

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 2000

 NINETY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 20, 2000

The House of Representatives convened at 1:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Valerie Brown-Greenly, Faith Lutheran Church, Coon Rapids, Minnesota.

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

The roll was called and the following members were present:

Abeler	Dorman	Holberg	Lieder	Ozment	Storm
Abrams	Dorn	Holsten	Lindner	Paulsen	Swapinski
Anderson, B.	Entenza	Howes	Luther	Pawlenty	Swenson
Anderson, I.	Erhardt	Huntley	Mahoney	Paymar	Sykora
Bakk	Erickson	Jaros	Mares	Peterson	Tingelstad
Biernat	Finseth	Jennings	Mariani	Pugh	Tomassoni
Bishop	Folliard	Johnson	Marko	Rest	Trimble
Boudreau	Fuller	Juhnke	McCollum	Reuter	Tuma
Bradley	Gerlach	Kahn	McElroy	Rhodes	Van Dellen
Broecker	Gleason	Kalis	McGuire	Rifenberg	Vandever
Buesgens	Goodno	Kelliher	Milbert	Rostberg	Wagenius
Carlson	Gray	Kielkucki	Molnau	Rukavina	Wejzman
Carruthers	Greenfield	Knoblach	Mulder	Schumacher	Wenzel
Cassell	Greiling	Koskinen	Mullery	Seagren	Westerberg
Chaudhary	Gunther	Krinkie	Murphy	Seifert, J.	Westfall
Clark, J.	Haake	Kubly	Ness	Seifert, M.	Westrom
Clark, K.	Haas	Kuisle	Nornes	Skoe	Wilkin
Daggett	Hackbarth	Larsen, P.	Olson	Skoglund	Wolf
Davids	Harder	Larson, D.	Opatz	Smith	Workman
Dawkins	Hasskamp	Leighton	Orfield	Solberg	Spk. Sviggum
Dehler	Hausman	Lenczewski	Osskopp	Stanek	
Dempsey	Hilty	Leppik	Osthoff	Stang	

A quorum was present.

Otremba, Pelowski, Tunheim and Winter were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Bakk moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 624 and H. F. No. 465, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ozment moved that the rules be so far suspended that S. F. No. 624 be substituted for H. F. No. 465 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2473 and H. F. No. 2527, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Biernat moved that the rules be so far suspended that S. F. No. 2473 be substituted for H. F. No. 2527 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2615 and H. F. No. 2945, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Sykora moved that the rules be so far suspended that S. F. No. 2615 be substituted for H. F. No. 2945 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2742 and H. F. No. 3517, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Biernat moved that the rules be so far suspended that S. F. No. 2742 be substituted for H. F. No. 3517 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2794 and H. F. No. 3519, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Biernat moved that the rules be so far suspended that S. F. No. 2794 be substituted for H. F. No. 3519 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2827 and H. F. No. 3694, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Holberg moved that the rules be so far suspended that S. F. No. 2827 be substituted for H. F. No. 3694 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2868 and H. F. No. 3048, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nornes moved that the rules be so far suspended that S. F. No. 2868 be substituted for H. F. No. 3048 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2905 and H. F. No. 3152, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kuisle moved that S. F. No. 2905 be substituted for H. F. No. 3152 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2989 and H. F. No. 3347, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Gleason moved that the rules be so far suspended that S. F. No. 2989 be substituted for H. F. No. 3347 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3138 and H. F. No. 3554, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Anderson, B., moved that the rules be so far suspended that S. F. No. 3138 be substituted for H. F. No. 3554 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3139 and H. F. No. 2968, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Mullery moved that the rules be so far suspended that S. F. No. 3139 be substituted for H. F. No. 2968 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3283 and H. F. No. 3555, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Westerberg moved that S. F. No. 3283 be substituted for H. F. No. 3555 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3379 and H. F. No. 2761, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rostberg moved that the rules be so far suspended that S. F. No. 3379 be substituted for H. F. No. 2761 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 2481, A bill for an act relating to government data practices; providing for electronic copies of data; limiting authority of local governments to disseminate private or confidential data; prohibiting monitoring of citizens requesting access to public data; requiring government entities to have a data practices compliance official; providing for administrative remedies; amending Minnesota Statutes 1998, sections 13.03, subdivision 5; and 13.05, subdivision 3, and by adding subdivisions; Minnesota Statutes 1999 Supplement, section 13.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

McElroy from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 2797, A bill for an act relating to economic development; regulating eligibility of farmers for the dislocated worker program; amending Minnesota Statutes 1999 Supplement, section 268.975, subdivision 3.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

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 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; amending Minnesota Statutes 1998, sections 161.32, by adding a subdivision; 168.27, subdivision 8; 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; and 221.0252, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 161; 174; and 462.

Reported the same back with the following amendments:

Page 5, line 31, delete "on" and insert "within the seven-county metropolitan area"

Page 5, delete line 32

Page 5, line 33, delete "bounded by those highways"

Page 6, line 1, delete everything after "highways" and insert "outside the seven-county metropolitan area"

Page 6, line 2, delete "494 and 694"

Page 12, after line 1, insert:

"Sec. 5. Minnesota Statutes 1999 Supplement, section 174.86, subdivision 2, is amended to read:

Subd. 2. [PHYSICAL DESIGN COMPONENT; LOCAL PARTICIPATION.] At least 30 days before the hearing under subdivision 1, the commissioner shall submit the physical design component of the advanced corridor plan to the governing body of each statutory and home rule charter city, county, and town in which the route is to be located. Within 45 days after the hearing under subdivision 1, the city, county, or town shall review and comment on the plan. Within 45 days of the hearing, a city or town shall approve or disapprove the ~~location and design of the station~~ physical design component for the route to be located in the city or town. A city or town that disapproves shall describe specific amendments to the plan that, if adopted, would cause the city or town to withdraw its disapproval. Failure to comment in writing within 45 days after the hearing is deemed to be accepted unless an extension of time is agreed to by the metropolitan planning organization and the commissioner of transportation. If one or more cities disapproves of the physical design component for the route the commissioner may adopt the cities' proposed amendments to the physical design component or may proceed as provided in subdivision 2a.

Sec. 6. Minnesota Statutes 1999 Supplement, section 174.86, is amended by adding a subdivision to read:

Subd. 2a. [APPEAL BOARD.] (a) If the governing body of a city to which a physical design component has been submitted under subdivision 2, disapproves the physical design component within the period allowed under subdivision 2, and the commissioner decides not to adopt the city's proposed amendments to the physical design component, an appeal board of three members shall be appointed. One of the members must be appointed by the governor and one by the governing body of the disapproving city. If more than one city had disapproved the physical design component the governing body of each such city shall, jointly by resolution, appoint one member. The two members so appointed shall appoint the third member. If the two members cannot agree on a third member within 30 days after the second member has been appointed, the chief justice of the supreme court shall appoint the third member on application of the commissioner after five days' notice to the first two members. The appeal board shall select a chair from its members.

(b) The appeal board shall, on notice to the commissioner and the affected cities, hold an appeal hearing on the physical design component as proposed by the commissioner, and alternates presented by the disapproving city or cities. The board shall take into consideration all aspects of the physical design component of the advanced corridor plan. After considering all the evidence in the record, the appeal board shall issue an order approving the commissioner's proposed physical design component or one of the alternatives. The appeal board shall be limited in its ruling to any previously submitted physical design component of the commissioner or an alternate presented by the city or cities in response to the commissioner. A copy of the order and a memorandum setting forth the reasons therefor shall be filed with the secretary of state, and shall be mailed to the commissioner and each affected city and metropolitan planning organization. The commissioner may proceed with construction of the commuter rail facility only in accordance with the order of the appeal board.

(c) The investigatory powers, compensation, and payment of expenses of an appeal board established under this subdivision shall be as provided for a highway appeal board under section 161.176."

Page 17, line 21, delete "13" and insert "11 and 13 to 15"

Page 17, line 22, after the period, insert "Section 12 is effective July 1, 2001."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 19, after the semicolon, insert "providing for commuter rail plan dispute resolution;"

Page 1, line 37, delete "and" and insert "174.86, subdivision 2, and by adding a subdivision; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 2942, A bill for an act relating to consumer protection; regulating telephone sales calls; requiring telephone solicitors to register with the secretary of state; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Page 2, after line 18, insert:

""Unsolicited telephone sales call" does not include a call that the solicitor intends to make to a person covered by clauses (1) to (3), but which is unintentionally made to another person."

Page 2, line 23, after "devices" insert ", but not including electronic mail"

Page 3, line 13, after the semicolon, insert "and"

Page 3, line 16, delete "; and" and insert a period

Page 3, delete line 17

Page 3, line 20, delete "and pay a fee of" and insert a period

Page 3, delete line 21

Page 3, line 28, after "solicitor" insert "is registered to do business in Minnesota and"

Page 3, line 30, after "section" insert "and a consumer submits a written complaint to the secretary of state"

Page 3, line 34, delete "fine" and insert "late registration fee"

Page 4, line 1, delete "fine" and insert "additional late fee"

Page 4, after line 33, insert:

"Sec. 8. [EFFECTIVE DATE.]

Sections 2 to 6 are effective January 1, 2001."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

H. F. No. 3208, A bill for an act relating to property; clarifying treatment of certain residential real estate held in trust; making certain appeal periods consistent; changing provisions of the Uniform Probate Code; amending Minnesota Statutes 1998, sections 501B.21; 524.2-513; 524.3-1203, subdivision 5; and 525.712; Minnesota Statutes 1999 Supplement, section 273.124, subdivision 1.

Reported the same back with the following amendments:

Pages 1 to 5, delete section 1

Page 8, line 26, delete "3" and insert "2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before "making"

Page 1, line 7, delete "; Minnesota Statutes 1999"

Page 1, line 8, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 3800, A bill for an act relating to education; kindergarten through grade 12; providing for general education; special programs; employment and transitions; facilities and technology; educational excellence and other policy; nutrition; fund transfers; libraries; state agencies; and technical, conforming, and clarifying amendments; appropriating money; amending Minnesota Statutes 1998, sections 120A.22, subdivision 3; 120A.41; 121A.61, subdivision 3; 122A.18, subdivision 2; 122A.31, subdivision 4; 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.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.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; 136D.281, subdivision 4; 136D.741, subdivision 4; 136D.88, subdivision 4; 471.15; 475.53, subdivision 4; Minnesota Statutes 1999 Supplement, sections 122A.09, subdivision 4; 123B.53, subdivisions 4 and 6; 123B.54; 124D.10, subdivisions 3, 4, 6, 8, 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.65, subdivision 4; 124D.84, subdivision 1; 124D.86, subdivisions 1 and 3; 124D.87; 125A.023, subdivisions 3 and 5; 125A.08; 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; and 181A.04, subdivision 6; Laws 1997, First Special Session chapter 4, article 8, section 4, as amended; Laws 1999, 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; and 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 121A; 122A; 123B; 125B; and 134; repealing Minnesota Statutes 1998, sections 123B.59, subdivision 7; 126C.30; 126C.31; 126C.32; 126C.33; 126C.34; 126C.35; 126C.36; 136D.281, subdivision 8; 136D.741, subdivision 8; 136D.88, subdivision 8; Laws 1999, chapter 216, article 4, section 12; chapter 241, articles 1, section 64; 9, sections 35 and 36; and 10, section 5; chapter 245, article 4, section 3; Minnesota Rules, part 3535.9920.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

FAMILY AND EARLY CHILDHOOD EDUCATION

Section 1. Minnesota Statutes 1999 Supplement, section 119B.011, subdivision 20, is amended to read:

Subd. 20. [TRANSITION YEAR FAMILIES.] "Transition year families" means families who have received MFIP assistance, or who were eligible to receive MFIP assistance after choosing to discontinue receipt of the cash portion of MFIP assistance under section 256J.31, subdivision 12, for at least three of the last six months before losing eligibility for MFIP ~~due to increased income from employment or child or spousal support~~ or families participating in work first under chapter 256K who meet the requirements of section 256K.07. Transition year child care may be used to support employment or job search. Transition year child care is not available to families who have been disqualified from MFIP due to fraud.

Sec. 2. [124D.515] [ADULT BASIC EDUCATION AID DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 124D.52 to 124D.531.

Subd. 2. [CONTACT HOURS.] "Contact hours" means the number of hours during which a student was engaged in learning activities provided by an approved adult education program. Contact hours excludes homework, but includes interactive distance learning. The commissioner may reallocate contact hours among programs to adjust for changes in program membership between the first prior program year and the current program year. For fiscal year 2000, the commissioner may assign contact hours to a program providing statewide supplemental services.

Subd. 3. [FIRST PRIOR PROGRAM YEAR.] "First prior program year" means the period from May 1 of the second prior fiscal year through April 30 of the first prior fiscal year.

Subd. 4. [UNREIMBURSED EXPENSES.] "Unreimbursed expenses" means allowable adult basic education expenses of a program that are not covered by payments from federal or private for-profit sources.

Sec. 3. Minnesota Statutes 1998, section 124D.52, subdivision 1, is amended to read:

Subdivision 1. [PROGRAM REQUIREMENTS.] An adult basic education program is a day or evening program offered by a district that is for people over 16 years of age who do not attend an elementary or secondary school. The program offers academic instruction necessary to earn a high school diploma or equivalency certificate. Tuition and fees may not be charged to a learner for instruction paid under this section, except for a security deposit to assure return of materials, supplies, and equipment.

Each approved adult basic education program must develop a memorandum of understanding with the local workforce development centers located in the approved program's service delivery area. The memorandum of understanding must describe how the adult basic education program and the workforce development centers will cooperate and coordinate services to provide unduplicated, efficient, and effective services to clients.

Sec. 4. Minnesota Statutes 1998, section 124D.52, subdivision 2, is amended to read:

Subd. 2. [PROGRAM APPROVAL.] (a) To receive aid under this section, a district, a consortium of districts, or a private nonprofit organization must submit an application by June 1 describing the program, on a form provided by the department. The program must be approved by the commissioner according to the following criteria:

- (1) how the needs of different levels of learning will be met;
- (2) for continuing programs, an evaluation of results;
- (3) anticipated number and education level of participants;
- (4) coordination with other resources and services;
- (5) participation in a consortium, if any, and money available from other participants;
- (6) management and program design;
- (7) volunteer training and use of volunteers;
- (8) staff development services;
- (9) program sites and schedules; ~~and~~
- (10) program expenditures that qualify for aid;
- (11) program ability to provide data related to learner outcomes as required by law; and
- (12) a copy of the memorandum of understanding described in subdivision 1 submitted to the commissioner.

~~(b) The commissioner may grant adult basic education funds to a private, nonprofit organization to provide services that are not offered by a district or that are supplemental to a district's program. The program provided under this provision must be approved and funded according to the same criteria used for district programs.~~

(⇌) Adult basic education programs may be approved under this subdivision for up to five years. Five-year program approval must be granted to an applicant who has demonstrated the capacity to:

(1) offer comprehensive learning opportunities and support service choices appropriate for and accessible to adults at all basic skill need levels;

(2) provide a participatory and experiential learning approach based on the strengths, interests, and needs of each adult, that enables adults with basic skill needs to:

(i) identify, plan for, and evaluate their own progress toward achieving their defined educational and occupational goals;

(ii) master the basic academic reading, writing, and computational skills, as well as the problem-solving, decision making, interpersonal effectiveness, and other life and learning skills they need to function effectively in a changing society;

(iii) locate and be able to use the health, governmental, and social services and resources they need to improve their own and their families' lives; and

(iv) continue their education, if they desire, to at least the level of secondary school completion, with the ability to secure and benefit from continuing education that will enable them to become more employable, productive, and responsible citizens;

(3) plan, coordinate, and develop cooperative agreements with community resources to address the needs that the adults have for support services, such as transportation, flexible course scheduling, convenient class locations, and child care;

(4) collaborate with business, industry, labor unions, and employment-training agencies, as well as with family and occupational education providers, to arrange for resources and services through which adults can attain economic self-sufficiency;

(5) provide sensitive and well trained adult education personnel who participate in local, regional, and statewide adult basic education staff development events to master effective adult learning and teaching techniques;

(6) participate in regional adult basic education peer program reviews and evaluations; ~~and~~

(7) submit accurate and timely performance and fiscal reports; and

(8) submit accurate and timely reports related to program outcomes and learner follow-up information.

(c) The commissioner shall require each district to provide notification by February 1, 2001, of its intent to apply for funds under this section as a single district or as part of an identified consortium of districts. A district receiving funds under this section must notify the commissioner by February 1 of its intent to change its application status for applications due the following June 1.

Sec. 5. Minnesota Statutes 1998, section 124D.52, subdivision 3, is amended to read:

Subd. 3. [ACCOUNTS; REVENUE; AID.] Each district, group of districts, or private nonprofit organization providing adult basic education programs must establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these programs. All revenue received pursuant to

this section must be utilized solely for the purposes of adult basic education programs. ~~Federal and State aid plus levy~~ must not equal more than 100 percent of the ~~actual cost~~ unreimbursed expenses of providing these programs, excluding in-kind costs.

Sec. 6. Minnesota Statutes 1998, section 124D.52, is amended by adding a subdivision to read:

Subd. 6. [COOPERATIVE ENGLISH AS A SECOND LANGUAGE AND ADULT BASIC EDUCATION PROGRAMS.] (a) A school district, or adult basic education consortium that receives revenue under section 124D.531 may deliver English as a second language, citizenship, or other adult education programming in collaboration with community-based and nonprofit organizations located within its district or region, and with correctional institutions. The organization or correctional institution must have the demonstrated capacity to offer education programs for adults. Community-based or nonprofit organizations must meet the criteria in paragraph (b). A community-based or nonprofit organization or a correctional institution may be reimbursed for unreimbursed expenses as defined in section 124D.515, subdivision 4, for the administration of English as a second language or adult basic education programs, not to exceed eight percent of the total funds provided by a school district or adult basic education consortium. The administrative reimbursement for a school district or adult basic education consortium that delivers services cooperatively with a community-based or nonprofit organization or correctional institution is limited to eight percent of the program aid not to exceed the unreimbursed expenses of administering programs delivered by community-based or nonprofit organizations or correctional institutions.

(b) A community-based organization or nonprofit organization that delivers education services under this section must demonstrate that it has met the following criteria:

(1) be legally established as a nonprofit organization;

(2) have an established system for fiscal accounting and reporting that is consistent with the department of children, families, and learning's adult basic education completion report and reporting requirements under section 124D.531;

(3) require all instructional staff to complete a training course in teaching adult learners; and

(4) develop a learning plan for each student that identifies defined educational and occupational goals with measures to evaluate progress.

Sec. 7. Minnesota Statutes 1998, section 124D.52, is amended by adding a subdivision to read:

Subd. 7. [PERFORMANCE ACCOUNTABILITY SYSTEM.] A performance accountability system is created to assess the effectiveness of adult basic education programs. The following core indicators must be included in the accountability system:

(1) demonstrated improvements in literacy skill levels in reading, writing, and speaking the English language, numeracy, problem-solving, English language acquisition, and other literacy skills;

(2) placement in, retention in, or completion of post-secondary education, training, unsubsidized employment or career advancement; and

(3) receipt of a secondary school diploma or its recognized equivalent.

A district, group of districts, state agency, or private nonprofit organization providing an adult basic education program must request each learner to provide the learner's social security number. When a learner in such a program is requested to provide the learner's social security number, the learner must be notified in a form easily understandable to the learner that (i) providing the social security number is optional, and (ii) if the learner provides the social security number it will be used to assess the effectiveness of the program by tracking the learner's subsequent career. The learner must be notified that the social security number will be shared with the department of children, families, and learning and the department of economic security in order to accomplish this purpose.

Each quarter, a district, group of districts, state agency, or private nonprofit organization providing programs under this section must forward social security numbers it receives from learners to the department of children, families, and learning. For the purposes of longitudinal studies on the employment status of former learners under this section, the department of children, families, and learning must forward the social security numbers to the department of economic security to electronically match the social security numbers of former learners with wage detail reports filed under section 268.044.

The results of data matches must, for purposes of this section and consistent with the requirements of United States Code, title 29, section 2871, of the Workforce Investment Act of 1998, be compiled in longitudinal form by the department of economic security and released to the department of children, families, and learning in the form of summary data that does not identify the individual learners. The department of children, families, and learning may release this summary data. Funding for adult basic education programs must not be based on the number or percentage of learners who decline to provide their social security numbers.

Sec. 8. [124D.521] [ADULT BASIC EDUCATION POLICY REVIEW BOARD.]

Subdivision 1. [ESTABLISHMENT.] A nine member adult basic education policy review board is established to advise the commissioner on program and funding policies for adult basic education programs that receive aid under section 124D.531. The commissioner shall appoint board members to two-year terms beginning in October 2000. Members do not receive per diem or reimbursement for expenses. At a minimum, the board must hold two meetings a year. All other matters of the board's operation, except expiration of the board under subdivision 4, are governed by section 15.069.

Subd. 2. [MEMBERSHIP.] Seven members are appointed from a list of candidates provided to the commissioner by the Minnesota community education association and Literacy Minnesota by August 15 of the even-numbered years. At a minimum, the list must have four recommended candidates from rural adult basic education programs, four from suburban adult basic education programs, four from urban adult basic education programs, and two candidates from nonprofit organizations that provide adult basic education services or provide support services to adult basic education programs. The commissioner must appoint two members of the board from rural programs, two members from suburban programs, two members from urban programs, and one member from the nonprofit group. The commissioner may appoint one former adult basic education learner and one current adult basic education learner to the board. Members of the legislature and representatives of other concerned groups may be included as ex officio members of the board.

Subd. 3. [DUTIES.] The policy review board must:

(1) advise the commissioner on 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) advise the commissioner on adult basic education standard policies and procedures;

(3) advise the commissioner on the adult basic education curriculum and course offerings including policies to offer computer literacy and other skill-based education through adult basic education programs;

(4) advise the commissioner on outcome-based adult basic education funding system that rewards and recognizes student progress in attaining educational goals; and

(5) review statewide grant applications for supplemental services under section 124D.522.

Subd. 4. [EXPIRATION.] The adult basic education policy review board expires on September 30, 2003.

Sec. 9. [124D.522] [ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE GRANTS.]

(a) The commissioner in consultation with the policy review board under section 124D.521, may make grants to nonprofit organizations to provide services that are not offered by a district adult basic education program or that are supplemental to either the statewide adult basic education program or a district's adult basic education program. The commissioner may make grants for:

- (1) staff development for adult basic education teachers and administrators;
- (2) training for volunteer tutors;
- (3) training, services, and materials for serving disabled students through adult basic education programs;
- (4) statewide promotion of adult basic education services and programs;
- (5) development and dissemination of instructional and administrative technology for adult basic education programs;
- (6) adult basic education distance learning projects including television instruction programs;
- (7) programming at correctional institutions; and
- (8) other supplemental services to support the mission of adult basic education and innovative delivery of adult basic education services.

(b) The commissioner must establish eligibility criteria and grant application procedures. Grants under this section must support services throughout the state, focus on educational results for adult learners, and promote outcome-based achievement through adult basic education programs. The commissioner may make grants under this section from funds specifically appropriated for supplemental service grants. A grant to a single organization must be for two years or less and cannot exceed \$200,000 a year. Nothing in this section prevents an approved adult basic education program from using state or federal aid to purchase supplemental services. Twenty-five percent of the appropriation for supplemental service grants must be used for grants for adult basic education programs to encourage and support innovations in adult basic education instruction and service delivery.

Sec. 10. Minnesota Statutes 1999 Supplement, section 124D.53, subdivision 3, is amended to read:

Subd. 3. [AID.] For fiscal year 2000, adult basic education aid for each approved program equals \$2,295 for fiscal year 2000 and \$2,338 for fiscal year 2001 and later fiscal years \$1,767 times the number of full-time equivalent students in its adult basic education program during the first prior program year.

Sec. 11. [124D.531] [ADULT BASIC EDUCATION AID.]

Subdivision 1. [STATE TOTAL ADULT BASIC EDUCATION AID.] (a) The state total adult basic education aid for fiscal year 2001 equals \$30,047,000. The state total adult basic education aid for later years equals:

- (1) the state total adult basic education aid for the preceding fiscal year; times
- (2) the lesser of (i) 1.05, or (ii) the greater of 1.00 or the ratio of the state total contact hours in the first prior program year to the state total contact hours in the second prior program year.

(b) The state total adult basic education aid excluding basic population aid equals the difference between the amount computed in paragraph (a) and the state total basic population aid under subdivision 2.

Subd. 2. [BASIC POPULATION AID.] A district is eligible for basic population aid if the district has a basic service level approved by the commissioner under section 124D.52, subdivision 5, or is a member of a consortium with an approved basic service level. Basic population aid is equal to the greater of \$4,000 or \$1.80 times the population of the district. District population is determined according to section 275.14.

Subd. 3. [PROGRAM REVENUE.] Adult basic education programs established under section 124D.52 and approved by the commissioner are eligible for revenue under this subdivision. For fiscal year 2001 and later, adult basic education revenue for each approved program equals the sum of:

(1) the basic population aid under subdivision 2 for districts participating in the program during the current program year, plus

(2) 84 percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the contact hours for students participating in the program during the first prior program year to the state total contact hours during the first prior program year, plus

(3) six percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the enrollment of students with limited English proficiency during the prior school year in districts participating in the program during the current program year to the state total enrollment of students with limited English proficiency during the prior school year in districts participating in adult basic education programs during the current program year, plus

(4) six percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the latest federal census count of the number of adults aged 20 or above with no diploma residing in the districts participating in the program during the current program year to the latest federal census count of the state total number of adults aged 20 or above with no diploma residing in the districts participating in adult basic education programs during the current program year, plus

(5) four percent times the amount computed in subdivision 1, paragraph (b), times the ratio of the number of high school drop outs in the second prior school year from school districts participating in the program during the current program year to the state total number of high school drop outs in the second prior school year from school districts participating in the program during the current program year.

Subd. 4. [ADULT BASIC EDUCATION PROGRAM AID LIMIT.] (a) Notwithstanding subdivisions 2 and 3, the total adult basic education aid for a program per prior year contact hour must not exceed four times the rate per prior year contact hour computed under subdivision 3, clause (2), except that, for a program with four or more member school districts and fewer than 2,000 contact hours, the total adult basic education aid per prior year contact hour must not exceed ten times the rate per prior year contact hour computed under subdivision 3, clause (2).

(b) For fiscal year 2002 and later, the aid for a program under subdivision 3, clause (2), adjusted for changes in program membership, must not exceed the aid for that program under subdivision 3, clause (2), for the first preceding fiscal year by more than the greater of 10 percent or \$20,000.

Subd. 5. [AID GUARANTEE.] Notwithstanding subdivisions 1, 3, and 4, for fiscal year 2001, any adult basic education program qualifying for aid under this section, that receives less state aid than in fiscal year 2000 must receive additional aid equal to the difference between its fiscal year 2000 aid and its fiscal year 2001 aid.

Subd. 6. [PAYMENT OF AID TO FISCAL AGENT.] (a) Except as provided in paragraph (b), adult basic education aid must be paid directly to the fiscal agent of each approved program. An approved program must have only one fiscal agent.

(b) A district that is part of a consortium may request direct payment of basic population aid under subdivision 2. The district must make a written request to the commissioner by June 15 for aid payments the following fiscal year. The request must include certification that:

(1) the district will deposit direct aid payments in a separate adult basic education account; and

(2) the district will use direct aid payments only for adult basic education instruction.

Subd. 7. [PROGRAM AUDIT.] Programs that receive aid under this section must maintain records that support the aid payments. The commissioner may audit these records upon request. The commissioner must establish procedures for conducting fiscal audits of adult basic education programs. Beginning with fiscal year 2001, the commissioner must, at a minimum, audit five adult education programs each year. The programs must be selected from a list of all programs that receive aid under this section organized by the number of hours of instruction in the prior fiscal year. Each year the audited programs must include one program with 100,000 or more hours of instruction, one program with 50,000 to 100,000 hours of instruction, and three programs with less than 50,000 hours of instruction. The commissioner must establish procedures to reconcile any discrepancies between aid payments based on information reported to the commissioner and aid estimates based on a program audit.

Subd. 8. [FISCAL REPORTS.] Programs that receive aid under this section must submit an annual report to the commissioner that includes revenue and expense reports for each district and provider in the program including instructional services offered in partnership with businesses and nonprofit organizations.

Sec. 12. Minnesota Statutes 1998, section 245A.14, subdivision 4, is amended to read:

Subd. 4. [SPECIAL FAMILY DAY CARE HOMES.] Nonresidential child care programs serving 14 or fewer children that are conducted at a location other than the license holder's own residence shall be licensed under this section and the rules governing family day care or group family day care if:

(a) the license holder is the primary provider of care and the nonresidential child care program is conducted in a dwelling that is located on a residential lot; ~~or~~

(b) the license holder is an employer who may or may not be the primary provider of care, and the purpose for the child care program is to provide child care services to children of the license holder's employees; or

(c) the license holder is a church or religious organization.

Sec. 13. Minnesota Statutes 1998, section 245A.14, is amended by adding a subdivision to read:

Subd. 8. [EXPERIENCED AIDES; CHILD CARE CENTERS.] (a) An individual employed as an aide at a child care center may work with children without being directly supervised for up to 25 percent of the individual's daily work shift if:

(1) a teacher is in the building;

(2) the individual has received first aid training within the last three years; and

(3) the individual has at least 4,160 hours of child care experience as defined in Minnesota Statutes, section 245A.02, subdivision 6b.

(b) The use of an experienced aide working without direct supervision under paragraph (a) is limited to 25 percent of each classroom's daily hours of operation.

(c) A child care center that uses experienced aides under this subdivision must notify the commissioner once per year. The notification must indicate the approximate number of hours per classroom per month that this subdivision is used. Upon enrollment and once each year, child care centers must report to parents or guardians if they use experienced aides under this subdivision.

(d) This subdivision sunsets June 30, 2003.

Sec. 14. Minnesota Statutes 1998, section 245A.14, is amended by adding a subdivision to read:

Subd. 9. [INSERVICE TRAINING; CHILD CARE CENTERS.] (a) A teacher at a child care center must complete one percent of working hours of inservice training annually if the teacher:

(1) possesses a baccalaureate or masters degree in early childhood education, or school age care;

(2) is licensed in Minnesota as a prekindergarten teacher, an early childhood educator, a kindergarten to sixth grade teacher with a prekindergarten specialty, an early childhood special education teacher, or an elementary teacher with a kindergarten endorsement; or

(3) possesses a baccalaureate degree with a Montessori certificate.

(b) A teacher or assistant teacher at a child care center must complete 1-1/2 percent of working hours of inservice training annually if the individual is:

(1) a registered nurse or licensed practical nurse with experience working with infants;

(2) possesses a Montessori certificate, a technical college certificate, or a child development associate certificate; or

(3) possesses an associate of arts degree in early childhood education, a baccalaureate degree in child development, or a technical college diploma.

(c) Except as provided in paragraphs (a) and (b), all other teachers, assistant teachers, or aides must have two percent of working hours of inservice training annually.

(d) The number of required training hours may be prorated for individuals not employed full time or for an entire year. This subdivision supersedes Minnesota Rules, part 9503.0035, subpart 4, item B, for teachers, assistant teachers, and aides. The remainder of Minnesota Rules, part 9503.0035, subpart 4, remains in effect unless superseded by other law.

Sec. 15. Laws 1998, First Special Session chapter 1, article 1, section 10, subdivision 1, as amended by Laws 1999, chapter 205, article 4, section 8, is amended to read:

Subdivision 1. [INITIAL ELIGIBILITY.] To be eligible for state or TANF matching funds in the family assets for independence initiative, a household must have income at or below 185 percent of the federal poverty level and assets of \$15,000 or less. An individual who is a dependent of another person for federal income tax purposes may not be a separate eligible household for purposes of establishing a family asset account. An individual who is a debtor for a judgment resulting from nonpayment of a court-ordered child support obligation may not participate in this program. Households accessing TANF matching funds are subject to the MFIP definition of household under Minnesota Statutes, section 256J.08, subdivision 46. Income and assets are determined according to eligibility guidelines for the energy assistance program meet the eligibility requirements of the federal Assets for Independence Act, Public Law Number 105-285, in Title IV, section 408 of that act.

Sec. 16. Laws 1998, First Special Session chapter 1, article 1, section 11, subdivision 2, as amended by Laws 1999, chapter 205, article 4, section 9, is amended to read:

Subd. 2. [VENDOR PAYMENT OF WITHDRAWN FUNDS.] Upon receipt of transferred custodial account funds, the fiduciary organization fiscal agent must make a direct payment to the vendor of the goods or services for the permissible use.

Sec. 17. Laws 1999, chapter 205, article 1, section 65, is amended to read:

Sec. 65. [ADDITIONAL EARLY CHILDHOOD FAMILY EDUCATION AID; FISCAL YEAR 2000 AND FISCAL YEAR 2001.]

A district that complies with Minnesota Statutes, section 124D.13, shall receive additional early childhood family education aid for fiscal year 2000 and fiscal year 2001 equal to \$2.46 times the greater of:

(1) 150; or

(2) the number of people under five years of age residing in the school district on October 1 of the previous school year. The additional early childhood family education aid may be used only for early childhood family education programs.

Sec. 18. Laws 1999, chapter 205, article 1, section 71, subdivision 3, is amended to read:

Subd. 3. [EARLY CHILDHOOD FAMILY EDUCATION AID.] For early childhood family education aid according to Minnesota Statutes, section 124D.135:

\$20,485,000 <u>\$20,109,000</u>	.....	2000
\$19,420,000 <u>\$21,107,000</u>	.....	2001

The 2000 appropriation includes \$1,390,000 for 1999 and ~~\$19,095,000~~ \$18,719,000 for 2000.

The 2001 appropriation includes ~~\$2,122,000~~ \$2,079,000 for 2000 and ~~\$17,298,000~~ \$19,028,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 19. Laws 1999, chapter 205, article 1, section 71, subdivision 7, is amended to read:

Subd. 7. [SCHOOL AGE CARE AID.] For extended day aid according to Minnesota Statutes, section 124D.22:

\$274,000	.....	2000
\$216,000 <u>\$245,000</u>	.....	2001

The 2000 appropriation includes \$30,000 for 1999 and \$244,000 for 2000.

The 2001 appropriation includes \$27,000 for 2000 and ~~\$189,000~~ \$218,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 20. Laws 1999, chapter 205, article 1, section 71, subdivision 9, is amended to read:

Subd. 9. [MFIP CHILD CARE.] For child care assistance according to Minnesota Statutes, section 119B.05:

\$86,318,000 <u>\$66,524,000</u>	.....	2000
\$88,443,000 <u>\$78,606,000</u>	.....	2001

Any balance in the first year does not cancel but is available in the second year.

Sec. 21. Laws 1999, chapter 205, article 2, section 4, subdivision 2, is amended to read:

Subd. 2. [FAMILY COLLABORATIVES.] For family collaboratives according to ~~Laws 1995, First Special Session chapter 3, article 4, section 29, subdivision 10~~ Minnesota Statutes, section 124D.23:

\$4,777,000	.....	2000
\$2,535,000 <u>\$2,435,000</u>	.....	2001

No new family services collaboratives shall be funded with this appropriation after June 30, 1999. The general fund base appropriation for fiscal year 2002 is \$1,852,000 and for fiscal year 2003 is \$1,245,000.

Any balance in the first year does not cancel but is available in the second year.

Sec. 22. Laws 1999, chapter 205, article 2, section 4, subdivision 3, is amended to read:

Subd. 3. [COMMUNITY EDUCATION AID.] For community education aid according to Minnesota Statutes, section 124D.20:

\$14,136,000	.....	2000
\$14,696,000 <u>\$15,274,000</u>	.....	2001

The 2000 appropriation includes \$160,000 for 1999 and \$13,976,000 for 2000.

The 2001 appropriation includes \$1,552,000 for 2000 and ~~\$13,144,000~~ \$13,722,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 23. Laws 1999, chapter 205, article 2, section 4, subdivision 4, is amended to read:

Subd. 4. [ADULTS WITH DISABILITIES PROGRAM AID.] For adults with disabilities programs according to Minnesota Statutes, section 124D.56:

\$670,000	.....	2000
\$670,000 <u>\$702,000</u>	.....	2001

Any balance in the first year does not cancel but is available in the second year.

Of the 2001 amount, \$32,000 must be used to reinstate funding for the adults with disabilities pilot programs that were started in fiscal year 1998 or fiscal year 1999. Notwithstanding Minnesota Statutes, section 124D.56, subdivision 3, pilot programs under this section may not levy for the adults with disabilities program revenue. The reinstated programs must report to the department of children, families, and learning by January 15, 2001, with recommendations for expanding this program statewide. This is a one-time appropriation and is not added to the base.

Sec. 24. Laws 1999, chapter 205, article 3, section 5, subdivision 9, is amended to read:

Subd. 9. [MALE RESPONSIBILITY AND FATHERING GRANTS.] For grants according to Minnesota Statutes, section 124D.33:

\$250,000	.....	2000
\$250,000	.....	2001

Any balance in the first year does not cancel but is available in the second year.

Sec. 25. Laws 1999, chapter 205, article 4, section 12, subdivision 5, is amended to read:

Subd. 5. [ADULT BASIC EDUCATION AID.] For adult basic education aid according to Minnesota Statutes, section 124D.52, in fiscal year 2000 and Minnesota Statutes, section 124D.53 in fiscal year 2001:

\$20,132,000	.....	2000
\$22,477,000 <u>\$29,063,000</u>	.....	2001

The 2000 appropriation includes \$1,227,000 for 1999 and \$18,905,000 for 2000.

The 2001 appropriation includes \$2,101,000 for 2000 and ~~\$20,376,000~~ \$26,962,000 for 2001.

Sec. 26. Laws 1999, chapter 205, article 4, section 12, subdivision 6, is amended to read:

Subd. 6. [ADULT BASIC EDUCATION BASIC POPULATION AID.] For basic population aid for eligible districts under section 7:

\$1,960,000 <u>\$1,973,000</u>	2000
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Notwithstanding Minnesota Statutes, section 127A.45, subdivision 12, 100 percent of this appropriation is for fiscal year 2000.

Any balance in the first year does not cancel but is available in the second year. This is a one-time appropriation.

Sec. 27. Laws 1999, chapter 205, article 4, section 12, subdivision 7, is amended to read:

Subd. 7. [ADULT GRADUATION AID.] For adult graduation aid according to Minnesota Statutes, section 124D.54:

\$3,184,000 <u>\$2,760,000</u>	.....	2000
\$4,732,000 <u>\$3,031,000</u>	.....	2001

The 2000 appropriation includes ~~\$258,000~~ \$258,000 for 1999 and ~~\$2,926,000~~ \$2,502,000 for 2000.

The 2001 appropriation includes ~~\$325,000~~ \$278,000 for 2000 and ~~\$4,407,000~~ \$2,753,000 for 2001.

Sec. 28. [COMPETENCY-BASED ADULT BASIC EDUCATION AND ENGLISH AS A SECOND LANGUAGE LICENSE.]

The board of teaching must convene a task force to develop a competency-based license for teachers of adult basic education classes and English as a second language classes. The competency-based license must be an alternative to the current licensing requirements. By January 15, 2002, the board of teaching must present their recommendations to the committees of the legislature responsible for teacher licensing and funding of adult basic education programs including recommendations for implementing competency-based licensing for teachers of adult learners.

Sec. 29. [ENERGY ASSISTANCE PROGRAM.]

(a) The commissioner of economic security shall establish policies and procedures to address the findings in the department of administration's evaluation of Minnesota's energy assistance program published in December 1999.

(b) The commissioner of economic security shall develop:

(1) outcome measures, in accordance with federal recommendations, by which to evaluate subgrantee performance and the program as a whole;

(2) methods to identify the eligible population for the energy assistance program;

(3) procedures to improve program consistency across the state. This shall address program start and end dates, eligibility determination, eligibility verification, and application and payment processing times; and

(4) improved internal management practices, including program oversight, evaluation and auditing of the service delivery agencies, computer software system, and overall management. The commissioner shall also include proposals for the use of technology to provide for the most cost-effective service delivery.

Sec. 30. [REPORT.]

The commissioner of economic security shall submit a report to the legislature detailing the costs and benefits of operating the energy assistance program. The report must be submitted to the senate jobs, energy and community development committee, and the house jobs and economic development policy committee by January 30, 2001.

Sec. 31. [TRANSFER OF ENERGY ASSISTANCE AND WEATHERIZATION RESPONSIBILITIES.]

Energy assistance and weatherization responsibilities under Minnesota Statutes, sections 119A.40, 119A.41, 119A.42, and 119A.425 are transferred from the department of children, families, and learning to the department of economic security.

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

Sec. 32. [SOCIAL SERVICE CHILD CARE POOL FOR MFIP CHILD CARE.]

(a) The commissioner of children, families, and learning shall use funds appropriated under section 40, subdivision 2, to establish a MFIP social services child care pool to provide child care assistance for eligible MFIP families participating in social service activities under paragraph (b) as an approved activity.

Any unspent funds in the MFIP social services child care pool must be used for child care assistance under Minnesota Statutes, section 119B.03. The commissioner must notify the chairs of the family and early childhood finance committees in the house and the senate if expenditures from the MFIP social services child care pool are expected to exceed the amount of money available.

(b) To be eligible for social service child care assistance, an MFIP participant must be participating in chemical dependency social services or mental health social services as an approved activity in the participant's employment plan or job search support plan under Minnesota Statutes, section 256J.52 or work first under Minnesota Statutes, chapter 256K. Child care assistance may be provided to an eligible MFIP participant for the amount of time necessary to participate in the approved social service plus reasonable travel time.

(c) The county providing child care assistance must notify the commissioner through the regular reporting process of any family that meets the criteria of the MFIP social services child care assistance pool.

This section expires on June 30, 2003.

Sec. 33. [EXPEDITED APPLICATION FOR MINOR STUDENTS.]

The commissioner of children, families, and learning, as a component of the training for counties to administer child care assistance under Minnesota Statutes, chapter 119B, must provide technical assistance on ways to expedite and streamline the application process for minor parents participating in school-based child care. The commissioner must make child care assistance information and applications available to school-based adolescent parenting programs so eligible minor parents are able to complete their high school education.

Sec. 34. [INTENSIVE ESL AND CITIZENSHIP GRANTS.]

The commissioner of children, families, and learning shall establish a reimbursement grant program to fund intensive English as a second language (ESL) programs for eligible adults who participate in the MFIP program under Minnesota Statutes, chapter 256J, with funds appropriated under section 39, subdivision 3. Intensive ESL programming must provide intensive instruction for MFIP participants who are making inadequate literacy progress as measured by a standard assessment test. The intensive instruction must be focused on participants' gaining sufficient literacy to achieve self-sufficiency through employment. Grant recipients may also offer citizenship programs for qualified noncitizens under United States Code, title 8, section 1611 et. seq.

Organizations eligible for grants under this section include adult basic education programs, school districts, post-secondary institutions, and nonprofit or community-based organizations or other private organizations with experience in providing English language and citizenship instruction to non-English speaking immigrants and refugees. Grant applications must contain information required by the commissioner in the form prescribed by the commissioner. At a minimum, the application must document experience in literacy and citizenship programs serving immigrants and refugees, describe fiscal accounting systems and reporting capacity, ensure that administrative expenses are limited to five percent of grant funds, and provide a description of the proposed instructional services and training plans. Funds must be paid to programs on a reimbursement basis. The intensive ESL and citizenship grant program expires on June 30, 2003.

Sec. 35. [INSTITUTIONAL ADULT BASIC EDUCATION PROGRAMS.]

Based on the fiscal reports under section 11, the commissioner shall evaluate the reimbursement for adult basic education instruction provided by public nonprofit institutions and make recommendations to the legislature.

Sec. 36. [CHILD AND ADULT CARE FOOD PROGRAM.]

The commissioner of the department of children, families, and learning must request a waiver from the department of agriculture so that child care programs that are licensed under Minnesota Statutes, section 245A.14, subdivision 4, are allowed to participate in the federal child and adult care food program under United States Code, title 42, section 1766.

Sec. 37. [FAMILY PROVIDER PROPORTIONAL PARTICIPATION.]

The commissioner of the department of children, families, and learning must ensure that licensed family child care providers have an opportunity to participate in policy discussions that impact child care. The commissioner must seek proportional participation and input from family providers including, but not limited to, participation on task forces.

Sec. 38. [APPROPRIATIONS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sums indicated in this section are appropriated from the general fund to the department of children, families, and learning for the fiscal years designated.

Subd. 2. [ADULT BASIC EDUCATION SUPPLEMENTAL SERVICE GRANTS.] For adult basic education supplemental service grants according to Minnesota Statutes, section 124D.522:

<u>\$700,000</u>	: : : : :	<u>2001</u>
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This is a base appropriation for fiscal years 2002 and 2003.

Subd. 3. [ADULT BASIC EDUCATION ADMINISTRATION.] For administration of the state adult basic education program including auditing, technical assistance, reporting requirements, and other administrative responsibilities under this article:

<u>\$100,000</u>	: : : : :	<u>2001</u>
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This appropriation is added to the fiscal year 2002 and 2003 base.

Subd. 4. [HOUSING COLLABORATION.] For a grant to the city of St. Louis Park for the Meadowbrook Collaborative Housing Project to enhance youth outreach services and to provide educational and recreational programming for at-risk youth. The collaborative must include a cross section of public and private sector community representatives.

<u>\$25,000</u>	: : : : :	<u>2001</u>
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This is a one-time appropriation.

Subd. 5. [ADMINISTRATION.] For the administrative expenses of programs under section 39, including the amount necessary for a program under section 39, subdivision 2, to draw down federal funds in fiscal year 2001.

<u>\$50,000</u>	: : : : :	<u>2001</u>
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This is a one-time appropriation.

Sec. 39. [TANF APPROPRIATIONS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sums indicated in this section for fiscal years 2001 to 2003 are appropriated to the commissioner of human services from the federal Temporary Assistance for Needy Families (TANF) block grant funds authorized under United States Code, title 42, section 601 et seq., and awarded in federal fiscal years 2000 to 2002, and are transferred to the department of children, families, and learning for the fiscal years indicated for use as provided in this section. Appropriations under this section are one-time appropriations and are not added to the base.

Subd. 2. [MALE RESPONSIBILITY AND FATHERING GRANTS.] For grants according to Minnesota Statutes, section 124D.33:

<u>\$250,000</u>	: : : : :	<u>2001</u>
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<u>\$250,000</u>	: : : : :	<u>2002</u>
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<u>\$250,000</u>	: : : : :	<u>2003</u>
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Subd. 3. [INTENSIVE ESL AND CITIZENSHIP GRANTS.] For intensive English as a second language (ESL) and citizenship grants for eligible MFIP participants under section 34:

<u>\$1,837,000</u>	: : : : :	<u>2001</u>
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<u>\$1,000,000</u>	<u>2002</u>
<u>\$1,000,000</u>	<u>2003</u>

A balance may be carried forward one fiscal year.

Subd. 4. [TRANSITIONAL HOUSING PROGRAMS.] For reimbursement grants to transitional housing programs under Minnesota Statutes, section 119A.43:

<u>\$1,000,000</u>	.....	<u>2001</u>
<u>\$1,078,000</u>	.....	<u>2002</u>

Any balance remaining in 2002 may be carried forward one fiscal year.

These appropriations must be used for up to four months of transitional housing for families with incomes below 200 percent of the federal poverty guidelines. Payment must be made to programs on a reimbursement basis.

