, delete "\$3,575" and insert "\$3,645. School districts with instructor to learner ratios above 1 to 24 in grades kindergarten through 12 must reserve \$20 per pupil unit each year to reduce class sizes"

Pages 49 to 53, delete sections 57 to 64

Page 54, delete section 67

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 26 and nays 36, as follows:

Those who voted in the affirmative were:

Beckman	Johnson, D.H.	Lesewski	Oliver	Vickerman
Belanger	Kelley, S.P.	Marty	Price	Wiger
Betzold	Kelly, R.C.	Metzen	Runbeck	
Cohen	Kleis	Morse	Scheevel	
Dille	Krentz	Neuville	Stevens	
Hanson	Langseth	Novak	Ten Eyck	

Those who voted in the negative were:

Anderson	Janezich	Larson	Piper	Solon
Berglin	Johnson, D.E.	Limmer	Pogemiller	Spear
Day	Johnson, D.J.	Lourey	Ranum	Terwilliger
Flynn	Johnson, J.B.	Moe, R.D.	Robertson	Wiener
Foley	Junge	Olson	Robling	
Frederickson	Kiscaden	Ourada	Sams	
Higgins	Knutson	Pappas	Samuelson	
Hottinger	Laidig	Pariseau	Scheid	

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

Mr. Kelley, S.P. moved to amend S.F. No. 1925 as follows:

Page 38, line 36, delete "\$3,540" and insert "\$3,560"

Page 39, line 2, delete "\$3,575" and insert "\$3,595. A school district's basic formula allowance must be decreased by \$20 if less than 85 percent of the district's students in grade 8 take the basic requirements assessment under section 121.11, subdivision 7c, and (1) the number of students receiving a passing score does not improve by at least three percent; or (2) less than 90 percent of the students taking the assessment receive a passing score"

Page 53, line 8, delete "\$50,000,000" and insert "\$30,000,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 10 and nays 51, as follows:

Those who voted in the affirmative were:

Cohen	Kelly, R.C.	Larson	Morse	Vickerman
Kelley, S.P.	Langseth	Metzen	Novak	Wiger

Those who voted in the negative were:

Anderson	Hottinger	Laidig	Pariseau	Scheid
Belanger	Janezich	Lesewski	Piper	Solon
Berglin	Johnson, D.E.	Limmer	Pogemiller	Spear
Betzold	Johnson, D.H.	Lourey	Price	Stevens
Day	Johnson, D.J.	Marty	Ranum	Ten Eyck
Dille	Johnson, J.B.	Moe, R.D.	Robertson	Terwilliger
Flynn	Junge	Neuville	Robling	Wiener
Foley	Kiscaden	Oliver	Runbeck	
Frederickson	Kleis	Olson	Sams	
Hanson	Knutson	Ourada	Samuelson	
Higgins	Krentz	Pappas	Scheevel	

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

Mr. Knutson moved to amend S.F. No. 1925 as follows:

Page 140, after line 9, insert:

"Sec. 28. [SPECIAL EDUCATION AND SECONDARY VOCATIONAL FACILITIES.]

The commissioner shall review and report on the quality, availability, and accessibility of intermediate school district special education and secondary vocational facilities and shall make recommendations to the legislature concerning alternatives that are cost-effective and in the best interests of the students in such programs."

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Price moved to amend S.F. No. 1925 as follows:

Page 50, line 33, delete "and"

Page 50, after line 33, insert:

"(5) the school is a public school; and"

Page 50, line 34, delete "(5)" and insert "(6)" and delete "through its legal"

Page 50, line 35, delete "governing board"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Kelly, R.C.	Morse	Runbeck
Beckman	Johnson, D.E.	Krentz	Novak	Spear
Belanger	Johnson, D.H.	Langseth	Oliver	Ten Eyck
Betzold	Johnson, J.B.	Lourey	Pappas	Vickerman
Flynn	Junge	Marty	Price	Wiener
Foley	Kelley, S.P.	Metzen	Ranum	Wiger

Those who voted in the negative were:

Berg	Higgins	Larson	Ourada	Samuelson
Berglin	Janezich	Lesewski	Pariseau	Scheevel
Cohen	Johnson, D.J.	Limmer	Piper	Scheid
Day	Kiscaden	Moe, R.D.	Pogemiller	Solon
Dille	Kleis	Murphy	Robertson	Stevens
Frederickson	Knutson	Neuville	Robling	
Hanson	Laidig	Olson	Sams	

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

Mr. Kelly, R.C. moved to amend S.F. No. 1925 as follows:

Page 60, line 36, after the period, insert "The department must report to the education committees of the state legislature by February 15, 1998, on the operation of the wide area transportation service project, including details regarding whether the project is meeting its objectives and any problems related to the service provided by the project."

The motion prevailed. So the amendment was adopted.

Mr. Ourada moved to amend S.F. No. 1925 as follows:

Page 183, delete section 3

Page 222, delete lines 18 to 28

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Beckman	Hanson	Knutson	Neuville	Scheevel
Belanger	Johnson, D.E.	Laidig	Oliver	Stevens
Berg	Kelley, S.P.	Larson	Ourada	Terwilliger
Day	Kelly, R.C.	Lesewski	Price	Wiener
Dille	Kiscaden	Limmer	Robling	Wiger
Frederickson	Kleis	Morse	Runbeck	

Those who voted in the negative were:

Anderson	Hottinger	Lourey	Pariseau	Scheid
Berglin	Janezich	Marty	Piper	Ten Eyck
Betzold	Johnson, D.H.	Moe, R.D.	Pogemiller	Vickerman
Cohen	Johnson, D.J.	Murphy	Ranum	
Flynn	Junge	Novak	Robertson	
Foley	Krentz	Olson	Sams	
Higgins	Langseth	Pappas	Samuelson	

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

Mr. Ourada then moved to amend S.F. No. 1925 as follows:

Page 183, line 2, after the second comma, insert "and with the approval of the school bus safety advisory committee"

The motion prevailed. So the amendment was adopted.

Ms. Ranum moved to amend S.F. No. 1925 as follows:

Page 182, after line 20, insert:

"Sec. 2. [120.1055] [ENTERING GRADE 10 AFTER COMPLETING GRADE 8.]

A district may allow students meeting district criteria to enter grade 10 after completing grade 8. A district allowing students to enter grade 10 after completing grade 8 must establish criteria for students selecting this option. The district must disseminate information regarding the district's policy and criteria for entering grade 10 after grade 8 to the district's students and their parents."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Langseth moved to amend S.F. No. 1925 as follows:

Page 12, line 9, delete "1.08" and insert "1.1"

Page 38, line 36, delete "\$3,540" and insert "\$3,565"

Page 39, line 2, delete "\$3,575" and insert "\$3,610"

Page 53, line 8, delete "\$50,000,000" and insert "\$4,000,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 33, as follows:

Those who voted in the affirmative were:

Beckman	Foley	Kleis	Limmer	Stevens
Belanger	Hanson	Krentz	Marty	Terwilliger
Berg	Hottinger	Laidig	Morse	Vickerman
Betzold	Johnson, D.H.	Langseth	Novak	Wiger
Day	Kelley, S.P.	Larson	Oliver	
Dille	Kelly, R.C.	Lesewski	Price	

Those who voted in the negative were:

Anderson	Johnson, D.E.	Murphy	Pogemiller	Scheevel
Berglin	Johnson, D.J.	Neuville	Ranum	Scheid
Cohen	Johnson, J.B.	Olson	Robertson	Spear
Flynn	Junge	Ourada	Robling	Ten Eyck
Frederickson	Knutson	Pappas	Runbeck	Wiener
Higgins	Lourey	Pariseau	Sams	
Janezich	Moe, R.D.	Piper	Samuelson	