Sec. 40. [FEDERAL TANF TRANSFERS.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sums indicated in this section are transferred from the federal TANF fund to the child care and development fund and appropriated to the department of children, families, and learning for the fiscal years designated. The commissioner shall ensure that all transferred funds are expended in accordance with the child care and development fund regulations and that the maximum allowable transferred funds are used for the program in this section. Appropriations under this section are one-time appropriations and are not added to the base.

Subd. 2. [SOCIAL SERVICE CHILD CARE POOL FOR MFIP CHILD CARE.] For social service child care costs of eligible MFIP participants under section 32:

<u>\$3,233,000</u>	.....	<u>2001</u>
<u>\$3,297,000</u>	.....	<u>2002</u>
<u>\$2,865,000</u>	.....	<u>2003</u>

A balance may be carried forward one fiscal year. Any amount remaining in fiscal year 2003 that is not needed for social service child care must be used for assistance under Minnesota Statutes, section 119B.03.

Subd. 3. [TRANSITION YEAR FAMILIES.] To provide uninterrupted assistance under Minnesota Statutes, section 119B.03, for families completing transition year child care assistance:

<u>\$1,080,000</u>	.....	<u>2001</u>
<u>\$3,620,000</u>	.....	<u>2002</u>
<u>\$4,040,000</u>	.....	<u>2003</u>

A balance may be carried forward one fiscal year. Any amount remaining in fiscal year 2003 that is not needed for uninterrupted child care must be used for assistance under Minnesota Statutes, section 119B.03.

Sec. 41. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering.

<u>Column A</u>	<u>Column B</u>
<u>119A.40</u>	<u>268.985</u>
<u>119A.41</u>	<u>268.986</u>
<u>119A.42</u>	<u>268.987</u>
<u>119A.425</u>	<u>268.989</u>

Sec. 42. [REPEALER.]

(a) Minnesota Statutes 1998, section 124D.53, is repealed.

(b) Laws 1998, First Special Session chapter 1, article 1, section 10, subdivision 2, as amended by Laws 1999, chapter 205, article 4, section 8, is repealed.

ARTICLE 2

KINDERGARTEN THROUGH GRADE 12: GENERAL EDUCATION

Section 1. Minnesota Statutes 1998, section 123B.75, subdivision 5, is amended to read:

Subd. 5. [LEVY RECOGNITION.] (a) "School district tax settlement revenue" means the current, delinquent, and manufactured home property tax receipts collected by the county and distributed to the school district.

(b) In June of each year, the school district must recognize as revenue, in the fund for which the levy was made, the lesser of:

(1) the May, June, and July school district tax settlement revenue received in that calendar year; or

(2) the sum of:

(i) 31 percent of the referendum levy certified in the prior calendar year according to section 126C.17, subdivision 9; plus

(ii) the entire amount of the levy certified in the prior calendar year according to sections 124D.86, subdivision 4, for school districts receiving revenue under 124D.86, subdivision 3, clauses (1), (2) and (3); 126C.41, subdivisions 1, 2, and 3, paragraphs (4), (5), and (6); 126C.43, subdivision 2; and 126C.48, subdivision 6.

Sec. 2. Minnesota Statutes 1999 Supplement, section 124D.11, subdivision 1, is amended to read:

Subdivision 1. [GENERAL EDUCATION REVENUE.] (a) General education revenue must be paid to a charter school as though it were a district. The general education revenue for each adjusted marginal cost pupil unit is the state average general education revenue per pupil unit, plus the referendum equalization aid allowance in the pupil's district of residence, minus an amount equal to the product of the formula allowance according to section 126C.10, subdivision 2, times .0485, calculated without basic skills revenue, transportation sparsity revenue, and the transportation portion of the transition revenue adjustment, plus basic skills revenue as though the school were a school district.

(b) Notwithstanding paragraph (a), for charter schools in the first year of operation, general education revenue shall be computed using the number of adjusted pupil units in the current fiscal year.

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

Sec. 3. Minnesota Statutes 1999 Supplement, section 124D.65, subdivision 4, is amended to read:

Subd. 4. [STATE TOTAL LEP REVENUE.] (a) The state total limited English proficiency programs revenue for fiscal year 2000 equals \$27,454,000. ~~The state total limited English proficiency programs revenue for fiscal year 2001 equals \$31,752,000.~~

(b) The state total limited English proficiency programs revenue for later fiscal years equals:

(1) the state total limited English proficiency programs revenue for the preceding fiscal year; times

(2) the program growth factor under section 125A.76 subdivision 1; times

(3) the ratio of the state total number of pupils with limited English proficiency for the current fiscal year to the state total number of pupils with limited English proficiency for the preceding fiscal year.

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

Sec. 4. Minnesota Statutes 1999 Supplement, section 124D.86, subdivision 1, is amended to read:

Subdivision 1. [USE OF THE REVENUE.] Integration revenue under this section must be used for programs established under a desegregation plan filed with the department of children, families, and learning according to Minnesota Rules, parts 3535.0100 to 3535.0180, or under court order, to increase. The revenue must be used to create or enhance learning opportunities and reduce the learning gap between learners living in high concentrations of poverty and their peers which are designed to provide opportunities for students to have increased interracial contacts through classroom experiences, staff initiatives, and other educationally related programs.

Sec. 5. Minnesota Statutes 1998, section 124D.86, is amended by adding a subdivision to read:

Subd. 1a. [BUDGET APPROVAL PROCESS.] Before a district receives any revenue under subdivision 3, clause (4), the district must submit to the department of children, families, and learning, for its review and approval, a budget detailing the costs of the desegregation/integration plan filed under Minnesota Rules, parts 3535.0100 to 3535.0180. Notwithstanding chapter 14, the department may develop criteria for budget approval. The criteria developed by the department should address, at a minimum, the following:

(1) budget items that cannot be approved unless they are part of any overall desegregation plan approved by the district for isolated sites or by the multidistrict collaboration council and participating individual members;

(2) a budget that must indicate how revenue expenditures will be used specifically to support increased opportunities for interracial contact;

(3) components of the budget to be considered by the department, including staffing, curriculum, transportation, facilities, materials, and equipment and reasonable planning costs, as determined by the department; and

(4) if plans are proposed to enhance existing programs, a total budget reflecting the appropriation for the program that includes the part funded using integration revenue and the part funded using other revenues.

Sec. 6. Minnesota Statutes 1998, section 124D.86, is amended by adding a subdivision to read:

Subd. 1b. [PLAN COMPONENTS.] Plans submitted by each district under Minnesota Rules, parts 3535.0160 and 3535.0170, must be approved by the district's board before integration revenue will be awarded. If a district is applying for revenue for a plan that is part of a multidistrict council, the individual district shall not receive revenue unless it ratifies the plan adopted by its multidistrict council or approves a modified plan with a written explanation of any modifications. Each plan shall contain:

(1) an identification of the integration issues at the sites or districts covered by Minnesota Rules, parts 3535.0100 to 3535.0180;

(2) a description of the community outreach that preceded the integration plan, such that the commissioner can determine whether the membership of the planning councils complied with the requirements of Minnesota Rules, parts 3535.0100 to 3535.0180; and

(3) the specific goals of the integration plan.

By June 30 of the subsequent fiscal year, each district shall report to the commissioner in writing about the extent to which the integration goals identified in the plan were met.

Sec. 7. Minnesota Statutes 1999 Supplement, section 124D.86, subdivision 3, is amended to read:

Subd. 3. [INTEGRATION REVENUE.] For fiscal year 2000 and later fiscal years, integration revenue equals the following amounts:

(1) for independent school district No. 709, Duluth, \$207 times the adjusted pupil units for the school year;

(2) for independent school district No. 625, St. Paul, \$446 times the adjusted pupil units for the school year;

(3) for special school district No. 1, Minneapolis, \$536 times the adjusted pupil units for the school year; and

(4) for a district not listed in clause (1), (2), or (3) that is required to implement a plan according to the requirements of Minnesota Rules, parts 3535.0100 to 3535.0180, ~~as proposed in 23 State Register 1344, December 7, 1998;~~ the lesser of

(i) the actual cost of implementing the plan during the fiscal year minus the aid received under subdivision 6, or

(ii) \$93 times the adjusted pupil units for the school year.

Any money received by districts in clauses (1) to (3) which exceeds the amount received in fiscal year 2000 shall be subject to the budget requirements in subdivision 1a.

Sec. 8. Minnesota Statutes 1998, section 124D.86, subdivision 6, is amended to read:

Subd. 6. [ALTERNATIVE ATTENDANCE PROGRAMS.] (a) The integration aid under subdivision 5 must be adjusted for each pupil residing in a district eligible for integration revenue under subdivision 3, clause (1), (2), or (3), and attending a nonresident district under sections 123A.05 to 123A.08, 124D.03, 124D.06, 124D.07, and 124D.08, that is not eligible for integration revenue under subdivision 3, clause (1), (2), or (3), and has implemented a plan under Minnesota Rules, parts 3535.0100 to 3535.0180, if the enrollment of the pupil in the nonresident district contributes to desegregation or integration purposes. The adjustments must be made according to this subdivision.

~~(b) Aid paid to the district of the pupil's residence must be reduced by an amount equal to the revenue per resident pupil unit of the resident district times the number of resident pupil units attributable to the pupil for the time the pupil is enrolled in a nonresident district.~~

~~(c) Aid paid to a district serving nonresidents must be increased by an amount equal to the aid reduction to the resident district under paragraphs (b) and (d) revenue per pupil unit of the resident district under subdivision 3, clause (1), (2), or (3), minus the revenue attributable to the pupil in the nonresident district under subdivision 3, clause (4), for the time the pupil is enrolled in the nonresident district.~~

~~(d) If the amount of the reduction to be made from the aid of a district is greater than the amount of aid otherwise due the district, the excess reduction must be made from other state aids due the district.~~

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

Sec. 9. Minnesota Statutes 1999 Supplement, section 124D.87, is amended to read:

124D.87 [INTERDISTRICT DESEGREGATION OR INTEGRATION TRANSPORTATION AID.]

(a) A district that provides transportation of pupils to and from an interdistrict program for desegregation or integration purposes is eligible for state aid to ~~cover~~ reimburse the additional costs of transportation during the preceding fiscal year.

(b) A district in the metropolitan area may apply to the commissioner for state aid to ~~cover~~ reimburse the costs of transporting pupils who are enrolled under section 124D.03 during the preceding fiscal year if the enrollment of the student in the nonresident district contributes to desegregation or integration purposes. The commissioner shall develop the form and manner of applications for state aid, the criteria to be used to determine when transportation is for desegregation or integration purposes, and the accounting procedure to be used to determine excess costs. In determining aid amounts, the commissioner shall consider other revenue received by the district for transportation for desegregation or integration purposes.

~~(c) Aid must be paid under paragraph (b) only if aid amounts under paragraph (a) have been fully funded.~~

EFFECTIVE DATE: This section is effective July 1, 2001.

Sec. 10. Minnesota Statutes 1999 Supplement, section 126C.052, is amended to read:

126C.052 [CLASS SIZE, ALL-DAY KINDERGARTEN, AND SPECIAL EDUCATION STUDENT-TO-INSTRUCTOR RATIO RESERVE.]

A district is required to reserve \$3 in fiscal year 2000 and \$11 in fiscal year 2001 and later per adjusted marginal cost pupil unit for class size reduction, all-day kindergarten, or for reducing special education student-to-instructor ratios. The school board of each district must pass a resolution stating which one of these three programs will be funded with this reserve. The reserve amount under this section must be allocated to the education site as defined in section 123B.04, subdivision 1, according to a plan adopted by the school board.

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

Sec. 11. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 1, is amended to read:

Subdivision 1. [GENERAL EDUCATION REVENUE.] For fiscal year ~~2000~~ 2001 and thereafter, the general education revenue for each district equals the sum of the district's basic revenue, basic skills revenue, training and experience revenue, secondary sparsity revenue, elementary sparsity revenue, transportation sparsity revenue, total operating capital revenue, equity revenue, small school enhanced equity revenue, referendum offset adjustment, transition revenue, and supplemental revenue.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2001.

Sec. 12. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 2, is amended to read:

Subd. 2. [BASIC REVENUE.] The basic revenue for each district equals the formula allowance times the ~~resident~~ adjusted marginal cost pupil units for the school year. The formula allowance for fiscal year 1998 is \$3,581. The formula allowance for fiscal year 1999 is \$3,530. The formula allowance for fiscal year 2000 is \$3,740. The formula allowance for fiscal year 2001 and subsequent fiscal years is ~~\$3,875~~ \$3,925.

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

Sec. 13. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 14, is amended to read:

Subd. 14. [USES OF TOTAL OPERATING CAPITAL REVENUE.] Total operating capital revenue may be used only for the following purposes:

- (1) to acquire land for school purposes;
- (2) to acquire or construct buildings for school purposes;
- (3) to rent or lease buildings, including the costs of building repair or improvement that are part of a lease agreement;
- (4) to improve and repair school sites and buildings, and equip or reequip school buildings with permanent attached fixtures, including library media centers;
- (5) for a surplus school building that is used substantially for a public nonschool purpose;
- (6) to eliminate barriers or increase access to school buildings by individuals with a disability;
- (7) to bring school buildings into compliance with the Uniform Fire Code adopted according to chapter 299F;
- (8) to remove asbestos from school buildings, encapsulate asbestos, or make asbestos-related repairs;
- (9) to clean up and dispose of polychlorinated biphenyls found in school buildings;
- (10) to clean up, remove, dispose of, and make repairs related to storing heating fuel or transportation fuels such as alcohol, gasoline, fuel oil, and special fuel, as defined in section 296A.01;
- (11) for energy audits for school buildings and to modify buildings if the audit indicates the cost of the modification can be recovered within ten years;
- (12) to improve buildings that are leased according to section 123B.51, subdivision 4;
- (13) to pay special assessments levied against school property but not to pay assessments for service charges;
- (14) to pay principal and interest on state loans for energy conservation according to section 216C.37 or loans made under the Northeast Minnesota Economic Protection Trust Fund Act according to sections 298.292 to 298.298;
- (15) to purchase or lease interactive telecommunications equipment;
- (16) by board resolution, to transfer money into the debt redemption fund to: (i) pay the amounts needed to meet, when due, principal and interest payments on certain obligations issued according to chapter 475; or (ii) pay principal and interest on debt service loans or capital loans according to section 126C.70;
- (17) to pay operating capital-related assessments of any entity formed under a cooperative agreement between two or more districts;
- (18) to purchase or lease computers and related materials, copying machines, telecommunications equipment, and other noninstructional equipment;
- (19) to purchase or lease assistive technology or equipment for instructional programs;
- (20) to purchase textbooks;

(21) to purchase new and replacement library ~~books~~ media resources or technology;

(22) to purchase vehicles;

(23) to purchase or lease telecommunications equipment, computers, and related equipment for integrated information management systems for:

(i) managing and reporting learner outcome information for all students under a results-oriented graduation rule;

(ii) managing student assessment, services, and achievement information required for students with individual education plans; and

(iii) other classroom information management needs; and

(24) to pay personnel costs directly related to the acquisition, operation, and maintenance of telecommunications systems, computers, related equipment, and network and applications software.

Sec. 14. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 23, is amended to read:

Subd. 23. [REFERENDUM OFFSET ADJUSTMENT.] A district that qualifies for the referendum allowance reduction under section 126C.17, subdivision 12, and whose referendum allowance under section 126C.17, subdivision 1, as adjusted under section 126C.17, subdivisions 2 and 12, does not exceed the referendum allowance limit under section 126C.17, subdivision 2, clause (2), shall receive a referendum offset adjustment. In fiscal year 2000 and thereafter, the referendum offset adjustment is equal to \$25 per resident adjusted marginal cost pupil unit.

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

Sec. 15. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 24, is amended to read:

Subd. 24. [EQUITY REVENUE.] (a) A school district qualifies for equity revenue if the school district's adjusted marginal cost pupil unit amount of basic revenue, supplemental revenue, transition revenue, and referendum revenue is less than the 90th percentile of school districts in its equity region for those revenue categories and the school district's administrative offices are not located in a city of the first class on July 1, 1999.

(b) Equity revenue for a qualifying district ~~that receives referendum revenue under section 126C.17, subdivision 4,~~ equals the product of (1) the district's adjusted marginal cost pupil units for that year; times (2) the sum of (i) \$10, plus (ii) \$30, times the school district's equity index computed under section 126C.10, subdivision ~~6~~ 27.

~~(c) Equity revenue for a qualifying district that does not receive referendum revenue under section 126C.17, subdivision 4, equals the product of the district's adjusted marginal cost pupil units for that year times \$10.~~

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2001.

Sec. 16. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 25, is amended to read:

Subd. 25. [REGIONAL EQUITY GAP.] The regional equity gap equals the difference between the fifth and the 90th percentile of adjusted general revenue per adjusted marginal cost pupil unit.

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

Sec. 17. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 26, is amended to read:

Subd. 26. [DISTRICT EQUITY GAP.] A district's equity gap equals the greater of zero or the difference between the district's adjusted general revenue and the regional 90th percentile of adjusted general revenue per adjusted marginal cost pupil unit.

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

Sec. 18. Minnesota Statutes 1998, section 126C.10, is amended by adding a subdivision to read:

Subd. 29. [SMALL SCHOOL ENHANCED EQUITY REVENUE.] (a) A district qualifies for small school enhanced equity revenue if: (1) the sum of its transition, supplemental, and referendum revenue is less than \$800 per adjusted marginal cost pupil unit; (2) its total adjusted marginal cost pupil units for that year are less than 3,000; and (3) its adjusted marginal cost pupil units are fewer in the current year than in the previous year.

(b) A district's small school enhanced equity revenue equals: (1) \$75; times (2) the district's adjusted marginal cost pupil units for that year; times (3) the lesser of one, or the ratio of the percent change in the district's adjusted marginal cost pupil units from the previous year to the current year to four percent.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2001.

Sec. 19. Minnesota Statutes 1999 Supplement, section 126C.12, subdivision 1, is amended to read:

Subdivision 1. [REVENUE.] Of a district's general education revenue for fiscal year 2000 and thereafter each school district shall reserve an amount equal to the formula allowance multiplied by the following calculation:

(1) the sum of adjusted marginal cost ~~pupil units~~ pupils in average daily membership, according to section 126C.05, subdivision 5, in kindergarten times .057; plus

(2) the sum of adjusted marginal cost ~~pupil units~~ pupils in average daily membership, according to section 126C.05, subdivision 5, in grades 1 to 3 times .115; plus

(3) the sum of adjusted marginal cost ~~pupil units~~ pupils in average daily membership, according to section 126C.05, subdivision 5, in grades 4 to 6 times .06.

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

Sec. 20. Minnesota Statutes 1999 Supplement, section 126C.17, subdivision 9, is amended to read:

Subd. 9. [REFERENDUM REVENUE.] (a) The revenue authorized by section 126C.10, subdivision 1, may be increased in the amount approved by the voters of the district at a referendum called for the purpose. The referendum may be called by the board or shall be called by the board upon written petition of qualified voters of the district. The referendum must be conducted one or two calendar years before the increased levy authority, if approved, first becomes payable. Only one election to approve an increase may be held in a calendar year. Unless the referendum is conducted by mail under paragraph (g), the referendum must be held on the first Tuesday after the first Monday in November. The ballot must state the maximum amount of the increased revenue per resident marginal cost pupil unit, the estimated referendum tax rate as a percentage of referendum market value in the first year it is to be levied, and that the revenue must be used to finance school operations. The ballot may state a schedule, determined by the board, of increased revenue per resident marginal cost pupil unit that differs from year to year over the number of years for which the increased revenue is authorized. If the ballot contains a schedule showing different amounts, it must also indicate the estimated referendum tax rate as a percent of referendum market value for the amount specified for the first year and for the maximum amount specified in the schedule. The ballot may state that existing referendum levy authority is expiring. In this case, the ballot may also compare the proposed levy authority to the existing expiring levy authority, and express the proposed increase as the amount, if any, over the expiring referendum levy authority. The ballot must designate the specific number of years, not to exceed ten, for which the referendum authorization applies. The notice required under section 275.60 may be modified to read, in cases of renewing existing levies:

"BY VOTING "YES" ON THIS BALLOT QUESTION, YOU MAY BE VOTING FOR A PROPERTY TAX INCREASE."

The ballot may contain a textual portion with the information required in this subdivision and a question stating substantially the following:

"Shall the increase in the revenue proposed by (petition to) the board of, School District No. . . , be approved?"

If approved, an amount equal to the approved revenue per resident marginal cost pupil unit times the resident marginal cost pupil units for the school year beginning in the year after the levy is certified shall be authorized for certification for the number of years approved, if applicable, or until revoked or reduced by the voters of the district at a subsequent referendum.

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

The notice for a referendum may state that an existing referendum levy is expiring and project the anticipated amount of increase over the existing referendum levy in the first year, if any, in annual dollars and annual percentage for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the district.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes." However, in cases of renewing existing levies, the notice may include the following statement: "Passage of this referendum may result in an increase in your property taxes."

(c) A referendum on the question of revoking or reducing the increased revenue amount authorized pursuant to paragraph (a) may be called by the board and shall be called by the board upon the written petition of qualified voters of the district. A referendum to revoke or reduce the levy amount must be based upon the dollar amount, local tax rate, or amount per resident marginal cost pupil unit, that was stated to be the basis for the initial authorization. Revenue approved by the voters of the district pursuant to paragraph (a) must be received at least once before it is subject to a referendum on its revocation or reduction for subsequent years. Only one revocation or reduction referendum may be held to revoke or reduce referendum revenue for any specific year and for years thereafter.

(d) A petition authorized by paragraph (a) or (c) is effective if signed by a number of qualified voters in excess of 15 percent of the registered voters of the district on the day the petition is filed with the board. A referendum invoked by petition must be held on the date specified in paragraph (a).

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

(f) At least 15 days before the day of the referendum, the district must submit a copy of the notice required under paragraph (b) to the commissioner and to the county auditor of each county in which the district is located. Within 15 days after the results of the referendum have been certified by the board, or in the case of a recount, the certification of the results of the recount by the canvassing board, the district must notify the commissioner of the results of the referendum.

(g) Except for a referendum held under subdivision 11, any referendum under this section held on a day other than the first Tuesday after the first Monday in November must be conducted by mail in accordance with section 204B.46. Notwithstanding paragraph (b) to the contrary, in the case of a referendum conducted by mail under this paragraph, the notice required by paragraph (b) must be prepared and delivered by first class mail at least 20 days before the referendum.

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

Sec. 21. Minnesota Statutes 1999 Supplement, section 126C.44, is amended to read:

126C.44 [CRIME-RELATED COSTS LEVY.]

Each district may make a levy on all taxable property located within the district for the purposes specified in this ~~subdivision section~~. The maximum amount which may be levied for all costs under this ~~subdivision section~~ shall be equal to \$1.50 multiplied by the population of the school district. For purposes of this ~~subdivision section~~, "population" of the school district means the same as contained in section 275.14. The proceeds of the levy must be used for directly funding the following purposes or for reimbursing the cities and counties who contract with the district for the following purposes: (1) to pay the costs incurred for the salaries, benefits, and transportation costs of peace officers and sheriffs for liaison services in the district's middle and secondary schools; (2) to pay the costs for a drug abuse prevention program as defined in Minnesota Statutes 1991 Supplement, section 609.101, subdivision 3, paragraph (f), in the elementary schools; (3) to pay the costs for a gang resistance education training curriculum in the middle schools; ~~or~~ (4) to pay the costs for security in the districts' schools and on school property; or (5) to pay the costs for other crime prevention and drug abuse and violence prevention measures taken by the school district. The district must initially attempt to contract for services to be provided by peace officers or sheriffs with the police department of each city or the sheriff's department of the county within the district containing the school receiving the services. If a local police department or a county sheriff's department does not wish to provide the necessary services, the district may contract for these services with any other police or sheriff's department located entirely or partially within the school district's boundaries. The levy authorized under this ~~subdivision section~~ is not included in determining the school district's levy limitations.

EFFECTIVE DATE: This section is effective for taxes payable in 2001.

Sec. 22. Minnesota Statutes 1999 Supplement, section 127A.45, subdivision 12a, is amended to read:

Subd. 12a. [FORWARD SHIFTED AID PAYMENTS.] (a) Nineteen percent of the state aid in fiscal year 1999, and 31 percent of the state aid in fiscal years 2000 and later received under section 124D.86 must be paid by the state to the recipient school district on July 15 of that year. The recipient school district must recognize this aid in the same fiscal year as the levy is recognized.

(b) One hundred percent of the state aid in fiscal years 2003 and later received under section 124D.87 must be paid by the state to the recipient school district on August 30 of that year. The recipient school district must recognize this aid in the previous fiscal year.

Sec. 23. Minnesota Statutes 1998, section 127A.48, subdivision 1, is amended to read:

Subdivision 1. [COMPUTATION.] The department of revenue must annually conduct an assessment/sales ratio study of the taxable property in each school district in accordance with the procedures in subdivisions 2 and 3. Based upon the results of ~~this these~~ assessment/sales ratio ~~study studies~~ for the three most recent years, the department of revenue must determine an aggregate equalized net tax capacity for the various classes of taxable property in each district, which tax capacity shall be designated as the adjusted net tax capacity. The adjusted net tax capacities shall be determined using the net tax capacity percentages in effect for the assessment year following the assessment year of the study. The department of revenue must make whatever estimates are necessary to account for changes in the classification system. The department of revenue may incur the expense necessary to make the determinations. The commissioner of revenue may reimburse any county or governmental official for requested services performed in ascertaining the adjusted net tax capacity. On or before March 15 annually, the department of revenue shall file with the chair of the tax committee of the house of representatives and the chair of the committee on taxes and tax laws of the senate a report of adjusted net tax capacities. On or before June 15 annually, the department of revenue shall file its final report on the adjusted net tax capacities established by the previous year's assessments and the current year's net tax capacity percentages with the commissioner of children, families, and learning and each county auditor for those districts for which the auditor has the responsibility for determination of local tax rates. A copy of the report so filed shall be mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which each district is located.

EFFECTIVE DATE: This section is effective for taxes payable in 2001.

Sec. 24. Minnesota Statutes 1999 Supplement, section 127A.51, is amended to read:

127A.51 [STATEWIDE AVERAGE REVENUE.]

By October 1 of each year the commissioner must estimate the statewide average adjusted general revenue per adjusted marginal cost pupil unit and the disparity in adjusted general revenue among pupils and districts by computing the ratio of the ninety-fifth percentile to the fifth percentile of adjusted general revenue. The commissioner must provide that information to all districts.

If the disparity in adjusted general revenue as measured by the ratio of the ninety-fifth percentile to the fifth percentile increases in any year, the commissioner shall recommend to the legislature options for change in the general education formula that will limit the disparity in adjusted general revenue to no more than the disparity for the previous school year. The commissioner must submit the recommended options to the education committees of the legislature by January 15.

For purposes of this section and section 126C.10, adjusted general revenue means the sum of basic revenue under section 126C.10, subdivision 2; supplemental revenue under section 126C.10, subdivisions 9 and 12; transition revenue under section 126C.10, subdivision 20; and referendum revenue under section 126C.17.

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

Sec. 25. Laws 1999, chapter 241, article 1, section 66, is amended to read:

Sec. 66. [EQUITY REVENUE ADJUSTMENT.]

For fiscal years ~~year 2000 and 2001~~, a school district that does not have an operating referendum is eligible for additional equity revenue under section 30 equal to \$12 times the district's adjusted marginal cost pupil units for that year.

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

Sec. 26. Laws 1999, chapter 241, article 1, section 68, subdivision 4, is amended to read:

Subd. 4. [TRANSPORTATION AID FOR ENROLLMENT OPTIONS.] For transportation of pupils attending post-secondary institutions according to Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts according to Minnesota Statutes, section 124D.03:

\$102,000 <u>\$70,000</u>	.....	2000
\$102,000 <u>\$70,000</u>	.....	2001

Any balance in the first year does not cancel but is available in the second year.

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

Sec. 27. Laws 1999, chapter 241, article 1, section 68, subdivision 5, is amended to read:

Subd. 5. [DISTRICT COOPERATION REVENUE.] For district cooperation revenue aid:

\$5,940,000 <u>\$5,881,000</u>	.....	2000
\$563,000 <u>\$556,000</u>	.....	2001

The 2000 appropriation includes \$869,000 for 1999 and ~~\$5,071,000~~ \$5,012,000 for 2000.

The 2001 appropriation includes ~~\$563,000~~ \$556,000 for 2000 and \$0 for 2001.

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

Sec. 28. Laws 1999, chapter 241, article 1, section 70, is amended to read:

Sec. 70. [EFFECTIVE DATES.]

Sections 13, 14, 26, 30, 37, and 39 are effective for revenue for fiscal year 2000 and later. Section 41 is effective for revenue for fiscal year 2001 and later. Sections 46, 47, and 55 to 60 are effective the day following final enactment. Section 61 is effective for taxes payable in 2000 and later.

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

Sec. 29. [TRANSPORTATION STUDY.]

The commissioner of children, families, and learning must form a pupil transportation working group to analyze the effects of increasing labor and fuel costs on school transportation needs. The commissioner must include recommendations for adequate pupil transportation funding in the redesigned school finance formulas presented to the 2001 legislature.

Sec. 30. [TRAINING AND EXPERIENCE REPLACEMENT REVENUE.]

(a) For fiscal year 2001 only, a school district's training and experience replacement revenue equals the ratio of the amount of training and experience revenue the district would have received for fiscal year 1999 calculated using the training and experience index in Minnesota Statutes 1996, section 124A.04, to its resident pupil units for that year, times the district's adjusted marginal cost pupil units for fiscal year 2001, times .25.

(b) This aid is paid entirely in fiscal year 2001.

Sec. 31. [LEVY RECOGNITION FOR INTEGRATION LEVY ADJUSTMENT.]

Notwithstanding Minnesota Statutes, section 123B.75, subdivision 5, the full amount of integration levy for taxes payable in 2001, attributable to fiscal year 2001, for school districts receiving revenue under 124D.86, subdivision 3, clause (4), shall be recognized in fiscal year 2001.

Sec. 32. [APPROPRIATION.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The following sums are appropriated from the general fund to the department of children, families, and learning in the fiscal years indicated.

Subd. 2. [GENERAL EDUCATION AID.]

<u>\$1,225,000</u>	*****	<u>2000</u>
<u>\$81,802,000</u>	*****	<u>2001</u>

This aid is in addition to any other aid appropriated for this purpose.

Sec. 33. [REPEALER.]

Subdivision 1. [STATUTES.] Minnesota Statutes 1998, sections 126C.30; 126C.31; 126C.32; 126C.33; 126C.34; 126C.35; and 126C.36, are repealed.

Subd. 2. [LAWS.] Laws 1999, chapter 241, article 1, section 64, is repealed.

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

ARTICLE 3

KINDERGARTEN THROUGH GRADE 12 EDUCATION: SPECIAL PROGRAMS

Section 1. Minnesota Statutes 1999 Supplement, section 124D.84, subdivision 1, is amended to read:

Subdivision 1. [AWARDS.] The commissioner, with the advice and counsel of the Minnesota Indian scholarship committee, may award scholarships to any Minnesota resident student who is of one-fourth or more Indian ancestry, who has applied for other existing state and federal scholarship and grant programs, and who, in the opinion of the commissioner, has the capabilities to benefit from further education. Scholarships must be for ~~advanced or specialized education~~ accredited degree programs in accredited colleges or universities or for courses in accredited or approved colleges or in business, technical, or vocational schools. Scholarships shall be used to defray the total cost of education including tuition, incidental fees, books, supplies, transportation, other related school costs and the cost of board and room and shall be paid directly to the college or school concerned. The total cost of education includes all tuition and fees for each student enrolling in a public institution and the portion of tuition and fees for each student enrolling in a private institution that does not exceed the tuition and fees at a comparable public institution. Each student shall be awarded a scholarship based on the total cost of the student's education and a standardized need analysis. The amount and type of each scholarship shall be determined through the advice and counsel of the Minnesota Indian scholarship committee.

When an Indian student satisfactorily completes the work required by a certain college or school in a school year the student is eligible for additional scholarships, if additional training is necessary to reach the student's educational and vocational objective. Scholarships may not be given to any Indian student for more than five years of study without special approval of the Minnesota Indian scholarship committee.

Sec. 2. Minnesota Statutes 1999 Supplement, section 125A.76, subdivision 2, is amended to read:

Subd. 2. [SPECIAL EDUCATION BASE REVENUE.] (a) The special education base revenue equals the sum of the following amounts computed using base year data:

(1) 68 percent of the salary of each essential person employed in the district's program for children with a disability during the fiscal year, not including the share of salaries for personnel providing health-related services counted in clause (8), whether the person is employed by one or more districts or a Minnesota correctional facility operating on a fee-for-service basis;

(2) for the Minnesota state academy for the deaf or the Minnesota state academy for the blind, 68 percent of the salary of each instructional aide assigned to a child attending the academy, if that aide is required by the child's individual education plan;

(3) for special instruction and services provided to any pupil by contracting with public, private, or voluntary agencies other than school districts, in place of special instruction and services provided by the district, 52 percent of the difference between the amount of the contract and the basic revenue of the district for that pupil for the fraction of the school day the pupil receives services under the contract;

(4) for special instruction and services provided to any pupil by contracting for services with public, private, or voluntary agencies other than school districts, that are supplementary to a full educational program provided by the school district, 52 percent of the amount of the contract for that pupil;

(5) for supplies and equipment purchased or rented for use in the instruction of children with a disability, not including the portion of the expenses for supplies and equipment used to provide health-related services counted in clause (8), an amount equal to 47 percent of the sum actually expended by the district, or a Minnesota correctional facility operating on a fee-for-service basis, but not to exceed an average of \$47 in any one school year for each child with a disability receiving instruction;

(6) for fiscal years 1997 and later, special education base revenue shall include amounts under clauses (1) to (5) for special education summer programs provided during the base year for that fiscal year; and

(7) for fiscal years 1999 and later, the cost of providing transportation services for children with disabilities under section 123B.92, subdivision 1, paragraph (b), clause (4); ~~and~~

~~(8) for fiscal years 2001 and later, the cost of salaries, supplies and equipment, and other related costs actually expended by the district for the nonfederal share of medical assistance services according to section 256B.0625, subdivision 26.~~

The department shall establish procedures through the uniform financial accounting and reporting system to identify and track all revenues generated from third-party billings as special education revenue at the school district level; include revenue generated from third-party billings as special education revenue in the annual cross-subsidy report; and exclude third-party revenue from calculation of excess cost aid to the districts.

(b) If requested by a school district operating a special education program during the base year for less than the full fiscal year, or a school district in which is located a Minnesota correctional facility operating on a fee-for-service basis for less than the full fiscal year, the commissioner may adjust the base revenue to reflect the expenditures that would have occurred during the base year had the program been operated for the full fiscal year.

(c) Notwithstanding paragraphs (a) and (b), the portion of a school district's base revenue attributable to a Minnesota correctional facility operating on a fee-for-service basis during the facility's first year of operating on a fee-for-service basis shall be computed using current year data.

Sec. 3. Laws 1999, chapter 241, article 2, section 60, subdivision 7, is amended to read:

Subd. 7. [TRIBAL CONTRACT SCHOOLS.] For tribal contract school aid according to Minnesota Statutes, section 124D.83:

\$2,706,000 <u>\$1,671,000</u>	.....	2000
\$2,790,000 <u>\$1,882,000</u>	.....	2001

The 2000 appropriation includes \$283,000 for 1999 and ~~\$2,423,000~~ \$1,388,000 for 2000.

The 2001 appropriation includes ~~\$269,000~~ \$154,000 for 2000 and ~~\$2,521,000~~ \$1,728,000 for 2001.

Sec. 4. Laws 1999, chapter 241, article 2, section 60, subdivision 9, is amended to read:

Subd. 9. [MAGNET SCHOOL GRANTS.] For magnet school and program grants under Laws 1994, chapter 647, article 8, section 38:

\$1,750,000	.....	2000
\$1,750,000	.....	2001

These amounts may be used for magnet school programs according to Minnesota Statutes, section 124D.88. The budget base for this program for fiscal year 2003 and each year thereafter is \$1,050,000.

Sec. 5. Laws 1999, chapter 241, article 2, section 60, subdivision 12, is amended to read:

Subd. 12. [AID FOR CHILDREN WITH A DISABILITY.] For aid according to Minnesota Statutes, section 125A.75, subdivision 3, for children with a disability placed in residential facilities within the district boundaries for whom no district of residence can be determined:

\$ 443,000 <u>\$433,000</u>	2000
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~~\$1,064,000~~ \$4,263,000 2001

If the appropriation for either year is insufficient, the appropriation for the other year is available. Any balance in the first year does not cancel but is available in the second year.

Sec. 6. Laws 1999, chapter 241, article 2, section 60, subdivision 13, is amended to read:

Subd. 13. [TRAVEL FOR HOME-BASED SERVICES.] For aid for teacher travel for home-based services according to Minnesota Statutes, section 125A.75, subdivision 1:

~~\$133,000~~ \$125,000 2000

~~\$139,000~~ \$130,000 2001

The 2000 appropriation includes \$11,000 for 1999 and ~~\$122,000~~ \$114,000 for 2000.

The 2001 appropriation includes \$13,000 for 2000 and ~~\$126,000~~ \$117,000 for 2001.

Sec. 7. Laws 1999, chapter 241, article 2, section 60, subdivision 14, is amended to read:

Subd. 14. [SPECIAL EDUCATION EXCESS COST AID.] For excess cost aid:

~~\$60,498,000~~ \$66,032,000 2000

~~\$79,405,000~~ \$89,269,000 2001

The 2000 appropriation includes \$4,693,000 for 1999 and ~~\$55,805,000~~ \$61,339,000 for 2000.

The 2001 appropriation includes ~~\$6,200,000~~ \$6,815,000 for 2000 and ~~\$73,205,000~~ \$82,454,000 for 2001.

Sec. 8. Laws 1999, chapter 241, article 2, section 60, subdivision 17, is amended to read:

Subd. 17. [INTEGRATION AID.] For integration aid:

~~\$37,182,000~~ \$37,610,000 2000

~~\$43,787,000~~ \$55,828,000 2001

The 2000 appropriation includes \$2,902,000 for 1999 and ~~\$34,280,000~~ \$34,708,000 for 2000.

The 2001 appropriation includes ~~\$3,809,000~~ \$3,856,000 for 2000 and ~~\$39,978,000~~ \$51,972,000 for 2001.

Sec. 9. Laws 1999, chapter 241, article 2, section 60, subdivision 19, is amended to read:

Subd. 19. [INTERDISTRICT DESEGREGATION OR INTEGRATION TRANSPORTATION AID.] (a) For interdistrict desegregation or integration transportation aid under Minnesota Statutes, section 124D.87:

\$970,000 2000

\$970,000 2001

Any balance in the first year does not cancel but is available in the second year.

(b) The budget base for this program for fiscal year 2002 is \$500,000. This amount may be spent for interdistrict desegregation or integration transportation aid. For fiscal year 2003 and later, the budget base for this program is the forecasted cost of fully reimbursing districts according to Minnesota Statutes, section 124D.87.

Sec. 10. [REPEALER.]

(a) Laws 1999, chapter 216, article 4, section 12, is repealed.

(b) Minnesota Rules, part 3535.9920, is repealed.

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

ARTICLE 4

KINDERGARTEN THROUGH GRADE 12 EDUCATION: EMPLOYMENT AND TRANSITIONS

Section 1. Minnesota Statutes 1998, section 124D.44, is amended to read:

124D.44 [MATCH REQUIREMENTS.]

Youth works grant funds must be used for the living allowance, cost of employer taxes under sections 3111 and 3301 of the Internal Revenue Code of 1986, workers' compensation coverage, ~~and~~ health benefits for each program participant, and administrative expenses, which must not exceed five percent of total program costs. Youthworks grant funds may also be used to supplement applicant resources to fund postservice benefits for program participants. Applicant resources, from sources and in a form determined by the commission ~~and, beginning January 1, 1997, the council,~~ must be used to provide for all other program costs, including the portion of the applicant's obligation for postservice benefits that is not covered by state or federal grant funds and such costs as supplies, materials, transportation, and salaries and benefits of those staff directly involved in the operation, internal monitoring, and evaluation of the program. ~~Administrative expenses must not exceed five percent of total program costs.~~

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

Sec. 2. Minnesota Statutes 1999 Supplement, section 124D.453, subdivision 3, is amended to read:

Subd. 3. [CAREER AND TECHNICAL AID.] A district's career and technical education aid for fiscal ~~year~~ years 2000 and 2001 equals the lesser of:

(a) \$73 times the district's average daily membership in grades 10 to 12; or

(b) 25 percent of approved expenditures for the following:

(1) salaries paid to essential, licensed personnel providing direct instructional services to students in that fiscal year for services rendered in the district's approved career and technical education programs;

(2) contracted services provided by a public or private agency other than a Minnesota school district or cooperative center under subdivision 7;

(3) necessary travel between instructional sites by licensed career and technical education personnel;

(4) necessary travel by licensed career and technical education personnel for vocational student organization activities held within the state for instructional purposes;

(5) curriculum development activities that are part of a five-year plan for improvement based on program assessment;

(6) necessary travel by licensed career and technical education personnel for noncollegiate credit bearing professional development; and

(7) specialized vocational instructional supplies.

(c) Up to ten percent of a district's career and technical aid may be spent on equipment purchases. Districts using career and technical aid for equipment purchases must report to the department on the improved learning opportunities for students that result from the investment in equipment.

Sec. 3. Laws 1999, chapter 241, article 3, section 3, subdivision 2, is amended to read:

Subd. 2. [SECONDARY VOCATIONAL EDUCATION AID.] For secondary vocational education aid according to Minnesota Statutes, section 124D.453:

\$11,335,000 <u>\$12,413,000</u>	. . . . .	2000
\$1,130,000 <u>\$12,417,000</u>	. . . . .	2001

The 2000 appropriation includes \$1,159,000 for 1999 and ~~\$10,176,000~~ \$11,254,000 for 2000. The 2001 appropriation includes ~~\$1,130,000~~ \$1,250,000 for 2000 and \$11,167,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 4. Laws 1999, chapter 241, article 3, section 3, subdivision 4, is amended to read:

Subd. 4. [EDUCATION AND EMPLOYMENT TRANSITIONS PROGRAM GRANTS.] For education and employment transitions programming under Minnesota Statutes, section 124D.46:

\$3,225,000	. . . . .	2000
\$3,225,000 <u>\$1,425,000</u>	. . . . .	2001

\$200,000 each year is for the development and implementation of the ISEEK Internet-based education and employment information system.

\$1,000,000 ~~each in fiscal year 2000~~ is for an employer rebate program for qualifying employers who offer youth internships to educators.

\$500,000 ~~each in fiscal year 2000~~ is for youth entrepreneurship grants.

\$750,000 each year is for youth apprenticeship grants.

\$300,000 ~~each in fiscal year 2000~~ is for grants to programs in cities of the first class to expand the number of at-risk students participating in school-to-work projects.

\$350,000 each year is for agricultural school-to-work grants.

\$125,000 each year is to conduct a high school follow-up survey to include first, third, and sixth year graduates of Minnesota schools.

Any balance in the first year does not cancel but is available in the second year.

The budget base for this program for fiscal year 2002 and later is \$1,075,000.

Sec. 5. Laws 1999, chapter 241, article 3, section 5, is amended to read:

Sec. 5. [REPEALER.]

Minnesota Statutes 1998, section 124D.453, is repealed effective for revenue for fiscal year ~~2001~~ 2002.

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

ARTICLE 5

KINDERGARTEN THROUGH GRADE 12 EDUCATION: FACILITIES AND TECHNOLOGY

Section 1. Minnesota Statutes 1998, section 123A.485, subdivision 4, is amended to read:

Subd. 4. [NEW DISTRICTS.] If a district consolidates with another district that has received aid under section 123A.39, subdivision 3, or 123A.485 for a combination or consolidation taking effect within six years of the effective date of the new consolidation, only the pupil units in the district or districts not previously reorganized must be counted for aid purposes under subdivision 2. If two or more districts consolidate and all districts received aid under subdivision 2 for a consolidation taking effect within six years of the effective date of the new consolidation, only one quarter of the pupil units in the newly created district must be used to determine aid under subdivision 2.

Sec. 2. Minnesota Statutes 1998, section 123B.51, subdivision 6, is amended to read:

Subd. 6. [PROCEEDS OF SALE OR EXCHANGE.] (a) Proceeds of the sale or exchange of school buildings or real property of the district must be used as provided in this subdivision.

(b) In districts with outstanding bonds, the proceeds of the sale or exchange shall first be deposited in the debt retirement fund of the district in an amount sufficient to meet when due that percentage of the principal and interest payments for outstanding bonds which is ascribable to the payment of expenses necessary and incidental to the construction or purchase of the particular building or property which is sold.

(c) After satisfying the requirements of paragraph (b), a district with outstanding bonds may deposit proceeds of the sale or exchange in its ~~capital expenditure fund~~ general fund reserved for operating capital account if the amount deposited is used for the following:

(1) for expenditures for the cleanup of polychlorinated biphenyls, if the method for cleanup is approved by the department;

(2) for capital expenditures for the betterment, as defined in section 475.51, subdivision 8, of district-owned school buildings; or

(3) to replace the building or property sold.

(d) In a district with outstanding bonds, the amount of the proceeds of the sale or exchange remaining after the application of paragraphs (b) and (c), which is sufficient to meet when due that percentage of the principal and interest payments for the district's outstanding bonds which is not governed by paragraph (b), shall be deposited in the debt retirement fund.

(e) Any proceeds of the sale or exchange remaining in districts with outstanding bonds after the application of paragraphs (b), (c), and (d), and all proceeds of the sale or exchange in districts without outstanding bonds shall be deposited in the ~~capital expenditure~~ general fund reserved for operating capital account of the district.

(f) Notwithstanding paragraphs (c) and (d), a district with outstanding bonds may deposit in its ~~capital expenditure~~ general fund reserved for operating capital account and use for any lawful operating capital expenditure without the reduction of any levy limitation the same percentage of the proceeds of the sale or exchange of a building or property as the percentage of the initial cost of purchasing or constructing the building or property which was paid using revenue from the ~~capital expenditure~~ general fund reserved for operating capital account.

Sec. 3. Minnesota Statutes 1998, section 123B.52, is amended by adding a subdivision to read:

Subd. 6. [DISPOSING OF SURPLUS SCHOOL COMPUTERS.] Notwithstanding section 471.345, governing school district contracts made upon sealed bid or otherwise complying with the requirements for competitive bidding, other provisions of this section governing school district contracts, or other law to the contrary, a school district under this subdivision may dispose of a surplus school computer and related equipment if the district disposes of the surplus property by conveying the property and title to:

(1) another school district;

(2) the state department of corrections;

(3) the board of trustees of the Minnesota state colleges and universities; or

(4) the family of a student residing in the district whose total family income meets the federal definition of poverty.