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

Ms. Ranum moved to amend S.F. No. 1925 as follows:

Page 182, delete section 2

Pages 183 and 184, delete section 4

Pages 187 and 188, delete section 10

Page 222, line 30, delete "120.105;"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Mr. Pogemiller imposed a call of the Senate for the balance of the proceedings on S.F. No. 1925. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 21 and nays 41, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laidig	Ranum	Wiger
Berglin	Johnson, D.H.	Lourey	Scheid	
Dille	Junge	Moe, R.D.	Spear	
Foley	Kelley, S.P.	Morse	Terwilliger	
Frederickson	Kelly, R.C.	Novak	Wiener	

Those who voted in the negative were:

Beckman	Higgins	Kleis	Marty	Pappas
Belanger	Hottinger	Knutson	Metzen	Pariseau
Berg	Janezich	Krentz	Murphy	Piper
Betzold	Johnson, D.E.	Langseth	Neuville	Pogemiller
Cohen	Johnson, D.J.	Larson	Oliver	Price
Day	Johnson, J.B.	Lesewski	Olson	Robertson
Flynn	Kiscaden	Limmer	Ourada	Robling

Sams
Samuelson

Scheevel

Stevens

Ten Eyck

Vickerman

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

Mr. Moe, R.D. moved to amend S.F. No. 1925 as follows:

Page 59, after line 25, insert:

"Sec. 79. [FUNDING FOR EARLY CHILDHOOD PROGRAMS.]

School districts must use ten percent of the total revenue received from the state for programs developed to prepare children for school. These programs include, but are not limited to, Head Start, early childhood and family education, and learning readiness."

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Larson moved to amend S.F. No. 1925 as follows:

Page 199, after line 31, insert:

"Sec. 44. [135A.081] [REMEDIAL INSTRUCTION; HIGH SCHOOL DIPLOMA WARRANTY.]

Subdivision 1. [CONDITIONS.] A public post-secondary institution may provide remedial instruction if within 12 months of first enrollment, the institution determines that the student's English language reading or writing ability, or the student's mathematic ability does not rise to the level that is a necessary prerequisite to minimally acceptable comprehension of entry level courses or programs at the institution.

Subd. 2. [CONFIRMATION.] The institution's determination of a student's substandard ability is confirmed if the student scores below 12th grade level in a standardized test in any of the following areas covered by the determination: English language reading comprehension, English language composition, or mathematics.

Subd. 3. [HIGH SCHOOL DIPLOMA WARRANTY COVERAGE.] (a) If a student who graduated from a public high school scores below the 10th grade level on a confirming test, the student's high school shall pay the tuition for the student for all remedial courses in the area covered by the confirming test that the student takes in the first year after the student's graduation from high school. The student's high school shall pay one-half of the tuition for the student for all remedial courses in the area covered by the confirming test that the student takes in the second year after the student's graduation from high school. This subdivision shall apply to students graduating from a public high school on or after May 1, 1999.

(b) The payment of tuition by the public high school shall be waived if the high school can demonstrate, through the results of a standardized test, that the student had attained 10th grade level performance in the area covered by the confirming test prior to graduation.

Subd. 4. [NO CREDITS; STUDENT COSTS.] A post-secondary institution providing remedial instruction under this section must not award credit to a student toward a degree or program completion for remedial instruction provided under this section.

Subd. 5. [JUST CLAIM.] A request for payment for remedial instruction to a student under this section is, under section 123.40, subdivision 1, a just claim against the school district that includes the student's high school."

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Oliver moved to amend S.F. No. 1925 as follows:

Page 147, line 29, after the period, insert "Districts must not require students to pass the basic requirements assessment at a higher standard than the standard set in rules adopted by the state board of education."

The motion prevailed. So the amendment was adopted.