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

Sec. 4. Minnesota Statutes 1999 Supplement, section 123B.53, subdivision 4, is amended to read:

Subd. 4. [DEBT SERVICE EQUALIZATION REVENUE.] The debt service equalization revenue of a district equals the eligible debt service revenue minus the amount raised by a levy of 12 percent times the adjusted net tax capacity of the district minus the district's enhanced debt service equalization revenue according to subdivision 8.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 5. Minnesota Statutes 1999 Supplement, section 123B.53, subdivision 6, is amended to read:

Subd. 6. [DEBT SERVICE EQUALIZATION AID.] A district's debt service equalization aid is the sum of (1) the difference between the debt service equalization revenue and the equalized debt service levy, and (2) the enhanced debt service equalization aid according to subdivision 10.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 6. Minnesota Statutes 1998, section 123B.53, is amended by adding a subdivision to read:

Subd. 8. [ENHANCED DEBT SERVICE EQUALIZATION REVENUE.] The enhanced debt service equalization revenue of a district equals the eligible debt service revenue minus the amount raised by a levy of 20 percent times the adjusted net tax capacity of the district.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 7. Minnesota Statutes 1998, section 123B.53, is amended by adding a subdivision to read:

Subd. 9. [ENHANCED EQUALIZED DEBT SERVICE LEVY.] To obtain enhanced debt service equalization revenue, a district must levy an amount not to exceed the district's enhanced debt service equalization revenue times the lesser of one or the ratio of:

(1) the quotient derived by dividing the adjusted net tax capacity of the district for the year before the year the levy is certified by the adjusted pupil units in the district for the school year ending in the year prior to the year the levy is certified; to

(2) \$8,000.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 8. Minnesota Statutes 1998, section 123B.53, is amended by adding a subdivision to read:

Subd. 10. [ENHANCED DEBT SERVICE EQUALIZATION AID.] A district's enhanced debt service equalization aid is the difference between the enhanced debt service equalization revenue and the enhanced equalized debt service levy.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 9. Minnesota Statutes 1999 Supplement, section 123B.54, is amended to read:

123B.54 [DEBT SERVICE APPROPRIATION.]

(a) ~~\$33,165,000~~ \$33,141,000 in fiscal year 2000, ~~\$32,057,000~~ \$29,400,000 in fiscal year 2001, and ~~\$31,280,000~~ \$37,134,000 in fiscal year 2002, and \$38,940,000 in fiscal year 2003 and each year thereafter is appropriated from the general fund to the commissioner of children, families, and learning for payment of debt service equalization aid under section 123B.53. The 2002 appropriation includes ~~\$3,201,000~~ \$2,904,000 for 2001 and ~~\$29,079,000~~ \$34,230,000 for 2002.

(b) The appropriations in paragraph (a) must be reduced by the amount of any money specifically appropriated for the same purpose in any year from any state fund.

Sec. 10. Minnesota Statutes 1998, section 123B.59, is amended by adding a subdivision to read:

Subd. 5a. [ALTERNATIVE FACILITIES REVENUE.] A school district's alternative facilities revenue equals the amount approved under this section.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 11. Minnesota Statutes 1998, section 123B.59, subdivision 6, is amended to read:

Subd. 6. [ALTERNATIVE FACILITIES AID.] For fiscal year 2002, a district's alternative facilities aid is the amount equal to the district's annual debt service costs, provided that the amount does not exceed the amount certified to be levied for those purposes for taxes payable in 1997, or for a district that made a levy under subdivision 5, paragraph (b), the lesser of the district's annual levy amount, or one-sixth of the amount of levy that it certified for that purpose for taxes payable in 1998 equals the lesser of the district's annual alternative facilities revenue for that year or 45 percent of the amount of aid the district received in fiscal year 2001. For fiscal year 2003 and later, a district's alternative facilities aid equals the lesser of the district's annual alternative facilities revenue for that year or 25 percent of the amount of aid the district received in fiscal year 2001.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 12. Minnesota Statutes 1998, section 123B.59, is amended by adding a subdivision to read:

Subd. 7a. [ALTERNATIVE FACILITIES APPROPRIATION.] (a) An amount not to exceed \$9,000,000 in fiscal year 2002, and \$5,000,000 in fiscal year 2003 and each year thereafter is appropriated from the general fund to the commissioner of children, families, and learning for payment of alternative facilities aid under this section.

EFFECTIVE DATE: This section is effective for revenue for fiscal year 2002 and later.

Sec. 13. Minnesota Statutes 1998, section 123B.71, subdivision 3, is amended to read:

Subd. 3. [INDOOR AIR QUALITY RESOURCES; COMMISSIONER'S ROLE.] As part of the consultation under subdivision 1, the commissioner shall provide each school district with:

(1) information concerning indoor air quality; and

(2) procedures for monitoring of outdoor airflow and total airflow of ventilation systems in new school facilities.

EFFECTIVE DATE: This section is effective July 1, 2002.

Sec. 14. Minnesota Statutes 1998, section 123B.71, subdivision 10, is amended to read:

Subd. 10. [INDOOR AIR QUALITY.] A school board seeking a review and comment under this section must submit information demonstrating to the commissioner's satisfaction that:

(1) indoor air quality issues have been considered; ~~and~~

(2) the architects and engineers designing the facility will have professional liability insurance;

(3) the facility's heating, ventilation, and air conditioning systems meet or exceed the standards established by code; and

(4) the facility's design will provide the ability for monitoring of outdoor airflow and total airflow of ventilation systems in new school facilities.

EFFECTIVE DATE: This section is effective July 1, 2002.

Sec. 15. [123B.715] [NEW SCHOOL BUILDING CONSTRUCTION STANDARDS.]

Subdivision 1. [APPLICABLE BUILDING PROJECTS.] This section applies to school building projects for which a review and comment under section 123B.71 is requested on or after July 1, 2002.

Subd. 2. [DEFINITIONS.] "ASHRAE" means the American Society of Heating, Refrigerating, and Air Conditioning Engineers. "MERV" means minimum efficiency reporting value.

Subd. 3. [AIR HANDLING SYSTEMS.] Any heating, ventilation, or air conditioning system that is installed subject to this section must provide a filtration system with a MERV rating of MERV 11 as defined in ASHRAE standard 52.2.

EFFECTIVE DATE: This section is effective July 1, 2002.

Sec. 16. Minnesota Statutes 1998, section 126C.40, subdivision 1, is amended to read:

Subdivision 1. [TO LEASE BUILDING OR LAND.] (a) When a district finds it economically advantageous to rent or lease a building or land for any instructional purposes or for school storage or furniture repair, and it determines that the operating capital revenue authorized under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the commissioner for permission to make an additional capital expenditure levy for this purpose. An application for permission to levy under this subdivision must contain financial justification for the proposed levy, the terms and conditions of the proposed lease, and a description of the space to be leased and its proposed use.

(b) The criteria for approval of applications to levy under this subdivision must include: the reasonableness of the price, the appropriateness of the space to the proposed activity, the feasibility of transporting pupils to the leased building or land, conformity of the lease to the laws and rules of the state of Minnesota, and the appropriateness of the proposed lease to the space needs and the financial condition of the district. The commissioner must not authorize a levy under this subdivision in an amount greater than the cost to the district of renting or leasing a building or land for approved purposes. The proceeds of this levy must not be used for custodial or other maintenance services. A district may not levy under this subdivision for the purpose of leasing or renting a district-owned building or site to itself.

(c) For agreements finalized after July 1, 1997, a district may not levy under this subdivision for the purpose of leasing: (1) a newly constructed building used primarily for regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed building addition or additions used primarily for regular kindergarten, elementary, or secondary instruction that contains more than 20 percent of the square footage of the previously existing building.

(d) Notwithstanding paragraph (b), a district may levy under this subdivision for the purpose of leasing or renting a district-owned building or site to itself only if the amount is needed by the district to make payments required by a lease purchase agreement, installment purchase agreement, or other deferred payments agreement authorized by law, and the levy meets the requirements of paragraph (c). A levy authorized for a district by the commissioner under this paragraph may be in the amount needed by the district to make payments required by a lease purchase agreement, installment purchase agreement, or other deferred payments agreement authorized by law, provided that any agreement include a provision giving the school districts the right to terminate the agreement annually without penalty.

(e) The total levy under this subdivision for a district for any year must not exceed \$100 times the resident pupil units for the fiscal year to which the levy is attributable.

~~(e)~~ (f) For agreements for which a review and comment have been submitted to the department of children, families, and learning after April 1, 1998, the term "instructional purpose" as used in this subdivision excludes expenditures on stadiums.

EFFECTIVE DATE: This section is effective for taxes payable in 2001 and later.

Sec. 17. Minnesota Statutes 1999 Supplement, section 126C.40, subdivision 6, is amended to read:

Subd. 6. [LEASE PURCHASE; INSTALLMENT BUYS.] (a) Upon application to, and approval by, the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs (a) and (b), a district, as defined in this subdivision, may:

(1) purchase real or personal property under an installment contract or may lease real or personal property with an option to purchase under a lease purchase agreement, by which installment contract or lease purchase agreement title is kept by the seller or vendor or assigned to a third party as security for the purchase price, including interest, if any; and

(2) annually levy the amounts necessary to pay the district's obligations under the installment contract or lease purchase agreement.

(b) The obligation created by the installment contract or the lease purchase agreement must not be included in the calculation of net debt for purposes of section 475.53, and does not constitute debt under other law. An election is not required in connection with the execution of the installment contract or the lease purchase agreement.

(c) The proceeds of the levy authorized by this subdivision must not be used to acquire a facility to be primarily used for athletic or school administration purposes.

(d) For the purposes of this subdivision, "district" means:

(1) a school district required to have a comprehensive plan for the elimination of segregation whose plan has been determined by the commissioner to be in compliance with department of children, families, and learning rules relating to equality of educational opportunity and school desegregation and, for a district eligible for revenue under section 124D.86, subdivision 3, clause (4), where the acquisition of property under this subdivision is determined by the commissioner to contribute to the implementation of the desegregation plan; or

(2) a school district that participates in a joint program for interdistrict desegregation with a district defined in clause (1) if the facility acquired under this subdivision is to be primarily used for the joint program and the commissioner determines that the joint programs are being undertaken to implement the districts' desegregation plan.

(e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease or rent a district-owned building to itself does not apply to levies otherwise authorized by this subdivision.

(f) For the purposes of this subdivision, any references in subdivision 1 to building or land shall include personal property.

EFFECTIVE DATE: This section is effective for taxes payable in 2001 and later.

Sec. 18. Minnesota Statutes 1998, section 126C.40, is amended by adding a subdivision to read:

Subd. 7. [UNEQUALIZED CAPITAL LEVIES.] A school district's unequalized capital levy equals the sum of its:

(1) disabled access levy under section 123B.58;

(2) technology and building construction down payment levy under section 123B.63;

(3) building lease levies under subdivision 1;

(4) cooperating district capital levy under subdivision 3; and

(5) energy conservation levy under subdivision 4.

EFFECTIVE DATE: This section is effective for taxes payable in 2001 and later.

Sec. 19. Minnesota Statutes 1999 Supplement, section 126C.63, subdivision 8, is amended to read:

Subd. 8. [MAXIMUM EFFORT DEBT SERVICE LEVY.] "Maximum effort debt service levy" means the lesser of:

(1) a levy in whichever of the following amounts is applicable:

(a) in any district granted a debt service loan for a debt service levy payable in 2001 and thereafter, or a capital loan granted after June 30, 2000, a levy in a total dollar amount computed at a rate of 30 percent of adjusted net tax capacity for taxes payable in 2001 and thereafter;

(b) in any district receiving a debt service loan for a debt service levy payable in 1991 and thereafter, or granted a capital loan ~~after~~ between January 1, 1990, and June 30, 2000, a levy in a total dollar amount computed at a rate of 24 percent of adjusted net tax capacity for taxes payable in 1991 and thereafter;

~~(b)~~ (c) in any district granted a debt service loan ~~after~~ between July 31, 1981, and December 31, 1989, or granted a capital loan which is approved ~~after~~ between July 31, 1981, and December 31, 1989, a levy in a total dollar amount computed as a tax rate of 21.92 percent on the adjusted net tax capacity for taxes payable in 1991 and thereafter; or

(2) a levy in any district for which a capital loan was approved prior to August 1, 1981, a levy in a total dollar amount equal to the sum of the amount of the required debt service levy and an amount which when levied annually will in the opinion of the commissioner be sufficient to retire the remaining interest and principal on any outstanding loans from the state within 30 years of the original date when the capital loan was granted.

The board in any district affected by the provisions of clause (2) may elect instead to determine the amount of its levy according to the provisions of clause (1). If a district's capital loan is not paid within 30 years because it elects to determine the amount of its levy according to the provisions of clause (2), the liability of the district for the amount of the difference between the amount it levied under clause (2) and the amount it would have levied under clause (1), and for interest on the amount of that difference, must not be satisfied and discharged pursuant to Minnesota Statutes 1988, or an earlier edition of Minnesota Statutes if applicable, section 124.43, subdivision 4.

EFFECTIVE DATE: This section is effective for taxes payable in 2001 and later.

Sec. 20. Minnesota Statutes 1998, section 126C.69, subdivision 3, is amended to read:

Subd. 3. [DISTRICT REQUEST FOR REVIEW AND COMMENT.] A district or a joint powers district that intends to apply for a capital loan must submit a proposal to the commissioner for review and comment according to section 123B.71 by July 1 of an odd-numbered year. The commissioner shall prepare a review and comment on the proposed facility, regardless of the amount of the capital expenditure required to construct the facility. In addition to the information provided under section 123B.71, subdivision 9, the commissioner shall require that predesign packages comparable to those required under section 16B.335 be prepared by the applicant school district. The predesign packages must be sufficient to define the scope, cost, and schedule of the project and must demonstrate that the project has been analyzed according to appropriate space needs standards and also consider the following criteria in determining whether to make a positive review and comment.

(a) To grant a positive review and comment the commissioner shall determine that all of the following conditions are met:

- (1) the facilities are needed for pupils for whom no adequate facilities exist or will exist;
- (2) the district will serve, on average, at least ~~80~~ 60 pupils per grade or is eligible for elementary or secondary sparsity revenue;
- (3) no form of cooperation with another district would provide the necessary facilities;
- (4) the facilities are comparable in size and quality to facilities recently constructed in other districts that have similar enrollments;
- (5) the facilities are comparable in size and quality to facilities recently constructed in other districts that are financed without a capital loan;
- (6) the district is projected to ~~maintain or increase its average daily membership over the next five years or is eligible for elementary or secondary sparsity revenue~~ have access to funds in its general operating budget to support its program;
- (7) the current facility poses a threat to the life, health, and safety of pupils, and cannot reasonably be brought into compliance with fire, health, or life safety codes;
- (8) the district has made a good faith effort, as evidenced by its maintenance expenditures, to adequately maintain the existing facility during the previous ten years and to comply with fire, health, and life safety codes and state and federal requirements for handicapped accessibility;

(9) the district has made a good faith effort to encourage integration of social service programs within the new facility; ~~and~~

(10) evaluations by boards of adjacent districts have been received; and

(11) the proposal includes a comprehensive technology plan.

(b) The commissioner may grant a negative review and comment if:

(1) the state demographer has examined the population of the communities to be served by the facility and determined that the communities have not grown during the previous five years;

(2) the state demographer determines that the economic and population bases of the communities to be served by the facility are not likely to grow or to remain at a level sufficient, during the next ten years, to ensure use of the entire facility;

(3) the need for facilities could be met within the district or adjacent districts at a comparable cost by leasing, repairing, remodeling, or sharing existing facilities or by using temporary facilities;

(4) the district plans do not include cooperation and collaboration with health and human services agencies and other political subdivisions; or

(5) if the application is for new construction, an existing facility that would meet the district's needs could be purchased at a comparable cost from any other source within the area.

Sec. 21. Minnesota Statutes 1999 Supplement, section 126C.69, subdivision 9, is amended to read:

Subd. 9. [LOAN AMOUNT LIMITS.] (a) A loan must not be recommended for approval for a district exceeding an amount computed as follows:

(1) the amount requested by the district under subdivision 6;

(2) plus the aggregate principal amount of general obligation bonds of the district outstanding on June 30 of the year following the year the application was received, not exceeding the limitation on net debt of the district in section 475.53, subdivision 4, or ~~363~~ 400 percent of its adjusted net tax capacity as most recently determined, whichever is less;

(3) less the maximum net debt permissible for the district on December 1 of the year the application is received, under the limitation in section 475.53, subdivision 4, or ~~363~~ 400 percent of its adjusted net tax capacity as most recently determined, whichever is less;

(4) less any amount by which the amount voted exceeds the total cost of the facilities for which the loan is granted.

(b) The loan may be approved in an amount computed as provided in paragraph (a), clauses (1) to (3), subject to later reduction according to paragraph (a), clause (4).

Sec. 22. Minnesota Statutes 1998, section 136D.281, subdivision 4, is amended to read:

Subd. 4. [REVERSE REFERENDUM.] The intermediate school board ~~shall not may~~ sell and issue bonds for acquisition or betterment purposes in an aggregate amount not to exceed \$2,000,000 if: (1) each member school district board has adopted a resolution authorizing the project; (2) the intermediate board has prepared and published in a newspaper of general circulation in the district a notice of the public meeting on the intermediate district's intent to sell bonds; and (3) the intermediate board has adopted a resolution authorizing the bonds. The resolution becomes final unless within 60 days after the meeting where the resolution was adopted a petition requesting an election is

filed with the board. The petition must be signed by a number of qualified voters in excess of five percent of the registered voters of the intermediate school district who voted in the last general election. If the petition is filed, then the board resolution authorizing the sale and issuance of bonds has no effect until the question of their issuance has been submitted to the voters of the intermediate school district at a special election held in and for the intermediate district. The date of the election, the question to be submitted, and all other necessary conduct of the election shall be fixed by the intermediate school board. The election shall be conducted and canvassed under the direction of the intermediate school board in accordance with chapter 205A, insofar as applicable.

If a majority of the total number of votes cast on the question within the intermediate school district is in favor of the question, the intermediate school board may proceed with the sale and issuance of the bonds.

The bonds shall be general obligations of the intermediate school district; however, each member school district must each year certify its proportionate share of the debt service levy on the bonds, with the allocation of its share of that levy determined in accordance with the resolution authorizing the project previously adopted by each member school board. For purposes of section 123B.53, the debt service levies certified for this purpose by an individual member school district shall be considered debt service levies of that school district. By July 1 and December 1 of each year, the school board of each member school district shall transfer to the intermediate school district an amount equal to 50 percent of the debt service levy certified by that member school district in the previous fiscal year to pay its proportionate share.

Sec. 23. Minnesota Statutes 1998, section 136D.741, subdivision 4, is amended to read:

Subd. 4. [REVERSE REFERENDUM.] The intermediate school board shall not may sell and issue bonds for acquisition or betterment purposes in an aggregate amount not to exceed \$8,000,000 if: (1) each member school district board has adopted a resolution authorizing the project; (2) the intermediate board has prepared and published in a newspaper of general circulation in the district a notice of the public meeting on the intermediate district's intent to sell bonds; and (3) the intermediate board has adopted a resolution authorizing the bonds. The resolution becomes final unless within 60 days after the meeting where the resolution was adopted a petition requesting an election is filed with the board. The petition must be signed by a number of qualified voters in excess of five percent of the registered voters of the intermediate school district who voted in the last general election. If the petition is filed, then the board resolution authorizing the sale and issuance of bonds has no effect until the question of their issuance has been submitted to the voters of the intermediate school district at a special election held in and for such intermediate district. The date of such election, the question to be submitted, and all other necessary conduct of such election shall be fixed by the intermediate school board and said election shall be conducted and canvassed under the direction of the intermediate school board in accordance with chapter 205A, insofar as the same may be deemed applicable.

If a majority of the total number of votes cast on the question within the intermediate school district is in favor of the question, the intermediate school board may thereupon proceed with the sale and the issuance of said bonds.

The bonds shall be general obligations of the intermediate school district; however, each member school district must each year certify its proportionate share of the debt service levy on the bonds, with the allocation of its share of that levy determined in accordance with the resolution authorizing the project previously adopted by each member school board. For purposes of section 123B.53, the debt service levies certified for this purpose by an individual member school district shall be considered debt service levies of that school district. By July 1 and December 1 of each year, the school board of each member school district shall transfer to the intermediate school district an amount equal to 50 percent of the debt service levy certified by that member school district in the previous fiscal year to pay its proportionate share.

Sec. 24. Minnesota Statutes 1998, section 136D.88, subdivision 4, is amended to read:

Subd. 4. [REVERSE REFERENDUM.] The intermediate school board shall not may sell and issue bonds for acquisition or betterment purposes in an aggregate amount not to exceed \$8,000,000 if: (1) each member school district board has adopted a resolution authorizing the project; (2) the intermediate board has prepared and published in a newspaper of general circulation in the district a notice of the public meeting on the intermediate district's intent

to sell bonds; and (3) the intermediate board has adopted a resolution authorizing the bonds. The resolution becomes final unless within 60 days after the meeting where the resolution was adopted a petition requesting an election is filed with the board. The petition must be signed by a number of qualified voters in excess of five percent of the registered voters of the intermediate school district who voted in the last general election. If the petition is filed, then the board resolution authorizing the sale and issuance of bonds has no effect until the question of their issuance has been submitted to the voters of the intermediate school district at a special election held in and for the intermediate district. The date of the election, the question to be submitted, and all other necessary conduct of the election shall be fixed by the intermediate school board. The election shall be conducted and canvassed under the direction of the intermediate school board in accordance with chapter 205A, insofar as applicable.

If a majority of the total number of votes cast on the question within the intermediate school district is in favor of the question, the intermediate school board may thereupon proceed with the sale and issuance of the bonds.

The bonds shall be general obligations of the intermediate school district; however, each member school district must each year certify its proportionate share of the debt service levy on the bonds, with the allocation of its share of that levy determined in accordance with the resolution authorizing the project previously adopted by each member school board. For purposes of section 123B.53, the debt service levies certified for this purpose by an individual member school district shall be considered debt service levies of that school district. By July 1 and December 1 of each year, the school board of each member school district shall transfer to the intermediate school district an amount equal to 50 percent of the debt service levy certified by that member school district in the previous fiscal year to pay its proportionate share.

Sec. 25. Minnesota Statutes 1998, section 475.53, subdivision 4, is amended to read:

Subd. 4. [SCHOOL DISTRICTS.] Except as otherwise provided by law, no school district shall be subject to a net debt in excess of ten percent of the actual market value of all taxable property situated within its corporate limits, as computed in accordance with this subdivision. The county auditor of each county containing taxable real or personal property situated within any school district shall certify to the district upon request the market value of all such property. Whenever the commissioner of revenue, in accordance with section 127A.48, subdivisions 1 to 6, has determined that the net tax capacity of any district furnished by county auditors is not based upon the market value of taxable property in the district, the commissioner of revenue shall certify to the district upon request the ratio most recently ascertained to exist between such value and the actual market value of property within the district. The actual market value of property within a district, on which its debt limit under this subdivision is based, is (a) the value certified by the county auditors, or (b) this value divided by the ratio certified by the commissioner of revenue, whichever results in a higher value times the adjusted net tax capacity of the district as defined in section 126C.01, subdivision 2.

Sec. 26. Laws 1999, chapter 241, article 4, section 27, subdivision 2, is amended to read:

Subd. 2. [HEALTH AND SAFETY AID.] For health and safety aid according to Minnesota Statutes, section 123B.57, subdivision 5:

\$14,528,000 <u>\$14,015,000</u>	.....	2000
\$14,957,000 <u>\$14,450,000</u>	.....	2001

The 2000 appropriation includes \$1,415,000 for 1999 and ~~\$13,113,000~~ \$12,600,000 for 2000.

The 2001 appropriation includes ~~\$1,456,000~~ \$1,400,000 for 2000 and ~~\$13,501,000~~ \$13,050,000 for 2001.

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

Sec. 27. Laws 1999, chapter 241, article 4, section 27, subdivision 3, is amended to read:

Subd. 3. [DEBT SERVICE AID.] For debt service aid according to Minnesota Statutes, section 123B.53, subdivision 6:

\$33,165,000 <u>\$33,141,000</u>	.....	2000
\$32,084,000 <u>\$29,400,000</u>	.....	2001

The 2000 appropriation includes \$3,842,000 for 1999 and ~~\$29,323,000~~ \$29,299,000 for 2000.

The 2001 appropriation includes ~~\$3,256,000~~ \$3,255,000 for 2000 and ~~\$28,828,000~~ \$26,145,000 for 2001.

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

Sec. 28. Laws 1999, chapter 241, article 4, section 27, subdivision 4, is amended to read:

Subd. 4. [INTERACTIVE TELEVISION (ITV) AID.] For interactive television (ITV) aid under Minnesota Statutes, section 126C.40, subdivision 4:

\$4,197,000 <u>\$4,194,000</u>	.....	2000
\$2,851,000 <u>\$2,761,000</u>	.....	2001

The 2000 appropriation includes \$405,000 for 1999 and ~~\$3,792,000~~ \$3,789,000 for 2000.

The 2001 appropriation includes \$421,000 for 2000 and ~~\$2,430,000~~ \$2,340,000 for 2001.

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

Sec. 29. Laws 1999, chapter 241, article 4, section 27, subdivision 5, is amended to read:

Subd. 5. [ALTERNATIVE FACILITIES BONDING AID.] For alternative facilities bonding aid, according to Minnesota Statutes, section 123B.59:

\$19,058,000 <u>\$18,920,000</u>	.....	2000
\$19,286,000 <u>\$19,134,000</u>	.....	2001

The 2000 appropriation includes \$1,700,000 for ~~2000~~ 1999 and ~~\$17,358,000~~ \$17,220,000 for ~~2001~~ 2000.

The 2001 appropriation includes ~~\$1,928,000~~ \$1,913,000 for 2000 and ~~\$17,358,000~~ \$17,221,000 for 2001.

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

Sec. 30. Laws 1999, chapter 241, article 4, section 27, subdivision 7, is amended to read:

Subd. 7. [TELECOMMUNICATION ACCESS GRANTS.] (a) For telecommunication access grants according to Minnesota Statutes, section 125B.20:

\$5,000,000	.....	2000
<u>\$10,000,000</u>	.....	<u>2001</u>

(b) Any balance in the first year does not cancel but is available in the second year. This amount shall not be included as part of the base for fiscal year 2002-2003.

Sec. 31. Laws 1999, chapter 241, article 4, section 27, subdivision 10, is amended to read:

Subd. 10. [DECLINING PUPIL AID; ST. PETER.] For a grant to independent school district No. 508, St. Peter, to ameliorate general fund operating losses associated with the March, 1998 tornado:

\$105,000 <u>\$75,000</u>	.....	2000
\$278,000 <u>\$115,000</u>	.....	2001

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

Sec. 32. Laws 1999, chapter 241, article 4, section 27, subdivision 11, is amended to read:

Subd. 11. [FLOODS; DECLINING PUPIL AID.] For declining pupil aid under section 23:

\$2,132,000 <u>\$2,087,000</u>	.....	2000
\$1,758,000 <u>\$1,639,000</u>	.....	2001

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

Sec. 33. Laws 1999, chapter 241, article 4, section 29, is amended to read:

Sec. 29. [REPEALER.]

(a) Minnesota Statutes 1998, ~~sections 123A.44; 123A.441; 123A.442; 123A.443; 123A.444; 123A.445; 123A.446; 123B.57, subdivisions 4, 5, and 7; 123B.59, subdivision 7; 123B.63, subdivisions 1 and 2; section 123B.66; 123B.67; 123B.68; and 123B.69, are,~~ is repealed effective the day following final enactment.

(b) ~~Minnesota Statutes 1998, section 123B.58, is repealed effective July 1, 2004.~~

(~~e~~) Minnesota Statutes 1998, section 123B.64, subdivision 4, is repealed effective for revenue for fiscal year 2000.

(~~d~~) (c) Minnesota Statutes 1998, section 123B.64, subdivisions 1, 2, and 3, are repealed effective for revenue for fiscal year 2001.

(~~e~~) (d) Minnesota Rules, parts 3500.3900; 3500.4000; 3500.4100; 3500.4200; and 3500.4300, are repealed.

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

Sec. 34. [TECHNOLOGY CAPABILITIES TASK FORCE.]

The commissioner of children, families, and learning must convene a task force to determine the ongoing technology needs of Minnesota's school districts including the cost of maintenance, support services, and technology upgrades. The task force is composed of the commissioner of children, families, and learning, or the commissioner's designee, two persons appointed by Education Minnesota, two persons appointed by the Minnesota school boards association, one person appointed by the Minnesota rural education association, one person appointed by the service cooperatives, one elementary school principal appointed by the Minnesota elementary principals association, one secondary school principal appointed by the Minnesota association of secondary school principals, one superintendent appointed by the Minnesota association of school administrators, one school media specialist appointed by the Minnesota educational media organization, one teacher aide appointed by the commissioner, one

assistive technology practitioner appointed by the commissioner, one person appointed by the Minnesota high technology council, one person from the Minnesota Business Partnership, one person from the Minnesota Chamber of Commerce, and two people from the Minnesota education telecommunications council. The task force must establish minimum technology standards for school districts and for school sites. The task force must report its minimum standards for technology to the education committees of the legislature by February 15, 2001.

Sec. 35. [DECLINING PUPIL UNITS; ST. PETER.]

For purposes of Laws 1999, chapter 241, article 4, section 22, the St. Peter school district's marginal cost pupil units for the 1996-1997 school year must be calculated using the pupil weights in effect for fiscal year 2000.

Sec. 36. [REPEALER WITHOUT EFFECT.]

The repeal of Minnesota Statutes 1998, sections 123A.44; 123A.441; 123A.442; 123A.443; 123A.444; 123A.445; 123A.446; 123B.57, subdivisions 4, 5, and 7; 123B.59, subdivision 7; 123B.63, subdivisions 1 and 2; 123B.67; 123B.68; and 123B.69, by Laws 1999, chapter 241, article 4, section 29, with an effective date of May 26, 1999, is without effect and Minnesota Statutes 1998, sections 123A.44; 123A.441; 123A.442; 123A.443; 123A.444; 123A.445; 123A.446; 123B.57, subdivisions 4, 5, and 7; 123B.59, subdivision 7; 123B.63, subdivisions 1 and 2; 123B.67; 123B.68; and 123B.69, remain in effect after May 25, 1999.

EFFECTIVE DATE: This section is effective retroactive to May 25, 1999.

Sec. 37. [REPEALER.]

(a) Minnesota Statutes 1998, sections 136D.281, subdivision 8; 136D.741, subdivision 8; and 136D.88, subdivision 8, are repealed effective July 1, 2000.

(b) Minnesota Statutes 1998, section 123B.59, subdivision 7, is repealed effective June 30, 2001.

ARTICLE 6

KINDERGARTEN THROUGH GRADE 12 EDUCATION: EDUCATIONAL EXCELLENCE AND OTHER POLICY

Section 1. Minnesota Statutes 1998, section 120A.41, is amended to read:

120A.41 [LENGTH OF SCHOOL YEAR; DAYS OF INSTRUCTION.]

A school board's annual school calendar must include at least three additional days of student instruction beyond the number of 173 days of student instruction the board formally adopted as its school calendar at the beginning of the 1996-1997 school year and five days of staff development or parent-teacher conferences and related activities.

EFFECTIVE DATE: This section is effective the day following final enactment and applies for 2001-2002 and later school years.

Sec. 2. [121A.582] [STUDENT DISCIPLINE; REASONABLE FORCE.]

Subdivision 1. [REASONABLE FORCE STANDARD.] (a) A teacher, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

(b) A school employee, school bus driver, or other agent of a district, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

(c) Paragraphs (a) and (b) do not authorize conduct prohibited under sections 121A.58 and 121A.67.

Subd. 2. [CIVIL LIABILITY.] (a) A teacher who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (a), has a defense against a civil action for damages under section 123B.25.

(b) A school employee, bus driver, or other agent of a district who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (b), has a defense against a civil action for damages under section 123B.25.

Subd. 3. [CRIMINAL PROSECUTION.] (a) A teacher who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (a), has a defense against a criminal prosecution under section 609.06, subdivision 1.

(b) A school employee, bus driver, or other agent of a district who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (b), has a defense against a criminal prosecution under section 609.06, subdivision 1.

Subd. 4. [SUPPLEMENTARY RIGHTS AND DEFENSES.] Any right or defense in this section is supplementary to those specified in section 121A.58, 121A.67, 123B.25, or 609.06, subdivision 1.

EFFECTIVE DATE: This section is effective for the 2000-2001 school year and later.

Sec. 3. Minnesota Statutes 1998, section 121A.61, subdivision 3, is amended to read:

Subd. 3. [POLICY COMPONENTS.] The policy must include at least the following components:

- (a) rules governing student conduct and procedures for informing students of the rules;
- (b) the grounds for removal of a student from a class;
- (c) the authority of the classroom teacher to remove students from the classroom pursuant to procedures and rules established in the district's policy;
- (d) the procedures for removal of a student from a class by a teacher, school administrator, or other school district employee;
- (e) the period of time for which a student may be removed from a class, which may not exceed five class periods for a violation of a rule of conduct;
- (f) provisions relating to the responsibility for and custody of a student removed from a class;
- (g) the procedures for return of a student to the specified class from which the student has been removed;
- (h) the procedures for notifying a student and the student's parents or guardian of violations of the rules of conduct and of resulting disciplinary actions;
- (i) any procedures determined appropriate for encouraging early involvement of parents or guardians in attempts to improve a student's behavior;
- (j) any procedures determined appropriate for encouraging early detection of behavioral problems;
- (k) any procedures determined appropriate for referring a student in need of special education services to those services;

(l) the procedures for consideration of whether there is a need for a further assessment or of whether there is a need for a review of the adequacy of a current individual education plan of a student with a disability who is removed from class;

(m) procedures for detecting and addressing chemical abuse problems of a student while on the school premises;

(n) the minimum consequences for violations of the code of conduct; ~~and~~

(o) procedures for immediate and appropriate interventions tied to violations of the code; and

(p) a provision that states that a teacher, school employee, school bus driver, or other agent of a district may use reasonable force in compliance with section 121A.582 and other laws.

EFFECTIVE DATE: This section is effective for the 2001-2002 school year and thereafter.

Sec. 4. Minnesota Statutes 1999 Supplement, section 122A.09, subdivision 4, is amended to read:

Subd. 4. [LICENSE AND RULES.] (a) The board must adopt rules to license public school teachers and interns subject to chapter 14.

(b) The board must adopt rules requiring a person to successfully complete a skills examination in reading, writing, and mathematics as a requirement for initial teacher licensure. Such rules must require college and universities offering a board approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the skills examination, including those for whom English is a second language.

(c) The board must adopt rules to approve teacher preparation programs. The board, upon the request of a post-secondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a post-secondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and shall adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes.

(e) The board must adopt rules requiring successful completion of an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills. The rules shall be effective on the dates determined by the board, but not later than September 1, 2001.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for initial licenses.

(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses.

(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.

(k) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule. The rules adopted under this paragraph apply to teachers who renew their licenses in year 2001 and later.

(l) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

(m) Notwithstanding any law or rule to the contrary, the board of teaching shall issue an alternative two-year license to teach in Minnesota if the applicant:

(1) holds a degree from an out-of-state institution of higher education that is comparable in rank and standing to a Minnesota state university, the University of Minnesota, or a nonpublic state liberal arts college or university, provided the applicant received the degree for completing a teacher preparation program;

(2) has successfully completed a basic skills exam in reading, writing, and mathematics approved by the board of teaching under section 122A.09, subdivision 4, clause (b);

(3) has undergone a background check under section 122A.18, subdivision 8, and, as a result of the background check, is eligible to be licensed by the board of teaching; and

(4) documents that the applicant has experience as a licensed teacher of school-age children and provides personal references.

A school district that hires a teacher with an alternative two-year license under this subdivision shall name for the teacher a mentorship team that includes the school principal or other person charged with administering the school site. The team shall evaluate the teacher and recommend to the board of teaching whether or not the teacher should receive a continuing license. If the recommendation is favorable, the board of teaching shall issue a continuing license to the teacher. If the recommendation is unfavorable, the board of teaching may, at its discretion, renew the alternative two-year license under this subdivision for an additional two-year period or decline to further consider the applicant for a license under this subdivision.

Sec. 5. Minnesota Statutes 1998, section 122A.18, subdivision 2, is amended to read:

Subd. 2. [TEACHER AND SUPPORT PERSONNEL QUALIFICATIONS.] (a) The board of teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and competent for their respective positions.

(b) The board must require a person to successfully complete an examination of skills in reading, writing, and mathematics before being granted an initial teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs. The board must require colleges and universities offering a board approved teacher preparation program to provide remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on the skills examination, including those for whom English is a second language. The colleges and universities must provide assistance in the specific academic areas of deficiency in which the person did not achieve a qualifying score. School districts must provide similar, appropriate, and timely remedial assistance that includes a formal diagnostic component and mentoring to those persons employed by the district who completed their teacher education program outside the state of Minnesota, received a one-year license to teach in Minnesota and did not achieve a qualifying score on the skills examination, including those persons for whom English is a second language. The board of

teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking the basic skills examination under section 122A.09, subdivision 4, clause (b), the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, the distribution of all candidates' scores, the number of candidates who have taken the examination at least once before, and the number of candidates who have taken the examination at least once before and achieve a qualifying score. The data shall be disaggregated to the institutional level.

(c) A person who has completed an approved teacher preparation program and obtained a one-year license to teach, but has not successfully completed the skills examination, may renew the one-year license for two additional one-year periods. Each renewal of the one-year license is contingent upon the licensee:

(1) providing evidence of participating in an approved remedial assistance program provided by a school district or post-secondary institution that includes a formal diagnostic component in the specific areas in which the licensee did not obtain qualifying scores; and

(2) attempting to successfully complete the skills examination during the period of each one-year license.

(d) The board of teaching must grant continuing licenses only to those persons who have met board criteria for granting a continuing license, which includes successfully completing the skills examination in reading, writing, and mathematics.

(e) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

EFFECTIVE DATE: This section is effective for the 2000-2001 school year and thereafter.

Sec. 6. [122A.655] [RECRUITMENT OF EXCELLENT TEACHERS IN SCIENCE, MATH, INDUSTRIAL TECHNOLOGY, AND SPECIAL EDUCATION AND IN RURAL AREAS; LOAN FORGIVENESS PROGRAM.]

Subdivision 1. [PROGRAM ESTABLISHED; ACCOUNT CREATED.] (a) A loan forgiveness program is established to assist Minnesota public schools in recruiting and retaining excellent teachers in science, math, industrial technology, and special education and in rural areas. A loan forgiveness program account is created in the state treasury. The account consists of money appropriated by the legislature and repayments and penalties collected under subdivision 4. All money in this account is annually appropriated to the commissioner and must be used to repay loans of qualified licensed teachers who agree to teach in high-need areas under subdivision 2.

(b) A school district that employs a teacher participating in this program must provide the teacher with mentoring that:

(1) offers appropriate intervention, which may include assisting with student discipline or classroom management, adjustments to the teaching assignment, student motivation, lesson planning, accommodations for individual student differences, or finding and using effective materials;

(2) orients the teacher to the school and the community; and

(3) ensures instructional and interpersonal support that fosters professional development and the teacher's retention.

Subd. 2. [ELIGIBILITY; APPLICATION.] (a) To participate in this program, a person must:

(1) have graduated from an approved teacher preparation institution within 12 months of submitting an application to the commissioner to participate in this program;

(2) have a 3.0 grade point average or higher in that portion of the teacher preparation program affecting licensure in the field of math, science, industrial technology, or special education, and be licensed to teach in the field of math, science, industrial technology, or special education; and

(3) agree to be employed as a teacher for at least three consecutive school years in one Minnesota public school.

(b) A person who meets the criteria in paragraph (a) and agrees to be employed as a teacher in a public school located in Minnesota outside the metropolitan area, as defined in section 473.121, subdivision 2, is eligible to receive an additional amount of \$1,000 per year under subdivision 3.

(c) To be eligible to participate in this program, a person must submit an application to the commissioner in the form and manner the commissioner prescribes.

(d) The commissioner shall select applicants that qualify for this program, notify eligible people about the program, develop and disseminate application materials, and carry out other activities needed to implement this section.

Subd. 3. [LOAN FORGIVENESS.] For fiscal year 2001, the commissioner may select teacher applicants to participate in this program. Program participants are responsible for securing their own loans. Program participants who meet the criteria in subdivision 2, paragraph (a), may designate for each year of post-secondary education leading to a license to teach, up to a total of three years, an agreed amount, not to exceed \$3,000 per year, as a qualified loan. Program participants who meet the criteria in subdivision 2, paragraphs (a) and (b), may designate for each year of post-secondary education leading to a license to teach, up to a total of three years, an agreed amount not to exceed \$4,000 per year, as a qualified loan. For each year that a participant is employed in a school district according to subdivision 2, up to a total of three years, the commissioner shall annually pay an amount equal to one year of qualified loans.

Subd. 4. [PENALTY.] If a teacher participating in this program does not fulfill the required three years of service in a qualifying public school for full repayment of all qualified loans, then the commissioner must collect from the teacher the amount paid under this loan forgiveness program. The commissioner shall deposit the money the commissioner collects in the loan forgiveness program account under subdivision 1. The commissioner may grant a waiver for all or part of the money owed as a result of a penalty if, according to criteria established by the commissioner, emergency circumstances prevent the teacher from fulfilling the teacher's three-year commitment to teach.

Sec. 7. [123B.055] [CONTRACTS FOR COMPUTERS OR RELATED EQUIPMENT OR SERVICE.]

The school board of a school district may not enter into a contract or permit a school within the district to enter into a contract for the use of a computer or related equipment or service that requires advertising to be disseminated to students unless the school board:

(1) enters into the contract at a public hearing of the school board;

(2) makes a finding that the offered electronic product or service is an integral component of students' education;

(3) provides written notice to students' parents that advertising will be used in the classroom, media center, computer lab, or other areas of learning;

(4) as part of normal, ongoing district communications with parents, allows parents to request in writing that (i) their student not be exposed to the program that contains the advertising for the current school year, or that (ii) any or all directory information relating to the student that is collected as a result of this contract is not disclosed; and

(5) honors parents' request, under clause (4), that their student not be exposed to the advertising program or that directory information relating to the student is not disclosed and allows parents to withdraw their request at any time.

Advertising under this section does not include the identification of the source of the document or information.

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

Sec. 8. Minnesota Statutes 1998, section 123B.79, subdivision 7, is amended to read:

Subd. 7. [ACCOUNT TRANSFER FOR CERTAIN SEVERANCE PAY.] A district may maintain in a ~~designated~~ reserve for certain severance pay account not more than 50 percent of the amount necessary to meet the obligations for the portion of severance pay that constitutes compensation for accumulated sick leave to be used for payment of premiums for group insurance provided for former employees by the district. The amount necessary must be calculated according to standards established by the ~~advisory council on uniform financial accounting and reporting standards~~ department.

Sec. 9. Minnesota Statutes 1998, section 123B.86, subdivision 1, is amended to read:

Subdivision 1. [GENERAL PROVISIONS.] A district shall provide equal transportation within the district for all school children to any school when transportation is deemed necessary by the school board because of distance or traffic condition in like manner and form as provided in sections 123B.88 and ~~124.223~~ 123B.92, when applicable.

Sec. 10. Minnesota Statutes 1998, section 123B.88, subdivision 3, is amended to read:

Subd. 3. [TRANSPORTATION SERVICES CONTRACTS.] The board may contract for the furnishing of authorized transportation under ~~rules established by the commissioner~~ section 123B.52, and may purchase gasoline and furnish same to a contract carrier for use in the performance of a contract with the school district for transportation of school children to and from school.

Sec. 11. Minnesota Statutes 1998, section 124D.081, subdivision 6, is amended to read:

Subd. 6. [PREPAREDNESS REVENUE.] (a) A qualifying school district is eligible for first-grade preparedness revenue equal to the basic formula allowance for that year times the number of children five years of age or older enrolled in a kindergarten program at the site on October 1 of the previous year times .53.

(b) This revenue must supplement and not replace compensatory revenue that the district uses for the same or similar purposes under chapters 120B, 123A, 123B, 124D, 126C, and 127A.

(c) A pupil enrolled in the first grade preparedness program at a qualifying school site is eligible for transportation under section 123B.88, subdivision 1.

(d) First grade preparedness revenue paid to a charter school for which a school district is providing transportation according to section 124D.10, subdivision 16, shall be decreased by an amount equal to the product of ~~\$170~~ the formula allowance according to section 126C.10, subdivision 2, times .0485 times the pupil units calculated according to paragraph (a). This amount shall be paid to the school district for transportation costs.

Sec. 12. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 3, is amended to read:

Subd. 3. [SPONSOR.] A school board; ~~intermediate school district school board;~~ education districts ~~district~~ organized under sections 123A.15 to 123A.19; ~~charitable organization under section 501(c)(3) of the Internal Revenue Code of 1986 that is a member of the Minnesota council of nonprofits, registered with the attorney general's~~

office, and reports an end-of-year fund balance of at least \$1,000,000; Minnesota private college; that grants two- or four-year degrees and is registered with the higher education services office under chapter 136A; community college, state university, or technical college, governed by the board of trustees of the Minnesota state colleges and universities; or the University of Minnesota may sponsor one or more charter schools.

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

Sec. 13. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 4, is amended to read:

Subd. 4. [FORMATION OF SCHOOL.] (a) A sponsor may authorize one or more licensed teachers under section 122A.18, subdivision 1, to operate a charter school subject to approval by the commissioner. A school board or a board or designee of a higher education institution must vote on charter school application for sponsorship no later than 90 days after receiving the application. After 90 days, the applicant may apply to the commissioner. If a school board or a board or designee of a higher education institution elects not to sponsor a charter school, the applicant may appeal the ~~board's~~ decision of the school board or higher education institution board or designee to the commissioner. If the commissioner authorizes the school, the commissioner must sponsor the school according to this section. The school must be organized and operated as a cooperative under chapter 308A or nonprofit corporation under chapter 317A.

(b) Before the operators may form and operate a school, the sponsor must file an affidavit with the commissioner stating its intent to authorize a charter school. The affidavit must state the terms and conditions under which the sponsor would authorize a charter school. The charter school developers must submit the charter school proposal and affidavit to the commissioner quarterly on dates the commissioner determines and announces in advance. The commissioner must approve or disapprove the sponsor's proposed authorization within 60 days of ~~receipt of receiving~~ the affidavit. Failure to obtain commissioner approval precludes a sponsor from authorizing the charter school that was the subject of the affidavit. The commissioner shall organize and facilitate an orderly review of charter school proposals. The commissioner may appoint a review committee to assist in the review process. The committee may review applications and participate in interviews with applicants. The committee's role shall be solely advisory. The commissioner shall complete the review and decide to grant or not grant a new charter within 60 days of receiving the application.

(c) The operators authorized to organize and operate a school must hold an election for members of the school's board of directors in a timely manner after the school is operating. Any staff members who are employed at the school, including teachers providing instruction under a contract with a cooperative, and all parents of children enrolled in the school may participate in the election. Licensed teachers employed at the school, including teachers providing instruction under a contract with a cooperative, must be a majority of the members of the board of directors, unless the commissioner waives the requirement for the school. A provisional board may operate before the election of the school's board of directors. Board of director meetings must comply with section 471.705.

(d) The granting or renewal of a charter by a sponsoring entity must not be conditioned upon the bargaining unit status of the employees of the school.

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

Sec. 14. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 6, is amended to read:

Subd. 6. [CONTRACT.] The sponsor's authorization for a charter school must be in the form of a written contract signed by the sponsor and the board of directors of the charter school. The contract must be completed within 90 days of the commissioner's approval of the sponsor's proposed authorization. The contract for a charter school must be in writing and contain at least the following:

- (1) a description of a program that carries out one or more of the purposes in subdivision 1;
- (2) specific outcomes pupils are to achieve under subdivision 10;

- (3) admission policies and procedures;
 - (4) management and administration of the school;
 - (5) requirements and procedures for program and financial audits;
 - (6) how the school will comply with subdivisions 8, 13, 16, and 23;
 - (7) assumption of liability by the charter school;
 - (8) types and amounts of insurance coverage to be obtained by the charter school;
 - (9) the term of the contract, which may be up to three years for the first term and may be renewed for up to five years for subsequent terms if the sponsor determines that the charter school board of directors and operators have substantially complied with the contract terms; and
 - (10) if the board of directors or the operators of the charter school provide special instruction and services for children with a disability under sections 125A.03 to 125A.24, and 125A.65, a description of the financial parameters within which the charter school will operate to provide the special instruction and services to children with a disability.
- EFFECTIVE DATE:** This section is effective the day following final enactment.
- Sec. 15. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 8, is amended to read:
- Subd. 8. [STATE AND LOCAL REQUIREMENTS.] (a) A charter school shall meet all applicable state and local health and safety requirements.
- (b) A school sponsored by a school board may be located in any district, unless the school board of the district of the proposed location disapproves by written resolution. If such a board denies a request to locate within its boundaries a charter school sponsored by another school board, the sponsoring school board may appeal to the commissioner. If the commissioner authorizes the school, the commissioner must sponsor the school.
 - (c) A charter school must be nonsectarian in its programs, admission policies, employment practices, and all other operations. A sponsor may not authorize a charter school or program that is affiliated with a nonpublic sectarian school or a religious institution.
 - (d) Charter schools must not be used as a method of providing education or generating revenue for students who are being home-schooled.
 - (e) The primary focus of a charter school must be to provide a comprehensive program of instruction for at least one grade or age group from five through 18 years of age. Instruction may be provided to people younger than five years and older than 18 years of age.
 - (f) A charter school may not charge tuition.
 - (g) A charter school is subject to and must comply with chapter 363 and section 121A.04.
 - (h) A charter school is subject to and must comply with The Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee law, sections 123B.34 to 123B.39.

(i) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district. The audit must ~~be consistent~~ comply with the requirements of sections 123B.75 to 123B.83, except to the extent deviations are necessary because of the program at the school. The department of children, families, and learning, state auditor, or legislative auditor may conduct financial, program, or compliance audits. A charter school determined to be in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

(j) A charter school is a district for the purposes of tort liability under chapter 466.

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

Sec. 16. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 11, is amended to read:

Subd. 11. [EMPLOYMENT AND OTHER OPERATING MATTERS.] A charter school must employ or contract with necessary teachers, as defined by section 122A.15, subdivision 1, who hold valid licenses to perform the particular service for which they are employed in the school. The charter school's state aid may be reduced under section 127A.42 if the school employs a teacher who does not hold a valid teaching license or permit in a public school or is not otherwise approved by the board of teaching. The school may employ necessary employees who are not required to hold teaching licenses to perform duties other than teaching and may contract for other services. The school may discharge teachers and nonlicensed employees. A person, without holding a valid administrator's license, may perform administrative, supervisory, or instructional leadership duties.

The board of directors also shall decide matters related to the operation of the school, including budgeting, curriculum and operating procedures.

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

Sec. 17. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 14, is amended to read:

Subd. 14. [ANNUAL PUBLIC REPORTS.] A charter school must report at least annually to its sponsor and the commissioner the information required by the sponsor ~~or the commissioner~~. The reports are public data under chapter 13.

Sec. 18. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 15, is amended to read:

Subd. 15. [REVIEW AND COMMENT.] The department must review and comment on the evaluation, by the ~~chartering school district~~ sponsor, of the performance of a charter school before the charter school's contract is renewed. A sponsor shall monitor and evaluate the fiscal and student performance of the school, and may for this purpose annually assess the school up to \$10 per student up to a maximum of \$3,500. The information ~~from~~ for the review and comment shall be reported by the sponsor to the commissioner of children, families, and learning in a timely manner. Periodically, the commissioner shall report trends or suggestions based on the evaluation of charter school contracts to the education committees of the state legislature.

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

Sec. 19. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 23, is amended to read:

Subd. 23. [CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER SCHOOL CONTRACT.] (a) The duration of the contract with a sponsor must be for the term contained in the contract according to subdivision 6. The sponsor may or may not renew a contract at the end of the term for any ground listed in paragraph (b). A sponsor may unilaterally terminate a contract during the term of the contract for any ground listed in paragraph (b). At least 60 days before not renewing or terminating a contract, the sponsor shall notify the board of directors of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action in reasonable detail and that the charter school's board of directors may request in writing an informal hearing before

the sponsor within 14 days of receiving notice of nonrenewal or termination of the contract. Failure by the board of directors to make a written request for a hearing within the 14-day period shall be treated as acquiescence to the proposed action. Upon receiving a timely written request for a hearing, the sponsor shall give reasonable notice to the charter school's board of directors of the hearing date. The sponsor shall conduct an informal hearing before taking final action. The sponsor shall take final action to renew or not renew a contract by the last day of classes in the school year. If the sponsor is a local board, the school's board of directors may appeal the sponsor's decision to the commissioner.

(b) A contract may be terminated or not renewed upon any of the following grounds:

- (1) failure to meet the requirements for pupil performance contained in the contract;
- (2) failure to meet generally accepted standards of fiscal management;
- (3) violations of law; or
- (4) other good cause shown.

If a contract is terminated or not renewed, the school must be dissolved according to the applicable provisions of chapter 308A or 317A, except when the commissioner approves the decision of a different eligible sponsor to authorize the charter school.

(c) The commissioner, after providing reasonable notice to the board of directors of a charter school and the existing sponsor, and after providing an opportunity for a public hearing, may terminate the existing sponsorial relationship if the charter school has a history of:

- (1) financial mismanagement; or
- (2) repeated violations of the law.

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

Sec. 20. Minnesota Statutes 1999 Supplement, section 124D.11, subdivision 4, is amended to read:

Subd. 4. [BUILDING LEASE AID.] ~~When a charter school finds it economically advantageous to rent or lease a building or land for any instructional purposes and it determines that the total operating capital revenue under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the commissioner for building lease aid for this purpose. Criteria for aid approval and revenue uses shall be as defined for the building lease levy in section 126C.40, subdivision 1, paragraphs (a) and (b):~~ A charter school is eligible for building lease aid. The criteria for approving lease applications under this subdivision must include the:

- (1) reasonableness of the price; and
- (2) conformity of the lease to state laws and rules.

The proceeds of the lease aid must not be used for custodial or other maintenance services. The amount of building lease aid per pupil unit served for a charter school for any year shall not exceed the lesser of (a) 90 percent of the approved lease cost or (b) the product of the pupil units served for the current school year times \$1,500. Existing charter schools must apply by January 15 of the fiscal year in which the lease applies to be considered for this program. The application must include the cost of the lease and confirmation that a certificate of occupancy has been issued for the building. The commissioner must act on an application in this section within 30 calendar days of receiving the application.

Sec. 21. Minnesota Statutes 1999 Supplement, section 124D.11, subdivision 6, is amended to read:

Subd. 6. [OTHER AID, GRANTS, REVENUE.] (a) A charter school is eligible to receive other aids, grants, and revenue according to chapters 120A to 129C, as though it were a district.

(b) Notwithstanding paragraph (a), a charter school may not receive aid, a grant, or revenue if a levy is required to obtain the money, except as otherwise provided in this section.

(c) Federal aid received by the state must be paid to the school, if it qualifies for the aid as though it were a school district.

(d) A charter school may receive money from any source for capital facilities needs. In the year-end report to the commissioner of children, families, and learning, the charter school shall report the total amount of funds received from grants and other outside sources.

(e) Notwithstanding paragraph (a) or (b), a charter school ~~is eligible~~ may apply for a grant to receive the aid portion of integration revenue under section 124D.86, subdivision 3, for enrolled students who are residents of a district that is eligible for integration revenue ~~if the enrollment of the pupil in the charter school contributes to desegregation or integration purposes. The commissioner shall determine grant recipients and may adopt application guidelines. The grants must be competitively determined and must demonstrate that enrolling pupils in the charter school contributes to desegregation or integration purposes as determined by the commissioner.~~ If the charter school has elected not to provide transportation under section 124D.10, subdivision 16, the aid shall be reduced by the amount per pupil unit specified for the district where the charter school is located under section 123B.92, subdivision 8.

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

Sec. 22. Minnesota Statutes 1998, section 124D.128, subdivision 4, is amended to read:

Subd. 4. [TRANSPORTATION.] A district must report data to the department as required by the department to account for learning year summer transportation expenditures for this program must be included in nonregular transportation according to sections 124.225, subdivision 8, and 124.226, subdivision 4.

Sec. 23. [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.

Sec. 24. [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.

Sec. 25. Minnesota Statutes 1998, section 471.15, is amended to read:

471.15 [RECREATIONAL FACILITIES BY MUNICIPALITY, VETERANS; BONDS.]

(a) Any home rule charter or statutory city or any town, county, school district, or any board thereof, or any incorporated post of the American Legion or any other incorporated veterans' organization, may expend not to exceed \$800 in any one year, for the purchase of awards and trophies and may operate a program of public recreation and playgrounds; acquire, equip, and maintain land, buildings, or other recreational facilities, including an outdoor or indoor swimming pool; and expend funds for the operation of such program pursuant to the provisions of sections 471.15 to 471.19. The city, town, county or school district may issue bonds pursuant to chapter 475 for the purpose of carrying out the powers granted by this section. The city, town, county or school district may operate the program and facilities directly or establish one or more recreation boards to operate all or various parts of them.

(b) A home rule charter or statutory city, a county, or a town may expend funds for the purpose of supporting student academic or extracurricular activities sponsored by the local school district.

Sec. 26. Laws 1999, chapter 241, article 5, section 18, subdivision 5, is amended to read:

Subd. 5. [CHARTER SCHOOL BUILDING LEASE AID.] For building lease aid according to Minnesota Statutes, section 124D.11, subdivision 4:

\$2,992,000 <u>\$6,499,000</u>	.....	2000
\$3,616,000 <u>\$10,864,000</u>	.....	2001

The 2000 appropriation includes \$194,000 for 1999 and ~~\$2,798,000~~ \$6,305,000 for 2000.

The 2001 appropriation includes ~~\$311,000~~ \$700,000 for 2000 and ~~\$3,305,000~~ \$10,164,000 for 2001.

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

Sec. 27. Laws 1999, chapter 241, article 5, section 18, subdivision 6, is amended to read:

Subd. 6. [CHARTER SCHOOL START-UP GRANTS.] For charter school start-up cost aid under Minnesota Statutes, section 124D.11:

\$1,789,000 <u>\$1,955,000</u>	.....	2000
\$1,876,000 <u>\$2,926,000</u>	.....	2001

The 2000 appropriation includes \$100,000 for 1999 and ~~\$1,689,000~~ \$1,855,000 for 2000.

The 2001 appropriation includes ~~\$188,000~~ \$206,000 for ~~1999~~ 2000 and ~~\$1,688,000~~ \$2,720,000 for 2001.

Any balance in the first year does not cancel but is available in the second year. This appropriation may also be used for grants to convert existing schools into charter schools.

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

Sec. 28. [RESIDENTIAL ACADEMIES.]

The commissioner may not withdraw or reallocate funds from a recipient who has been awarded a grant under Laws 1998, chapter 398, article 5, section 46, and has received approval for updated capital and operating budget plans after June 1, 1999, without the prior consent of the legislature.

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

Sec. 29. [APPROPRIATION.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The sum indicated in this section is appropriated from the general fund to the commissioner of children, families, and learning for the fiscal year designated.

Subd. 2. [RECRUITMENT OF EXCELLENT TEACHERS; LOAN FORGIVENESS PROGRAM.] For a loan forgiveness program to help recruit excellent teachers under Minnesota Statutes, section 122A.65:

\$500,000 2001

Subd. 3. [HEALTH CARE PLAN SUMMARY.] For a study to examine health care for prekindergarten through grade 12 public school employees:

\$200,000 2001

The commissioner of children, families, and learning in consultation with the commissioner of employee relations, must conduct a study to address issues of adverse selection, cost containment, consumer choice, and retiree health care and consider options for dealing with other employee concerns.

ARTICLE 7

KINDERGARTEN THROUGH GRADE 12 EDUCATION:
NUTRITION; FUND TRANSFERS

Section 1. Minnesota Statutes 1998, section 124D.111, subdivision 1, is amended to read:

Subdivision 1. [SCHOOL LUNCH AID COMPUTATION.] Each school year, the state must pay districts participating in the national school lunch program the amount of 6.5 eight cents for each full paid, reduced, and free student lunch served to students in the district.

Sec. 2. Minnesota Statutes 1999 Supplement, section 124D.1155, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] An applicant for a grant must be a public or nonpublic elementary school that participates in the federal school breakfast and lunch programs. The commissioner must give first priority to schools where at least 33 percent of the lunches the school served to children during the second preceding school year were provided free or at a reduced price. The commissioner must give second priority to all other public or nonpublic elementary schools.

Sec. 3. Laws 1999, chapter 241, article 6, section 14, subdivision 2, is amended to read:

Subd. 2. [ABATEMENT AID.] For abatement aid according to Minnesota Statutes, section 127A.49:

~~\$9,110,000~~ \$9,577,000 2000

~~\$8,947,000~~ \$8,279,000 2001

The 2000 appropriation includes \$1,352,000 for 1999 and ~~\$7,758,000~~ \$8,225,000 for 2000.

The 2001 appropriation includes ~~\$861,000~~ \$914,000 for 2000 and ~~\$8,086,000~~ \$7,365,000 for 2001.

Sec. 4. Laws 1999, chapter 241, article 6, section 14, subdivision 3, is amended to read:

Subd. 3. [NONPUBLIC PUPIL AID.] For nonpublic pupil education aid according to Minnesota Statutes, sections 123B.40 to 123B.48 and 123B.87:

\$10,996,000 <u>\$11,552,000</u>	.....	2000
\$11,878,000 <u>\$13,448,000</u>	.....	2001

The 2000 appropriation includes \$970,000 for 1999 and ~~\$10,026,000~~ \$10,582,000 for 2000.

The 2001 appropriation includes ~~\$1,114,000~~ \$1,175,000 for 2000 and ~~\$10,764,000~~ \$12,273,000 for 2001.

The department shall recompute the maximum allotments established on March 1, 1999, for fiscal year 2000 under Minnesota Statutes, sections 123B.42, subdivision 3, and 123B.44, subdivision 6, to reflect the amount appropriated in this subdivision for fiscal year 2000.

Sec. 5. Laws 1999, chapter 241, article 6, section 14, subdivision 4, is amended to read:

Subd. 4. [CONSOLIDATION TRANSITION AID.] For districts consolidating under Minnesota Statutes, section 123A.485:

\$451,000 <u>\$563,000</u>	.....	2000
\$375,000 <u>\$455,000</u>	.....	2001

The 2000 appropriation includes \$113,000 for 1999 and ~~\$338,000~~ \$450,000 for 2000.

The 2001 appropriation includes ~~\$37,000~~ \$50,000 for 2000 and ~~\$338,000~~ \$405,000 for 2001.

Any balance in the first year does not cancel but is available in the second year.

Sec. 6. Laws 1999, chapter 241, article 6, section 14, subdivision 5, is amended to read:

Subd. 5. [NONPUBLIC PUPIL TRANSPORTATION.] For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

\$18,586,000 <u>\$20,358,000</u>	.....	2000
\$20,922,000 <u>\$21,333,000</u>	.....	2001

The 2000 appropriation includes \$1,848,000 for ~~2000~~ 1999 and ~~\$16,738,000~~ \$18,510,000 for ~~2001~~ 2000.

The 2001 appropriation includes ~~\$1,860,000~~ \$2,057,000 for 2000 and ~~\$19,062,000~~ \$19,276,000 for 2001.

Sec. 7. [FUND TRANSFERS.]

Subdivision 1. [LAKEVILLE.] Notwithstanding Minnesota Statutes, section 123B.79 or 123B.80, on June 30, 2000, independent school district No. 194, Lakeville, may permanently transfer up to \$1,000,000 from its reserved account for operating capital to the unreserved, undesignated general fund.

Subd. 2. [CHOKIO-ALBERTA.] Notwithstanding Minnesota Statutes, section 123B.58, 123B.79, or 123B.80, on June 30, 2000, upon approval of the commissioner of children, families, and learning, independent school district No. 771, Chokio-Alberta, may permanently transfer up to \$121,000 from its reserved account for disabled accessibility to its undesignated general fund balance.

(b) Prior to making the fund transfer, independent school district No. 771, Chokio-Alberta, must demonstrate to the commissioner's satisfaction that the district's school buildings are accessible to students or employees with disabilities.

Subd. 3. [MAHTOMEDI.] Notwithstanding Minnesota Statutes, sections 123B.79, 123B.80, and 475.61, subdivision 4, on June 30, 2000, independent school district No. 832, Mahtomedi, may permanently transfer the balance of its debt redemption fund to its capital account in its general fund without making a levy reduction to purchase land for a school facility.

Subd. 4. [NORMAN COUNTY EAST.] Notwithstanding Minnesota Statutes, sections 123B.79, 123B.80, and 475.61, subdivision 4, on June 30, 2000, independent school district No. 2215, Norman County East, may permanently transfer up to \$419,000 from its building construction fund to the reserved account for operating capital in the general fund without making a levy reduction.

Subd. 5. [BROWERVILLE.] Notwithstanding Minnesota Statutes, sections 123B.79, 123B.80, and 475.61, subdivision 4, on June 30, 2000, independent school district No. 787, Browerville, may permanently transfer up to \$110,000 from its debt redemption fund to its general fund without making a levy reduction.

Subd. 6. [ST. FRANCIS.] Notwithstanding Minnesota Statutes, section 123B.53, on June 30, 2000, independent school district No. 15, St. Francis, may permanently transfer \$534,000 from its debt service fund to the general fund to help the district out of statutory operating debt without making a levy reduction.

Subd. 7. [STAPLES-MOTLEY.] Notwithstanding Minnesota Statutes, sections 123B.79, 123B.80, and 475.61, subdivision 4, on May 31, 2000, independent school district No. 2170, Staples-Motley, may permanently transfer up to \$71,000 from the debt service account of the former independent school district No. 483, Motley, to the operating capitol fund of independent school district No. 2170, Staples-Motley, without making a levy reduction.

Subd. 8. [FERGUS FALLS.] Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 475.61, subdivision 4, on June 30, 2000, independent school district No. 544, Fergus Falls, may permanently transfer up to \$200,000 from the debt redemption fund to the general fund without making a levy reduction.

Subd. 9. [LAKEVIEW.] Notwithstanding any law to the contrary, independent school district No. 2167, Lakeview, is authorized to retain a cooperative facilities grant awarded in fiscal year 1995, and may permanently transfer that amount to its undesignated general fund balance, to be used to bring its bleachers into compliance with Minnesota Statutes, section 16B.616.

Subd. 10. [WINONA.] Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, 124D.135, 124D.20, or 126C.10, subdivision 14, on June 30, 2000, independent school district No. 861, Winona, may permanently transfer up to \$300,000 from its reserved accounts and undesignated balance in the community service fund and up to \$2,000,000 from its reserve for operating capital account in the general fund to the undesignated balance in its general fund.

Subd. 11. [PARKERS PRAIRIE.] Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 475.61, subdivision 4, independent school district No. 547, Parkers Prairie, on June 30, 2000, may permanently transfer up to \$105,000 from the debt redemption fund to the general fund without making a levy reduction.

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

Sec. 8. [LEVY RESTORATION; INDEPENDENT SCHOOL DISTRICT NO. 2859, GLENCOE-SILVER LAKE.]

(a) Independent school district No. 2859, Glencoe-Silver Lake, may levy up to one-third of the total of the sum from paragraph (b) in each of the fiscal years 2002, 2003, and 2004.

(b) For each of the fiscal years of 1999, 2000, and 2001, the amount of the levy is equal to the sum of:

(1) the difference between the maximum amount of levy authorized by law for the fiscal year and the amount of levy certified by independent school district No. 2859, Glencoe-Silver Lake, under Minnesota Statutes 1996 and 1997 Supplement, section 124.2725;

(2) the difference between the maximum amount of levy authorized by law for the fiscal year and the amount of levy certified by independent school district No. 2859, Glencoe-Silver Lake, under Minnesota Statutes, section 126C.42; and

(3) the difference between the maximum amount of levy authorized by law for the fiscal year and the amount of levy certified by independent school district No. 2859, Glencoe-Silver Lake, under Minnesota Statutes, section 126C.22.

EFFECTIVE DATE: This section is effective for taxes payable in 2001.

ARTICLE 8

KINDERGARTEN THROUGH GRADE 12 EDUCATION: LIBRARIES

Section 1. Laws 1997, First Special Session chapter 4, article 8, section 4, as amended by Laws 1998, chapter 398, article 7, section 1, and Laws 1999, chapter 241, article 8, section 1, is amended to read:

Sec. 4. [LIBRARY PROJECT.]

Subdivision 1. [ESTABLISHMENT.] Notwithstanding law to the contrary and subject to approvals in subdivision 2, a public library may operate as a library project jointly with the school library at Nashwauk-Keewatin high school, located in the city of Nashwauk. The public library is established to serve persons within the boundaries of independent school district No. 319, except the city of Keewatin.

Subd. 2. [APPROVALS.] Operation of the public library is contingent upon the governing bodies of cities, towns, and unorganized townships within the geographical boundaries of independent school district No. 319, except for the city of Keewatin, entering into a joint powers agreement under Minnesota Statutes 1998, section 471.59, to accomplish the purpose of this section. The joint powers agreement must provide for continuing the library project if one ~~party~~ or more parties to the agreement withdraws from or fails to enter into the agreement. For the purposes of this subdivision, the Itasca county board is designated as the governing body for the unorganized townships.

Subd. 3. [BOARD; APPOINTMENTS.] The joint powers agreement in subdivision 2 shall provide for a library board of seven members as follows: two members appointed by the school board of independent school district No. 319, one member appointed by each town board located within independent school district No. 319 boundaries that is a member of the library district, one member appointed by the council of the city of Nashwauk, and one member appointed by the Itasca county board to represent the unorganized towns within the school district territory.

Subd. 4. [BOARD TERMS; COMPENSATION.] The library board members shall serve for the term of the library project. An appointing authority may remove for misconduct or neglect any member it has appointed to the board and may replace that member by appointment. Board members shall receive no compensation for their services but may be reimbursed for actual and necessary travel expenses incurred in the discharge of library board duties and activities.

Subd. 5. [FUNDING.] For taxes payable in ~~1998, 1999, 2000,~~ 2001, 2002, and 2003 only, and provided that the joint powers agreement under subdivision 2 has been executed by September 1 of the previous calendar year, the library board may levy a tax in an amount up to \$25,000 annually on property located within the boundaries of independent school district No. 319, except the city of Keewatin. ~~The Itasca county auditor shall collect the tax and distribute it to the library board. The levy shall be assessed against the individual members of the joint powers agreement.~~ The money may be used for library staff and for the purchase of library materials, including computer software. ~~The levy must also fund the amount necessary to receive bookmobile services from the Arrowhead regional library system.~~ For taxes payable in ~~1998, 1999, 2000,~~ 2001, 2002, and 2003 only, the county may not levy under Minnesota Statutes, section 134.07, for the areas described in this section.

Subd. 6. [BUILDING.] The school district shall provide the physical space and costs associated with operating the library including, but not limited to, heat, light, telephone service, and maintenance.

Subd. 7. [ORGANIZATION.] Immediately after appointment, the library board shall organize by electing one of its number as president and one as secretary, and it may appoint other officers it finds necessary.

Subd. 8. [DUTIES.] The library board shall adopt bylaws and regulations for the library and for the conduct of its business as may be expedient and conformable to law. It shall have exclusive control of the expenditure of all money collected for it. The library board shall appoint a qualified library director and other staff, establish the compensation of employees, and remove any of them for cause. The library board may contract with the school board, the regional library board, or the city in which the library is located to provide personnel, fiscal, or administrative services. The contract shall state the personnel, fiscal, and administrative services and payments to be provided by each party.

Subd. 9. [CRITERIA.] The library shall meet all requirements in statutes and rules applicable to public libraries and school media centers. A media supervisor licensed by the board of teaching may be the director of the library. Public parking, restrooms, drinking water, and other necessities shall be easily accessible to library patrons.

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

Sec. 2. Laws 1999, chapter 241, article 8, section 4, subdivision 5, is amended to read:

Subd. 5. [LIBRARY FOR THE BLIND.] For compact shelving, technology, and staffing for the Minnesota library for the blind and physically handicapped:

\$212,000	2000
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This appropriation is available until June 30, 2001.

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

ARTICLE 9

KINDERGARTEN THROUGH GRADE 12 EDUCATION:
STATE AGENCIES

Section 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.]

(a) The sums indicated in this section are appropriated from the general fund unless otherwise indicated to the department of children, families, and learning for the fiscal years designated.

<u>\$32,316,000</u>	. . . . .	<u>2000</u>
<u>\$29,785,000</u>	. . . . .	<u>2001</u>

(b) Any balance the first year does not cancel but is available in the second year.

(c) \$21,000 each year is from the trunk highway fund.

(d) \$673,000 in 2000 and \$678,000 in 2001 is for the board of teaching.

(e) Notwithstanding Minnesota Statutes, section 15.53, subdivision 2, the commissioner of children, families, and learning may contract with a school district for a period no longer than five consecutive years to work in the development or implementation of the graduation rule. The commissioner may contract for services and expertise as necessary. The contracts are not subject to Minnesota Statutes, section 16B.06.

(f) \$165,000 in 2000 is for the state board of education. Any functions of the state board of education that are not specifically transferred to another agency are transferred to the department of children, families, and learning under Minnesota Statutes, section 15.039. For the position that is classified, upon transferring the responsibilities, the current incumbent is appointed to the classified position without exam or probationary period.

(g) \$2,000,000 in 2000 is for litigation costs and may only be used for those purposes. This appropriation is available until June 30, 2001. This is a one-time appropriation.

EFFECTIVE DATE: This section is effective retroactive to July 1, 1999.

Sec. 2. Laws 1999, chapter 241, article 10, section 6, is amended to read:

Sec. 6. [APPROPRIATIONS; LOLA AND RUDY PERPICH MINNESOTA CENTER FOR ARTS EDUCATION.]

The sums indicated in this section are appropriated from the general fund to the center for arts education for the fiscal years designated:

\$7,239,000	.....	2000
\$7,400,000	.....	2001

Of each year's appropriation, \$154,000 is to fund artist and arts organization participation in the education residency and education technology projects, \$75,000 is for school support for the residency project, \$121,000 is for further development of the partners: arts and school for students (PASS) program, including pilots, and ~~\$220,000~~ \$110,000 is to fund the center for arts education base for asset preservation and facility repair. The guidelines for the education residency project and the pass program shall be developed and defined by the center for arts education in cooperation with the Minnesota arts board. The Minnesota arts board shall participate in the review and allocation process. The center for arts education and the Minnesota arts board shall cooperate to fund these projects.

Any balance in the first year does not cancel but is available in the second year.

Sec. 3. [REPEALER.]

Laws 1999, chapter 241, article 10, section 5, is repealed retroactive to July 1, 1999.

EFFECTIVE DATE: This section is effective retroactive to July 1, 1999.

ARTICLE 10

KINDERGARTEN THROUGH GRADE 12 EDUCATION:
TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

Section 1. Minnesota Statutes 1998, section 120A.22, subdivision 3, is amended to read:

Subd. 3. [PARENT DEFINED; RESIDENCY DETERMINED.] (a) In this section and sections 120A.24; and 120A.26, and 120A.41, "parent" means a parent, guardian, or other person having legal custody of a child.

(b) In sections 125A.03 to 125A.24 and 125A.65, "parent" means a parent, guardian, or other person having legal custody of a child under age 18. For an unmarried pupil age 18 or over, "parent" means the pupil unless a guardian or conservator has been appointed, in which case it means the guardian or conservator.

(c) For purposes of sections 125A.03 to 125A.24 and 125A.65, the school district of residence for an unmarried pupil age 18 or over who is a parent under paragraph (b) and who is placed in a center for care and treatment, shall be the school district in which the pupil's biological or adoptive parent or designated guardian resides.

(d) For a married pupil age 18 or over, the school district of residence is the school district in which the married pupil resides.

Sec. 2. Minnesota Statutes 1998, section 122A.31, subdivision 4, is amended to read:

Subd. 4. [REIMBURSEMENT.] For purposes of revenue under ~~sections 125A.77 and section~~ 125A.78, the department of children, families, and learning must only reimburse school districts for the services of those interpreters/transliterators who satisfy the standards of competency under this section.

Sec. 3. Minnesota Statutes 1998, section 123B.02, is amended by adding a subdivision to read:

Subd. 5a. [TRESPASSES ON SCHOOL PROPERTY.] Trespasses on school property shall be governed according to section 609.605, subdivision 4.

Sec. 4. Minnesota Statutes 1998, section 123B.85, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] The following words and terms in sections 121A.585, 121A.59, 123B.84 to 123B.87, ~~and 123B.89 to 123B.90, and~~ 123B.91, shall have the following meanings ascribed to them.

Sec. 5. Minnesota Statutes 1999 Supplement, section 124D.128, subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER DESIGNATION.] An area learning center designated by the state must be a site. To be designated, a district or center must demonstrate to the commissioner that it will:

(1) provide a program of instruction that permits pupils to receive instruction throughout the entire year; and

(2) maintain a record system that, for purposes of section ~~124.17~~ 126C.05, permits identification of membership attributable to pupils participating in the program. The record system and identification must ensure that the program will not have the effect of increasing the total number of pupil units attributable to an individual pupil as a result of a learning year program.

Sec. 6. Minnesota Statutes 1998, section 124D.454, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For the purposes of this section ~~and section 125A.77~~, the definitions in this subdivision apply.

(a) "Base year" for fiscal year 1996 means fiscal year 1995. Base year for later fiscal years means the second fiscal year preceding the fiscal year for which aid will be paid.

(b) "Basic revenue" has the meaning given it in section 126C.10, subdivision 2. For the purposes of computing basic revenue pursuant to this section, each child with a disability shall be counted as prescribed in section 126C.05, subdivision 1.

(c) "Average daily membership" has the meaning given it in section 126C.05.

(d) "Program growth factor" means 1.00 for fiscal year 1998 and later.

(e) "Aid percentage factor" means 60 percent for fiscal year 1996, 70 percent for fiscal year 1997, 80 percent for fiscal year 1998, 90 percent for fiscal year 1999, and 100 percent for fiscal year 2000 and later.

Sec. 7. Minnesota Statutes 1998, section 124D.454, subdivision 10, is amended to read:

Subd. 10. [EXCLUSION.] A district shall not receive aid pursuant to section 124D.453; ~~or 125A.76, or 125A.77~~ for salaries, supplies, travel or equipment for which the district receives aid pursuant to this section.

Sec. 8. Minnesota Statutes 1999 Supplement, section 125A.023, subdivision 3, is amended to read:

Subd. 3. [DEFINITIONS.] For purposes of this section and section 125A.027, the following terms have the meanings given them:

(a) "Health plan" means:

(1) a health plan under section 62Q.01, subdivision 3;

(2) a county-based purchasing plan under section 256B.692;

(3) a self-insured health plan established by a local government under section 471.617; or

(4) self-insured health coverage provided by the state to its employees or retirees.

(b) For purposes of this section, "health plan company" means an entity that issues a health plan as defined in paragraph (a).

(c) "Individual interagency intervention plan" means a standardized written plan describing those programs or services and the accompanying funding sources available to eligible children with disabilities.

(d) "Interagency intervention service system" means a system that coordinates services and programs required in state and federal law to meet the needs of eligible children with disabilities ages three to 21, including:

(1) services provided under the following programs or initiatives administered by state or local agencies:

(i) the maternal and child health program under title V of the Social Security Act, United States Code, title 42, sections 701 to 709;

(ii) the Individuals with Disabilities Education Act under United States Code, title 20, chapter 33, subchapter II, sections 1411 to 1420;

(iii) medical assistance under the Social Security Act, United States Code, title 42, chapter 7, subchapter XIX, section 1396, et seq.;

(iv) the Developmental Disabilities Assistance and Bill of Rights Act, United States Code, title 42, chapter 75, subchapter II, sections 6021 to 6030, Part B;

(v) the Head Start Act, United States Code, title 42, chapter 105, subchapter II, sections 9831 to 9852;

(vi) rehabilitation services provided under chapter 268A;

(vii) Juvenile Court Act services provided under sections 260.011 to 260.91; 260B.001 to 260B.446; and 260C.001 to 260C.451;

(viii) the children's mental health collaboratives under section 245.493;

(ix) the family service collaboratives under section 124D.23;

(x) the family community support plan under section 245.4881, subdivision 4;

(xi) the MinnesotaCare program under chapter 256L;

(xii) the community health services grants under chapter 145;

(xiii) the Community Social Services Act funding under the Social Security Act, United States Code, title 42, sections 1397 to 1397f; and

(xiv) the community ~~interagency~~ transition interagency committees under section 125A.22;

(2) services provided under a health plan in conformity with an individual family service plan or an individual education plan; and

(3) additional appropriate services that local agencies and counties provide on an individual need basis upon determining eligibility and receiving a request from the interagency early intervention committee and the child's parent.

(e) "Children with disabilities" has the meaning given in section 125A.02.

(f) A "standardized written plan" means those individual services or programs available through the interagency intervention service system to an eligible child other than the services or programs described in the child's individual education plan or the child's individual family service plan.

Sec. 9. Minnesota Statutes 1999 Supplement, section 125A.023, subdivision 5, is amended to read:

Subd. 5. [INTERVENTION DEMONSTRATION PROJECTS.] (a) The commissioner of children, families, and learning, based on recommendations from the state interagency committee, shall issue a request for proposals by January 1, 1999, for grants to the governing boards of interagency early intervention committees under section 125A.027 or a combination of one or more counties and school districts to establish five voluntary interagency intervention demonstration projects. One grant shall be used to implement a coordinated service system for all eligible children with disabilities up to age five who received services under sections 125A.26 to 125A.48. One grant shall be used to implement a coordinated service system for a population of minority children with disabilities from ages 12 to 21, who may have behavioral problems and are in need of transitional services. Each project must be operational by July 1, 1999. The governing boards of the interagency early intervention committees and the counties and school districts receiving project grants must develop efficient ways to coordinate services and funding for children with disabilities ages three to 21, consistent with the requirements of this section and section 125A.027 and the guidelines developed by the state interagency committee under this section.

(b) The state interagency committee shall evaluate the demonstration projects and provide the evaluation results to interagency early intervention committees.

Sec. 10. Minnesota Statutes 1999 Supplement, section 125A.08, is amended to read:

125A.08 [SCHOOL DISTRICT OBLIGATIONS.]

(a) As defined in this section, ~~to the extent required by federal law as of July 1, 2000~~, every district must ensure the following:

(1) all students with disabilities are provided the special instruction and services which are appropriate to their needs. Where the individual education plan team has determined appropriate goals and objectives based on the student's needs, including the extent to which the student can be included in the least restrictive environment, and where there are essentially equivalent and effective instruction, related services, or assistive technology devices available to meet the student's needs, cost to the district may be among the factors considered by the team in choosing how to provide the appropriate services, instruction, or devices that are to be made part of the student's individual education plan. The individual education plan team shall consider and may authorize services covered by medical assistance according to section 256B.0625, subdivision 26. The student's needs and the special education instruction and services to be provided must be agreed upon through the development of an individual education plan. The plan must address the student's need to develop skills to live and work as independently as possible within the community. By grade 9 or age 14, the plan must address the student's needs for transition from secondary services to post-secondary education and training, employment, community participation, recreation, and leisure and home living. In developing the plan, districts must inform parents of the full range of transitional goals and related services that should be considered. The plan must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial assessment or reassessment, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and

(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

(b) For paraprofessionals employed to work in programs for students with disabilities, the school board in each district shall ensure that:

(1) before or immediately upon employment, each paraprofessional develops sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs of the students with whom the paraprofessional works;

(2) annual training opportunities are available to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, following lesson plans, and implementing follow-up instructional procedures and activities; and

(3) a districtwide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher and, where appropriate and possible, the supervision of a school nurse.

Sec. 11. Minnesota Statutes 1998, section 125A.76, subdivision 7, is amended to read:

Subd. 7. [REVENUE ALLOCATION FROM COOPERATIVE CENTERS AND INTERMEDIATES.] For the purposes of this section and section ~~125A.77~~, a special education cooperative or an intermediate district must allocate its approved expenditures for special education programs among participating school districts.

Sec. 12. Minnesota Statutes 1999 Supplement, section 125A.79, subdivision 8, is amended to read:

Subd. 8. [OUT-OF-STATE TUITION.] For children who are residents of the state, receive services under section 125A.76, subdivisions 1 and 2, and are placed in a care and treatment facility by court action in a state that does not have a reciprocity agreement with the commissioner under section ~~125A.115~~ 125A.155, the resident school district shall submit the balance of the tuition bills, minus the amount of the basic revenue, as defined by section 126C.10, subdivision 2, of the district for the child and the special education aid, and any other aid earned on behalf of the child.

Sec. 13. Minnesota Statutes 1999 Supplement, section 125A.80, is amended to read:

125A.80 [UNIFORM BILLING SYSTEM FOR THE EDUCATION COSTS OF OUT-OF-HOME PLACED STUDENTS.]

The commissioner, in cooperation with the commissioners of human services and corrections and with input from appropriate billing system users, shall develop and implement a uniform billing system for school districts and other agencies, including private providers, who provide the educational services for students who are placed out of the home. The uniform billing system must:

(1) allow for the proper and timely billing to districts by service providers with a minimum amount of district administration;

(2) allow districts to bill the state for certain types of special education and regular education services as provided by law;

(3) provide flexibility for the types of services that are provided for children placed out of the home, including day treatment services;

(4) allow the commissioner to track the type, cost, and quality of services provided for children placed out of the home;

(5) conform existing special education and proposed regular education billing procedures;

(6) provide a uniform reporting standard of per diem rates;

(7) determine allowable expenses and maximum reimbursement rates for the state reimbursement of care and treatment services ~~according to section 124D.701~~; and

(8) provide a process for the district to appeal to the commissioner tuition bills submitted to districts and to the state.

Sec. 14. Minnesota Statutes 1999 Supplement, section 125B.21, subdivision 3, is amended to read:

Subd. 3. [CRITERIA.] In addition to responsibilities of the council under Laws 1993, First Special Session chapter 2, as amended, the telecommunications council shall evaluate grant applications under section ~~124C.74~~ 125B.20 and applications from district organizations using the following criteria:

- (1) evidence of cooperative arrangements with other post-secondary institutions, school districts, and community and regional libraries in the geographic region;
- (2) plans for shared classes and programs;
- (3) avoidance of network duplication;
- (4) evidence of efficiencies to be achieved in delivery of instruction due to use of telecommunications;
- (5) a plan for development of a list of all courses available in the region for delivery at a distance;
- (6) a plan for coordinating and scheduling courses; and
- (7) a plan for evaluation of costs, access, and outcomes.

Sec. 15. Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 24, is amended to read:

Subd. 24. [EQUITY REVENUE.] (a) A school district qualifies for equity revenue if the school district's adjusted marginal cost pupil unit amount of basic revenue, supplemental revenue, transition revenue, and referendum revenue is less than the 90th percentile of school districts in its equity region for those revenue categories and the school district's administrative offices are not located in a city of the first class on July 1, 1999.

(b) Equity revenue for a qualifying district that receives referendum revenue under section 126C.17, subdivision 4, equals the product of (1) the district's adjusted marginal cost pupil units for that year; times (2) the sum of (i) \$10, plus (ii) \$30, times the school district's equity index computed under ~~section 126C.10~~; subdivision 6 27.

(c) Equity revenue for a qualifying district that does not receive referendum revenue under section 126C.17, subdivision 4, equals the product of the district's adjusted marginal cost pupil units for that year times \$10.

Sec. 16. Minnesota Statutes 1998, section 126C.12, subdivision 2, is amended to read:

Subd. 2. [INSTRUCTOR DEFINED.] Primary instructor means a public employee licensed by the board of teaching whose duties are full-time instruction, excluding a teacher for whom categorical aids are received pursuant to ~~sections~~ section 125A.76 and 125A.77. Except as provided in section 122A.68, subdivision 6, instructor does not include supervisory and support personnel, except school social workers as defined in section 122A.15. An instructor whose duties are less than full-time instruction must be included as an equivalent only for the number of hours of instruction in grades kindergarten through 6.

Sec. 17. Minnesota Statutes 1998, section 127A.05, subdivision 4, is amended to read:

Subd. 4. [ADMINISTRATIVE RULES.] The commissioner may adopt new rules ~~and amend them~~ or amend any existing rules only under specific authority and consistent with the requirements of chapter 14. The commissioner may repeal any existing rules adopted by the commissioner. Notwithstanding the provisions of section 14.05, subdivision 4, the commissioner may grant a variance to rules adopted by the commissioner upon application by a school district for purposes of implementing experimental programs in learning or school management. This subdivision shall not prohibit the commissioner from making technical changes or corrections to ~~adopted~~ adopted rules adopted by the commissioner.

Sec. 18. Minnesota Statutes 1998, section 127A.41, subdivision 8, is amended to read:

Subd. 8. [APPROPRIATION TRANSFERS.] If a direct appropriation from the general fund to the department for any education aid or grant authorized in this chapter and chapters 122A, 123A, 123B, 124D, 126C, and 134, excluding appropriations under sections 124D.135, ~~124D.14~~, 124D.16, 124D.20, 124D.21, 124D.22, 124D.52, 124D.53, 124D.54, 124D.55, and 124D.56, exceeds the amount required, the commissioner may transfer the excess to any education aid or grant appropriation that is insufficient. However, section 126C.20 applies to a deficiency in the direct appropriation for general education aid. Excess appropriations must be allocated proportionately among aids or grants that have insufficient appropriations. The commissioner of finance shall make the necessary transfers among appropriations according to the determinations of the commissioner. If the amount of the direct appropriation for the aid or grant plus the amount transferred according to this subdivision is insufficient, the commissioner shall prorate the available amount among eligible districts. The state is not obligated for any additional amounts.

Sec. 19. Minnesota Statutes 1998, section 127A.41, subdivision 9, is amended to read:

Subd. 9. [APPROPRIATION TRANSFERS FOR COMMUNITY EDUCATION PROGRAMS.] If a direct appropriation from the general fund to the department of children, families, and learning for an education aid or grant authorized under section 124D.135, ~~124D.14~~, 124D.16, 124D.20, 124D.21, 124D.22, 124D.52, 124D.53, 124D.54, 124D.55, or 124D.56 exceeds the amount required, the commissioner of children, families, and learning may transfer the excess to any education aid or grant appropriation that is insufficiently funded under these sections. Excess appropriations shall be allocated proportionately among aids or grants that have insufficient appropriations. The commissioner of finance shall make the necessary transfers among appropriations according to the determinations of the commissioner of children, families, and learning. If the amount of the direct appropriation for the aid or grant plus the amount transferred according to this subdivision is insufficient, the commissioner shall prorate the available amount among eligible districts. The state is not obligated for any additional amounts.

Sec. 20. Minnesota Statutes 1999 Supplement, section 181A.04, subdivision 6, is amended to read:

Subd. 6. A high school student under the age of 18 must not be permitted to work after 11:00 p.m. on an evening before a school day or before 5:00 a.m. on a school day, except as permitted by section 181A.07, subdivisions 1, 2, 3, and 4. If a high school student under the age of 18 has supplied the employer with a note signed by the parent or guardian of the student, the student may be permitted to work until 11:30 p.m. on the evening before a school day and beginning at 4:30 a.m. on a school day.

For the purpose of this subdivision, a high school student does not include a student enrolled in an alternative education program approved by the commissioner of children, families, and learning or an area learning center, including area learning centers under sections 123A.05 to 123A.08 or according to section ~~122A.164~~ 122A.163.

Sec. 21. Laws 1999, chapter 241, article 1, section 69, is amended to read:

Sec. 69. [REPEALER.]

(a) Minnesota Statutes 1998, sections 123B.89; and 123B.92, subdivisions 2, 4, 6, 7, 8, and 10, are repealed.

(b) Minnesota Statutes 1998, section 120B.05, is repealed effective for revenue for fiscal year 2000.

(c) Minnesota Statutes 1998, section 124D.65, subdivisions 1, 2, and 3, are repealed effective for revenue for fiscal year 2001.

(d) Minnesota Statutes 1998, sections 124D.67; 126C.05, subdivision 4; and 126C.06, are repealed effective the day following final enactment.

~~This appropriation is available until June 30, 2001.~~

Sec. 22. Laws 1999, chapter 241, article 9, section 49, is amended to read:

Sec. 49. [TRANSITION.]

Notwithstanding Minnesota Statutes, section 15.0597, the terms of persons who are members appointed by the governor before the effective date of section 8 37, shall have their term end on July 31 of the year following the last year of their appointment.

Sec. 23. [REVISOR INSTRUCTION.]

In the next and subsequent editions of Minnesota Statutes, the revisor shall renumber section 123B.02, subdivision 12, as 120A.22, subdivision 1a. The revisor shall correct all cross-references to be consistent with the renumbering.

Sec. 24. [REPEALER.]

Laws 1999, chapter 241, article 9, sections 35 and 36, are repealed. Laws 1999, chapter 245, article 4, section 3, is repealed.

ARTICLE 11

HIGHER EDUCATION

Section 1. Minnesota Statutes 1998, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. [~~HIGHER EDUCATION OFFICERS SERVICES OFFICE DIRECTOR.~~] ~~The board of trustees of the Minnesota state colleges and universities and~~ The higher education services council shall set the salary ~~rates~~ rate for, respectively, the chancellor of the Minnesota state colleges and universities and the director of the higher education services office. The ~~board or the~~ council shall submit the proposed salary change to the legislative coordinating commission for approval, modification, or rejection in the manner provided in section 3.855.

In deciding whether to recommend a salary increase, the ~~governing board or~~ council shall consider the performance of the ~~chancellor or~~ director, including the ~~chancellor's or~~ director's progress toward attaining affirmative action goals.

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

Sec. 2. Minnesota Statutes 1998, section 15A.081, is amended by adding a subdivision to read:

Subd. 7c. [MINNESOTA STATE COLLEGES AND UNIVERSITIES CHANCELLOR.] The board of trustees of the Minnesota state colleges and universities shall establish a salary range for the position of chancellor of the Minnesota state colleges and universities. The board shall submit the proposed salary range to the legislative coordinating commission for approval, modification, or rejection in the manner provided in section 3.855. The board shall establish the salary for the chancellor within the approved salary range.

In deciding whether to approve a salary increase, the board shall consider the performance of the chancellor, including the chancellor's progress toward attaining affirmative action goals.

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

Sec. 3. [16A.633] [CAPITAL FUNDING CONTINGENT ON MAINTAINING DATA.]

Subdivision 1. [STATE AGENCIES.] Each state agency shall provide to the commissioner of administration the data necessary for the commissioner to maintain the department's database on the location, description, and condition of state-owned facilities. The data must be provided by December 15 each year. The commissioner of administration

must maintain both the current inventory data and historical data. A state agency is not eligible to receive capital funding unless the agency has provided the data required.

Subd. 2. [MINNESOTA STATE COLLEGES AND UNIVERSITIES.] The board of trustees of the Minnesota state colleges and universities shall establish and maintain data on the location, description, and condition of board-owned facilities that is comparable with the database established by the department of administration. The data must be updated annually and the board must maintain both current inventory data and historical data. The board is not eligible to receive capital funding unless the board has established and maintains the data required.

Subd. 3. [UNIVERSITY OF MINNESOTA.] The board of regents of the University of Minnesota is requested to establish and maintain data on the location, description, and condition of university-owned facilities that is comparable with the database established by the department of administration. The university is requested to update the data annually and maintain both current inventory data and historical data. The board of regents is not eligible to receive capital funding unless the board has established and maintains the data required.