Mr. Limmer moved to amend S.F. No. 1925 as follows:

Page 66, line 32, delete "include" and insert "offer as an option to families"

Page 66, line 33, after "appropriate" insert ", and may provide such services with the consent of the parent or guardian"

The motion prevailed. So the amendment was adopted.

Mr. Langseth moved to amend S.F. No. 1925 as follows:

Page 12, line 9, delete "1.08" and insert "1.1"

Page 38, line 36, delete "\$3,540" and insert "\$3,560"

Page 39, line 2, delete "\$3,575" and insert "\$3,605"

Page 53, line 8, delete "\$50,000,000" and insert "\$9,000,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 33, as follows:

Those who voted in the affirmative were:

Berg	Hottinger	Kleis	Lourey	Price
Betzold	Johnson, D.E.	Knutson	Marty	Stevens
Day	Johnson, D.H.	Krentz	Metzen	Ten Eyck
Dille	Johnson, J.B.	Laidig	Morse	Terwilliger
Foley	Kelley, S.P.	Langseth	Novak	Vickerman
Hanson	Kelly, R.C.	Lesewski	Oliver	Wiger

Those who voted in the negative were:

Anderson	Higgins	Moe, R.D.	Piper	Samuelson
Beckman	Janezich	Murphy	Pogemiller	Scheevel
Belanger	Johnson, D.J.	Neuville	Ranum	Scheid
Berglin	Junge	Olson	Robertson	Spear
Cohen	Kiscaden	Ourada	Robling	Wiener
Flynn	Larson	Pappas	Runbeck	
Frederickson	Limmer	Pariseau	Sams	

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

Ms. Olson moved to amend S.F. No. 1925 as follows:

Page 182, after line 20, insert:

"Sec. 2. Minnesota Statutes 1996, section 120.0111, is amended to read:

120.0111 [MISSION STATEMENT.]

The mission of public education in Minnesota, a system for lifelong learning, is to ensure individual academic achievement, an informed citizenry, and a highly productive work force. This system focuses on the learner, promotes and values diversity, provides participatory decision-making, ensures accountability, models democratic principles, creates and sustains a

climate for change, provides personalized learning environments, encourages learners to reach their maximum potential, and integrates and coordinates human services for learners. The public schools of this state shall serve the needs of the students by cooperating with the students' parents and legal guardians to develop the students' intellectual capabilities and life-work skills in a safe and positive environment. It is part of the department's mission that within the department's resources the commissioner shall endeavor to:

- (1) prevent the waste or unnecessary spending of public money;
- (2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;
- (3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;
- (4) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;
- (5) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;
- (6) include specific objectives in the performance report required under section 15.91 to increase the efficiency of agency operations, when appropriate; and
- (7) recommend to the legislature, in the performance report of the department required under section 15.91, appropriate changes in law necessary to carry out the mission of the department."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Ourada moved to amend S.F. No. 1925 as follows:

Page 149, line 20, after the period, insert "If no agreement is reached within 60 days of the initial request, an education site may appeal the board's denial of its request to the commissioner."

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

RECONSIDERATION

Having voted on the prevailing side, Mr. Cohen moved that the vote whereby the Price amendment to S.F. No. 1925 was not adopted on April 23, 1997, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 30 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Kelly, R.C.	Metzen	Spear
Beckman	Johnson, D.E.	Krentz	Morse	Ten Eyck
Berglin	Johnson, D.H.	Laidig	Novak	Terwilliger
Betzold	Johnson, J.B.	Langseth	Pappas	Vickerman
Cohen	Junge	Lourey	Price	Wiener
Foley	Kelley, S.P.	Marty	Ranum	Wiger

Those who voted in the negative were:

Belanger	Day	Flynn	Hanson	Janezich
Berg	Dille	Frederickson	Higgins	Johnson, D.J.