EFFECTIVE DATE: This section is effective June 30, 2003.

Sec. 4. Minnesota Statutes 1998, section 16B.33, subdivision 2, is amended to read:

Subd. 2. [ORGANIZATION OF BOARD.] (a) [MEMBERSHIP.] The state designer selection board consists of ~~five~~ seven individuals, the majority of whom must be Minnesota residents. Each of the following ~~three~~ four organizations shall nominate one individual whose name and qualifications shall be submitted to the commissioner of administration for consideration: the consulting engineers council of Minnesota after consultation with other professional engineering societies in the state; the ~~AIA Minnesota society of architects; the Minnesota chapter of the associated general contractors or the associated builders and contractors, after consultation with other commercial contractor associations in the state;~~ and the Minnesota board of the arts. The commissioner may appoint the ~~three~~ four named individuals to the board but may reject a nominated individual and request another nomination. The fifth member shall be a representative of the user agency, the University of Minnesota, or the Minnesota state colleges and universities, designated by the user agency. The remaining two ~~citizen~~ members shall also be appointed by the commissioner.

(b) [NONVOTING MEMBERS ~~MEMBER~~.] In addition to the ~~five~~ seven members of the board, ~~two~~ one nonvoting ~~members~~ member representing the commissioner shall participate in the interviewing and selection of designers pursuant to this section. ~~One shall be a representative of the commissioner and shall participate in the interviewing and selection of designers for all projects. The other shall be a representative of the user agency, who shall participate in the interviewing and selection of the designers for the project being undertaken by the user agency. The commissioner shall appoint the representative of the user agency in consultation with the user agency.~~

(c) [TERMS; COMPENSATION; REMOVAL; VACANCIES.] The membership terms, compensation, removal of members, and filling of vacancies on the board are as provided in section 15.0575. No individual may serve for more than two consecutive terms.

(d) [OFFICERS, RULES.] At its first meeting, the board shall elect a voting member of the board as chair. The board shall also elect other officers necessary for the conduct of its affairs. The board shall adopt rules governing its operations and the conduct of its meetings. The rules shall provide for the terms of the chair and other officers.

(e) [MEETINGS.] The board shall meet as often as is necessary, not less than twice annually, in order to act expeditiously on requests submitted to it for selection of primary designers.

(f) [OFFICE, STAFF, RECORDS.] The department of administration shall provide the board with suitable quarters to maintain an office, hold meetings, and keep records. The commissioner shall designate an employee of the department of administration to serve as executive secretary to the board and shall furnish a secretarial staff to the board as necessary for the expeditious conduct of the board's duties and responsibilities.

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

Sec. 5. Minnesota Statutes 1998, section 16B.33, subdivision 3a, is amended to read:

Subd. 3a. [HIGHER EDUCATION PROJECTS.] (a) When the University of Minnesota or the Minnesota state colleges and universities undertakes a project involving construction or major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost greater than \$2,000,000 or a planning project with estimated fees greater than \$200,000, the system shall submit a written request for a primary designer to the commissioner, as provided in subdivision 3.

(b) When the University of Minnesota or the Minnesota state colleges and universities undertakes a project involving renovation, repair, replacement, or rehabilitation, the system office may submit a written request for a primary designer to the commissioner as provided in subdivision 3.

(c) For projects at the University of Minnesota or the state colleges and universities, the board shall select at least two primary designers under subdivision 4 for recommendation to the board of regents or the board of trustees. Meeting records or written evaluations that document the final selection are public records. The board of regents or the board of trustees shall notify the commissioner of the designer selected from the recommendations.

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

Sec. 6. Minnesota Statutes 1998, section 135A.031, subdivision 2, is amended to read:

Subd. 2. [APPROPRIATIONS FOR CERTAIN ENROLLMENTS.] The state share of the estimated expenditures for instruction shall vary for some categories of students, as designated in this subdivision.

(a) The state must provide at least 67 percent of the estimated expenditures for:

~~(1) students who resided in the state for at least one calendar year prior to applying for admission or dependent students whose parent or legal guardian resides in Minnesota at the time the student applies;~~

~~(2) Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere;~~

~~(3) residents of other states or provinces who are attending a Minnesota institution under a tuition reciprocity agreement; and~~

~~(4) students who are Minnesota residents or residents of other states including students who have been in Minnesota as migrant farmworkers, as defined in the Code of Federal Regulations, title 20, section 633.104, over a period of at least two years immediately before admission or readmission to a Minnesota public post-secondary institution, or students who are dependents of such migrant farmworkers.~~

(b) The definition of full year equivalent for purposes of the formula calculations in this chapter is twice the normal value for the following enrollments:

(1) students who are concurrently enrolled in a public secondary school and for whom the institution is receiving any compensation under the Post-Secondary Enrollment Options Act; and

(2) students enrolled under the student exchange program of the Midwest Compact.

(c) The state may not provide any of the estimated expenditures for undergraduate students ~~(1) who do not meet the residency criteria under paragraph (a), or (2) who have completed, without receiving a baccalaureate degree, 48 or more quarter credits or the equivalent, applicable toward the degree, beyond the number required for a baccalaureate in their major. Credits for courses in which a student received a grade of "F" or "W" shall be counted toward this maximum, as if the credits had been earned.~~

EFFECTIVE DATE: This section is effective July 1, 2003.

Sec. 7. Minnesota Statutes 1998, section 136A.125, is amended by adding a subdivision to read:

Subd. 4c. [SURPLUS FUNDS.] Any projected surplus of funds in the child care grant program in the first year of the biennium shall be used to augment the maximum award in subdivision 4 in the second year of the biennium.

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

Sec. 8. Minnesota Statutes 1998, section 136F.40, is amended to read:

136F.40 [APPOINTMENT OF PERSONNEL.]

Subdivision 1. [APPOINTMENT PROCEDURE.] The board shall appoint all presidents, teachers, and other necessary employees and shall prescribe their duties consistent with chapter 43A. Salaries and benefits of employees must be determined according to chapters 43A and 179A and other applicable provisions.

Subd. 2. [COMPENSATION.] Notwithstanding any other provision to the contrary, when establishing compensation the board may provide, through a contract, a liquidated salary amount or other compensation if a contract with a chancellor or president is terminated by the board prior to its expiration.

Any benefits shall be excluded in computation of retirement, insurance, and other benefits available through or from the state. Any benefits or additional compensation must be as provided under the plan approved under section 43A.18, subdivision 3a.

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

Sec. 9. Minnesota Statutes 1998, section 136F.98, subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE OF BONDS.] The board of trustees of the Minnesota state colleges and universities or a successor may issue additional revenue bonds under sections 136F.90 to 136F.97 in an aggregate principal amount not exceeding \$40,000,000, subject to the resolutions authorizing its outstanding revenue bonds \$100,000,000, and payable from the revenue appropriated to the fund established by section 136F.94, and use the proceeds together with other public or private money that may otherwise become available to acquire land, and to acquire, construct, complete, remodel, and equip structures or portions thereof to be used for dormitory, residence hall, student union, food service, and related parking purposes at the state universities. Bonds may be issued to refund previously issued bonds, and any such refunding bonds may be issued in addition to the bonds otherwise authorized by this subdivision. Before issuing the bonds or any part of them, the board shall consult with and obtain the advisory recommendations of the chairs of the house ways and means committee and the senate finance committee about the facilities to be financed by the bonds.

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

Sec. 10. [SCHOOL GUIDANCE COUNSELING INCENTIVES.]

The higher education services office must recommend incentives to increase the number of guidance counselors in elementary and secondary schools.

By January 15, 2001, the higher education services office must report to the legislature on the recommended incentives with a recommendation for funding.

Sec. 11. [STUDY OF EDUCATIONAL FOUNDATIONS.]

Prior to November 15, 2000, the board of trustees of the Minnesota state colleges and universities shall study and make recommendations on the use of educational foundation support for additional compensation and benefits for the position of chancellor and campus president. The study must include information about the use of foundation

money for salary compensation at higher educational institutions in other states. The study shall be provided to the house higher education finance committee, the house ways and means committee, the senate higher education finance division, the senate education finance committee, and the legislative coordinating commission.

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

Sec. 12. [INTERMEDIATE DISTRICT COORDINATED PLANNING.]

(a) The board of trustees of the Minnesota state colleges and universities must initiate a planning process to plan and coordinate programs between the intermediate school districts and the Minnesota state college and university system.

The board of trustees must include planning with intermediate school districts No. 287; No. 916; and No. 917.

(b) The board of trustees and the intermediate school districts must study the compatibility of program offerings and develop a long-range facilities plan to address intermediate school district facility needs. The results of the study must be reported to the education committees of the legislature by February 15, 2001.

(c) The board of trustees must not extend or modify the joint powers agreements with the intermediate school districts for use of technical college facilities until after the study is reported to the legislature.

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

Sec. 13. [ALLOCATION FOR EXCESS HEALTH CARE COSTS.]

The board of trustees must provide relief to campuses who have experienced health care cost increases of greater than 80 percent above the systemwide average increase since 1996.

Sec. 14. [TRANSFER OF OUTREACH PROGRAMS.]

Responsibility for outreach and early intervention programs administered by the higher education services office, including the Get Ready program, the community service learning grants, and the early intervention for college attendance programs is transferred to the department of children, families, and learning. \$897,000 in fiscal year 2001 is transferred from the higher education services office to the department of children, families, and learning in accordance with Minnesota Statutes, section 15.039.

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

Sec. 15. [MANAGEMENT ANALYSIS OF MINNESOTA STATE COLLEGES AND UNIVERSITIES.]

The management analysis division of the department of administration must study the administrative structure of the Minnesota state colleges and universities and report to the legislature by September 15, 2000, with findings and recommendations. The study must evaluate the effectiveness of the structure of the board of trustees as currently configured under Minnesota Statutes, sections 136F.02 to 136F.07, and make recommendations to improve the administration and management of the Minnesota state colleges and universities. The study must include the:

- (1) size and composition of the board;
- (2) basis for appointing members of the board, including selection based on congressional districts, geographic alternatives to congressional districts, or other nongeographic criteria for selecting and appointing members;
- (3) length of terms of board members and the chair;

(4) board's scope of control and authority, including its authority for contracting, employment responsibilities, and hiring and supervisory authority over campus presidents;

(5) necessity for and the appropriate role of the staff for the board of trustees; and

(6) other issues related to system administration and management.

The board of trustees must contract with the management analysis division of the department of administration for the study under this section. The contract must provide that the study begin as soon as possible after the effective date of this section.

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

Sec. 16. [APPROPRIATION.]

\$5,792,000 in fiscal year 2000 and \$5,792,000 in fiscal year 2001 is appropriated from the general fund to the board of trustees of the Minnesota state colleges and universities as a deficiency appropriation to fund increased enrollments. This appropriation is in addition to the appropriation in Laws 1999, chapter 214, article 1, section 3, subdivision 1. This is a one-time appropriation.

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

Sec. 17. [REPEALER.]

Minnesota Rules, parts 4830.9005 to 4830.9030, are repealed."

Delete the title and insert:

"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; 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; 121A.61, subdivision 3; 122A.18, subdivision 2; 122A.31, subdivision 4; 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; 122A.09, subdivision 4; 123B.53, subdivisions 4 and 6; 123B.54; 124D.10, subdivisions 3, 4, 6, 8, 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.65, subdivision 4; 124D.84, subdivision 1; 124D.86, subdivisions 1 and 3; 124D.87; 125A.023, subdivisions 3 and 5; 125A.08; 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; and 181A.04, subdivision 6; 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, section 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; 121A; 122A; 123B; 124D; 125B; 134; repealing Minnesota Statutes 1998, sections 123B.59, subdivision 7; 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; repealing Laws 1998, First Special Session chapter 1, article 1, section 10; 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 3535.9920; and 4830.9005 to 4830.9030."

With the recommendation that when so amended the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 3952, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DEPARTMENT OF CORRECTIONS.]

Subdivision 1. [COMMUNITY SERVICE AND SENTENCING TO SERVICE WORK.] The amounts in this subdivision are appropriated from the general fund to the commissioner of corrections for payment under Minnesota Statutes, section 3.739, to service providers as indicated in full and final payment of claims against the state for medical services provided to individuals who were injured while performing community service or sentencing to service work for correctional purposes. These appropriations are available until June 30, 2001.

(a) For claims under \$500 each and other claims already paid by the department, \$5,172.16.

(b) For medical services provided to Joshua S. Anderberg, who suffered injuries while performing community service work in Ramsey county, \$585.96.

(c) For medical services provided to Jon K. Atzen, who suffered injuries while performing community service work in Nobles county, \$3,635.92.

(d) For medical services provided to Stephen Cisco, who suffered injuries while performing sentencing to service work in Isanti county, \$2,823.32.

(e) For medical services provided to Nepumoseno P. Hidalgo, who suffered injuries while performing community service work in Pipestone county, \$1,746.32.

(f) For medical services provided to Vernon Mizer, who suffered injuries while performing sentencing to service work in Goodhue county, \$5,866.65.

Subd. 2. [INMATE INJURY.] \$7,500 is appropriated from the general fund to the commissioner of corrections for payment under Minnesota Statutes, section 3.738, to Wil L. Killian, who suffered permanent back injuries while performing assigned duties as an inmate at MCF - Oak Park Heights. This appropriation is available until June 30, 2001.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

McElroy from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 3960, A bill for an act relating to workers' compensation; increasing benefits; clarifying language; providing for a transfer of funds; modifying various workers' compensation provisions; amending Minnesota Statutes 1998, sections 176.011, subdivisions 3 and 20; 176.061, subdivisions 3, 5, 7, 10, and by adding a subdivision; 176.081, subdivision 1; 176.101, subdivisions 1, 2a, and 8; 176.102, subdivisions 3 and 11; 176.106, subdivision 7; 176.111, subdivisions 5, 18, and by adding a subdivision; 176.129, subdivisions 3 and 4; 176.231, subdivision 2; and 176.611, subdivision 2a; Minnesota Statutes 1999 Supplement, section 176.011, subdivision 9; repealing Minnesota Statutes 1998, section 176.129, subdivision 2.

Reported the same back with the following amendments:

Pages 25 and 26, delete section 23

Page 26, line 10, delete "UTILIZATION" and insert "TRANSFER"

Page 26, delete lines 11 to 26

Page 26, line 27, delete "Subd. 3." and insert "Subdivision 1."

Page 26, line 28, delete everything after "2000." and insert "the commissioner of finance and the commissioner of commerce must direct the transfer of \$325,000,000 to a separate account within the special compensation fund called the excess surplus account."

Page 26, delete lines 29 to 35

Page 27, line 12, delete "4" and insert "2" and delete "By July" and insert "If excess surplus funds are transferred as provided in subdivision 3, by January"

Page 27, line 17, delete "5" and insert "3"

Pages 27 and 28, delete section 25 and insert:

"Sec. 24. [NONSEVERABILITY.]

Notwithstanding Minnesota Statutes, section 645.20, the provisions of section 23, the minimum and maximum benefit rates of section 10, and the changes in permanent partial disability impairment ratings and corresponding dollar amounts of section 11 are not severable, and the minimum and maximum benefit rates of section 10 and the changes in permanent partial disability impairment ratings and corresponding dollar amounts of section 11 shall not be effective unless the \$325,000,000 referenced in section 23 is used to reduce the rate of assessment as required by section 23, subdivision 2, by satisfying liabilities of the special compensation fund. If any of the following events occur on or before June 1, 2003, the provisions of section 23, the minimum and maximum benefit rates of section 10, and the changes in permanent partial disability impairment ratings and corresponding dollar amounts of section 11 are repealed and the law as it existed prior to the enactment of these sections shall be reinstated effective 90 days following the occurrence of any of the following events and the law, as reinstated, shall be applicable to any personal injuries occurring after the date of reinstatement:

(1) section 23 is declared unconstitutional or otherwise invalidated by final court adjudication not subject to further appeal; or

(2) the \$325,000,000 referenced in section 23 is transferred and not used as required by section 23.

If any of the foregoing events described in clause (1) or (2) should occur on or before June 1, 2003, any unexpended funds transferred to the special compensation fund under section 23 shall be returned to the assigned risk plan. Any funds not received by the special compensation fund because of a reduced assessment implemented under section 23 may not be recovered by a retroactive rate increase.

Sec. 25. [NO CLAIM OF RIGHT.]

The transfer of funds required by section 23 does not create a right nor impose a liability on any person or fund to the funds transferred except as provided in section 23. If, for any reason, funds cannot be transferred as required by section 23, the funds shall remain in the assigned risk plan fund.

Sec. 26. [TRANSFER PRIORITY.]

The transfer of excess surplus required by section 23 shall be made prior to any other transfer of excess surplus from the assigned risk plan fund authorized by laws passed at the regular session of the 2000 legislature."

Page 28, line 17, delete "23, 24, 25, and 26" and insert "23 to 27"

Reorder the sections in sequence

Correct internal references

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 3986, A bill for an act relating to government data practices; restricting the use of certain public data on individuals held by state agencies; providing civil penalties; amending Minnesota Statutes 1998, sections 13.87, subdivision 2; 168.346; and 171.12, subdivision 7; Minnesota Statutes 1999 Supplement, section 13.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the following amendments:

Page 1, delete lines 11 and 12

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1998, section 13.04, subdivision 2, is amended to read:

Subd. 2. [INFORMATION REQUIRED TO BE GIVEN INDIVIDUAL.] (a) An individual asked to supply private or confidential data concerning the individual shall be informed of: ~~(a)~~ (1) the purpose and intended use of the requested data within the collecting state agency, political subdivision, or statewide system; ~~(b)~~ (2) whether the individual may refuse or is legally required to supply the requested data; ~~(c)~~ (3) any known consequence arising from supplying or refusing to supply private or confidential data; and ~~(d)~~ (4) the identity of other persons or entities authorized by state or federal law to receive the data. This requirement shall not apply when an individual is asked to supply investigative data, pursuant to section 13.82, subdivision 5, to a law enforcement officer.

(b) A state agency that requests an individual to provide public data concerning the individual must inform the individual in a clear and conspicuous writing at the time of the request that the individual has the right provided by this paragraph. The individual has the right to prohibit disclosure of public data concerning the individual to any person who seeks directly or indirectly to sell or attempt to sell a product or service. The individual may prohibit such disclosure by so indicating in writing. The state agency shall promptly implement such a request received from an individual and shall not disclose data on the individual for purposes prohibited by this paragraph."

Page 3, line 19, delete "no"

Page 3, line 21, after "(12)" insert "with the express consent of the individual"

Page 5, line 13, delete "no"

Page 5, line 15, after "(12)" insert "with the express consent of the individual"

Pages 5 to 8, delete article 2

Delete the title and insert:

"A bill for an act relating to government data practices; permitting individuals to restrict the release of certain public data on them held by state agencies; amending Minnesota Statutes 1998, sections 13.04, subdivision 2; 168.346; and 171.12, subdivision 7."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 4078, A bill for an act relating to higher education; capital improvements; authorizing spending by the Minnesota state colleges and universities to acquire and improve public land and buildings; authorizing the lease of land at the Minnesota west community and technical college; amending Laws 1998, chapter 404, section 3, subdivision 24.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CAPITAL IMPROVEMENT APPROPRIATIONS.]

The sums in the column under "APPROPRIATIONS" are appropriated from the bond proceeds fund, or other named fund, to the state agencies, other entities, or officials indicated, to be spent for public purposes including to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this act. Unless otherwise specified, the appropriations in this act are available until the project is completed or abandoned.

SUMMARY

UNIVERSITY OF MINNESOTA	\$ 66,663,000
MINNESOTA STATE COLLEGES AND UNIVERSITIES	103,224,000
CENTER FOR ARTS EDUCATION	296,000
CHILDREN, FAMILIES, AND LEARNING	51,523,000
FARIBAULT RESIDENTIAL ACADEMIES	4,066,000
NATURAL RESOURCES	37,300,000
OFFICE OF ENVIRONMENTAL ASSISTANCE	3,000,000
BOARD OF WATER AND SOIL RESOURCES	22,400,000
AGRICULTURE	20,000,000
ZOOLOGICAL GARDENS	1,100,000
ADMINISTRATION	48,535,000
AMATEUR SPORTS COMMISSION	4,000,000
MILITARY AFFAIRS	2,895,000
TRANSPORTATION	69,674,000
HUMAN SERVICES	14,871,000
HEALTH	135,000
VETERANS HOMES BOARD	12,834,000

CORRECTIONS	16,710,000
PUBLIC SAFETY	844,000
TRADE AND ECONOMIC DEVELOPMENT	41,179,000
HOUSING FINANCE AGENCY	1,000,000
MINNESOTA HISTORICAL SOCIETY	3,300,000
BOND SALE EXPENSES	425,000
CANCELLATIONS	(31,863,000)
TOTAL	\$494,111,000
Bond Proceeds Fund (General Fund Debt Service)	358,200,000
Bond Proceeds Fund (User Financed Debt Service)	65,879,000
Transportation Fund	49,000,000
General Fund	2,072,000
Trunk Highway Fund	18,960,000

APPROPRIATIONS

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Sec. 2. UNIVERSITY OF MINNESOTA

Subdivision 1. To the board of regents of the University of Minnesota for the purposes specified in this section. 66,663,000

Subd. 2. (HEAPR) Higher Education Asset Preservation and Replacement 9,000,000

For the purposes specified in Minnesota Statutes, section 135A.046, including fire and life and safety improvements, ADA access improvements, hazardous material abatement, and environmental improvements and infrastructure replacement.

Subd. 3. Molecular and Cellular Biology Building, Minneapolis Campus 35,000,000

To complete construction, furnish, and equip the molecular and cellular biology building at the Minneapolis campus.

APPROPRIATIONS

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Subd. 4. Art Building, Minneapolis Campus	2,000,000
To complete design for a new art building on the Minneapolis West Bank campus.	
Subd. 5. Biocontainment Facility, St. Paul Campus	5,963,000
For construction of a biocontainment facility in partnership with the Minnesota department of agriculture.	
Subd. 6. Kiehle Building Renovation and Addition, Crookston	6,500,000
To complete construction drawings and renovate, furnish, and equip the renovation of and additions to the Kiehle building at the Crookston campus for a meeting center and a technology center.	
Subd. 7. Science and Math Building Renovation Phase 2, Morris	8,200,000
For phase 2 of the science building project to renovate, furnish, and equip the existing science building at the Morris campus, including obsolete labs and classrooms into instructional research space. The board may use the design build process on this project.	
Subd. 8. Transfer to HEAPR	
The unspent portion of an appropriation for a project in this section that is complete is available for HEAPR under subdivision 2, at the same campus as the project for which the original appropriation was made and the debt service requirement under subdivision 9 is reduced accordingly. Minnesota Statutes, section 16A.642 applies from the date of the original appropriation to the unspent amount transferred.	
Subd. 9. Debt Service Responsibilities	
The board of regents shall pay one-third of the debt service on state bonds sold to finance appropriations in this section except those in subdivision 2. After each sale of general obligation bonds, the commissioner of finance shall notify the board of regents of the amounts for which it is assessed each year for the life of the bonds.	
The commissioner shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of finance by December 1 each year. If the board fails to make a	

APPROPRIATIONS

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payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise available to the board and apply the amount of the reduction to cover the missed debt service payment. The commissioner of finance shall credit the payments received from the board to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

Sec. 3. (MNSCU) MINNESOTA STATE COLLEGES AND UNIVERSITIES

Subdivision 1. To the board of trustees of the Minnesota state colleges and universities for the purposes specified in this section. 103,224,000

Subd. 2. (HEAPR) Higher Education Asset Preservation and Replacement 30,000,000

For the purposes specified in Minnesota Statutes, section 135A.046, including safety and statutory compliance, envelope integrity, mechanical systems, and space restoration. The following projects must be funded out of this appropriation: replacement or renovation of the boilers at Winona State University; \$1,090,000 for the demolition of old homes on property owned by Moorhead State University and conversion of this property into parking; \$3,000,000 for Minnesota State University, Mankato, to correct deferred maintenance of athletic facilities; and the completion of the HVAC project at the Hutchinson campus of Ridgewater College.

Subd. 3. Normandale Community College 11,400,000

To design, construct, and equip an addition to the science building and to remodel and provide new equipment for the existing science facilities.

Subd. 4. North Hennepin Community College 11,161,000

For design and remodeling of the old science building into a general education building and for building additions.

Subd. 5. St. Cloud State Technical College 7,992,000

To design, remodel, and equip the A and B wings of the existing building and for building additions.

Subd. 6. Anoka-Hennepin Technical College 12,500,000

APPROPRIATIONS

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For roof repairs and replacements; heat, ventilation, and air conditioning improvements; necessary repairs and remodeling; and demolition; all to existing facilities. Any roof replacement must be for an industry standard roof.

Subd. 7. Alexandria Technical College 500,000

To design a new classroom and office building to replace residential buildings used as temporary classrooms and storage.

Subd. 8. Bemidji State University/Northwest Technical College 4,500,000

(a) For design and construction of a technology laboratory building, and purchase of furniture, equipment, and fixtures.

(b) The remaining money from the appropriation in Laws 1998, chapter 404, section 3, subdivision 5, may be used for this purpose.

(c) The board of trustees must not convey the technical college to the school district.

Subd. 9. Systemwide Small Projects 100,000

To design, construct, and equip storage garages at various campuses at Fergus Falls, Granite Falls, Jackson, and Worthington and add a loading dock at Pipestone.

Subd. 10. Systemwide Land Acquisition 1,000,000

The board must establish a fund with this appropriation to give institutions the opportunity to purchase land adjacent to or near their campuses. Up to \$300,000 is for Metropolitan State University to acquire the building at the northwest corner of 7th and Maria in St. Paul.

Subd. 11. St. Cloud State University 4,714,000

Of this amount, \$300,000 is for renovation and design of Riverview Hall, \$550,000 is for renovation and design of Eastman Hall, and \$3,864,000 is to remodel for administrative and instructional space the lower floors of Lawrence Hall; all at St. Cloud State University.

Subd. 12. Northland Community and Technical College 3,500,000

For general asset preservation of a capital nature including renovation of the science center, and construction of a corridor and learning center computer lab.

APPROPRIATIONS

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Subd. 13. Minnesota State University, Mankato 6,907,000

For phase 2 of the student athletic facility renovation project, including:

- (1) design, build, and equip an addition to Highland Center; and
- (2) design, renovate, and equip indoor student athletic facilities in the Pennington Building, Highland Center, and Highland North.

Subd. 14. Winona State University 2,000,000

To design, through construction bid documents, a new science building.

Subd. 15. Southwest State University 800,000

To design the renovation of the Southwest State University library at Marshall. The plan must include realignment of library functions to improve access and improvements to the infrastructure.

Subd. 16. Rochester Community and Technical College 6,150,000

For projects specified in this subdivision:

- (1) complete construction of an internal campus road system;
- (2) design and construct replacement athletic fields displaced by road improvements;
- (3) predesign, design, and partially construct a quadrangle between the main building and the sports center, including underground utilities, landscaping, and reconfigured entrance; and
- (4) \$4,500,000 of this appropriation is for design and construction of a greenhouse, and to renovate associated instructional, office, and maintenance space.

Subd. 17. Transfer to HEAPR

The unspent portion of an appropriation for a project in this section that is complete is available for HEAPR under subdivision 2 at the same campus as the project for which the original appropriation was made and the debt service requirement under subdivision 18 is reduced accordingly. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount.

APPROPRIATIONS

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Subd. 18. Debt Service

(a) The board shall pay one-third of the debt service on state bonds sold to finance projects authorized by this section, except for subdivision 2. After each sale of general obligation bonds, the commissioner of finance shall notify the board of the amounts assessed for each year for the life of the bonds. Private funds contributed toward a project authorized in this section may be used, in the discretion of the board, as qualified contributions to the debt service obligation for that specific project.

(b) The commissioner shall reduce the board's assessment each year by one-third of the net income from investment of general obligation bond proceeds in proportion to the amount of principal and interest otherwise required to be paid by the board. The board shall pay its resulting net assessment to the commissioner of finance by December 1 each year. If the board fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise available to the board and apply the amount of the reduction to cover the missed debt service payment. The commissioner of finance shall credit the payments received from the board to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

Subd. 19. Ridgewater Community and Technical College at Willmar

Ridgewater community and technical college may build an addition to kennels for veterinary technology at Willmar campus with existing college funds.

Subd. 20. Moorhead State University Campus Security Building

The board of trustees of the Minnesota state colleges and universities may construct a campus building at Moorhead State University. The board may accept nonstate money to support construction of the building. The board may enter into an agreement with the city of Moorhead whereby the city provides money for the construction of the building in exchange for the lease of space in the building for use by the city police department. Notwithstanding Minnesota Statutes, section 16B.24, or any other law to the contrary, the board may lease space in the building to the city for up to 25 years without obtaining state executive council approval.

APPROPRIATIONS

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Subd. 21. Minnesota West Community and Technical College at Worthington

Minnesota west community and technical college may enter into a lease agreement with the YMCA, subject to Minnesota Statutes, section 16A.695, for the lease of land on the Worthington campus. Siting and design of the facility must be consistent with the college's master plan and Minnesota state colleges and universities building standards. Minnesota west community and technical college may negotiate for use of the facility for college purposes. The lease may also include the city of Worthington.

Sec. 4. PERPICH CENTER FOR ARTS EDUCATION 296,000

To the commissioner of administration for Delta dormitory upgrades. Of this amount \$214,000 is for design and construction of electrical and mechanical system improvement and \$82,000 is from the general fund for furniture and window treatments.

Sec. 5. CHILDREN, FAMILIES, AND LEARNING

Subdivision 1. To the commissioner of children, families, and learning for the purposes specified in this section. 51,523,000

Subd. 2. East Metro Integration Magnet 15,936,000

\$15,936,000 is for a metropolitan magnet school grant to district No. 6067, Tri-District, to design, construct, furnish, and equip a new school building.

Subd. 3. Academy for the Blind, Library Shelving 600,000

To install permanent compact shelving in the basement area of the library of the Minnesota State Academy for the Blind at Faribault.

This appropriation is from the general fund.

Subd. 4. Early Childhood Learning Facilities 500,000

For grants to construct or rehabilitate facilities for programs under Minnesota Statutes, section 119A.45, as amended in this act.

Subd. 5. Monolithic Dome, Grand Meadow 1,500,000

For an alternative facilities design grant to independent school district No. 495, Grand Meadow, to construct a new school using monolithic dome construction techniques. The commissioner shall award the grant to demonstrate that a school constructed

APPROPRIATIONS

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using monolithic dome construction techniques can provide operating and construction savings for school districts throughout the state. Grand Meadow school district must agree to provide the state with information and data about this construction method and with an analysis of a monolithic dome as a suitable educational environment.

The school district's debt service equalization aid must be calculated under Minnesota Statutes 1999 Supplement, section 123B.53.

Subd. 6. Maximum Effort Capital Loans

32,987,000

(a) Of this amount:

(1) \$13,982,000 is to make a capital loan to independent school district No. 299, Caledonia, to build a new middle/high school and to remodel the current secondary school to serve as an elementary school;

(2) \$7,200,000 is to make a capital loan to independent school district No. 306, LaPorte;

(3) \$4,300,000 is to make a capital loan to independent school district No. 38, Red Lake, for renovation of the middle school and Ponemah elementary school, but none of the proceeds of the loan are for an early childhood facility; and

(4) \$7,505,000 is to make a capital loan to independent school district No. 115, Cass Lake, for a new middle school for grades 5 to 8.

(b) Capital loans in the amounts in paragraph (a), clauses (1) to (4), are approved for the recipient school districts.

(c) This appropriation is from the maximum effort school loan fund.

(d) The commissioner must study how the maximum effort loan program should be restructured to allow more school districts to qualify for capital financing under the current school facility aid program without needing to turn to the maximum effort loan program. The commissioner must report to the capital investment and K-12 education finance committees of the house and the education finance committee and the K-12 education budget division of the senate. The department must not accept any applications for the maximum effort loan program until after the end of the 2001 legislative session.

APPROPRIATIONS

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Subd. 7. Study; Capital Improvement Needs and Funding Sources for Public Libraries

The commissioner must conduct a study of capital improvement needs and funding sources of public libraries, as defined in Minnesota Statutes, section 134.001. The study must take into account ADA compliance and asset preservation as well as other capital improvement needs. The study must include in particular, but is not to be limited to, the Pelican Rapids Public Library, the Minneapolis Public Library, and the Watonwan county/St. James Public Library.

The commissioner shall report by February 1, 2001, on the results of the study to the capital investment and K-12 education finance committees of the house and the education finance committee and the K-12 education budget division of the senate.

Sec. 6. RESIDENTIAL ACADEMIES AT FARIBAULT

Subdivision 1. To the commissioner of administration for the purposes specified in this section. 4,066,000

Subd. 2. Asset Preservation 2,000,000

For asset preservation of capital improvements on both campuses of the Minnesota State Academies including, but not limited to, general asset preservation, electrical infrastructure upgrades, and sewer and water improvements.

Subd. 3. West Wing, Noyes Hall, Phase 1 2,066,000

For mold abatement and renovation of the west wing of Noyes Hall, including improvements to the mechanical system, to eliminate air quality problems.

Sec. 7. NATURAL RESOURCES

Subdivision 1. To the commissioner of natural resources for the purposes specified in this section. 37,300,000

Subd. 2. Statewide Asset Preservation 2,000,000

For repair and renovation of the department of natural resources land, buildings, or other improvements of a capital nature throughout the state. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 3. Office Facilities Development 750,000

To buy a building in Pelican Rapids for field office use.

APPROPRIATIONS

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Subd. 4. ADA Compliance	2,000,000
For capital improvements to provide for improved and equal accessibility in accord with the Americans with Disabilities Act (ADA), to department of natural resources facilities and programs.	
Subd. 5. State Park and Recreation Area Building Rehabilitation	1,900,000
To rehabilitate the park system's highest priority buildings according to the management plan required in Minnesota Statutes, chapter 86A.	
Subd. 6. Dam Repair, Reconstruction, Removal	1,200,000
To remove the dams at Mazeppa, Cannon Falls, Straight River (Faribault), and Old Mill Park; for engineering work for the removal of the Drayton dam; to repair the dams at Lake Bronson, Willow River, and New London; and for emergency dam repairs that may arise.	
Subd. 7. State Park and Recreation Area Betterment Rehabilitation	1,500,000
To upgrade, repair, or rehabilitate improvements of a capital nature at state park and recreation area facilities throughout the state, including, but not limited to, resource management projects, trail rehabilitation, campground rehabilitation, and road and bridge repair. This appropriation is to rehabilitate the swimming pool at Buffalo River State Park and for other project priorities as appropriate based upon need as determined by the commissioner.	
Subd. 8. Flood Hazard Mitigation Grants	10,600,000
For the flood hazard mitigation grant program to local government units for publicly owned capital improvements to prevent or alleviate flood damages under Minnesota Statutes, section 103F.161. The commissioner shall determine project priorities as appropriate based upon need. Projects eligible for this funding include, but are not limited to those in Warren, Breckenridge, Saint Anthony, Granite Falls, Lake Saint Croix Beach, Inver Grove Heights, Columbia Heights, Virginia-Mt. Iron, Roseau, Helgeland, and Chokio.	
Subd. 9. Forest Road and Bridge Projects and Forestry Recreation Facilities	1,300,000
For reconstruction, resurfacing, replacement, or construction of other improvements of a capital nature to state forest roads and bridges throughout the state. The commissioner shall determine project priorities as based upon need.	

APPROPRIATIONS

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For improvements of a capital nature to rehabilitate, improve, or develop forestry recreation facilities throughout the state. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 10. Fisheries Acquisition 200,000

To acquire and develop aquatic management areas (AMA) for fisheries management purposes. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 11. RIM Fisheries Improvement 200,000

For fisheries habitat improvement projects of a capital nature as identified by the Nemadji Watershed workgroup.

Subd. 12. Stream Protection and Restoration 500,000

For river restoration on the Otter Tail River at Frazee, the Pomme de Terre River at Appleton and for four lowhead dams along the Red River for fish passage.

Subd. 13. Critical Habitat Match 1,000,000

For the critical habitat private sector matching account under Minnesota Statutes, section 84.943.

Subd. 14. Metro Greenways and Natural Areas 500,000

To provide grants to local units of government for acquisition or betterment of greenways and natural areas in the metro region and to acquire greenways and natural areas in the metro region through the purchase of conservation easements or fee titles. The commissioner shall determine the project priorities and shall consult with representatives of local units of government, nonprofit organizations, and other interested parties.

Subd. 15. RIM Wildlife Development/Habitat Improvements 2,000,000

For improvements of a capital nature to develop, protect, or improve habitat on wildlife management areas and other state lands throughout the state. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 16. State Park and Recreation Area Acquisition 700,000

APPROPRIATIONS

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For acquisition from willing sellers of private lands within state park and recreation area boundaries established by law. The commissioner shall determine project priorities as appropriate based upon need. \$200,000 of this appropriation is for site preparation costs at the Red River State Recreation Area.

Subd. 17. Trail Acquisition and Development 2,200,000

To complete development of the Paul Bunyan Trail from Hackensack to Walker. \$800,000 is to Freeborn county to build a bridge over the Albert Lea Lake on the Blazing Star State Trail.

Subd. 18. Regional Parks: Greater Minnesota 1,000,000

For grants to public regional parks organizations located outside the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, that are established or recognized in statute to acquire land, design, and construct and redevelop regional parks and trails, open space, and recreational facilities. The improvements must be of a capital nature. Each \$3 of state grants must be matched by \$2 of nonstate funds.

Subd. 19. Metropolitan Regional Park Rehabilitation, Acquisition, and Development 5,000,000

This appropriation is for payment by the commissioner of natural resources to the metropolitan council. The commissioner shall pay the amount on a reimbursement basis to the metropolitan council upon receipt of a certified copy of a council resolution requesting payment. The appropriation must be used to pay the cost of rehabilitation, acquisition, and development by the council and local government units of regional recreational open-space lands in accordance with the council's policy plan as provided in Minnesota Statutes, section 473.315.

Subd. 20. State Trail Connections 950,000

(a) For matching grants to be provided to local units of government for acquisition and betterment of a capital nature of public land and improvements needed for trails that connect communities, trails, and parks. Recipients must provide a match of at least one-half of total eligible project costs. The commissioner shall make payment to local units of government upon receiving documentation of reimbursable expenditures. Of this amount, \$250,000 is to the city of Fairfax to connect the Fair Ridge trail from Fort Ridgely state park to the city of Fairfax; and \$50,000 is to Rock county to connect the Blue Mounds state park to the city of Luverne.

APPROPRIATIONS

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(b) Of the amount in this subdivision, \$350,000 is for a grant to the Cannon River Link Trail joint powers board. The money is to be used for the acquisition, associated capital planning, and administrative costs and betterment of the Mill Towns Trail through and between the cities of Northfield and Faribault. The Cannon River Link Trail board may use available federal funding and funding or in-kind services from individuals, organizations, and local units of government for the required match to the grant.

(c) The balance is for project priorities as appropriate based upon need, as determined by the commissioner.

Subd. 21. Moose Lake Geologic Interpretive Center 1,300,000

To construct a state geologic interpretive center that features geological artifacts indigenous to Minnesota at Moose Lake state park. The money is to be used for the interpretive center building and exhibits, and necessary road, parking, and sewer work.

Subd. 22. Lake Minnetonka Public Access Acquisition 500,000

For a public access site on the southwest side of Gray's Bay on Lake Minnetonka.

Subd. 23. Reimbursement for Flood Hazard Mitigation Study

The commissioner of natural resources may reimburse a local unit of government for the flood hazard mitigation study costs associated with projects receiving appropriations from Laws 1999, chapter 240, article 1, section 4, subdivision 3.

Subd. 24. Transfer to Asset Preservation

The unspent portion of an appropriation for a project in this section that is complete is available for asset preservation under subdivision 2. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 8. OFFICE OF ENVIRONMENTAL ASSISTANCE 3,000,000

To the office of environmental assistance for the solid waste capital assistance grants program under Minnesota Statutes, section 115A.54. Grants under this section are exempt from the requirements of Minnesota Statutes, section 16B.335.

Sec. 9. (BOWSR) BOARD OF WATER AND SOIL RESOURCES

Subdivision 1. To the board of water and soil resources (BOWSR) for the purposes specified in this section. 22,400,000

APPROPRIATIONS

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Subd. 2. (CREP) Conservation Reserve Enhancement Program

20,000,000

To acquire conservation easements on private land as part of the Conservation Reserve Enhancement Program (CREP) agreement between the state and the United States Department of Agriculture. None of this appropriation may be used for salaries to acquire the easements.

BOWSR must conduct a study, with the results reported by January 1, 2001, to the capital investment and environment and natural resources finance committees of the house of representatives and the state government finance committee and the environment and agriculture budget division of the senate on whether BOWSR will be able to match all of the federal funds available if the legislature appropriates an additional \$20,000,000 to this program in each of years 2001 and 2002, and what additional general funding, if any, will be needed for staff during that time for administration of the program assuming the funding levels indicated in this subdivision.

Subd. 3. Local Government Wetland Replacement

2,400,000

To acquire land for wetlands or restore wetlands to be used to replace wetlands drained or filled as a result of the repair, maintenance, or rehabilitation of existing public roads, as provided in Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m).

Sec. 10. AGRICULTURE

20,000,000

To the Rural Finance Authority to purchase participation interests in or to make direct agricultural loans to farmers under Minnesota Statutes, chapter 41B. This appropriation is for the beginning farmer program under Minnesota Statutes, section 41B.039, the loan restructuring program under Minnesota Statutes, section 41B.04, the seller-sponsored program under Minnesota Statutes, section 41B.042, the agricultural improvement loan program under Minnesota Statutes, section 41B.043, and the livestock expansion loan program under Minnesota Statutes, section 41B.045. All debt service on bond proceeds used to finance this appropriation must be repaid by the rural finance authority under Minnesota Statutes, section 16A.643. Loan participations must be priced to provide full interest and principal coverage and a reserve for potential losses.

Loans for capital projects from this appropriation are exempt from Minnesota Statutes, section 16B.335. Priority for loans must be given first to basic beginning farmer loans; second, to seller-sponsored loans; and third, to agricultural improvement loans.

APPROPRIATIONS

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Sec. 11. MINNESOTA ZOOLOGICAL GARDENS	1,100,000
To the Minnesota zoological gardens for capital repair and upgrading of the facility's heating and cooling system.	
Sec. 12. ADMINISTRATION	
Subdivision 1. To the commissioner of administration for the purposes specified in this section.	48,535,000
Subd. 2. Electrical Utility Infrastructure, Phase 4	2,500,000
To upgrade the primary electrical distribution system in the capitol complex.	
Subd. 3. Capitol Security Renovation	1,000,000
To renovate space in the capitol for the department of public safety's capitol security division and the related environmental management operation of the department of administration's plant management division.	
Subd. 4. Bureau of Criminal Apprehension	27,900,000
Notwithstanding any provision to the contrary in Laws 1998, chapter 404, section 13, subdivision 11, and Laws 1999, chapter 216, article 1, section 19, the balance of the appropriations in those sections must be used for final design and construction documents for a new bureau of criminal apprehension laboratory building and for predesign for renovation of the existing building for bureau of criminal apprehension agents. The commissioner of public safety must not proceed with the design-build process previously authorized.	
The appropriation in this subdivision is to finish the design and construct the new laboratory building.	
Subd. 5. Capital Asset Preservation and Replacement (CAPRA)	10,335,000
To be spent in accordance with Minnesota Statutes, section 16A.632. Of this amount, \$335,000 is from the general fund.	
Subd. 6. Minnesota Public TV Digital Transmitter	6,650,000
(a) For loans to public television stations, as defined in Minnesota Statutes, section 129D.12, who must convert from an analog to a digital broadcast signal as mandated by the federal government. The commissioner shall award these loans after considering the recommendations of the Minnesota public television association.	

APPROPRIATIONS

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(b) Of this amount, \$2,250,000 is for a loan to the Austin public school district for the KSMQ public television station. The loan must be repaid over ten years in annual payments at an interest rate equal to the interest rate paid by the state for bonds issued for this appropriation.

(c) Of this amount, \$4,400,000 is from the general fund for loans to the following public television stations, to be repaid over ten years in annual payments at an interest rate equal to the interest rate paid by the state for bonds issued for the appropriation: KAWB (Bemidji); KAWB (Brainerd); KFME (Fargo-Moorhead); KFGE (Grand Forks-East Grand Forks); KSMN (Appleton); KWCM (Chandler); WDSE (Duluth); and KTCA and KTCI (St. Paul-Minneapolis). The commissioner shall decide the amount of each loan for each station.

Subd. 7. World War II Veterans Memorial

150,000

For design, architectural drawings, and the start of construction for a World War II veterans memorial on the state capitol mall. The design is subject to approval by the capitol area architectural and planning board. The commissioner of veterans affairs shall convene an advisory group, including members of veterans organizations to review and make recommendations about the design of the memorial. The appropriation must be matched by an equal amount from nonstate sources.

This appropriation is from the general fund.

Subd. 8. Transfer to CAPRA

The unspent portion of an appropriation for a project in this section that is complete is available for CAPRA under subdivision 5. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 13. AMATEUR SPORTS COMMISSION

4,000,000

To the Minnesota amateur sports commission to complete funding for Mighty Ducks grants and for other statewide amateur soccer facilities grants, subject to Minnesota Statutes, chapter 240A, as amended in this act.

\$1,000,000 of this appropriation is from the bond proceeds fund for the Mighty Ducks program; the rest of this appropriation is from the general fund.

APPROPRIATIONS

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Sec. 14. MILITARY AFFAIRS

Subdivision 1. To the adjutant general for the purposes specified in this section. 2,895,000

Subd. 2. Kitchen Renovation 1,265,000

To renovate kitchen facilities at National Guard training and community centers in Sauk Centre, Alexandria, Morris, Ortonville, Fairmont, Mankato, Madison, Wadena, Olivia, and Winona. This appropriation is exempt from the requirements of Minnesota Statutes, section 16B.335.

Subd. 3. Asset Preservation 1,500,000

For asset preservation improvements of a capital nature at military affairs facilities statewide.

Subd. 4. Minnesota Military Museum 130,000

For capital renovation and expansion of the Minnesota Museum at Camp Ripley.

Sec. 15. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section. 69,674,000

Subd. 2. Local Bridge Replacement and Rehabilitation 44,000,000

This appropriation is from the state transportation fund as provided in Minnesota Statutes, section 174.50, to match federal funds and to replace or rehabilitate local deficient bridges.

Political subdivisions may use grants made under this section to construct or reconstruct bridges, including:

(1) matching federal-aid grants to construct or reconstruct key bridges;

(2) paying the costs of preliminary engineering and environmental studies authorized under Minnesota Statutes, section 174.50, subdivision 6a;

(3) paying the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made; and

APPROPRIATIONS

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(4) paying the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more cost efficient than the replacement of the existing bridge.

Subd. 3. Rail Service Improvement Loans 5,000,000

(a) For the purposes specified in Minnesota Statutes, sections 222.46 to 222.63.

(b) Notwithstanding Minnesota Statutes, section 222.50, subdivision 5, paragraph (c), for loans made from proceeds of bonds authorized in this act, the terms of repayment must provide that repayment be at the same rate of interest as on the bonds sold to provide the money to make the loan; any reimbursement received by the department under Minnesota Statutes, section 222.50, subdivision 5, paragraph (c), shall be deposited in the transportation fund; and the total reimbursements received are to be transferred to the commissioner of finance for deposit in the bond fund by December 1 of each year until paid in full.

(c) Loans for capital projects from this appropriation are exempt from Minnesota Statutes, section 16B.335.

(d) This appropriation is from the state transportation fund.

Subd. 4. Trunk Highway Facility Projects 20,674,000

(a) For the following trunk highway facility projects:

(1) department of transportation district headquarters building in St. Cloud, \$10,350,000;

(2) department of transportation district headquarters building in Detroit Lakes, \$8,724,000; and

(3) Moorhead truck station, \$1,600,000.

(b) This appropriation is from the trunk highway fund.

Sec. 16. HUMAN SERVICES

Subdivision 1. To the commissioner of administration for the purposes in this section. 14,871,000

Subd. 2. Systemwide Roof Repairs and Replacement 1,971,000

For capital repair and replacement of roofs at department of human services facilities statewide.

APPROPRIATIONS

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Subd. 3. Systemwide Asset Preservation 3,000,000

For asset preservation improvements of a capital nature at state regional treatment centers.

Subd. 4. Building Demolitions, Cambridge 1,500,000

For asbestos abatement and demolition of obsolete buildings on the campus of the Cambridge regional treatment center.

Subd. 5. Upgrade Pexton Hall, St. Peter 7,200,000

To design, remodel, furnish, and equip 100 beds in the residential and program areas in Pexton hall to securely house individuals committed as sexual psychopathic personalities and sexually dangerous persons and construct a connection to Shantz hall at the St. Peter regional treatment center.

Subd. 6. METO Campus-Cambridge 1,200,000

To design and install new utility equipment on the Minnesota Extended Treatment Options (METO) Campus-Cambridge, including new heating equipment for buildings that will remain in state control; also, an upgrade.

Subd. 7. Transfer to Asset Preservation

The unspent portion of an appropriation for a project in this section that is complete is available for asset preservation under subdivision 3. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

Sec. 17. HEALTH 135,000

To the commissioner of health for a grant to a Minnesota organ procurement organization that is certified by the federal Health Care Financing Administration or to an entity that is a charitable entity under section 501(c)(3) of the Internal Revenue Code of 1986 and is created by an organ procurement organization that is certified by the federal Health Care Financing Administration. The grant must be used for a mobile learning center to provide interactive education about organ, tissue, and eye donation to citizens across the state.

This appropriation is from the general fund.

APPROPRIATIONS

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Sec. 18. VETERANS HOMES BOARD

Subdivision 1. To the commissioner of administration for the purposes specified in this section 12,834,000

Subd. 2. Hastings Veterans Home, Phase 2 7,084,000

For design, repair, and renovation of the utility infrastructure systems and related improvements at the campus of the Hastings veterans home.

Subd. 3. Minneapolis Veterans Home 1,750,000

For infrastructure improvements of a capital nature at the campus of the Minneapolis veterans home including, but not limited to, replacement of water lines, roofs, and building exteriors, and installation of freight elevators, nursing stations, and security systems.

Subd. 4. Asset Preservation 4,000,000

For asset preservation and infrastructure repairs of a capital nature at veterans homes statewide.

Sec. 19. CORRECTIONS

Subdivision 1. To the commissioner of administration for the purposes specified in this section. 16,710,000

Subd. 2. Faribault Sewer Repair 7,500,000

To replace or repair the sanitary and storm sewer system at MCF-Faribault to eliminate the potential for serious health problems.

Subd. 3. Oak Park Heights Administrative Control Unit 855,000

For a new high security, self-contained 60-bed administrative control unit at MCF-Oak Park Heights.

Subd. 4. Lino Lakes, H Building Remodeling, Phase 3 3,398,000

The commissioner must execute an agreement with Anoka county for the county to pay 100 percent of the cost of meals provided to Anoka county jail inmates by the Lino Lakes facility.

To remodel and reorganize the food service building at MCF-Lino Lakes.

APPROPRIATIONS

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Subd. 5. Red Wing Mental Health Unit 801,000

To renovate an existing cottage into a mental health support and living unit.

Subd. 6. Stillwater, Perimeter Wall Repair 1,476,000

For capital repair to the interior surface of the perimeter wall at MCF-Stillwater.

This appropriation must not be used to construct or repair the catwalks on the current wall, or to construct or repair new or current guard towers.

Subd. 7. Bayport Storm Sewer Reconstruction 2,680,000

This amount is the final state appropriation to the city of Bayport for a storm sewer reconstruction project in cooperation with MCF-Stillwater.

Subd. 8. Asset Preservation

The unspent portion of an appropriation for a project in this section that is complete is available for asset preservation at correctional facilities. Minnesota Statutes, section 16A.642, applies from the date of the unspent amount transferred.

Sec. 20. PUBLIC SAFETY 844,000

Subdivision 1. To the commissioner of public safety for the purposes specified in this section.

Subd. 2. National Weather Service Transmitters 844,000

To buy National Weather Service transmitters for up to 13 sites throughout the state, and for generator upgrades at MNDOT sites to provide full coverage for weather emergencies and to pay for necessary engineering fees (1) to determine the most appropriate locations for the transmitters, antennas, and related equipment, (2) to determine the viability of the towers to accommodate the additional equipment, and (3) to identify and implement alternative sites, if necessary. Operational maintenance of the transmitters will be the responsibility of the National Weather Service as defined by a written agreement between the Minnesota department of administration and the United States Department of Commerce.

This appropriation is from the general fund.

APPROPRIATIONS

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Subd. 3. Law Enforcement Centers; Study

The commissioner shall study and report to the legislature on the exact locations for law enforcement centers including whether there should be three locations in the metropolitan area as is now contemplated in Maple Grove, Edina, and Saint Paul. The commissioner must consider the location of state universities, and technical and community colleges and the training that is already occurring throughout the state higher education system. The study must identify specific cities or counties for the centers.

Sec. 21. TRADE AND ECONOMIC DEVELOPMENT

Subdivision 1. To the commissioner of trade and economic development or other named official for the purposes specified in this section. 41,179,000

Subd. 2. Public Facilities Authority 12,893,000

(a) To match federal grants to the water pollution control revolving fund under Minnesota Statutes, section 446A.07, for eligible projects in the following locations and other locations as determined by the authority: Jordan, La Porte, Butterfield, St. Paul South Highwood, Hibbing, Spring Lake township, Red Wing, Rollingstone, Dassel, Cannon Falls, St. Michael, Northfield, St. Paul I/I Phase II and III, metropolitan council environmental services, Warroad, Audubon, Brooten, Clarissa, Currie, Dover-Eyota-St. Charles, Eagle Bend, Fischer, Granite Falls, Hendricks, Hoffman, Magnolia, Red Wing, West Concord, Zumbrota, Avon, Biwabik, Chatfield, Claremont, Cold Spring, Coleraine/Bovey/Taconite, Elmore, New Germany, Ostrander, Rogers, and Waldorf.

(b) To match federal grants to the drinking water revolving fund under Minnesota Statutes, section 446A.081, for eligible projects in the following locations and other locations as determined by the authority: Green Lake SSWD, McGregor, Zumbro Falls, Shakopee, Aitkin, Eden Valley/Watkins, Long Prairie, Finlayson, Coleraine, Ottertail, Rock county rural water district, Rochester, Brooten, Howard Lake, Watertown, Osseo, Victoria, Lansing Township, Dayton, Henning, Pine River, Staples, Hoffman, Ely, Eden Valley, Glenwood, Winnebago, Montevideo, Clearwater, Tracy, Echo, New Richland, Underwood, Hibbing, Kenyon, Brownton, Wanamingo, Waite Park, Dover, Mayer, New Trier, Onamia, Hinckley, Lyle, Richmond, and Cokato.

(c) The expenditure and allocation of state matching funds between funds described in paragraphs (a) and (b) shall be based on the amount of federal funds appropriated to the funds. This appropriation must be used for qualified capital projects.

APPROPRIATIONS

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Subd. 3. Wastewater Infrastructure Funding Program

14,216,000

For grants to eligible municipalities under the wastewater infrastructure program established in Minnesota Statutes, section 446A.072.

To the greatest extent practicable, the authority should use the funds for projects on the 2000 intended use plan in priority order to qualified applicants that submit plans and specifications to the pollution control agency or receive a funding commitment from USDA rural development before December 1, 2001. Municipalities listed on the intended use plan eligible for this funding, in priority order, include, but are not limited to: Dayton, Delavan, Garvin, East Gull Lake, Duluth (Fond du Lac), Koochiching county - Jackfish Bay Area, Forest Prairie Township - Clear Lake, Crane Lake Area Sewer District, Long Prairie, and Duluth - North Shore plan area.

In calculating the essential project components for a project under Minnesota Statutes, section 116.182, subdivision 1, paragraph (e), the pollution control agency shall consider only those components of a wastewater disposal system that are necessary to convey or treat a municipality's existing wastewater flows and loadings.

Notwithstanding the provisions of Minnesota Statutes, section 446A.072, subdivision 4, a wastewater infrastructure grant to a municipality shall not exceed \$15,000 per existing connection.

Subd. 4. Clean Water Partnership

2,000,000

For deposit in the water pollution control revolving fund under Minnesota Statutes, section 446A.07, for the Clean Water Partnership loan program under Minnesota Statutes, section 103F.725.

Subd. 5. Brownfields Redevelopment

7,000,000

For deposit in the redevelopment account created in Minnesota Statutes, section 116J.561.

Subd. 6. Direct Reduction Iron Processing Facilities

3,500,000

For a grant to Itasca county to design freshwater wells and wastewater treatment facilities, pipelines, railroads, and roads, and to extend sewer and water to direct reduction iron processing facilities, subject to Minnesota Statutes, section 16A.695.

This appropriation is contingent upon an agreement with a company using the direct reduction iron process to locate in Minnesota.

APPROPRIATIONS

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Subd. 7. Landfall HRA Retaining Walls	100,000
For a grant to the city of Landfall Housing and Redevelopment Authority to repair or replace deteriorating retaining walls.	
Subd. 8. Glover-Sudduth Center	1,000,000
For a grant to the city of Minneapolis through the Minneapolis Community Development Agency for design and construction of the Glover-Sudduth Center for Urban Affairs and Economic Development.	
Subd. 9. Farmamerica	470,000
For accessibility and security improvements.	
This appropriation is from the general fund and is available until June 30, 2001.	
Sec. 22. HOUSING FINANCE AGENCY	1,000,000
To the Housing Finance Agency for transfer to the housing development fund for the purpose of making loans or grants for publicly owned temporary or transitional housing under Minnesota Statutes, section 462A.201, subdivision 2, including loans or grants for housing homeless youth, homeless families, battered women, and individuals leaving prostitution.	
Sec. 23. MINNESOTA HISTORICAL SOCIETY	
Subdivision 1. To the Minnesota Historical Society for the purposes specified in this section.	3,300,000
Subd. 2. Asset Preservation	1,750,000
For capital repair, reconstruction, or replacement of deferred maintenance needs at state historic sites, buildings, exhibits, markers, and monuments. \$200,000 is for the asset preservation for the LeDuc Mansion. The society shall determine project priorities as appropriate based on need.	
Subd. 3. St. Anthony Falls Heritage Center	1,000,000
To complete the center.	
Subd. 4. County and Local Preservation Grants	300,000
To be allocated to county and local jurisdictions as matching money for historic preservation projects of a capital nature. Grant recipients must be public entities and must match state funds on at least an equal basis. The facilities must be publicly owned.	

APPROPRIATIONS

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Subd. 5. State Capitol Furnishings Restoration 250,000

For restoration of historic furniture in the state capitol building.
This appropriation is from the general fund.

Sec. 24. BOND SALE EXPENSES 425,000

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8. This appropriation is from the bond proceeds fund.

Sec. 25. BOND SALE SCHEDULE

The commissioner of finance shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2001, no more than \$569,217,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of finance shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

Sec. 26. [BOND SALE AUTHORIZATIONS.]

Subdivision 1. [BOND PROCEEDS FUND.] To provide the money appropriated in this act from the bond proceeds fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$391,092,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. [TRANSPORTATION FUND.] To provide the money appropriated in this act from the transportation fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$49,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

Subd. 3. [MAXIMUM EFFORT SCHOOL LOAN FUND.] To provide the money appropriated in this act from the maximum effort school loan fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$32,990,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the maximum effort school loan fund.

Sec. 27. [RED RIVER STATE RECREATION AREA.]

Subdivision 1. [85.013] [Subd. 20a.] [RED RIVER STATE RECREATION AREA, POLK COUNTY.] The Red River state recreation area is established in Polk county.

Subd. 2. [BOUNDARIES.] The following described lands are located within the boundaries of the Red River state recreation area, all in Polk county:

- (1) Lots 3 to 14 of Block 2 including streets and alleys adjacent thereto in Riverside Addition;
- (2) Block 1 including streets and alleys adjacent thereto in Surprenant's Addition;
- (3) Lots 1 to 24 including streets and alleys adjacent thereto in Grigg's Addition;
- (4) Lots 2, 4, 6, 8, 10, and 12 of Block 1, Block 3, Lots 1 to 10 of Block 4, and Lots 1 to 12 in Blocks A and B including streets and alleys adjacent thereto in Grand Forks East;
- (5) Lots 1 to 5 of Block 1 and Blocks 2 to 14 including streets and alleys adjacent thereto in Lake Park Addition;
- (6) Lots 1 to 7 and Lots 19 to 24 of Block 2 including streets and alleys adjacent thereto in E.B. Frederick's Addition;
- (7) Lots 1 to 3 of Block 1 and Blocks 2, 3, and 4 including streets and alleys adjacent thereto in Budge's First Addition;
- (8) Lots 1 to 4 of Block 1 including streets and alleys adjacent thereto in River Heights 1st Addition;
- (9) Blocks 1 and 2 including streets and alleys adjacent thereto in Thompson's Addition;
- (10) Lots 1 to 12 of Block 1, Lots 4 to 12 of Block 2, Block 3, and Lots 1 to 4 of Block 4 in Edwards Outlots and Outlots 4 to 8 including streets and alleys adjacent thereto in Auditor's Plat of Outlots;
- (11) Auditor's Plat of Mrs. Hines' Outlot;
- (12) Lots 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 of Block 3 and Lots 1 to 8 of Block 2 including streets and alleys adjacent thereto in the Original Townsite of East Grand Forks;
- (13) Blocks 1 to 8 including streets and alleys adjacent thereto in Woodland Addition;
- (14) Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, and 23 of Block 31 and Blocks 32 to 38 including streets and alleys adjacent thereto in Traill's Addition;
- (15) Blocks 2 to 16 including streets and alleys adjacent thereto in Elm Grove;
- (16) Block 1, Lots 1 to 11 of Block 2, and Lots 1 to 11 of Block 3 including streets and alleys adjacent thereto in O'Leary and Ryan's Addition to Elm Grove;
- (17) Lots 6 to 10 of Block 1, Lots 8 to 35 of Block 2, Blocks 3, 4, and 5 including streets and alleys adjacent thereto in Folson Park Addition;
- (18) Lots 1 to 6 of Block 1 in Jerome's Addition;
- (19) Lots 1 to 4 of Block 3 in Prestige Addition;

- (20) Lots 1 to 14 of Block 1 in Riverview Addition;
- (21) Lots 6 to 16 of Block 3 in Riverview 3rd Addition;
- (22) Lots 1 to 4 of Block 1 in Riverview 4th Addition;
- (23) Lots 1 and 2 of Block 1 in Riverview 5th Addition;
- (24) Lots 1 to 9 of Block 1 and Outlot A in Riverview 6th Addition;
- (25) Lots 1 to 18 of Block 1 and Lots 1 to 5 of Block 2 including streets and alleys adjacent thereto in Timberline 2nd Addition;
- (26) Lots 14 to 16 of Block 1 including streets and alleys adjacent thereto in Timberline Addition;
- (27) Lots 19 and 20 including streets and alleys adjacent thereto in Murphy's Outlots;
- (28) Lots 1 to 10 of Block 1 including streets and alleys thereto in Croy's 2nd Addition;
- (29) Lots 1 to 6 of Block 1 including the streets and alleys adjacent thereto in Point of Woods 2nd Addition;
- (30) Lots 1 to 6 of Block 1 including the streets and alleys adjacent thereto in Point of Woods Addition;
- (31) the unplatted portions of Government Lots 1, 2, and 3 of Section 35, Township 152 North, Range 50 West;
- (32) all of Government Lot 7, the unplatted portion of Government Lot 9, and that part of Government Lots 6 and 8 and the Southeast Quarter of the Southeast Quarter lying southwesterly of the southwesterly right-of-way line of the Burlington Northern and Santa Fe Railroad of Section 1, Township 151 North, Range 50 West;
- (33) the unplatted portions of Government Lots 2, 3, 4, 5, and 6 of Section 2, Township 151 North, Range 50 West;
- (34) all of Government Lots 1 and 2 of Section 11, Township 151 North, Range 50 West;
- (35) all of Government Lots 1, 7, and 11, the unplatted portions of Government Lots 3, 5, 9, and 10, and the Northeast Quarter of the Northwest Quarter of Section 12, Township 151 North, Range 50;
- (36) all of Government Lots 1 and 2, the Southwest Quarter of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 13, Township 151 North, Range 50 West;
- (37) all of Government Lots 1, 2, 3, and 4 of Section 14; Township 151 North, Range 50 West;
- (38) that part of Government Lot 7 lying southwesterly of the southwesterly right-of-way line of the Burlington Northern and Santa Fe Railroad of Section 6, Township 151 North, Range 49 West; and
- (39) all of Government Lots 2, 6, 7, and 9, the Northwest Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, the unplatted portions of Government Lots 3 and 5, and that part of Government Lot 1 and the Northeast Quarter of the Northwest Quarter lying southwesterly of the southwesterly right-of-way line of the Burlington Northern and Santa Fe Railroad of Section 7, Township 151 North, Range 49 West.

Subd. 3. [ADMINISTRATION.] The commissioner of natural resources shall administer the area according to Minnesota Statutes, section 86A.05, subdivision 3, subject to existing rules and regulations for state recreation areas. The commissioner shall appoint a citizens' oversight committee to assist with developing and managing the area. The committee shall serve without compensation and is exempt from Minnesota Statutes, section 15.059.

Sec. 28. Minnesota Statutes 1999 Supplement, section 119A.45, is amended to read:

119A.45 [EARLY CHILDHOOD LEARNING AND CHILD PROTECTION FACILITIES.]

The commissioner may make grants to state agencies and political subdivisions to construct or rehabilitate facilities for early childhood programs, with priority to centers in counties or municipalities with the highest percentage of children living in poverty. The commissioner may also make grants to state agencies and political subdivisions to construct or rehabilitate facilities for crisis nurseries or child visitation centers. The facilities must be owned by the state or a political subdivision, but may be leased under section 16A.695 to organizations that operate the programs. The commissioner must prescribe the terms and conditions of the leases. A grant for an individual facility must not exceed \$200,000 for each program that is housed in the facility, up to a maximum of \$500,000 for a facility that houses three programs or more. Programs include Head Start, early childhood and family education programs, and other early childhood intervention programs. The commissioner must give priority to grants that involve collaboration among sponsors of programs under this section and may give priority to projects that collaborate with child care providers, including all-day and school-age child care programs, special needs care, sick child care, ~~and nontraditional hour care,~~ and centers that serve refugee and immigrant families. The commissioner may give priority to grants for programs that will increase their child care workers' wages as a result of the grant. At least 25 percent of the amounts appropriated for these grants up to \$50,000 must utilize youthbuild under sections 268.361 to 268.366 or other youth employment and training programs for the labor portion of the construction. Eligible programs must consult with appropriate labor organizations to deliver education and training. State appropriations must be matched on a 50 percent basis with nonstate funds. The matching requirement must apply programwide and not to individual grants.

Sec. 29. Minnesota Statutes 1999 Supplement, section 124D.88, subdivision 3, is amended to read:

Subd. 3. [GRANT APPLICATION PROCESS.] (a) Any group of school districts that meets the criteria required under paragraph (b)(1) may apply for a magnet school grant in an amount not to exceed ~~\$20,800,000~~ for the approved costs or expansion of a magnet school facility.

(b)(1) Any group of districts that submits an application for a grant shall submit a proposal to the commissioner for review and comment under section 123B.71, and the commissioner shall prepare a review and comment on the proposed magnet school facility, regardless of the amount of the capital expenditure required to design, acquire, construct, remodel, improve, furnish, or equip the facility. The commissioner must not approve an application for a magnet school grant for any facility unless the facility receives a favorable review and comment under section 123B.71 and the participating districts:

(i) establish a joint powers board under section 471.59 to represent all participating districts and govern the magnet school facility;

(ii) design the planned magnet school facility to meet the applicable requirements contained in Minnesota Rules, chapter 3535;

(iii) submit a statement of need, including reasons why the magnet school will facilitate integration and improve learning;

(iv) prepare an educational plan that includes input from both community and professional staff; and

(v) develop an education program that will improve learning opportunities for students attending the magnet school.

(2) The districts may develop a plan that permits social service, health, and other programs serving students and community residents to be located within the magnet school facility. The commissioner shall consider this plan when preparing a review and comment on the proposed facility.

(c) When two or more districts enter into an agreement establishing a joint powers board to govern the magnet school facility, all member districts shall have the same powers.

(d) A joint powers board of participating school districts established under paragraphs (b) and (c) that intends to apply for a grant must adopt a resolution stating the costs of the proposed project, the purpose for which the debt is to be incurred, and an estimate of the dates when the contracts for the proposed project will be completed. A copy of the resolution must accompany any application for a state grant under this section.

(e)(1) The commissioner shall examine and consider all grant applications. If the commissioner finds that any joint powers district is not a qualified grant applicant, the commissioner shall promptly notify that joint powers board. The commissioner shall make awards to no more than two qualified applicants whose applications have been on file with the commissioner more than 30 days.

(2) A grant award is subject to verification by the joint powers board under paragraph (f). A grant award must not be made until the participating districts determine the site of the magnet school facility. If the total amount of the approved applications exceeds the amount of grant funding that is or can be made available, the commissioner shall allot the available amount equally between the approved applicant districts. The commissioner shall promptly certify to each qualified joint powers board the amount, if any, of the grant awarded to it.

(f) Each grant must be evidenced by a contract between the joint powers board and the state acting through the commissioner. The contract obligates the state to pay to the joint powers board an amount computed according to paragraph (e)(2) and a schedule, and terms and conditions acceptable to the commissioner of finance.

(g) Notwithstanding the provisions of section 123B.02, subdivision 3, the joint powers and its individual members may enter into long-term lease agreements as part of the magnet school program.

Sec. 30. Minnesota Statutes 1998, section 136F.36, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO ACQUIRE, DEVELOP, AND SELL REAL PROPERTY FOR INSTRUCTIONAL PURPOSES.] For the purpose of instructional construction by technical colleges, the board may build, sell, or transfer personal property and may purchase or otherwise acquire real property that it does not intend to use as a permanent educational site. The board may, upon the terms and conditions it sets, develop and sell, transfer, or otherwise dispose of real property acquired under this section. A sale shall must be for at fair market value. For purposes of this section, a sale price resulting from public bidding, public auction, or negotiations between unrelated parties acting in their self-interest is fair market value. Where real property acquired under this section cannot be sold for fair market value, the board may lease the real property under the terms and conditions it sets. The board may also contract for the use of real property it does not own. Where the board makes improvements to real property it does not own, the landowner shall may compensate the board for the fair market value, nominal consideration, or without consideration as may be agreed on between the parties, of the board's contribution to the improvements. No other authorizing legislation or legislative approval is required for an acquisition, improvement, or sale under this section. Proceeds from the sale, lease, or improvement of real property under this section are appropriated to the board.

Sec. 31. Minnesota Statutes 1998, section 136F.36, subdivision 3, is amended to read:

Subd. 3. [WARRANTIES.] The board may, in its discretion, offer the warranties contained in chapter 327A, less extensive warranties or no warranties.

Sec. 32. Minnesota Statutes 1998, section 136F.36, is amended by adding a subdivision to read:

Subd. 5. [STATE EMPLOYEE PURCHASE.] Notwithstanding section 15.054, personal or real property resulting from instructional construction by technical colleges may be sold to a state employee under the following conditions:

(1) there is reasonable public notice of the sale;

(2) the sale is by public auction, sealed bid, or listing with a licensed real estate broker;

(3) the state employee offers the highest price; and

(4) the state employee was not involved in the development of the property or the award of the sale.

Sec. 33. Minnesota Statutes 1998, section 136F.60, is amended by adding a subdivision to read:

Subd. 4. [TRANSFER OF STATE COLLEGE OR UNIVERSITY-OWNED IMPROVEMENTS.] The board may sell, transfer, or otherwise dispose of an improvement located on state-owned lands, the compensation for which shall be determined by the board. The sale, transfer, or disposition must be accomplished by a bill of sale describing the improvement transferred and the terms and conditions of the sale or transfer. Proceeds from the sale, transfer, or disposition must be retained by the board unless otherwise provided by law.

Sec. 34. Minnesota Statutes 1998, section 136F.64, subdivision 1, is amended to read:

Subdivision 1. [GENERAL AUTHORITY; CONSTRUCTION; IMPROVEMENTS.] (a) Specific legislative authority is not required for repairs or minor capital projects financed with operating appropriation or institutional receipts that:

(1) are undertaken for asset preservation or code compliance purposes; or

(2) do not materially increase the net square footage of the institution; and

(3) do not materially increase the costs of instructional programs.

Minor capital projects authorized by this section may not exceed a project cost of \$250,000. For any project under this section with a cost in excess of \$100,000, unless the board of trustees determines that an emergency exists, the board must notify the chair of the finance committee of the senate, and the chairs of the ways and means committee and the capital investment committee of the house in writing prior to incurring any contractual obligations.

(b) The board shall supervise and control the preparation of plans and specifications for the construction, alteration, repair, or enlargement of state college and university buildings, structures, and improvements for which appropriations are made to the board. The board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Sec. 35. [240A.13] [CONDITIONS FOR SOCCER GRANTS.]

(a) A political subdivision may not use grant money received from the commission to purchase, rent, lease, or otherwise acquire land for soccer fields or other soccer facilities.

(b) Any grant from the Minnesota amateur sports commission for development of soccer fields or facilities must be matched at least equally by the recipient.

(c) A political subdivision that receives a grant must disburse one percent of the grant to a nonprofit arts organization in the political subdivision to support local arts programs. If there is no nonprofit arts organization in the subdivision, the political subdivision itself must distribute one percent to support local arts programs.

Sec. 36. Laws 1998, chapter 404, section 3, subdivision 24, is amended to read:

Subd. 24. St. Cloud Technical College

1,000,000

To design and construct an addition and remodeling of graphic arts and dental space, including classrooms, and ~~design~~ pre-design remodeling of most of the remaining space.

Sec. 37. Laws 1998, chapter 404, section 5, subdivision 11, as amended by Laws 1999, chapter 26, section 1, is amended to read:

Subd. 11. McLeod West School District No. 2887 500,000

For a grant to the McLeod West school district No. 2887, to ~~design and acquire land for a new grade 7 through 12~~ remodel an educational facility.

Sec. 38. Laws 1998, chapter 404, section 7, subdivision 23, as amended by Laws 1999, chapter 231, section 194, and Laws 1999, chapter 240, article 1, section 20, is amended to read:

Subd. 23. Metro Regional Trails 5,000,000

For grants to the metropolitan council for acquisition and development of a capital nature of trail connections in the metropolitan area as specified in this subdivision. The purpose of the grants is to improve trails in the metropolitan park and open space system and connect them with existing state and regional trails. Priority shall be given to matching funds for an ISTEA grant.

The funds shall be allocated by the council as follows:

(1) \$1,050,000 is allocated to Ramsey county as follows:

(i) \$400,000 to complete six miles of trails between the Burlington Northern Regional Trail and Bald Eagle-Otter Lake Regional Park;

(ii) \$150,000 to complete a one-mile connection between Birch Lake and the Lake Tamarack segment of Bald Eagle-Otter Lake Regional Park;

(iii) \$500,000 to acquire real property and design and construct or renovate recreation facilities along the Mississippi River in cooperation with the city of St. Paul;

(2) \$1,050,000 is allocated to the city of St. Paul as follows:

(i) \$250,000 to construct a bridge over Lexington Parkway in Como Regional Park; and

(ii) \$800,000 to enhance amenities for the trailhead at the Lilydale-Harriet Island Regional Park pavilion;

(3) \$1,400,000 is allocated to Anoka county to construct:

(i) a pedestrian tunnel under Highway 65 on the Rice Creek West Regional Trail in the city of Fridley; ~~and~~

(ii) restrooms, trailhead, signs, and amenities at the trailhead to the Rice Creek West Regional Trail; and

(iii) a pedestrian bridge on the Mississippi River Regional Trail crossing over Mississippi Street in the city of Fridley; and

(4) \$1,500,000 is allocated to the suburban Hennepin regional park district as follows:

(i) \$1,000,000 to connect North Hennepin Regional Trail to Luce Line State Trail and Medicine Lake; and

(ii) \$500,000 is for the cost of development and acquisition of the Southwest regional trail in the city of St. Louis Park. The trail must connect the Minneapolis regional trail system at Cedar Lake park to the Hennepin parks regional trail system at the Hopkins trail head.

Sec. 39. Laws 1998, chapter 404, section 23, subdivision 13, is amended to read:

Subd. 13. Hutchinson Community Civic Center

1,000,000

For a grant to the city of Hutchinson to ~~design, construct, furnish, and equip~~ acquire and remodel facilities for a community civic center, subject to the requirements of Minnesota Statutes, section 16A.695. This appropriation is not available until the commissioner has determined that an equal amount has been committed from nonstate sources.

Sec. 40. [CAPITAL PROJECT PRIORITIES; HIGHER EDUCATION.]

The board of regents of the University of Minnesota and the board of trustees of the Minnesota state colleges and universities are requested to consider the following criteria in establishing priorities for requests for bond funds for capital projects:

(1) maintenance and preservation of existing facilities;

(2) completion of projects that have received funding;

(3) updating facilities to meet contemporary needs;

(4) providing geographic distribution of capital projects; and

(5) maximizing the use of nonstate contributions.

Sec. 41. [INFRASTRUCTURE REPORTING STANDARDS.]

The commissioner of finance must implement the infrastructure reporting requirements of the Governmental Accounting Standards Board statement 34 as follows:

(1) following completion of the comprehensive annual financial report for fiscal year 2001 in the current format, an unaudited restatement of the financial statements must be prepared following statement 34; and

(2) the comprehensive annual financial report for fiscal year 2002 must implement all of the requirements of statement 34, including the retroactive reporting of infrastructure assets.

Sec. 42. [CANCELLATIONS AND TRANSFERS.]

(a) The \$735,000 appropriation in Laws 1994, chapter 643, section 18, for the design of the labor interpretive center is canceled. The bond sale authorization in Laws 1994, chapter 643, section 31, subdivision 1, is reduced by \$735,000.

(b) \$130,000 of the appropriation in Laws 1994, chapter 643, section 23, for dam improvements is canceled. The bond sale authorization in Laws 1999, chapter 643, section 31, subdivision 1, is reduced by \$130,000.

(c) \$1,355,000 of the appropriation in Laws 1996, chapter 463, section 16, subdivision 5, for the Brainerd bed expansion project is canceled. The bond sale authorization in Laws 1996, chapter 463, section 27, subdivision 1, is reduced by \$1,355,000.

(d) The \$514,000 appropriation in Laws 1996, chapter 463, section 19, subdivision 5, clause (20), for the addition to the Dilworth truck station is canceled.

(e) The \$500,000 appropriation in Laws 1996, chapter 463, section 22, subdivision 7, for the Battle Point historic site is canceled. The bond sale authorization in Laws 1996, chapter 463, section 27, subdivision 1, is reduced by \$500,000.

(f) \$11,285,000 of the appropriation in Laws 1997, Second Special Session chapter 2, section 2, for public safety disaster assistance funds is canceled. The bond sale authorization in Laws 1997, Second Special Session chapter 2, section 12, is reduced by \$11,285,000.

(g) \$1,894,000 of the appropriation in Laws 1998, chapter 404, section 5, subdivision 5, for the Southwest metropolitan integration magnet school in Edina is canceled.

(h) \$5,800,000 of the appropriation in Laws 1998, chapter 404, section 13, subdivision 5, for the Minnesota labor interpretive center is canceled.

(i) The \$1,200,000 appropriation in Laws 1998, chapter 404, section 21, subdivision 2, for a state patrol training facility at Camp Ripley is canceled.

(j) The \$1,700,000 appropriation in Laws 1998, chapter 404, section 22, for the Battle Point Cultural Education Center is canceled. The bond sale authorization in Laws 1998, chapter 404, section 27, subdivision 1, is reduced by \$1,700,000.

(k) The balance of the appropriation in Laws 1998, chapter 404, section 23, subdivision 11, for the St. Cloud community events center is transferred to the board of trustees of the Minnesota state colleges and universities to construct a new athletic facility on the south side of the existing St. Cloud State University campus. The balance of the bond sale authorization in Laws 1998, chapter 404, section 27, subdivision 1, attributable to the events center project is to provide the money for the athletic facility project.

(l) The \$2,250,000 appropriation in Laws 1998, chapter 404, section 23, subdivision 24, for the Minnesota African-American Performing Arts Center is canceled. The bond sale authorization in Laws 1998, chapter 404, section 27, subdivision 1, is reduced by \$2,225,000.

(m) \$500,000 of the appropriation in Laws 1998, chapter 404, section 23, subdivision 27, for the Red Lake tribal production facility is canceled.

(n) The \$4,000,000 appropriation in Laws 1999, chapter 240, article 1, section 3, for the Southwest Metropolitan Integration Magnet School in Edina is canceled. The bond sale authorization in Laws 1999, chapter 240, article 1, section 13, is reduced by \$4,000,000.

Sec. 43. [HIGHWAY 100 WALL EXTENSION.]

The commissioner of transportation shall by December 31, 2000, complete construction of an extension of a sound abatement wall along the east side of marked trunk highway No. 100 from its present termination north of West 41st street to a point 520 feet north of that termination.

Sec. 44. [EFFECTIVE DATE.]

This act is effective the day after its final enactment."

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions and directions; establishing the Red River State Recreation Area; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 1998, sections 136F.36, subdivisions 1, 3, and by adding a subdivision; 136F.60, by adding a subdivision; and 136F.64, subdivision 1; Minnesota Statutes 1999 Supplement, sections 119A.45; and 124D.88, subdivision 3; Laws 1998, chapter 404, sections 3, subdivision 24; 5, subdivision 11, as amended; 7, subdivision 23, as amended; and 23, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 240A."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

S. F. No. 2444, A bill for an act relating to state lands; authorizing conveyance of certain surplus state land in Stearns county.

Reported the same back with the following amendments:

Page 1, line 15, after the period, insert "The city may use the property for any general governmental purpose within the authority of the city. Any sale, lease, or management contract affecting the property is subject to Minnesota Statutes, section 16A.695."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2891, 3208, 3800 and 3952 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 624, 2473, 2615, 2742, 2794, 2827, 2868, 2905, 2989, 3138, 3139, 3283, 3379 and 2444 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wenzel introduced:

H. F. No. 4123, A bill for an act relating to taxes; sales and use; exempting poultry feed; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Harder, Davids, Kuisle and Winter introduced:

H. F. No. 4124, A bill for an act relating to taxes; sales and use; including all-terrain vehicles in the definition of farm machinery; amending Minnesota Statutes 1998, section 297A.01, subdivision 15.

The bill was read for the first time and referred to the Committee on Taxes.

Lenczewski and Seagren introduced:

H. F. No. 4125, A bill for an act relating to health; providing an exception to the moratorium on nursing facility beds; amending Minnesota Statutes 1998, section 144A.071, subdivision 4a.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 118, A bill for an act relating to state agencies; providing that persons designated as permanent commissioners serve as acting commissioners until the senate has consented to their appointment; limiting service as temporary or acting commissioners; amending Minnesota Statutes 1998, section 15.06, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2505, A bill for an act relating to natural resources; modifying effective period of state park permits; amending Minnesota Statutes 1998, section 85.053, subdivisions 1 and 4.

H. F. No. 2502, A bill for an act relating to highways; designating Brainerd bypass as C. Elmer Anderson Memorial Highway; amending Minnesota Statutes 1998, section 161.14, subdivision 25, and by adding a subdivision.

H. F. No. 2824, A bill for an act relating to motor vehicles; providing for one or two license plates on collector and similar vehicles at the owner's discretion; amending Minnesota Statutes 1998, section 169.79.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3113, A bill for an act relating to health occupations; permitting an additional pharmacy technician in a pharmacy if the technician is nationally certified; amending Minnesota Statutes 1999 Supplement, section 151.102, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 3156, A bill for an act relating to highways; designating trunk highway No. 390, and marked as interstate highway I-35, the 34th Infantry (Red Bull) Division Highway; amending Minnesota Statutes 1998, section 161.14, by adding a subdivision.

H. F. No. 3132, A bill for an act relating to landlords and tenants; providing for interest rates on security deposits; amending Minnesota Statutes 1999 Supplement, section 504B.178, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2836, A bill for an act relating to the military; clarifying eligibility for membership in the National Guard and the organized militia; amending Minnesota Statutes 1998, section 190.06, subdivisions 1 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rostberg moved that the House concur in the Senate amendments to H. F. No. 2836 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2836, A bill for an act relating to the military; clarifying eligibility for membership in the National Guard and the organized militia; amending Minnesota Statutes 1998, section 190.06, subdivisions 1 and 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Entenza	Howes	Mahoney	Paymar	Sykora
Abrams	Erhardt	Huntley	Mares	Peterson	Tingelstad
Anderson, B.	Erickson	Jaros	Mariani	Pugh	Tomassoni
Anderson, I.	Finseth	Jennings	Marko	Rest	Trimble
Bakk	Folliard	Johnson	McCollum	Reuter	Tuma
Biernat	Fuller	Juhnke	McElroy	Rhodes	Van Dellen
Boudreau	Gerlach	Kahn	McGuire	Rifenberg	Vandever
Bradley	Gleason	Kalis	Milbert	Rostberg	Wagenius
Buesgens	Goodno	Kelliher	Molnau	Rukavina	Wejcman
Carlson	Gray	Kielkucki	Mulder	Schumacher	Wenzel
Carruthers	Greenfield	Knoblach	Mullery	Seagren	Westerberg
Cassell	Greiling	Koskinen	Murphy	Seifert, J.	Westfall
Chaudhary	Gunther	Krinkie	Ness	Seifert, M.	Westrom
Clark, J.	Haake	Kubly	Nornes	Skoe	Wilkin
Clark, K.	Haas	Kuisle	Olson	Skoglund	Wolf
Daggett	Hackbarth	Larsen, P.	Opatz	Smith	Workman
Davids	Harder	Larsen, D.	Orfield	Solberg	Spk. Sviggum
Dawkins	Hasskamp	Leighton	Osskopp	Stanek	
Dehler	Hausman	Lenczewski	Osthoff	Stang	
Dempsey	Hilty	Leppik	Ozment	Storm	
Dorman	Holberg	Lieder	Paulsen	Swapinski	
Dorn	Holsten	Luther	Pawlenty	Swenson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 981, 3290, 3203, 3174, 3160, 1009, 3478, 3082, 3036, 3025 and 2677.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 3253, 3348, 3210, 2941, 3291, 3369, 3260, 3549, 702, 3581, 2676, 2972, 2830 and 1231.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 981, A bill for an act relating to commerce; regulating unclaimed property; authorizing a dormancy charge for money orders; defining a term; amending Minnesota Statutes 1998, section 345.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 345.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

S. F. No. 3290, A bill for an act relating to environment; providing grants for certain agreements made under the Environment Response and Liability Act; extending landfill cleanup eligibility for the Western Lake Superior Sanitary District; amending Minnesota Statutes 1998, section 115B.17, subdivision 19.

The bill was read for the first time and referred to the Committee on Ways and Means.

S. F. No. 3203, A bill for an act relating to insurance; conforming state statutes to the National Association of Insurance Commissioners model legislation providing uniform accounting principles; amending Minnesota Statutes 1998, sections 60A.11, subdivision 22; 60A.12, subdivision 5; 60A.121, subdivision 9, and by adding subdivisions; 60A.123; 60A.129, subdivision 3; 66A.16, subdivisions 1 and 2; 68A.01, subdivision 4, and by adding a subdivision; and 68A.02; proposing coding for new law in Minnesota Statutes, chapters 60A; and 68A; repealing Minnesota Statutes 1998, sections 60A.12, subdivisions 1, 3, 4, 7, 8, and 9; 60A.125, subdivision 3; and 60A.128.

The bill was read for the first time.

Davids moved that S. F. No. 3203 and H. F. No. 2974, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3174, A bill for an act relating to public lands; modifying a land conveyance in Itasca county; amending Laws 1999, chapter 161, section 30.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

S. F. No. 3160, A bill for an act relating to drivers' licenses; extending ignition interlock pilot program; making clarifying and technical changes; amending Minnesota Statutes 1998, section 171.305, as amended; repealing Minnesota Rules, parts 7409.3700; 7409.3710; 7409.3720; 7409.3730; 7409.3740; 7409.3750; 7409.3760; and 7409.3770.

The bill was read for the first time.

Jennings moved that S. F. No. 3160 and H. F. No. 3319, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1009, A bill for an act relating to traffic regulations; requiring the commissioner of public safety to propose pilot program relating to use of photographic evidence for enforcement of traffic signal laws.

The bill was read for the first time and referred to the Committee on Transportation Policy.

S. F. No. 3478, A bill for an act relating to the city of Rochester; modifying probationary period rules for city of Rochester firefighters.

The bill was read for the first time.

Kuisle moved that S. F. No. 3478 and H. F. No. 3795, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3082, A bill for an act relating to the city of Duluth; authorizing the city council to establish or grant additional powers to a human rights commission.

The bill was read for the first time.

Swapsinski moved that S. F. No. 3082 and H. F. No. 3263, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3036, A bill for an act relating to natural resources; providing for seizure and administrative forfeiture of certain firearms and abandoned property; modifying authority to issue trespass citations; modifying provisions for forfeited vehicles; modifying definition of peace officer; providing civil penalties; appropriating money; amending Minnesota Statutes 1998, sections 97B.002, subdivision 1; and 609.5312, subdivision 4; Minnesota Statutes 1999 Supplement, sections 169.1217, subdivision 9; and 169.123, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

The bill was read for the first time and referred to the Committee on Ways and Means.

S. F. No. 3025, A bill for an act relating to foster care; adding requirements for foster care agencies and foster care providers who care for individuals who rely on medical equipment to sustain life or monitor a medical condition; proposing coding for new law in Minnesota Statutes, chapter 245A.

The bill was read for the first time.

Mariani moved that S. F. No. 3025 and H. F. No. 3342, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2677, A bill for an act relating to crime prevention; recodifying the driving while impaired crimes and related provisions; making numerous clarifying, technical, and substantive changes in the pursuit of simplification; amending Minnesota Statutes 1998, section 629.471; Minnesota Statutes 1999 Supplement, sections 260B.171, subdivision 7; 260B.225, subdivision 4; and 609.035, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 169A; repealing Minnesota Statutes 1998, sections 168.042; 169.01, subdivisions 61, 68, 82, 83,

86, 87, 88, and 89; 169.121, subdivisions 1, 1a, 1b, 1d, 2, 3b, 3c, 5, 5a, 5b, 6, 7, 8, 9, 10, 10a, 11, and 12; 169.1211; 169.1215; 169.1216; 169.1217, subdivisions 2, 3, 4, 5, 6, and 8; 169.1218; 169.1219; 169.122, subdivisions 1, 2, 3, and 4; 169.123, subdivisions 2, 2a, 2b, 2c, 3, 4, 5, 5a, 5b, 6, 7, 8, and 10; 169.124; 169.125; 169.126; 169.1261; 169.1265; 169.128; and 169.129, subdivision 3; Minnesota Statutes 1999 Supplement, sections 169.121, subdivisions 1c, 3, 3d, 3f, and 4; 169.1217, subdivisions 1, 7, 7a, and 9; 169.122, subdivision 5; 169.123, subdivisions 1 and 5c; and 169.129, subdivision 1.

The bill was read for the first time.

Fuller moved that S. F. No. 2677 and H. F. No. 2995, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3253, A bill for an act relating to human services; requiring the commissioner of human services to study the medical assistance reimbursement rates for special transportation providers.

The bill was read for the first time.

Tingelstad moved that S. F. No. 3253 and H. F. No. 3188, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3348, A bill for an act relating to health; modifying requirements for potluck events sponsored by organizations; amending Minnesota Statutes 1998, section 157.22.

The bill was read for the first time.

Juhnke moved that S. F. No. 3348 and H. F. No. 2707, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3210, A bill for an act relating to crime prevention; prohibiting tampering with anhydrous ammonia; specifying that a conviction for neglect or endangerment of a child is not a bar for a conviction of another offense committed as part of the same conduct and authorizing consecutive sentences in these situations; imposing criminal penalties for placing a booby trap in locations where controlled substances are manufactured; providing for increased penalties for the theft of anhydrous ammonia; imposing criminal penalties; amending Minnesota Statutes 1998, sections 18C.005, by adding subdivisions; 18C.201, by adding subdivisions; 18D.331, by adding a subdivision; 609.035, subdivisions 3, 4, and by adding a subdivision; and 609.378, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 609.035, subdivision 1; and 609.52, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time.

Peterson moved that S. F. No. 3210 and H. F. No. 3369, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2941, A bill for an act relating to vulnerable adults; modifying provisions concerning medical errors and neglect; requiring health licensing boards to make determinations regarding employment disqualifications; amending Minnesota Statutes 1998, section 626.5572, subdivision 17; Minnesota Statutes 1999 Supplement, section 245A.04, subdivision 3d; proposing coding for new law in Minnesota Statutes, chapter 214.

The bill was read for the first time.

Abeler moved that S. F. No. 2941 and H. F. No. 3365, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3291, A bill for an act relating to liens; motor vehicles towed at the request of law enforcement; clarifying the extent of the lien; providing for notice to the owner of towing, sale, and right to reclaim; proposing coding for new law in Minnesota Statutes, chapter 514; repealing Minnesota Statutes 1998, section 514.18, subdivision 1a.

The bill was read for the first time.

Dawkins moved that S. F. No. 3291 and H. F. No. 3566, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3369, A bill for an act relating to the environment; providing for grants for special purpose districts with environmental responsibilities; authorizing pilot projects for the restructuring of the organization and operation of special purpose districts; authorizing grants from the board of government innovation and cooperation for the development and implementation of pilot projects.

The bill was read for the first time.

Ozment moved that S. F. No. 3369 and H. F. No. 3596, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3260, A bill for an act relating to agriculture; amending certain requirements for licensed aquatic farms; amending Minnesota Statutes 1998, sections 17.4984, subdivisions 2, 6, and 7; 17.4992, subdivision 3; and 97C.521.

The bill was read for the first time.

Daggett moved that S. F. No. 3260 and H. F. No. 3868, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3549, A bill for an act relating to health; modifying the residential hospice program requirements; amending Minnesota Statutes 1998, section 144A.48, subdivision 1; repealing Minnesota Statutes 1998, section 144A.48, subdivision 6.

The bill was read for the first time.

Wilkin moved that S. F. No. 3549 and H. F. No. 3306, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 702, A bill for an act relating to transportation; authorizing county review of plats on real property that is bordering existing or proposed county highways; authorizing dispute resolution between city and county; amending Minnesota Statutes 1998, sections 462.358, subdivision 3b; and 505.03, subdivision 2.

The bill was read for the first time.