Kleis	Moe, R.D.	Ourada	Robling	Scheid
Knutson	Murphy	Pariseau	Runbeck	Stevens
Larson	Neuville	Piper	Sams	
Lesewski	Oliver	Pogemiller	Samuelson	
Limmer	Olson	Robertson	Scheevel	

The motion did not prevail. So the vote was not reconsidered.

S.F. No. 1925 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 47 and nays 16, as follows:

Those who voted in the affirmative were:

Beckman	Higgins	Larson	Ourada	Scheevel
Belanger	Hottinger	Lesewski	Pappas	Scheid
Berg	Janezich	Limmer	Pariseau	Spear
Berglin	Johnson, D.E.	Lourey	Piper	Stevens
Cohen	Johnson, D.J.	Moe, R.D.	Pogemiller	Ten Eyck
Day	Johnson, J.B.	Morse	Ranum	Vickerman
Dille	Junge	Murphy	Robertson	Wiger
Flynn	Kelly, R.C.	Neuville	Robling	
Frederickson	Kiscaden	Oliver	Sams	
Hanson	Knutson	Olson	Samuelson	

Those who voted in the negative were:

Anderson	Kelley, S.P.	Laidig	Metzen	Runbeck
Betzold	Kleis	Langseth	Novak	Terwilliger
Foley	Krentz	Marty	Price	Wiener
Johnson, D.H.				

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

Mr. Moe, R.D. moved that S.F. No. 1925 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 473, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 473 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 23, 1997

CONFERENCE COMMITTEE REPORT ON H.F. NO. 473

A bill for an act relating to metropolitan government; permitting the metropolitan council to operate preventive health and employee recognition programs; amending Minnesota Statutes 1996, section 473.129, by adding a subdivision.

April 14, 1997

The Honorable Phil Carruthers
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H.F. No. 473, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 473 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1996, section 473.129, is amended by adding a subdivision to read:

Subd. 10. [EMPLOYEE HEALTH AND WELLNESS.] The council may provide a program for health and wellness services for council employees and provide necessary staff, funds, equipment, and facilities.

Sec. 2. [APPLICATION.]

Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to metropolitan government; permitting the metropolitan council to provide a program for health and wellness services for council employees; amending Minnesota Statutes 1996, section 473.129, by adding a subdivision."

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

House Conferees: (Signed) Satveer Chaudhary, Edwina Garcia, Harry Mares

Senate Conferees: (Signed) Charles W. Wiger, Claire A. Robling, Linda I. Higgins

Mr. Wiger moved that the foregoing recommendations and Conference Committee Report on H.F. No. 473 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 473 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Anderson	Hanson	Kleis	Morse	Runbeck
Beckman	Higgins	Knutson	Murphy	Sams
Belanger	Hottinger	Krentz	Neuville	Samuelson
Berg	Janezich	Laidig	Novak	Scheevel
Berglin	Johnson, D.E.	Langseth	Olson	Scheid
Betzold	Johnson, D.H.	Larson	Ourada	Spear
Cohen	Johnson, D.J.	Lesewski	Pappas	Stevens
Day	Johnson, J.B.	Limmer	Piper	Ten Eyck
Dille	Junge	Lourey	Price	Terwilliger
Flynn	Kelley, S.P.	Marty	Ranum	Vickerman
Foley	Kelly, R.C.	Metzen	Robertson	Wiener
Frederickson	Kiscaden	Moe, R.D.	Robling	Wiger

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

MEMBERS EXCUSED

Mr. Lessard was excused from the Session of today. Messrs. Beckman, Knutson and Terwilliger were excused from the Session of today from 8:00 to 8:45 a.m. Mr. Metzen was excused from the Session of today from 10:45 to 11:30 a.m. Mr. Berg was excused from the Session of today from 10:45 a.m. to 12:40 p.m. Mrs. Fischbach was excused from the Session of today at 11:00 a.m. Mr. Solon was excused from the Session of today at 12:40 p.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Thursday, April 24, 1997. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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