Kuisle moved that S. F. No. 702 and H. F. No. 672, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3581, A bill for an act relating to liquor; authorizing the city of Minneapolis to issue an on-sale wine and malt liquor license for the Illusion Theatre and the Hollywood Theatre; authorizing winemaking on premises stores; authorizing the city of St. Paul to issue an on-sale wine and malt liquor license to the Great American History Theater; exempting an on-sale intoxicating liquor license in Bemidji from statutory restrictions on proximity to a state university; authorizing the cities of Duluth, Springfield, and Eveleth, to issue on-sale intoxicating liquor licenses; authorizing the city of Anoka to issue an on-sale wine license; amending Minnesota Statutes 1999 Supplement, section 340A.404, subdivisions 2 and 2b; Laws 1999, chapter 202, section 15; proposing coding for new law in Minnesota Statutes, chapter 340A.

The bill was read for the first time.

Paulsen moved that S. F. No. 3581 and H. F. No. 3974, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2676, A bill for an act relating to local government; removing the sunset on provisions for authorizing local governments to petition to amend or repeal a rule; amending Minnesota Statutes 1999 Supplement, section 14.091.

The bill was read for the first time.

Broecker moved that S. F. No. 2676 and H. F. No. 3327, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2972, A bill for an act relating to state government; authorizing open bidding for state purchases; amending Minnesota Statutes 1998, sections 16C.03, subdivision 3; and 16C.10, by adding a subdivision.

The bill was read for the first time.

Anderson, B., moved that S. F. No. 2972 and H. F. No. 3495, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2830, A bill for an act relating to crime; providing that a person may be charged with escape from custody when they escape after lawful arrest but prior to the commencement of trial proceedings; amending Minnesota Statutes 1998, section 609.485, subdivision 2; Minnesota Statutes 1999 Supplement, section 609.485, subdivision 4.

The bill was read for the first time.

Mahoney moved that S. F. No. 2830 and H. F. No. 2958, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1231, A bill for an act relating to professions; modifying provisions relating to optometrist licensing; amending Minnesota Statutes 1998, sections 148.57, subdivision 1; and 148.61, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time.

Wilkin moved that S. F. No. 1231 and H. F. No. 1383, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE CHAIR OF THE
COMMITTEE ON WAYS AND MEANS

March 20, 2000

Edward A. Burdick
Chief Clerk of the House of Representatives
The State of Minnesota

Dear Mr. Burdick:

House Rule 4.03 requires the Chair of the Committee on Ways and Means to certify to the House of Representatives that the Committee has reconciled any finance and revenue bills with the budget resolution and targets.

Please accept this letter as certification that H. F. No. 2699 reconciles with the budget resolution and targets.

Sincerely,

REPRESENTATIVE DAVE BISHOP
Chair, House Ways and Means Committee

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 2699.

H. F. No. 2699 was reported to the House.

Goodno moved to amend H. F. No. 2699, the third engrossment, as follows:

Article 1, page 7, line 34, delete everything before "of the"

Article 2, page 13, line 14, delete "29" and insert "30"

Article 2, page 13, line 27, delete "29" and insert "30"

Article 5, page 133, line 14, delete "and 2001" and insert "to 2003"

The motion prevailed and the amendment was adopted.

Goodno moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 37, delete lines 2 to 12 and insert:

"Sec. 27. [INFORMATION ON PRESCRIPTION DRUG PATIENT ASSISTANCE AND COST SAVINGS PROGRAMS.]

The commissioner of human services must work with the board of medical practice, organizations representing pharmaceutical manufacturers, and organizations representing pharmacies, to develop a strategy to provide information to all physicians and pharmacists on prescription drug patient assistance programs and cost savings

opportunities offered by pharmaceutical manufacturers. Any strategy developed must provide physicians and pharmacists with regular updates on prescription drug patient assistance programs and cost savings opportunities and be implemented without cost to physicians, pharmacists, or the state."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bradley moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 1, page 5, line 28, delete "(4,065,000)" and insert "16,915,000"

Adjust the totals and summaries by fund in this section and section 1 accordingly

Article 2, page 34, after line 26, insert:

"Sec. 22. Minnesota Statutes 1998, section 256B.431, is amended by adding a subdivision to read:

Subd. 31. [STAFF ENRICHMENT GRANTS.] (a) For the rate year beginning July 1, 2000, the commissioner shall make available, to each facility reimbursed under this section and section 256B.434, a staff enrichment grant to be used for initiatives related to staff retention, recruiting, development, and training. Grant dollars may not be used to supplant existing spending for these activities and may not be used for expenses related to the use of nursing facility staffing pools. The total grant amount for each facility shall be the product of \$484.90 multiplied by the number of licensed beds for that facility as of February 29, 2000. The grant is one-time and non-renewable. The grant amount, and grant spending, shall not be counted as part of the facility's base for reimbursement under this section or section 256B.434 for the rate year beginning July 1, 2001 and future rate years.

(b) In order to obtain a grant, a facility must submit a letter of acceptance to the commissioner by June 1, 2000. The letter of acceptance must include an affirmation that: (1) the facility will use the grant money for initiatives related to staff retention, recruiting, development, and training; (2) grant money will not supplant existing spending for these activities and will not be used for expenses related to the use of nursing facility staffing pools; and (3) the facility and employees are aware that the grant is one-time and will not be renewed or become part of the facility's base reimbursement rate. Upon receipt of a letter of acceptance from a facility, the commissioner shall provide that facility with the total grant amount as calculated under paragraph (a), by July 15, 2000.

(c) Grant dollars received must be spent by the facility on staff retention, recruiting, development, and training initiatives by June 30, 2002. Any grant amount unspent as of July 1, 2002, shall be returned to the commissioner and deposited into the general fund.

(d) A facility that receives a grant must report to the commissioner on use of the grant by October 1, 2001. The report must: (1) describe the specific initiatives funded by the grant; (2) describe the effect of the grant spending on staff retention, recruiting, development, and training; and (3) if applicable, provide recommendations to the commissioner on successful initiatives that the facility believes could be successfully replicated statewide."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Bradley amendment and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lieder	Paulsen	Swapinski
Abrams	Dorn	Holsten	Lindner	Pawlenty	Swenson
Anderson, B.	Entenza	Howes	Luther	Paymar	Sykora
Anderson, I.	Erhardt	Huntley	Mahoney	Peterson	Tingelstad
Bakk	Erickson	Jaros	Mares	Pugh	Tomassoni
Biernat	Finseth	Jennings	Marko	Rest	Trimble
Bishop	Folliard	Johnson	McCollum	Reuter	Tuma
Boudreau	Fuller	Juhnke	McElroy	Rhodes	Van Dellen
Bradley	Gerlach	Kahn	McGuire	Rifenberg	Vandever
Broecker	Gleason	Kalis	Milbert	Rostberg	Wagenius
Buesgens	Goodno	Kelliher	Molnau	Rukavina	Wejman
Carlson	Gray	Kielkucki	Mulder	Schumacher	Wenzel
Carruthers	Greenfield	Knoblach	Mullery	Seagren	Westerberg
Cassell	Greiling	Koskinen	Murphy	Seifert, J.	Westfall
Chaudhary	Gunther	Krinkie	Ness	Seifert, M.	Westrom
Clark, J.	Haake	Kubly	Nornes	Skoe	Wilkin
Clark, K.	Haas	Kuisle	Olson	Skoglund	Wolf
Daggett	Hackbarth	Larsen, P.	Opatz	Smith	Workman
Davids	Harder	Larsen, D.	Orfield	Solberg	Spk. Sviggum
Dawkins	Hasskamp	Leighton	Osskopp	Stanek	
Dehler	Hausman	Lenczewski	Osthoff	Stang	
Dempsey	Hilty	Leppik	Ozment	Storm	

The motion prevailed and the amendment was adopted.

Dawkins moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 1, page 8, line 5, delete "\$10,200,000" and insert "\$8,200,000"

Article 1, page 8, after line 13, insert:

"(d) \$2,000,000 is for grants to four demonstration projects to serve up to 100 MFIP families who are otherwise subject to case closure under Minnesota Statutes, section 256J.46, subdivision 1, paragraph (b), clause (3), by providing employment opportunities under Minnesota Statutes, section 84.0887. This appropriation is available until expended. The commissioner of human services, in conjunction with the commissioner of economic security, shall work to identify grant applicants and shall award grants of \$500,000 each for these demonstration projects."

Article 4, page 85, after line 9, insert:

"(f) Before the sanction under paragraph (b), clause (3), may be imposed, the county agency must also document that the participant received and declined an offer of paid employment which met the definition of suitable employment under section 256J.49, subdivision 12. If the participant did not receive such an offer, the county agency must work with the participant to refer the participant to a community services employment program under section

84.0887. For purposes of this paragraph, the provisions of section 84.0887, subdivision 2, paragraph (b), clause (3), shall not apply. A participant who is referred to an employment program under that section, and who refuses to take part in the program after acceptance in the program, shall be subject to a sanction as provided under paragraph (b), clause (3). This paragraph does not apply if the employment program is financially unable to accept the participant into the program."

A roll call was requested and properly seconded.

The question was taken on the Dawkins amendment and the roll was called. There were 41 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Jaros	Mahoney	Orfield	Swapinski
Bakk	Gleason	Johnson	Mariani	Osthoff	Tomassoni
Biernat	Gray	Kahn	McCollum	Paymar	Trimble
Carlson	Greenfield	Kelliher	McGuire	Pugh	Wagenius
Clark, K.	Greiling	Koskinen	Milbert	Rukavina	Wejzman
Dawkins	Hausman	Leighton	Mullery	Skoglund	Wenzel
Entenza	Huntley	Lieder	Olson	Solberg	

Those who voted in the negative were:

Abeler	Dempsey	Hilty	Leppik	Pawlenty	Storm
Abrams	Dorman	Holberg	Lindner	Peterson	Swenson
Anderson, B.	Dorn	Holsten	Luther	Rest	Sykora
Bishop	Erhardt	Howes	Mares	Reuter	Tingelstad
Boudreau	Erickson	Jennings	Marko	Rhodes	Tuma
Bradley	Finseth	Juhnke	McElroy	Rifenberg	Van Dellen
Broecker	Fuller	Kalis	Molnau	Rostberg	Vandever
Buesgens	Gerlach	Kielkucki	Mulder	Schumacher	Westerberg
Carruthers	Goodno	Knoblach	Murphy	Seagren	Westfall
Cassell	Gunther	Krinkie	Ness	Seifert, J.	Westrom
Chaudhary	Haake	Kubly	Nornes	Seifert, M.	Wilkin
Clark, J.	Haas	Kuise	Opatz	Skoe	Wolf
Daggett	Hackbarth	Larsen, P.	Osskopp	Smith	Workman
Davids	Harder	Larson, D.	Ozment	Stanek	Spk. Sviggum
Dehler	Hasskamp	Lenczewski	Paulsen	Stang	

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

Rukavina moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 316, after line 18, insert:

"Sec. 24. [EXEMPTION FROM ADDITIONAL BENEFITS REQUIREMENTS.]

Notwithstanding Minnesota Statutes, section 268.125, subdivision 1 and subdivision 3, clauses (1) and (5), an applicant is eligible to receive additional benefits under Minnesota Statutes, section 268.125, if:

(1) the applicant was laid off due to lack of work from the Evtac Mining Company in St. Louis County between the months of June and August of 1999; and

(2) the commissioner of economic security finds that the applicant satisfies the conditions of Minnesota Statutes, section 268.125, subdivision 3, clauses (2) to (4).

An applicant eligible to receive benefits under this section is eligible for benefits retroactive to the date the applicant exhausted regular benefits.

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

Sec. 25. [RETIREMENT EXCEPTION.]

Section 24 does not apply to any applicant who, with respect to any period prior to September 1, 2000, receives, or has an agreement to receive, a retirement pension financed in whole or in part by the Evtac Mining Company.

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

A roll call was requested and properly seconded.

POINT OF ORDER

Reuter raised a point of order pursuant to rule 2.31 relating to Offensive Words in Debate. The Speaker ruled the point of order not well taken.

The question recurred on the Rukavina amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Luther	Osthoff	Swapinski
Bakk	Gray	Kahn	Mahoney	Paymar	Tomassoni
Biernat	Greenfield	Kalis	Mariani	Peterson	Trimble
Carlson	Greiling	Kelliher	Marko	Pugh	Vandever
Carruthers	Hasskamp	Koskinen	McCollum	Rest	Wagenius
Chaudhary	Hausman	Kubly	McGuire	Rukavina	Wejzman
Clark, K.	Hilty	Larsen, P.	Milbert	Schumacher	Wenzel
Dawkins	Huntley	Larson, D.	Mullery	Seifert, J.	
Dorn	Jaros	Leighton	Murphy	Skoe	
Entenza	Jennings	Lenczewski	Opatz	Skoglund	
Folliard	Johnson	Lieder	Orfield	Solberg	

Those who voted in the negative were:

Abeler	Bradley	Daggett	Erhardt	Goodno	Harder
Abrams	Broecker	Dauids	Erickson	Gunther	Holberg
Anderson, B.	Buesgens	Dehler	Finseth	Haake	Holsten
Bishop	Cassell	Dempsey	Fuller	Haas	Howes
Boudreau	Clark, J.	Dorman	Gerlach	Hackbarth	Kielkucki

Knoblach	Molnau	Paulsen	Seifert, M.	Tingelstad	Wolf
Krinkie	Mulder	Pawlenty	Smith	Tuma	Workman
Kuisle	Ness	Reuter	Stanek	Van Dellen	Spk. Sviggum
Leppik	Nornes	Rhodes	Stang	Westerberg	
Lindner	Olson	Rifenberg	Storm	Westfall	
Mares	Osskopp	Rostberg	Swenson	Westrom	
McElroy	Ozment	Seagren	Sykora	Wilkin	

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

Rhodes moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 11, after line 19, insert:

"[RELIGIOUS AND CULTURAL CONTINUING EDUCATION FOR MEDICAL EXAMINERS AND CORONERS.] Notwithstanding Laws 1999, chapter 245, article 1, section 3, subdivision 2, monies appropriated under that law for a grant to conduct case studies and to disseminate guidelines for autopsy practice in special cases may also be used to develop continuing education sessions and study materials for purposes of Minnesota Statutes, section 383B.225, subdivision 2, paragraph (f), section 390.005, subdivision 3, paragraph (b), and section 390.33, subdivision 1, paragraph (b)."

Page 106, after line 18, insert:

"Sec. 33. Minnesota Statutes 1998, section 383B.225, subdivision 2, is amended to read:

Subd. 2. [APPOINTMENT, QUALIFICATIONS, TERM.] (a) The county board shall designate three licensed physicians who shall constitute a medical examiner board. One member shall be a dean or professor of the department of pathology of a Class A medical school as designated by the American Medical Association. Another member of the board shall be a member of the Minnesota society of clinical pathologists. The third member shall be designated by the Hennepin county medical association from its membership.

(b) The medical examiner board shall accept applications for the position of Hennepin county medical examiner when a vacancy exists in the office. Applications therefor shall be considered from doctors of medicine who are: ~~(a)~~ (1) graduates of a medical school recognized by the American Medical Association, ~~(b)~~ (2) members in good standing in the medical profession, ~~(c)~~ (3) eligible for appointment to the staff of the Hennepin county medical center, and ~~(d)~~ (4) certified or eligible for certification in forensic pathology by the American Board of Pathology. The medical examiner board shall review the qualifications of the applicants and shall rank the applicants deemed qualified for the position and provide to the county board a report of the seven highest ranked applicants together with their qualifications. The county board shall appoint a county medical examiner from those listed in the report.

(c) The term of the examiner shall continue for four years from the date of appointment. Compensation shall be set by the county board. Reappointment shall be made at least 90 days prior to the expiration of the term.

(d) If a vacancy requires a temporary appointment, the board of commissioners shall appoint a medical doctor on the staff of the county medical examiner's office to assume the duties of the medical examiner until an appointment can be made in compliance with the specified selection procedure. Any vacancy shall be filled within a reasonable time.

(e) Actual and necessary expenses of the medical examiner board shall be paid in accordance with sections 471.38 to 471.415.

(f) After January 1, 2001, a newly appointed medical examiner must, within 18 months following initial appointment, complete at least one hour of professional continuing education that addresses religious and cultural issues related to the performance of autopsies. Any medical examiner who is already in office on January 1, 2001, must complete such professional education within 18 months of the next subsequent reappointment to office.

Sec. 34. Minnesota Statutes 1998, section 390.005, subdivision 3, is amended to read:

Subd. 3. [EDUCATIONAL REQUIREMENTS.] (a) A coroner must have successfully completed academic courses in pharmacology, surgery, pathology, toxicology, and physiology. However, if a board of county commissioners determines that the office of coroner shall not be elective and it cannot appoint any person meeting the educational qualifications as coroner, the board may:

(1) appoint any qualified person, whether or not a resident of the county; or

(2) if no qualified person can be found, appoint a person who is serving or has served as deputy coroner, whether or not a resident of the county.

(b) After January 1, 2001, a newly appointed or elected coroner must, within 18 months following initial appointment or election, complete at least one hour of professional continuing education that addresses religious and cultural issues related to the performance of autopsies. Coroners who are already in office on January 1, 2001, must complete such professional education within 18 months of their next subsequent reappointment or reelection to office.

Sec. 35. Minnesota Statutes 1998, section 390.33, subdivision 1, is amended to read:

Subdivision 1. [MEDICAL EXAMINER APPOINTMENT.] (a) A county board shall appoint as permanent county medical examiner a doctor of medicine or osteopathy licensed to practice pursuant to chapter 147, or similar laws in any other state. A county medical examiner shall perform the duties imposed upon medical examiners by sections 390.31 to 390.35 and serve at the pleasure of the county board. The county board shall pay the medical examiner a salary to be determined by the board and provide for the payment of the medical examiner's expenses incurred in the performance of duties.

(b) After January 1, 2001, a newly appointed medical examiner must, within 18 months following initial appointment, complete at least one hour of professional continuing education that addresses religious and cultural issues related to the performance of autopsies. Medical examiners who are already in office on January 1, 2001, must complete such professional education within 18 months of their next subsequent reappointment to office."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hackbarth and Bakk moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 180, after line 26, insert:

"Sec. 22. [GAME, FISH, AND FOREST DEPARTMENT STUDY.]

The director of the office of strategic and long-range planning shall study and report to the legislature by January 5, 2001, on removing the division of fish and wildlife, the division of forestry, and the division of enforcement from the department of natural resources and establishing them as a freestanding state agency. The study must include at least the following topics:

(1) a plan for transferring and allocating employees between the department of natural resources and the new agency;

(2) a plan for transferring and allocating rulemaking authority;

(3) a plan for transferring and allocating authority to administer and enforce various laws and contracts, including laws establishing fees and providing revenue;

(4) a plan for transferring the section of ecological services out of the division of fish and wildlife;

(5) a plan for allocating office space, records, and other property;

(6) interaction between the new agency and divisions of the department of natural resources, or inclusion of department of natural resources divisions within the new agency, including the division of enforcement, the bureau of land management, and parts of the department of natural resources that provide administrative services;

(7) analysis of the relationship between natural resources under the jurisdictions of the fish and wildlife, forestry, and enforcement divisions and natural resources under jurisdiction of other divisions of the department of natural resources, and how establishment of a separate department might affect administration of these resources; and

(8) analysis of how establishment of a separate department might affect the ability of citizens to receive services provided by the fish and wildlife division, forestry division, and enforcement division."

Renumber the sections in sequence

Page 180, line 29, delete "and" and before the comma, insert "; and 22"

A roll call was requested and properly seconded.

The Speaker called Abrams to the Chair.

The question was taken on the Hackbarth and Bakk amendment and the roll was called. There were 87 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Abeler	Broecker	Dorn	Goodno	Holsten	Knoblach
Anderson, I.	Cassell	Erhardt	Gunther	Howes	Kubly
Bakk	Clark, J.	Erickson	Haas	Huntley	Kuisle
Biernat	Daggett	Finseth	Hackbarth	Jennings	Larsen, P.
Bishop	Davids	Fuller	Harder	Johnson	Larson, D.
Boudreau	Dehler	Gerlach	Hasskamp	Juhnke	Lenczewski
Bradley	Dempsey	Gleason	Holberg	Kielkucki	Leppik

Lindner	Ness	Rhodes	Skoe	Sykora	Westrom
Luther	Nornes	Rifenberg	Smith	Tingelstad	Wilkin
Mares	Opatz	Rostberg	Solberg	Tomassoni	Wolf
McElroy	Paulsen	Rukavina	Stanek	Van Dellen	Workman
Milbert	Pawlenty	Schumacher	Stang	Vanderveer	Spk. Sviggum
Molnau	Pugh	Seagren	Storm	Wenzel	
Mulder	Rest	Seifert, J.	Swapinski	Westerberg	
Murphy	Reuter	Seifert, M.	Swenson	Westfall	

Those who voted in the negative were:

Abrams	Dawkins	Haake	Krinkie	McGuire	Peterson
Anderson, B.	Dorman	Hausman	Leighton	Mullery	Skoglund
Buesgens	Entenza	Hilty	Lieder	Orfield	Trimble
Carlson	Folliard	Jaros	Mahoney	Osskopp	Tuma
Carruthers	Gray	Kahn	Mariani	Osthoff	Wagenius
Chaudhary	Greenfield	Kelliher	Marko	Ozment	Wejcmán
Clark, K.	Greiling	Koskinen	McCollum	Paymar	

The motion prevailed and the amendment was adopted.

Osskopp and Tomassoni moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 189, delete section 1

Page 193, after line 10, insert:

"Section 7. [AUTO THEFT PREVENTION BOARD ABOLISHED.]

The automobile theft prevention program and board are abolished. Any funds remaining in the automobile theft prevention account in the special revenue fund shall be transferred to the general fund.

Sec. 8. [REVISOR INSTRUCTION.]

In the next edition of Minnesota Statutes, the revisor shall eliminate all references to the automobile theft prevention program and board and correct all cross references to statutes repealed in section 9.

Sec. 9. [REPEALER.]

Minnesota Statutes 1998 section 168A.40, subdivisions 1 and 3 and Minnesota Statutes 1999 Supplement, section 168A.40, subdivision 2 are repealed.

Sec. 10. [EFFECTIVE DATE.]

These sections are effective July 1, 2001."

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Oskopp and Tomassoni amendment and the roll was called. There were 94 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abeler	Erhardt	Huntley	Lindner	Reuter	Tingelstad
Abrams	Erickson	Jaros	Luther	Rifenberg	Tomassoni
Anderson, B.	Finseth	Jennings	Mahoney	Rostberg	Trimble
Anderson, I.	Gerlach	Johnson	Mares	Rukavina	Tuma
Bakk	Gleason	Juhnke	Marko	Schumacher	Van Dellen
Bishop	Goodno	Kielkucki	McElroy	Seagren	Vandever
Boudreau	Greenfield	Knoblach	Molnau	Seifert, J.	Wenzel
Bradley	Gunther	Koskinen	Mulder	Seifert, M.	Westerberg
Broecker	Haake	Krinkie	Ness	Skoe	Westfall
Buesgens	Haas	Kubly	Nornes	Smith	Westrom
Cassell	Hackbarth	Kuisle	Olson	Solberg	Wilkin
Clark, J.	Harder	Larsen, P.	Opatz	Stang	Wolf
Daggett	Hasskamp	Leighton	Oskopp	Storm	Workman
Davids	Holberg	Lenczewski	Paulsen	Swapinski	Spk. Sviggum
Dempsey	Holsten	Leppik	Pawlenty	Swenson	
Dorman	Howes	Lieder	Pugh	Sykora	

Those who voted in the negative were:

Biernat	Dehler	Hausman	Mariani	Orfield	Rhodes
Carlson	Dorn	Hilty	McCollum	Osthoff	Skoglund
Carruthers	Entenza	Kahn	McGuire	Ozment	Stanek
Chaudhary	Folliard	Kalis	Milbert	Paymar	Wagenius
Clark, K.	Fuller	Kelliher	Mullery	Peterson	Wejcman
Dawkins	Greiling	Larson, D.	Murphy	Rest	

The motion prevailed and the amendment was adopted.

Swenson moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 10, line 23, delete "797,000" and insert "8,297,000"

Page 10, after line 25, insert:

"Health Care Access	-0-	7,500,000"
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Page 11, after line 19, insert:

"[RURAL HOSPITAL CAPITAL IMPROVEMENT GRANTS AND LOANS.] Of this appropriation, \$7,500,000 for fiscal year 2001 is from the health care access fund to the commissioner for the rural hospital capital improvement grant and loan program in Article 2. This appropriation is available until expended."

Adjust the fund totals in this section and section 1 accordingly

Page 38, after line 34, insert:

"Sec. 34. [RURAL HOSPITAL CAPITAL IMPROVEMENT GRANT AND LOAN PROGRAM.]

Subdivision 1. [DEFINITION.] (a) For purposes of this section, the following definitions apply.

(b) "Eligible rural hospital" means a hospital that:

(1) is the only hospital in a county;

(2) has 25 or fewer licensed hospital beds with a net hospital operating margin not greater than two percent in the three fiscal years prior to application;

(3) is located in a medically underserved area (MUA) or a health practitioner shortage area (HPSA); and

(4) is located in a county that serves a migrant population.

(c) "Eligible project" means a modernization project to update, remodel, or replace aging hospital facilities and equipment necessary to maintain the operations of a hospital.

Subd. 2. [PROGRAM.] The commissioner of health shall award rural hospital capital improvement grants or loans to eligible rural hospitals. A grant or loan shall not exceed \$1,500,000 per hospital. Grants or loans shall be interest free. An eligible rural hospital may apply the funds retroactively to capital improvements made during the two fiscal years preceding the fiscal year in which the grant or loan was received, provided the hospital met the eligibility criteria during that time period. The grant or loan must be matched at least 50 percent by nonstate funds.

Subd. 3. [APPLICATIONS.] Eligible hospitals seeking a grant or loan shall apply to the commissioner. Applications must include a description of the problem that the proposed project will address, a description of the project including construction and remodeling drawings or specifications, sources of funds for the project, uses of funds for the project, the results expected, and a plan to maintain or operate any facility or equipment included in the project. The applicant must describe achievable objectives, a timetable, and roles and capabilities of responsible individuals and organization. Applicants must submit to the commissioner evidence that competitive bidding was used to select contractors for the project.

Subd. 4. [CONSIDERATION OF APPLICATIONS.] The commissioner shall review each application to determine whether or not the hospital's application is complete and whether the hospital and the project are eligible for a grant or loan. In evaluating applications, the commissioner shall score each application on a 100 point scale, assigning: a maximum of 40 points for an applicant's clarity and thoroughness in describing the problem and the project; a maximum of 40 points for the extent to which the applicant has demonstrated that it has made adequate provisions to ensure proper and efficient operation of the facility once the project is completed; and a maximum of 20 points for the extent to which the proposed project is consistent with the hospital's capital improvement plan or strategic plan. The commissioner may also take into account other relevant factors. During application review, the commissioner may request additional information about a proposed project, including information on project cost. Failure to provide the information requested disqualifies a loan applicant.

Subd. 5. [PROGRAM OVERSIGHT.] The commissioner of health shall review audited financial information of the hospital to assess eligibility. The commissioner shall determine the amount of a grant or loan to be given to an eligible rural hospital based on the relative score of each eligible hospital's application and the funds available to the commissioner. The grant or loan shall be used to update, remodel, or replace aging facilities and equipment necessary to maintain the operations of the hospital.

Subd. 6. [LOAN PAYMENT.] Loans shall be repaid as provided in this subdivision over a period of 15 years. In those years when an eligible rural hospital experiences a positive net operating margin in excess of two percent, the eligible rural hospital shall pay to the state one-half of the excess above two percent, up to the yearly payment amount based upon a loan period of 15 years. If the amount paid back in any year is less than the yearly payment amount, or if no payment is required because the eligible rural hospital does not experience a positive net operating margin in excess of two percent, the amount unpaid for that year shall be forgiven by the state without any financial penalty. As a condition of receiving an award through this program, eligible hospitals must agree to any and all collection activities the commissioner finds necessary to collect loan payments in those years a payment is due.

Subd. 7. [ACCOUNTING TREATMENT.] The commissioner of finance shall record as grants in the state accounting system funds obligated by this section. Loan payments received under this section shall be deposited in the health care access fund.

Subd. 8. [EXPIRATION.] This section expires June 30, 2002."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Swenson amendment and the roll was called. There were 51 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Howes	Lieder	Reuter	Swenson
Anderson, B.	Dorman	Jaros	Mariani	Rostberg	Tomassoni
Anderson, I.	Erickson	Johnson	Molnau	Rukavina	Trimble
Bakk	Finseth	Juhnke	Mulder	Schumacher	Tuma
Cassell	Fuller	Kalis	Murphy	Seifert, M.	Wenzel
Clark, J.	Gunther	Knoblach	Nornes	Skoe	Workman
Clark, K.	Harder	Krinkie	Olson	Solberg	
Daggett	Hilty	Kubly	Osskopp	Storm	
Davids	Holsten	Leighton	Peterson	Swapinski	

Those who voted in the negative were:

Abrams	Entenza	Holberg	Luther	Paulsen	Sykora
Biernat	Erhardt	Huntley	Mahoney	Pawlenty	Tingelstad
Bishop	Folliard	Jennings	Mares	Paymar	Van Dellen
Boudreau	Gerlach	Kahn	Marko	Pugh	Vandever
Bradley	Gleason	Kelliher	McCollum	Rest	Wagenius
Broecker	Goodno	Kielkucki	McElroy	Rhodes	Wejcmann
Buesgens	Greenfield	Koskinen	McGuire	Rifenberg	Westerberg
Carlson	Greiling	Kuise	Milbert	Seagren	Westfall
Carruthers	Haake	Larsen, P.	Mullery	Seifert, J.	Westrom
Chaudhary	Haas	Larson, D.	Ness	Skoglund	Wilkin
Dawkins	Hackbarth	Lenczewski	Opatz	Smith	Wolf
Dempsey	Hasskamp	Leppik	Osthoff	Stanek	Spk. Sviggum
Dorn	Hausman	Lindner	Ozment	Stang	

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

Wagenius and Greiling moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 163, line 10, after "REPORTING" insert "AND USE REDUCTION"

Page 163, line 15, delete "review" and insert "develop a general policy on"

Page 163, line 18, delete "a representative sample of"

Page 163, line 20, after the period, insert "The general policy must include the model notice developed pursuant to section 14 of this article." and delete "Recommendations" and insert "The general policy developed"

Page 163, after line 26, insert:

"(b) Integrated pest management as described in section 14, subdivision 7, of this article, must be used in buildings and on grounds owned by the state.

(c) To the extent resources are available, the commissioner of agriculture shall train school personnel in the use and avoidance of pesticides and integrated pest management practices, as described in section 14, subdivision 7, of this article, in K-12 public school buildings. The commissioner of health, in cooperation with the persons listed in paragraph (a), shall make recommendations to the commissioner of agriculture on information relating to children's health and exposure to pesticides to be used in training school personnel.

Sec. 14. [NOTICE OF PESTICIDE APPLICATION AT SCHOOLS.]

Subdivision 1. [PESTICIDE APPLICATION NOTIFICATION.] A school district that plans to apply a pesticide which is a toxicity category I, II, or III pesticide product, as classified by the United States Environmental Protection Agency, or a restricted use pesticide, as designated under the Federal Insecticide, Fungicide, and Rodenticide Act, must provide a notice to parents and employees that it applies such pesticides. The notice must:

(1) provide that an estimated schedule of the pesticide applications is available for review or copying at the school offices where such pesticides are applied;

(2) state that long-term health effects on children from the application of such pesticides or the class of chemicals to which they belong may not be fully understood;

(3) inform parents that a parent may request the school notify him or her 48 hours before any application of a pesticide listed in this subdivision.

Subd. 2. [NOTICE; TIMING; DISTRIBUTION.] The notice must be provided during the first two weeks of each school year during which pesticides listed in subdivision 1 are planned to be applied. The notice may be included with other notices provided by the school, but must be separately identified and clearly visible to the reader.

Subd. 3. [SCHOOL HANDBOOK INFORMATION.] In addition to the notice provided during the first two weeks of the school year, a school district that is required to provide notice under this section must include in any school handbook a section informing parents that an estimated schedule of applications of pesticides listed in subdivision 1 is available for review or copying at the school offices, and that a parent may receive prior notice of each application if specifically requested.

Subd. 4. [NOTICE AVAILABILITY.] A school district that uses a pesticide listed in subdivision 1 must keep a copy of all notifications required under subdivisions 1 and 2 in a manner available to the public.

Subd. 5. [NOTIFICATION FOR INDIVIDUAL PARENTS.] A parent of a student at a school may request that the school notify the parent prior to the application of any pesticides listed in subdivision 1. The school must notify any parent who has requested such notification at least 48 hours prior to applying such pesticides. The notice must include the pesticide to be applied, the time of the planned application, and the location at the school of the planned application.

Subd. 6. [MODEL NOTICE.] The department of health, in consultation with the department of children, families, and learning and the office of environmental assistance, shall develop and make available to school districts by December 1, 2000 a model notice in a form that can be used by a school district if it chooses to do so. The model notice must include the information required by this section. The department of health must provide an opportunity for environmental groups and interested parents to work with the department in developing the model notice.

Subd. 7. [PLAN.] A school district is not required to adopt an integrated pest management plan. A school board may only notify students, parents, or employees that it has adopted an integrated pest management plan if the plan is a managed pest control program designed to minimize the risk to human health and the environment and to reduce the use of chemical pesticides, and which ranks the district's response to pests in the following manner:

- (1) identifying pests which need to be controlled;
- (2) establishing tolerable limits of each identified pest;
- (3) designing future buildings and landscapes to prevent identified pests;
- (4) excluding identified pests from sites and buildings using maintenance practices;
- (5) adapting cleaning activities and best management practices to minimize the number of pests;
- (6) using mechanical methods of controlling identified pests; and
- (7) controlling identified pests using the least toxic pesticides with the least exposure to persons as is practicable."

Page 163, line 27, delete the new language and insert:

"Sec. 15. [DEFINITIONS.]

For purposes of sections 13 and 14 of this article:

(a)"

Page 163, line 31, before the period, insert "; and

(b) the term "pest" has the meaning given it in section 18B.01, subdivision 17"

Page 165, line 17, after "11" insert ", 13, 15," and delete "14 to 19" and insert "16 to 21"

Page 165, line 19, after the period, insert "Section 14 is effective September 1, 2000."

Re-number the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Wagenius and Greiling amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler	Entenza	Jaros	Leppik	Murphy	Schumacher
Anderson, I.	Folliard	Jennings	Lieder	Opatz	Seifert, J.
Bakk	Gleason	Johnson	Luther	Orfield	Skoglund
Biernat	Gray	Kahn	Mahoney	Osthoff	Solberg
Carlson	Greenfield	Kelliher	Mariani	Paymar	Swapinski
Carruthers	Greiling	Koskinen	Marko	Peterson	Tomassoni
Chaudhary	Hasskamp	Larsen, P.	McCollum	Pugh	Trimble
Clark, K.	Hausman	Larson, D.	McGuire	Rest	Wagenius
Dawkins	Hilty	Leighton	Milbert	Rostberg	Wejzman
Dorn	Huntley	Lenczewski	Mullery	Rukavina	Wenzel

Those who voted in the negative were:

Abrams	Dempsey	Harder	Mares	Rhodes	Tuma
Anderson, B.	Dorman	Holberg	McElroy	Rifenberg	Van Dellen
Bishop	Erhardt	Holsten	Molnau	Seagren	Vandever
Boudreau	Erickson	Howes	Mulder	Seifert, M.	Westerberg
Bradley	Finseth	Juhnke	Ness	Skoe	Westfall
Broecker	Fuller	Kalis	Nornes	Smith	Westrom
Buesgens	Gerlach	Kielkucki	Olson	Stanek	Wilkin
Cassell	Goodno	Knoblach	Osskopp	Stang	Wolf
Clark, J.	Gunther	Krinkie	Ozment	Storm	Workman
Daggett	Haake	Kubly	Paulsen	Swenson	Spk. Sviggum
Davids	Haas	Kuisle	Pawlenty	Sykora	
Dehler	Hackbarth	Lindner	Reuter	Tingelstad	

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

Kahn, Dawkins and Greenfield moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 39, after line 9, insert:

"Sec. 32. [PERSON'S RIGHT TO KNOW ACT.]

Subdivision 1. [DEFINITIONS.] "Sexual intercourse" means the congress of two people with the intention or the effect of transferring sperm or seminal fluid from one to the other.

Subd. 2. [INFORMED CONSENT.] No act of sexual intercourse shall be performed in this state except with the voluntary and informed consent of each member of the group performing the act of sexual intercourse. Consent to an act of sexual intercourse is voluntary and informed only if:

(1) each person attests that he or she has received and reviewed the printed materials described in section 33;

(2) each person certifies in writing, prior to the act of sexual intercourse, that he or she fully understands the possible consequences of an act of sexual intercourse; and

(3) the certificate in clause (2) is delivered to the other persons involved prior to the act of sexual intercourse. A copy may be filed with the state department of health.

Sec. 33. [PRINTED INFORMATION.]

Within 90 days after this act is enacted, the department of health shall cause to be published, in English and in each language which is the primary language of two percent or more of the state's population, the following printed materials in such a way as to ensure that the information is easily comprehensible:

(1) the possibility of the act of sexual intercourse resulting in the transfer of disease, including, but not limited to, AIDS, herpes, or other venereal diseases;

(2) the possibility of the act of sexual intercourse resulting in a pregnancy;

(3) the possibility that the pregnancy will necessitate an abortion which will then activate the "Women's Right to Know" law;

(4) the possibility that the pregnancy will result in a live birth;

(5) the particular medical risks associated with a full-term pregnancy and live birth including, when medically accurate, a description of the problems of pregnancy including morning sickness, weight gain, fluid retention, difficulties with bladder control, and loss of balance. The material shall also contain objective information describing the progression of labor, the possible need for caesarean section, and the possible detrimental psychological effects of child birth including postpartum depression;

(6) the responsibility of all parties to an act of sexual intercourse that results in the birth of a child to support said child for a minimum of 18 years; and

(7) the likelihood of certain identity of parenthood through use of DNA testing.

The materials referred to in this section must be printed in a typeface large enough to be clearly legible. The materials required under this section must be available at no cost from the department of health upon request and in appropriate number to any person or facility."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called. There were 6 yeas and 120 nays as follows:

Those who voted in the affirmative were:

Dawkins	Greenfield	Jaros	Kahn	Rukavina	Wejcman
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Those who voted in the negative were:

Abeler	Anderson, I.	Boudreau	Carlson	Chaudhary	Daggett
Abrams	Bakk	Bradley	Carruthers	Clark, J.	Dauids
Anderson, B.	Bishop	Buesgens	Cassell	Clark, K.	Dehler

Dempsey	Hackbarth	Kubly	Milbert	Rest	Swenson
Dorman	Harder	Kuisle	Molnau	Reuter	Sykora
Dorn	Hasskamp	Larsen, P.	Mulder	Rhodes	Tingelstad
Entenza	Hilty	Larson, D.	Mullery	Rifenberg	Tomassoni
Erhardt	Holberg	Leighton	Murphy	Rostberg	Trimble
Erickson	Holsten	Lenczewski	Ness	Schumacher	Tuma
Finseth	Howes	Leppik	Nornes	Seagren	Van Dellen
Folliard	Huntley	Lieder	Olson	Seifert, J.	Vandever
Fuller	Jennings	Lindner	Opatz	Seifert, M.	Wagenius
Gerlach	Johnson	Luther	Orfield	Skoe	Wenzel
Gleason	Juhnke	Mahoney	Osskopp	Skoglund	Westerberg
Goodno	Kalis	Mares	Ozment	Smith	Westfall
Gray	Kelliher	Mariani	Paulsen	Solberg	Westrom
Greiling	Kielkucki	Marko	Pawlenty	Stanek	Wilkin
Gunther	Knoblach	McCollum	Paymar	Stang	Wolf
Haake	Koskinen	McElroy	Peterson	Storm	Workman
Haas	Krinkie	McGuire	Pugh	Swapinski	Spk. Sviggum

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

Howes moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 230, line 33, delete "may" and insert "shall"

The motion prevailed and the amendment was adopted.

Mulder moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 34, after line 26, insert:

"Sec. 22. Minnesota Statutes 1999 Supplement, section 256B.69, subdivision 5b, is amended to read:

Subd. 5b. [PROSPECTIVE REIMBURSEMENT RATES.] (a) For prepaid medical assistance and general assistance medical care program contract rates set by the commissioner under subdivision 5 and effective on or after January 1, 1998, capitation rates for nonmetropolitan counties shall on a weighted average be no less than 88 percent of the capitation rates for metropolitan counties, excluding Hennepin county. The commissioner shall make a pro rata adjustment in capitation rates paid to counties other than nonmetropolitan counties in order to make this provision budget neutral.

(b) For prepaid medical assistance program contract rates set by the commissioner under subdivision 5 and effective on or after January 1, 2001, capitation rates for nonmetropolitan counties shall, on a weighted average, be no less than ~~89~~ 95 percent of the capitation rates for metropolitan counties, excluding Hennepin county. The commissioner shall make a pro rata adjustment in capitation rates paid to counties other than nonmetropolitan counties in order to make the portion of the increase between 89 and 95 percent budget neutral."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker called Abrams to the Chair.

The question was taken on the Mulder amendment and the roll was called. There were 65 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dorman	Howes	Kuisle	Ozment	Stanek
Anderson, I.	Dorn	Huntley	Leighton	Peterson	Stang
Bakk	Erickson	Jaros	Lieder	Reuter	Storm
Boudreau	Finseth	Jennings	Mares	Rifenberg	Swapinski
Bradley	Fuller	Johnson	Mulder	Rostberg	Swenson
Buesgens	Goodno	Juhnke	Murphy	Rukavina	Tomassoni
Cassell	Gunther	Kalis	Ness	Schumacher	Tuma
Clark, J.	Haake	Kielkucki	Nornes	Seifert, M.	Wenzel
Daggett	Harder	Knoblach	Olson	Skoe	Westfall
Davids	Hasskamp	Krinkie	Opatz	Smith	Westrom
Dehler	Hilty	Kubly	Osskopp	Solberg	

Those who voted in the negative were:

Abeler	Entenza	Holberg	Mahoney	Paulsen	Trimble
Abrams	Erhardt	Holsten	Mariani	Pawlenty	Van Dellen
Biernat	Folliard	Kahn	Marko	Paymar	Vandever
Bishop	Gerlach	Kelliher	McCollum	Pugh	Wagenius
Broecker	Gleason	Koskinen	McElroy	Rest	Wejcman
Carlson	Gray	Larsen, P.	McGuire	Rhodes	Westerberg
Carruthers	Greenfield	Larson, D.	Milbert	Seagren	Wilkin
Chaudhary	Greiling	Lenczewski	Molnau	Seifert, J.	Wolf
Clark, K.	Haas	Leppik	Mullery	Skoglund	Workman
Dawkins	Hackbarth	Lindner	Orfield	Sykora	Spk. Sviggum
Dempsey	Hausman	Luther	Osthoff	Tingelstad	

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

Mulder moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 34, after line 26, insert:

"Sec. 22. Minnesota Statutes 1999 Supplement, section 256B.69, subdivision 5b, is amended to read:

Subd. 5b. [PROSPECTIVE REIMBURSEMENT RATES.] (a) For prepaid medical assistance and general assistance medical care program contract rates set by the commissioner under subdivision 5 and effective on or after January 1, 1998, capitation rates for nonmetropolitan counties shall on a weighted average be no less than 88 percent of the capitation rates for metropolitan counties, excluding Hennepin county. The commissioner shall make a pro rata adjustment in capitation rates paid to counties other than nonmetropolitan counties in order to make this provision budget neutral.

(b) For prepaid medical assistance program contract rates set by the commissioner under subdivision 5 and effective on or after January 1, 2001, capitation rates for nonmetropolitan counties shall, on a weighted average, be no less than ~~89~~ 90.67 percent of the capitation rates for metropolitan counties, excluding Hennepin county. The commissioner shall make a pro rata adjustment in capitation rates paid to counties other than nonmetropolitan counties in order to make the portion of the increase between 89 and 90.67 percent budget neutral."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Mulder moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Pages 39 to 64, delete article 3

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mulder amendment and the roll was called. There were 18 yeas and 111 nays as follows:

Those who voted in the affirmative were:

Abrams	Gerlach	Holsten	Koskinen	Mulder	Rifenberg
Anderson, B.	Greenfield	Huntley	Krinkie	Opatz	Skoe
Finseth	Haake	Kahn	Leppik	Osskopp	Stanek

Those who voted in the negative were:

Abeler	Daggett	Greiling	Kelliher	McCollum	Paymar
Anderson, I.	Dauids	Gunther	Kielkucki	McElroy	Peterson
Bakk	Dawkins	Haas	Knoblach	McGuire	Pugh
Biernat	Dehler	Hackbarth	Kubly	Milbert	Rest
Bishop	Dempsey	Harder	Kuisle	Molnau	Reuter
Boudreau	Dorman	Hasskamp	Larsen, P.	Mullery	Rhodes
Bradley	Dorn	Hausman	Larson, D.	Murphy	Rostberg
Broecker	Entenza	Hilty	Leighton	Ness	Rukavina
Buesgens	Erhardt	Holberg	Lenczewski	Nornes	Schumacher
Carlson	Erickson	Howes	Lieder	Olson	Seagren
Carruthers	Folliard	Jaros	Lindner	Orfield	Seifert, J.
Cassell	Fuller	Jennings	Luther	Osthoff	Seifert, M.
Chaudhary	Gleason	Johnson	Mahoney	Ozment	Skoglund
Clark, J.	Goodno	Juhnke	Mares	Paulsen	Smith
Clark, K.	Gray	Kalis	Marko	Pawlenty	Solberg

Stang	Sykora	Tuma	Wejcman	Westrom	Spk. Sviggum
Storm	Tingelstad	Van Dellen	Wenzel	Wilkin	
Swapinski	Tomassoni	Vandev eer	Westerberg	Wolf	
Swenson	Trimble	Wagenius	Westfall	Workman	

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

McElroy and Trimble moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 294, after line 8, insert:

"Workers' Compensation Fund	-0-	90,000	90,000"
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Page 294, line 9, delete "5,057,000" and insert "5,147,000" and delete "4,957,000" and insert "5,047,000"

Page 298, after line 16, insert:

"Sec. 12. DEPARTMENT OF LABOR AND INDUSTRY	-0-	90,000
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This appropriation is from the workers' compensation fund for the workplace services division to administer article 21, sections 8 to 11. This amount is added to the appropriation in Laws 1999, chapter 223, article 1, section 11, subdivision 3."

Adjust amounts accordingly

Re-number or reletter in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Dawkins and Westrom moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 297, after line 15, insert:

"Sec. 8. Laws 1997, chapter 200, article 1, section 5, subdivision 3, is amended to read:

Subd. 3. State Services for the Blind

3,735,000	3,816,000
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This appropriation may be supplemented by funds provided by the Friends of the Communication Center, for support of Services for the Blind's Communication Center, which serves all blind and visually handicapped Minnesotans. The commissioner shall report to the legislature on a biennial basis the funds provided by the Friends of the Communication Center.

The commissioner may not require employees to participate in intensive blindness sensitivity training in which the employees are blindfolded or otherwise simulate blindness, unless the employee is a manager or counselor; except that the commissioner may require the training for up to 14 employees who are not managers or counselors but have direct contact with blind clients seeking services, and up to four employees at the store located at the state services for the blind.

A person may not serve more than ~~a total of six consecutive~~ years as a member of the rehabilitation advisory council for the blind or its predecessor, the council for the blind. ~~Service prior to the effective date of this section is included in the six-year limit, except that a person currently serving on the rehabilitation advisory council for the blind may serve out the person's current term and serve one additional term~~ After six consecutive years of service, a person may not be reappointed to the council until a period of one year has elapsed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Holsten moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 168, line 46, delete "(a)"

Page 168, line 50, delete "(b)" and insert "Subd. 3. [WILDLIFE MANAGEMENT.]"

Page 169, after line 7, insert:

"Subd. 4. [STAFFING LEVELS.] The appropriations made under this section are available only if license fees dedicated to the game and fish fund are increased. The staff complement in fiscal years 2000 and 2001 for the division of fish and wildlife shall not exceed fiscal year 1994 levels. The commissioner shall report to the senate and house committees with jurisdiction over natural resources by November 15, 2000, on staffing levels and activities funded under this section."

The motion prevailed and the amendment was adopted.

Rukavina moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 279, line 30, delete "GOVERNOR" and insert "CONSTITUTIONAL OFFICERS"

Page 279, line 31, after the period, insert "With respect to the remaining constitutional officers, the April 7, 1999, recommendations of the legislative compensation council are adopted."

The motion prevailed and the amendment was adopted.

Rukavina, Solberg and Carlson moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 169, after line 7, insert:

"Sec. 8. [INVENTORY OF GRANTED AND OTHER LAND.]

\$200,000 is appropriated from the state forest suspense account to the commissioner of natural resources for transfer to the University of Minnesota Duluth for the purpose of funding the inventory conducted pursuant to this section and is available until expended. Because the University of Minnesota is a land grant university, and because most of the state-owned land to be inventoried is granted land, the chancellor of the University of Minnesota Duluth is requested to direct the School of Business and Economics to conduct an inventory of state-owned land located within the Boundary Waters Canoe Area for the purpose of providing the legislature and state officers with more precise information as to the nature, extent, and value of the land. The inventory must include the following: (1) a list of the tracts of state-owned land within the area, together with the available legal description by government tract, insofar as possible. "State-owned land" is defined as any class of state-owned land, whether it is granted land such as school, university, swampland, or internal improvement, or whether it is tax-forfeited, acquired, or state-owned land of any other classification; (2) the number of linear feet of shoreline in each tract, together with a general description of that shoreline, whether it is rocky, sandy, or swampy, or some other descriptive system that generally describes the shoreland; (3) the acreage of each tract; (4) a general description of the surface of each tract, including topography and the predominant vegetative cover for each tract and any known unique surface features, such as areas of virgin and other old growth timber; and (5) using available real estate market value information and accepted real estate valuation techniques, assign estimates of the value for each tract, exclusive of minerals and mineral interests, using each of the real estate valuation techniques adopted for the inventory. At the request of the university, the commissioner of natural resources shall promptly provide the university with all published maps, whether federal, state, or county, together with a descriptive list of state-owned land in the area, using available legal descriptions, forest inventories, and other factual information, published data, and photographs that are necessary for the university's inventory. From these maps, lists, data, and other information, the university is requested to prepare a report of its inventory. It is desirable that the university submit its report to the legislature by January 15, 2002."

Renumber the sections in sequence and correct the internal references

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Wenzel; Howes; Dehler; Broecker; Holberg; Hasskamp; Schumacher; Davids; Larsen, P.; Anderson, I., and Kalis moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 208, after line 1, insert:

"Sec. 9. Minnesota Statutes 1998, section 609.378, subdivision 1, is amended to read:

Subdivision 1. [PERSONS GUILTY OF NEGLIGENCE OR ENDANGERMENT.] (a) [NEGLECT.] (1) A parent, legal guardian, or caretaker who willfully deprives a child of necessary food, clothing, shelter, health care, or supervision appropriate to the child's age, when the parent, guardian, or caretaker is reasonably able to make the necessary provisions and the deprivation harms or is likely to substantially harm the child's physical, mental, or emotional health is guilty of neglect of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both. If the deprivation results in substantial harm to the child's physical, mental, or emotional health, the person may be sentenced to imprisonment for not more than five years

or to payment of a fine of not more than \$10,000, or both. If a parent, guardian, or caretaker responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child, this treatment or care is "health care," for purposes of this clause.

(2) A parent, legal guardian, or caretaker who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

(b) [ENDANGERMENT.] A parent, legal guardian, or caretaker who endangers the child's person or health by:

(1) intentionally or recklessly causing or permitting a child to be placed in a situation likely to substantially harm the child's physical, mental, or emotional health or cause the child's death; or

(2) knowingly causing or permitting the child to be present where any person is selling or possessing a controlled substance, as defined in section 152.01, subdivision 4, in violation of section 152.021, 152.022, 152.023, or 152.024; is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

If the endangerment results in substantial harm to the child's physical, mental, or emotional health, the person may be sentenced to imprisonment for not more than ~~five~~ ten years or to payment of a fine of not more than ~~\$10,000~~ \$20,000, or both.

This paragraph does not prevent a parent, legal guardian, or caretaker from causing or permitting a child to engage in activities that are appropriate to the child's age, stage of development, and experience, or from selecting health care as defined in subdivision 1, paragraph (a).

(c) [ENDANGERMENT BY FIREARM ACCESS.] A person who intentionally or recklessly causes a child under 14 years of age to be placed in a situation likely to substantially harm the child's physical health or cause the child's death as a result of the child's access to a loaded firearm is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

If the endangerment results in substantial harm to the child's physical health, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

EFFECTIVE DATE: This section is effective August 1, 2000, and applies to crimes committed on or after that date.

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Wenzel et al amendment and the roll was called. There were 118 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bishop	Broecker	Carruthers	Clark, J.
Abrams	Bakk	Boudreau	Buesgens	Cassell	Clark, K.
Anderson, B.	Biernat	Bradley	Carlson	Chaudhary	Daggett

Davids	Haas	Kubly	Mulder	Rhodes	Tingelstad
Dehler	Hackbarth	Kuisle	Mullery	Rifenberg	Tomassoni
Dempsey	Harder	Larsen, P.	Murphy	Rostberg	Trimble
Dorman	Hasskamp	Larson, D.	Ness	Rukavina	Tuma
Dorn	Hilty	Leighton	Nornes	Schumacher	Van Dellen
Entenza	Holberg	Lenczewski	Olson	Seagren	Vandever
Erhardt	Holsten	Leppik	Opatz	Seifert, J.	Wagenius
Erickson	Howes	Lieder	Orfield	Seifert, M.	Wenzel
Finseth	Huntley	Luther	Osskopp	Skoe	Westerberg
Folliard	Jennings	Mahoney	Osthoff	Skoglund	Westfall
Fuller	Johnson	Mares	Ozment	Smith	Westrom
Gerlach	Juhnke	Marko	Paulsen	Solberg	Wilkin
Goodno	Kalis	McCollum	Pawlenty	Stang	Wolf
Gray	Kielkucki	McElroy	Peterson	Storm	Workman
Greiling	Knoblach	McGuire	Pugh	Swapinski	Spk. Sviggum
Gunther	Koskinen	Milbert	Rest	Swenson	
Haake	Krinkie	Molnau	Reuter	Sykora	

Those who voted in the negative were:

Dawkins	Greenfield	Hausman	Jaros	Kahn
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The motion prevailed and the amendment was adopted.

The Speaker called Boudreau to the Chair.

McElroy moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 234, after line 11, insert:

"Sec. 10. [3.3060] [JOINT STANDING COMMITTEES.]

The house of representatives and the senate shall adopt rules that set one time as the regular hour of convening daily sessions in both houses and that establish a system of joint standing committees to consider and report on legislation and conduct other legislative business, except that each house may establish separately a committee on rules and administration and on ethics. The house of representatives and the senate shall adopt the rules during the legislative session in 2001 and implement them beginning in the legislative session in 2002.

Sec. 11. [3.3061] [CONFERENCE COMMITTEES.]

The house of representatives and the senate shall adopt rules of procedure that do not require the house in which a bill originates to ask for the appointment of a conference committee on the bill when it refuses to concur in an amendment to the bill by the other house. The rules shall permit either house to reconsider and further amend a bill, or the other house's amendment, until one of the houses chooses instead to ask for the appointment of a conference committee on the bill. The house of representatives and the senate shall adopt the rules during the legislative session in 2001 and implement them beginning in the legislative session in 2002."

Renumber the sections in sequence

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the McElroy amendment and the roll was called. There were 86 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Hausman	Lenczewski	Osskopp	Smith
Anderson, B.	Erhardt	Hilty	Leppik	Paulsen	Stang
Biernat	Erickson	Holberg	Lieder	Pawlenty	Storm
Boudreau	Folliard	Howes	Lindner	Paymar	Swapinski
Bradley	Fuller	Juhnke	Luther	Pugh	Sykora
Broecker	Gerlach	Kahn	Marko	Rest	Tingelstad
Buesgens	Gleason	Kelliher	McCollum	Reuter	Van Dellen
Carruthers	Gray	Kielkucki	McElroy	Rhodes	Vandever
Cassell	Greiling	Knoblach	McGuire	Rifenberg	Westerberg
Chaudhary	Gunther	Koskinen	Molnau	Rostberg	Westrom
Clark, J.	Haake	Krinkie	Mulder	Schumacher	Wilkin
Daggett	Haas	Kubly	Murphy	Seagren	
Dehler	Hackbarth	Larsen, P.	Nornes	Seifert, J.	
Dempsey	Harder	Larson, D.	Olson	Seifert, M.	
Dorman	Hasskamp	Leighton	Opatz	Skoe	

Those who voted in the negative were:

Abrams	Dawkins	Jaros	Mariani	Rukavina	Wagenius
Anderson, I.	Entenza	Jennings	Milbert	Skoglund	Wejcmán
Bakk	Finseth	Johnson	Mullery	Solberg	Wenzel
Bishop	Goodno	Kalis	Ness	Swenson	Westfall
Carlson	Greenfield	Kuisle	Orfield	Tomassoni	Wolf
Clark, K.	Holsten	Mahoney	Ozment	Trimble	Workman
Davids	Huntley	Mares	Peterson	Tuma	Spk. Sviggum

The motion prevailed and the amendment was adopted.

Pawlenty moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Johnson was excused for the remainder of today's session.

FISCAL CALENDAR, Continued

Mulder, Bishop and Boudreau moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 41, line 15, before the quotation marks, insert "(a)"

Page 41, after line 34, insert:

"(b) A health care practitioner licensed by or registered with the state of Minnesota who practices complementary and alternative care shall have the practice regulated by and be under the jurisdiction of the applicable health-related licensing board when offering complementary and alternative health care practices while using the practitioner's license or registration."

Huntley moved to amend the Mulder et al amendment to H. F. No. 2699, the third engrossment, as amended, as follows:

Page 1, line 10, after "practices" delete everything before the period

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

The question recurred on the Mulder et al amendment to H. F. No. 2699, the third engrossment, as amended. The motion prevailed and the amendment was adopted.

Clark, K.; Wejcman; Greenfield and Mariani moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 7, line 21, delete "\$56,587,000" and insert "\$60,587,000"

Page 8, after line 61, insert:

"(8) Of the amount in clause (1), up to \$4,000,000 in fiscal year 2001 is to fund the expansion of the availability of the emergency assistance program under Minnesota Statutes, section 256J.48, subdivision 1, from once every 12 months to once every six months."

Page 88, after line 16, insert:

"Sec. 21. Minnesota Statutes 1998, section 256J.48, subdivision 1, is amended to read:

Subdivision 1. [EMERGENCY FINANCIAL ASSISTANCE.] County human service agencies shall grant emergency financial assistance to any needy pregnant woman or needy family with a child under the age of 21 who is or was within six months prior to application living with an eligible caregiver relative specified in section 256J.08.

Except for ongoing special diets, emergency assistance is available to a family during one 30-day period in a consecutive ~~12-month~~ six month period. A county shall issue assistance for needs that accrue before that 30-day period only when it is necessary to resolve emergencies arising or continuing during the 30-day period of eligibility. When emergency needs continue, a county may issue assistance for up to 30 days beyond the initial 30-day period of eligibility, but only when assistance is authorized during the initial period."

Renumber the sections in article 4 in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Clark, K., et al amendment and the roll was called. There were 44 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Huntley	Mariani	Osthoff	Trimble
Bakk	Folliard	Jaros	Marko	Paymar	Wagenius
Biernat	Gleason	Kahn	McCollum	Pugh	Wejcman
Carlson	Gray	Kelliher	McGuire	Rukavina	Wenzel
Carruthers	Greenfield	Koskinen	Milbert	Skoglund	
Chaudhary	Greiling	Leighton	Mullery	Solberg	
Clark, K.	Hausman	Luther	Murphy	Swapinski	
Dawkins	Hilty	Mahoney	Orfield	Tomassoni	

Those who voted in the negative were:

Abeler	Dorman	Holsten	Lindner	Rest	Swenson
Abrams	Dorn	Howes	Mares	Reuter	Sykora
Anderson, B.	Erhardt	Jennings	McElroy	Rhodes	Tingelstad
Bishop	Erickson	Juhnke	Molnau	Rifenberg	Tuma
Boudreau	Finseth	Kalis	Mulder	Rostberg	Van Dellen
Bradley	Fuller	Kielkucki	Ness	Schumacher	Vandever
Broecker	Gerlach	Knoblach	Nornes	Seagren	Westerberg
Buesgens	Goodno	Krinkie	Olson	Seifert, J.	Westfall
Cassell	Gunther	Kubly	Opatz	Seifert, M.	Westrom
Clark, J.	Haake	Kuisle	Osskopp	Skoe	Wilkin
Daggett	Haas	Larsen, P.	Ozment	Smith	Wolf
Davids	Hackbarth	Larson, D.	Paulsen	Stanek	Workman
Dehler	Harder	Leppik	Pawlenty	Stang	Spk. Sviggum
Dempsey	Holberg	Lieder	Peterson	Storm	

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

Clark, K.; Trimble; Chaudhary; Rukavina; Anderson, I.; Jaros and Gray moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 306, after line 3, insert:

"Sec. 12. Minnesota Statutes 1999 Supplement, section 268.022, subdivision 2, is amended to read:

Subd. 2. [DISBURSEMENT OF SPECIAL ASSESSMENT FUNDS.] (a) The money collected under this section shall be deposited in the state treasury and credited to the workforce development fund to provide for employment and training programs. The workforce development fund is created as a special account in the state treasury.

(b) All money in the fund not otherwise appropriated or transferred is appropriated to the commissioner who must act as the fiscal agent for the money and must disburse that money for the purposes of this section, not allowing the money to be used for any other obligation of the state. All money in the workforce development fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as are provided by law for the other special accounts in the state treasury, except that all interest or net income resulting from the investment or deposit of money in the fund shall accrue to the fund for the purposes of the fund.

(c) No more than five percent of the funds collected in each fiscal year may be used by the department of economic security for its administrative costs.

(d) Reimbursement for costs related to collection of the special assessment shall be in an amount negotiated between the commissioner and the United States Department of Labor.

(e) The funds appropriated to the commissioner, less amounts under paragraphs (c) and (d) shall be allocated as follows:

(1) 40 percent to be allocated annually to substate grantees for provision of expeditious response activities under section 268.9771 and worker adjustment services under section 268.9781; ~~and~~

(2) ~~60~~ 40 percent to be allocated to activities and programs authorized under sections 268.975 to 268.98; and

(3) 20 percent to be allocated by the commissioner for activities authorized under clause (1) or (2) depending on local needs.

(f) Any funds not allocated, obligated, or expended in a fiscal year shall be available for allocation, obligation, and expenditure in the following fiscal year."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Clark, K., moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 192, after line 4, insert:

"Sec. 6. Minnesota Statutes 1998, section 611A.54, is amended to read:

611A.54 [AMOUNT OF REPARATIONS.]

Reparations shall equal economic loss except that:

(1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source or collateral sources. Where compensation is readily available to a claimant from a collateral source, the claimant must take reasonable steps to recoup from the collateral source before claiming reparations;

(2) reparations shall be denied or reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims; and

(3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$50,000.

No employer may deny an employee an award of benefits based on the employee's eligibility or potential eligibility for reparations.

Compensation for loss of income shall be reviewed at 26 weeks. If the victim's disability continues past 26 weeks, the victim may continue to receive compensation up to an amount totaling \$50,000 provided that an evaluation by a physician states that the victim continues to be disabled."

Page 193, line 12, after the period, insert "Section 6 is effective for all claims commenced on or after August 1, 2000." and delete "6" and insert "7"

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

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Clark, K., amendment and the roll was called. There were 52 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Kahn	Mahoney	Osthoff	Solberg
Bakk	Gray	Kelliher	Mariani	Paymar	Swapinski
Biernat	Greenfield	Koskinen	Marko	Peterson	Tomassoni
Carlson	Greiling	Kubly	McCollum	Pugh	Trimble
Chaudhary	Hausman	Larson, D.	McGuire	Rest	Wagenius
Clark, K.	Hilty	Leighton	Milbert	Rukavina	Wejman
Dorn	Huntley	Lenczewski	Mullery	Schumacher	Wenzel
Entenza	Jaros	Lieder	Opatz	Skoe	
Folliard	Juhnke	Luther	Orfield	Skoglund	

Those who voted in the negative were:

Abeler	Dempsey	Holberg	McElroy	Rifenberg	Vandever
Abrams	Dorman	Holsten	Molnau	Rostberg	Westerberg
Anderson, B.	Erhardt	Howes	Mulder	Seagren	Westfall
Bishop	Erickson	Jennings	Murphy	Seifert, J.	Westrom
Boudreau	Finseth	Kalis	Ness	Seifert, M.	Wilkin
Bradley	Fuller	Kielkucki	Nornes	Smith	Wolf
Broecker	Gerlach	Knobloch	Olson	Stang	Workman
Buesgens	Goodno	Krinkie	Osskopp	Storm	Spk. Sviggum
Cassell	Gunther	Kuisle	Ozment	Swenson	
Clark, J.	Haake	Larsen, P.	Paulsen	Sykora	
Daggett	Haas	Leppik	Pawlenty	Tingelstad	
Davids	Hackbarth	Lindner	Reuter	Tuma	
Dehler	Harder	Mares	Rhodes	Van Dellen	

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

Clark, K., and Greenfield moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 31, after line 17, insert:

"Sec. 20. Minnesota Statutes 1999 Supplement, section 256B.056, is amended by adding a subdivision to read:

Subd. 3c. [CRIME VICTIMS REPARATIONS.] Crime victims reparations awarded under sections 611A.51 to 611A.68 shall not be considered as assets in determining eligibility for medical assistance.

Sec. 21. Minnesota Statutes 1999 Supplement, section 256B.0575, is amended to read:

256B.0575 [AVAILABILITY OF INCOME FOR INSTITUTIONALIZED PERSONS.]

When an institutionalized person is determined eligible for medical assistance, the income that exceeds the deductions in paragraphs (a) and (b) must be applied to the cost of institutional care.

(a) The following amounts must be deducted from the institutionalized person's income in the following order:

(1) the personal needs allowance under section 256B.35 or, for a veteran who does not have a spouse or child, or a surviving spouse of a veteran having no child, the amount of an improved pension received from the veteran's administration not exceeding \$90 per month;

(2) the personal allowance for disabled individuals under section 256B.36;

(3) if the institutionalized person has a legally appointed guardian or conservator, five percent of the recipient's gross monthly income up to \$100 as reimbursement for guardianship or conservatorship services;

(4) a monthly income allowance determined under section 256B.058, subdivision 2, but only to the extent income of the institutionalized spouse is made available to the community spouse;

(5) a monthly allowance for children under age 18 which, together with the net income of the children, would provide income equal to the medical assistance standard for families and children according to section 256B.056, subdivision 4, for a family size that includes only the minor children. This deduction applies only if the children do not live with the community spouse and only to the extent that the deduction is not included in the personal needs allowance under section 256B.35, subdivision 1, as child support garnished under a court order;

(6) a monthly family allowance for other family members, equal to one-third of the difference between 122 percent of the federal poverty guidelines and the monthly income for that family member;

(7) reparations payments made by the Federal Republic of Germany and reparations payments made by the Netherlands for victims of Nazi persecution between 1940 and 1945;

(8) all other exclusions from income for institutionalized persons as mandated by federal law; ~~and~~

(9) crime victims reparations awarded under sections 611A.51 to 611A.68; and

(10) amounts for reasonable expenses incurred for necessary medical or remedial care for the institutionalized spouse that are not medical assistance covered expenses and that are not subject to payment by a third party.

For purposes of clause (6), "other family member" means a person who resides with the community spouse and who is a minor or dependent child, dependent parent, or dependent sibling of either spouse. "Dependent" means a person who could be claimed as a dependent for federal income tax purposes under the Internal Revenue Code.

(b) Income shall be allocated to an institutionalized person for a period of up to three calendar months, in an amount equal to the medical assistance standard for a family size of one if:

(1) a physician certifies that the person is expected to reside in the long-term care facility for three calendar months or less;

(2) if the person has expenses of maintaining a residence in the community; and

(3) if one of the following circumstances apply:

(i) the person was not living together with a spouse or a family member as defined in paragraph (a) when the person entered a long-term care facility; or

(ii) the person and the person's spouse become institutionalized on the same date, in which case the allocation shall be applied to the income of one of the spouses.

For purposes of this paragraph, a person is determined to be residing in a licensed nursing home, regional treatment center, or medical institution if the person is expected to remain for a period of one full calendar month or more."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

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

Erickson, Rostberg, Jennings and Hilty moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 167, line 23, delete "\$3,954,463" and insert "\$3,502,463"

Page 168, after line 34, insert:

"Sec. 7. COUNTY REIMBURSEMENT 452,000

\$452,000 in fiscal year 2000 is for legal costs incurred by the counties of Mille Lacs, Kanabec, Isanti, Pine, Morrison, Benton, Sherburne, Crow Wing and Aitkin in the Mille Lacs treaty litigation argued before the U.S. Supreme Court and finally decided for the state and the Mille Lacs Band of Chippewa."

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Erickson et al amendment and the roll was called. There were 31 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Abeler	Cassell	Davids	Finseth	Hilty	Knobloch
Anderson, B.	Clark, J.	Dehler	Harder	Jennings	Molnau
Buesgens	Daggett	Erickson	Hasskamp	Kielkucki	Ness

Nornes	Rostberg	Seifert, M.	Storm	Wenzel
Olson	Schumacher	Solberg	Sykora	
Opatz	Seifert, J.	Stang	Vandev eer	

Those who voted in the negative were:

Abrams	Erhardt	Huntley	Luther	Pawlenty	Tomassoni
Anderson, I.	Folliard	Jaros	Mahoney	Paymar	Trimble
Bakk	Fuller	Juhnke	Mares	Peterson	Tuma
Biernat	Gerlach	Kahn	Mariani	Pugh	Van Dellen
Bishop	Gleason	Kalis	Marko	Rest	Wagenius
Boudreau	Goodno	Kelliher	McCollum	Reuter	Wejcman
Bradley	Gray	Koskinen	McElroy	Rhodes	Westerberg
Broecker	Greenfield	Krinkie	McGuire	Rifenberg	Westfall
Carlson	Greiling	Kubly	Milbert	Rukavina	Westrom
Carruthers	Gunther	Kuisele	Mulder	Seagren	Wilkin
Chaudhary	Haake	Larsen, P.	Mullery	Skoe	Wolf
Clark, K.	Haas	Larson, D.	Murphy	Skoglund	Workman
Dawkins	Hackbarth	Leighton	Orfield	Smith	Spk. Sviggum
Dempsey	Hausman	Lenczewski	Osskopp	Stanek	
Dorman	Holberg	Leppik	Osthoff	Swapinski	
Dorn	Holsten	Lieder	Ozment	Swenson	
Entenza	Howes	Lindner	Paulsen	Tingelstad	

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

Mullery moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 280, line 21, delete "; and Minnesota"

Page 280, line 22, delete everything before "repealed" and insert "is"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mullery amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dawkins	Greenfield	Jennings	Larson, D.	Marko
Bakk	Dehler	Greiling	Juhnke	Leighton	McCollum
Biernat	Dorn	Hasskamp	Kahn	Lenczewski	McGuire
Carlson	Entenza	Hausman	Kalis	Lieder	Milbert
Carruthers	Folliard	Hilty	Kelliher	Luther	Mullery
Chaudhary	Gleason	Huntley	Koskinen	Mahoney	Murphy
Clark, K.	Gray	Jaros	Kubly	Mariani	Opatz

Orfield	Peterson	Rukavina	Skoglund	Tomassoni	Wejeman
Osthoff	Pugh	Schumacher	Solberg	Trimble	Wenzel
Paymar	Rest	Skoe	Swapinski	Wagenius	

Those who voted in the negative were:

Abeler	Dempsey	Harder	McElroy	Rifenberg	Tuma
Abrams	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Anderson, B.	Erhardt	Holsten	Mulder	Seagren	Vandever
Bishop	Erickson	Howes	Ness	Seifert, J.	Westerberg
Boudreau	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Bradley	Fuller	Knoblach	Olson	Smith	Westrom
Broecker	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Buesgens	Goodno	Kuisle	Ozment	Stang	Wolf
Cassell	Gunther	Larsen, P.	Paulsen	Storm	Workman
Clark, J.	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Daggett	Haas	Lindner	Reuter	Sykora	
Davids	Hackbarth	Mares	Rhodes	Tingelstad	

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

Workman moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 306, line 1, delete "if" and insert "for a willful violation."

Page 306, delete lines 2 and 3

A roll call was requested and properly seconded.

McElroy and Anderson, B., moved to amend the Workman amendment to H. F. No. 2699, the third engrossment, as amended, as follows:

Page 1, line 3, delete "for a" and insert "if there is at least one"

Page 1, line 4, after "violation" insert "or \$25,000 if there is no willful violation"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 33 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Abeler	Bradley	Dorn	Haake	Howes	McElroy
Abrams	Cassell	Goodno	Hackbarth	Kalis	Molnau
Anderson, B.	Daggett	Gunther	Harder	Leppik	Mulder

Nornes	Pawlenty	Rostberg	Storm	Westerberg
Olson	Rhodes	Smith	Tingelstad	Westrom
Opatz	Rifenberg	Stang	Van Dellen	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Entenza	Holsten	Lenczewski	Osthoff	Stanek
Bakk	Erhardt	Huntley	Lieder	Ozment	Swapinski
Biernat	Erickson	Jaros	Lindner	Paulsen	Swenson
Bishop	Finseth	Jennings	Luther	Paymar	Sykora
Boudreau	Folliard	Juhnke	Mahoney	Peterson	Tomassoni
Broecker	Fuller	Kahn	Mares	Pugh	Trimble
Buesgens	Gerlach	Kelliher	Mariani	Rest	Tuma
Carlson	Gleason	Kielkucki	Marko	Reuter	Vandever
Carruthers	Gray	Knoblach	McCollum	Rukavina	Wagenius
Chaudhary	Greenfield	Koskinen	McGuire	Schumacher	Wejcman
Clark, J.	Greiling	Krinkie	Milbert	Seagren	Wenzel
Clark, K.	Haas	Kubly	Mullery	Seifert, J.	Westfall
Davids	Hasskamp	Kuisle	Murphy	Seifert, M.	Wilkin
Dehler	Hausman	Larsen, P.	Ness	Skoe	Wolf
Dempsey	Hilty	Larson, D.	Orfield	Skoglund	Workman
Dorman	Holberg	Leighton	Osskopp	Solberg	

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

The question recurred on the Workman amendment and the roll was called. There were 25 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Broecker	Erickson	Krinkie	Paulsen	Stanek
Buesgens	Gerlach	Kuisle	Reuter	Swenson
Clark, J.	Haake	Lindner	Rifenberg	Van Dellen
Davids	Holberg	Mulder	Seifert, J.	Wilkin
Dehler	Kielkucki	Nornes	Seifert, M.	Workman

Those who voted in the negative were:

Abeler	Daggett	Greiling	Kahn	Mares	Osskopp
Abrams	Dawkins	Gunther	Kalis	Mariani	Osthoff
Anderson, B.	Dempsey	Haas	Kelliher	Marko	Ozment
Anderson, I.	Dorman	Hackbarth	Knoblach	McCollum	Pawlenty
Bakk	Dorn	Harder	Koskinen	McElroy	Paymar
Biernat	Entenza	Hasskamp	Kubly	McGuire	Peterson
Bishop	Erhardt	Hausman	Larsen, P.	Milbert	Pugh
Boudreau	Finseth	Hilty	Larson, D.	Molnau	Rest
Bradley	Folliard	Holsten	Leighton	Mullery	Rhodes
Carlson	Fuller	Howes	Lenczewski	Murphy	Rostberg
Carruthers	Gleason	Huntley	Leppik	Ness	Rukavina
Cassell	Goodno	Jaros	Lieder	Olson	Schumacher
Chaudhary	Gray	Jennings	Luther	Opatz	Seagren
Clark, K.	Greenfield	Juhnke	Mahoney	Orfield	Skoe

Skoglund	Storm	Tomassoni	Wagenius	Westfall
Smith	Swapinski	Trimble	Wejcman	Westrom
Solberg	Sykora	Tuma	Wenzel	Wolf
Stang	Tingelstad	Vandev eer	Westerberg	Spk. Sviggum

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

POINT OF ORDER

Entenza raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that H. F. No. 2699, the third engrossment, as amended, was not in order.

Pursuant to section 244 of "Mason's Manual of Legislative Procedure," the Speaker deferred his decision on the Entenza point of order.

Peterson moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 1, page 4, line 32, delete "3,383,000" and insert "6,358,000"

Article 1, page 4, line 38, delete "3,383,000" and insert "6,358,000"

Adjust the totals in this section and section 1 accordingly

Article 2, page 34, after line 33, insert:

"Sec. 23. Minnesota Statutes 1998, section 256L.01, subdivision 4, is amended to read:

Subd. 4. [GROSS INDIVIDUAL OR GROSS FAMILY INCOME.] "Gross individual or gross family income" for farm and nonfarm self-employed means income calculated using as the baseline the adjusted gross income reported on the applicant's federal income tax form for the previous year ~~and adding back in reported depreciation, carryover loss, and net operating loss amounts that apply to the business in which the family is currently engaged.~~ Applicants shall report the most recent financial situation of the family if it has changed from the period of time covered by the federal income tax form. The report may be in the form of percentage increase or decrease."

Article 2, page 39, after line 9, insert:

"Sec. 32. [FEDERAL APPROVAL.]

The commissioner of human services shall seek any federal approval necessary to obtain federal financial participation for children and parents who become eligible for the MinnesotaCare program as a result of the change in the definition of income for the self-employed in section 23 [amending section 256L.01, subdivision 4.]"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker called Abrams to the Chair.

The question was taken on the Peterson amendment and the roll was called. There were 60 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Juhnke	Luther	Opatz	Skoglund
Bakk	Gleason	Kahn	Mahoney	Orfield	Solberg
Biernat	Greenfield	Kalis	Mariani	Osthoff	Storm
Carlson	Greiling	Kelliher	Marko	Paymar	Swapinski
Carruthers	Hasskamp	Koskinen	McCollum	Peterson	Tomassoni
Chaudhary	Hausman	Kubly	McGuire	Pugh	Trimble
Clark, K.	Hilty	Larson, D.	Milbert	Rest	Wagenius
Dawkins	Huntley	Leighton	Mullery	Rukavina	Wejcman
Dorn	Jaros	Lenczewski	Murphy	Schumacher	Wenzel
Entenza	Jennings	Lieder	Ness	Skoe	Westrom

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rifenberg	Van Dellen
Abrams	Dempsey	Harder	McElroy	Rostberg	Vandever
Anderson, B.	Dorman	Holberg	Molnau	Seagren	Westerberg
Bishop	Erhardt	Holsten	Mulder	Seifert, J.	Westfall
Boudreau	Erickson	Howes	Nornes	Seifert, M.	Wilkin
Bradley	Finseth	Kielkucki	Olson	Smith	Wolf
Broecker	Fuller	Knoblach	Osskopp	Stanek	Workman
Buesgens	Gerlach	Krinkie	Ozment	Stang	Spk. Sviggum
Cassell	Goodno	Kuisle	Paulsen	Swenson	
Clark, J.	Gunther	Larsen, P.	Pawlenty	Sykora	
Daggett	Haake	Leppik	Reuter	Tingelstad	
Davids	Haas	Lindner	Rhodes	Tuma	

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

Leppik moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 281, line 23, after the period, insert "Section 26 is effective June 30, 2001."

The motion prevailed and the amendment was adopted.

Kielkucki, Wenzel and Anderson, I., moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 298, delete section 12

Re-number the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kielkucki et al amendment and the roll was called. There were 69 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler	Erickson	Howes	Mulder	Seagren	Vandever
Anderson, B.	Finseth	Juhnke	Ness	Seifert, J.	Wenzel
Boudreau	Fuller	Kalis	Nornes	Seifert, M.	Westerberg
Bradley	Gerlach	Kielkucki	Olson	Smith	Westfall
Broecker	Goodno	Knoblach	Osskopp	Stanek	Westrom
Buesgens	Gunther	Krinkie	Ozment	Stang	Wilkin
Cassell	Haake	Kuisle	Paulsen	Storm	Wolf
Clark, J.	Haas	Larsen, P.	Pawlenty	Swenson	Workman
Daggett	Hackbarth	Lieder	Reuter	Sykora	Spk. Sviggum
Davids	Harder	Lindner	Rifenberg	Tingelstad	
Dehler	Hasskamp	Mares	Rostberg	Tuma	
Dempsey	Holberg	Molnau	Schumacher	Van Dellen	

Those who voted in the negative were:

Abrams	Dorn	Holsten	Lenczewski	Mullery	Skoe
Bakk	Entenza	Huntley	Leppik	Opatz	Skoglund
Biernat	Erhardt	Jaros	Luther	Orfield	Solberg
Bishop	Folliard	Jennings	Mahoney	Osthoff	Swapinski
Carlson	Gleason	Kahn	Mariani	Paymar	Tomassoni
Carruthers	Gray	Kelliher	Marko	Peterson	Trimble
Chaudhary	Greenfield	Koskinen	McCollum	Pugh	Wagenius
Clark, K.	Greiling	Kubly	McElroy	Rest	Wejcmán
Dawkins	Hausman	Larson, D.	McGuire	Rhodes	
Dorman	Hilty	Leighton	Milbert	Rukavina	

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Koskinen moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 36, after line 18, insert:

"Sec. 25. [256L.075] [EMPLOYER-SUBSIDIZED INSURANCE OPTION.]

Subdivision 1. [FEDERAL APPROVAL.] (a) Upon federal approval of all necessary waivers and state plan proposals to obtain children's health insurance program matching funds under title XXI of the Social Security Act for children ages two to 18 who are ineligible for MinnesotaCare because of the availability of employer-subsidized health insurance, paragraphs (b) and (c) become effective.

(b) The employer-subsidized health insurance provisions of section 256L.07, subdivision 2, shall not apply to children ages two to 18 in families with income over 150 percent of the federal poverty guidelines but no greater than 200 percent of the federal poverty guidelines who are otherwise eligible for coverage under this chapter.

(c) Premiums under the sliding fee scale of section 256L.15, subdivision 2, shall not exceed five percent of gross family income for children in families with income at or below 200 percent of the federal poverty guidelines.

Subd. 2. [COVERAGE OPTIONS.] (a) Children ages two to 18 not otherwise eligible for MinnesotaCare but for subdivision 1, paragraph (b), may enroll in the MinnesotaCare program or the family may opt to use a subsidy to purchase employer-subsidized health insurance according to this subdivision. The subsidy is equal to the MinnesotaCare capitation payment for the eligible children minus the MinnesotaCare premium for the children, if enrolled in MinnesotaCare, up to the amount of the employee's share of the premium for dependent coverage.

(b) The commissioner shall reimburse families who choose the subsidy option under this subdivision upon proof of payment of the employee's share of the dependent coverage.

(c) Families choosing the subsidy option acknowledge and accept the benefits and cost-sharing requirements of the employer-subsidized coverage.

(d) Coverage under this section remains in effect for 12 months from the date of initial enrollment as long as the employer-subsidized health insurance coverage remains available to the employee.

EFFECTIVE DATE: This section is effective 90 days after receipt of all necessary federal approval or July 1, 2001, whichever is later."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Koskinen amendment and the roll was called. There were 62 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Juhnke	Luther	Osthoff	Swapinski
Bakk	Gleason	Kahn	Mahoney	Paymar	Tomassoni
Biernat	Gray	Kalis	Mariani	Peterson	Trimble
Carlson	Greenfield	Kelliher	Marko	Pugh	Wagenius
Carruthers	Greiling	Koskinen	McCollum	Rest	Wejzman
Cassell	Hasskamp	Kubly	McGuire	Rukavina	Wenzel
Chaudhary	Hausman	Larsen, P.	Milbert	Schumacher	Westerberg
Clark, K.	Hilty	Larson, D.	Mullery	Seifert, J.	
Dawkins	Huntley	Leighton	Olson	Skoe	
Dorn	Jaros	Lenczewski	Opatz	Skoglund	
Entenza	Jennings	Lieder	Orfield	Solberg	

Those who voted in the negative were:

Abeler	Dehler	Haas	Lindner	Reuter	Sykora
Abrams	Dempsey	Hackbarth	Mares	Rhodes	Tingelstad
Anderson, B.	Dorman	Harder	McElroy	Rifenberg	Tuma
Bishop	Erhardt	Holberg	Molnau	Rostberg	Van Dellen
Boudreau	Erickson	Holsten	Mulder	Seagren	Vandever
Bradley	Finseth	Howes	Ness	Seifert, M.	Westfall
Broecker	Fuller	Kielkucki	Nornes	Smith	Westrom
Buesgens	Gerlach	Knoblach	Osskopp	Stanek	Wilkin
Clark, J.	Goodno	Krinkie	Ozment	Stang	Wolf
Daggett	Gunther	Kuisle	Paulsen	Storm	Workman
Davids	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum

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

Greenfield, Jennings and Huntley moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 4, line 13, delete "2,212,000" and insert "(1,156,000)"

Page 4, after line 27, insert:

"[RELATIVE CUSTODY ASSISTANCE FUNDING.] For fiscal year 2001, the base level appropriation for the relative custody assistance program under Minnesota Statutes, section 257.85, shall be reduced by \$3,368,000. The commissioner may use federal TANF funds as provided under Minnesota Statutes, section 256J.02, subdivision 2, to provide up to \$3,368,000 in funding for this program in fiscal year 2001."

Page 5, line 25, delete "(3,450,000)" and insert "10,558,000"

Page 5, line 28, delete "(4,065,000)" and insert "16,915,000"

Page 5, after line 47, insert:

"(b) The commissioner shall increase reimbursement rates in effect on June 30, 2000, by three percent for home and community-based waived services for persons with mental retardation or related conditions under Minnesota Statutes, section 256B.501; home and community-based waived services for the elderly under Minnesota Statutes, section 256B.0915; waived services under community alternatives for disabled individuals under Minnesota Statutes, section 256B.49; community alternative care waived services under Minnesota Statutes, section 256B.49; traumatic brain injury waived services under Minnesota Statutes, section 256B.49; day training and habilitation services for adults with mental retardation or related conditions under Minnesota Statutes, sections 252.40 to 252.46; alternative care services under Minnesota Statutes, section 256B.0913; adult residential program grants under Minnesota Rules, parts

9535.2000 to 9535.3000; adult and family community support grants under Minnesota Rules, parts 9535.1700 to 9535.1760; semi-independent living services under Minnesota Statutes, section 252.275, including SILS funding under county social services grants formerly funded under Minnesota Statutes, chapter 256I; community support services for deaf and hard-of-hearing adults with mental illness who use or wish to use sign language as their primary means of communication; and living skills training programs for persons with intractable epilepsy who need assistance in the transition to independent living. This increase is in addition to the increase provided for in the second year of the biennium in Laws 1999, chapter 245, article 1, section 2, subdivision 8, paragraph (g), and shall be effective for services rendered on or after July 1, 2000."

Page 5, line 48, delete "(b)" and insert "(c)"

Page 6, line 1, delete "(c)" and insert "(d)"

Page 6, line 18, delete "(d)" and insert "(e)"

Page 7, line 7, delete "(23,491,000)" and insert "(25,491,000)" and delete "(47,064,000)" and insert "(51,064,000)"

Page 7, line 21, delete "\$56,587,000" and insert "\$70,595,000"

Page 9, line 39, delete "\$71,000,000" and insert "\$77,000,000"

Page 10, line 23, delete "797,000" and insert "(3,843,000)"

Page 11, after line 19, insert:

"[FAMILY PLANNING FUNDING.] For fiscal year 2001, the base level appropriation for family planning grants under Minnesota Statutes, section 145.93, shall be reduced by \$4,640,000. The commissioner may use federal TANF funds as provided under Minnesota Statutes, section 256J.02, subdivision 2, to provide up to \$4,640,000 in funding for the family planning grant activity in fiscal year 2001."

Page 31, after line 17, insert:

"Sec. 20. Minnesota Statutes 1999 Supplement, section 256B.431, subdivision 28, is amended to read:

Subd. 28. [NURSING FACILITY RATE INCREASES BEGINNING JULY 1, 1999, AND JULY 1, 2000.] (a) For the rate years beginning July 1, 1999, and July 1, 2000, the commissioner shall make available to each nursing facility reimbursed under this section or section 256B.434 an adjustment to the total operating payment rate. For each facility, total operating costs shall be separated into costs that are compensation related and all other costs. Compensation-related costs include salaries, payroll taxes, and fringe benefits for all employees except management fees, the administrator, and central office staff.

(b) For the rate year beginning July 1, 1999, the commissioner shall make available a rate increase for compensation-related costs of 4.843 percent and a rate increase for all other operating costs of 3.446 percent.

(c) For the rate year beginning July 1, 2000, the commissioner shall make available a rate increase for compensation-related costs of 3.632 percent; an additional rate increase for compensation-related costs of 3.125 percent; and a rate increase for all other operating costs of 2.585 percent.

(d) The payment rate adjustment for each nursing facility must be determined under clause (1) or (2):

(1) for each nursing facility that reports salaries for registered nurses, licensed practical nurses, aides, orderlies, and attendants separately, the commissioner shall determine the payment rate adjustment using the categories specified in paragraph (a) multiplied by the rate increases specified in paragraph (b) or (c), and then dividing the resulting amount by the nursing facility's actual resident days. In determining the amount of a payment rate adjustment for a nursing facility reimbursed under section 256B.434, the commissioner shall determine the proportions of the facility's rates that are compensation-related costs and all other operating costs based on the facility's most recent cost report; and

(2) for each nursing facility that does not report salaries for registered nurses, licensed practical nurses, aides, orderlies, and attendants separately, the payment rate adjustment shall be computed using the facility's total operating costs, separated into the categories specified in paragraph (a) in proportion to the weighted average of all facilities determined under clause (1), multiplied by the rate increases specified in paragraph (b) or (c), and then dividing the resulting amount by the nursing facility's actual resident days.

(e) A nursing facility may apply for the compensation-related payment rate adjustment calculated under this subdivision. The application must be made to the commissioner and contain a plan by which the nursing facility will distribute the compensation-related portion of the payment rate adjustment to employees of the nursing facility. For nursing facilities in which the employees are represented by an exclusive bargaining representative, an agreement negotiated and agreed to by the employer and the exclusive bargaining representative after July 1, 2000, constitutes the plan. Money received by a facility, as a result of the additional rate increase for compensation-related costs of 3.125 percent for the rate year beginning July 1, 2000, provided under paragraph (c), shall be used only for compensation-related increases implemented on or after July 1, 2000, and shall not be used for compensation-related increases implemented prior to that date. The commissioner shall review the plan to ensure that the payment rate adjustment per diem is used as provided in paragraphs (a) to (c). To be eligible, a facility must submit its plan for the compensation distribution by December 31 each year. A facility may amend its plan for the second rate year by submitting a revised plan by December 31, 2000. If a facility's plan for compensation distribution is effective for its employees after July 1 of the year that the funds are available, the payment rate adjustment per diem shall be effective the same date as its plan.

(f) A copy of the approved distribution plan must be made available to all employees. This must be done by giving each employee a copy or by posting it in an area of the nursing facility to which all employees have access. If an employee does not receive the compensation adjustment described in their facility's approved plan and is unable to resolve the problem with the facility's management or through the employee's union representative, the employee may contact the commissioner at an address or phone number provided by the commissioner and included in the approved plan.

(g) If the reimbursement system under section 256B.435 is not implemented until July 1, 2001, the salary adjustment per diem authorized in subdivision 2i, paragraph (c), shall continue until June 30, 2001.

(h) For the rate year beginning July 1, 1999, the following nursing facilities shall be allowed a rate increase equal to 67 percent of the rate increase that would be allowed if subdivision 26, paragraph (a), was not applied:

- (1) a nursing facility in Carver county licensed for 33 nursing home beds and four boarding care beds;
- (2) a nursing facility in Faribault county licensed for 159 nursing home beds on September 30, 1998; and
- (3) a nursing facility in Houston county licensed for 68 nursing home beds on September 30, 1998.

(i) For the rate year beginning July 1, 1999, the following nursing facilities shall be allowed a rate increase equal to 67 percent of the rate increase that would be allowed if subdivision 26, paragraphs (a) and (b), were not applied:

(1) a nursing facility in Chisago county licensed for 135 nursing home beds on September 30, 1998; and

(2) a nursing facility in Murray county licensed for 62 nursing home beds on September 30, 1998.

(j) For the rate year beginning July 1, 1999, a nursing facility in Hennepin county licensed for 134 beds on September 30, 1998, shall:

(1) have the prior year's allowable care-related per diem increased by \$3.93 and the prior year's other operating cost per diem increased by \$1.69 before adding the inflation in subdivision 26, paragraph (d), clause (2); and

(2) be allowed a rate increase equal to 67 percent of the rate increase that would be allowed if subdivision 26, paragraphs (a) and (b), were not applied."

Page 68, line 6, delete "and"

Page 68, line 7, before the period insert ";

(13) the relative custody assistance program under section 257.85; and

(14) family planning grant expenditures under section 145.93"

Page 1, line 4, of the Bradley amendment (H2699A48-1) adopted earlier today, to H. F. No. 2699, the third engrossment, delete "16,915,000" and insert "6,415,000"

Page 1, line 19, of the Bradley amendment (H2699A48-1) adopted earlier today, to H. F. No. 2699, the third engrossment, delete "484.90" and insert "242.45"

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Greenfield et al amendment and the roll was called. There were 65 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeler	Dawkins	Greenfield	Juhnke	Leighton	McGuire
Anderson, I.	Dorn	Greiling	Kahn	Lenczewski	Milbert
Bakk	Entenza	Hausman	Kalis	Lieder	Mullery
Biernat	Erickson	Hilty	Kelliher	Luther	Murphy
Carlson	Folliard	Howes	Koskinen	Mahoney	Olson
Carruthers	Fuller	Huntley	Kubly	Mariani	Opatz
Chaudhary	Gleason	Jaros	Larsen, P.	Marko	Orfield
Clark, K.	Gray	Jennings	Larson, D.	McCollum	Osthoff

Paymar	Rest	Seifert, J.	Solberg	Trimble	Wenzel
Peterson	Rukavina	Skoe	Swapinski	Wagenius	Westerberg
Pugh	Schumacher	Skoglund	Tomassoni	Wejcman	

Those who voted in the negative were:

Abrams	Dehler	Harder	Molnau	Rostberg	Van Dellen
Anderson, B.	Dempsey	Holberg	Mulder	Seagren	Vandever
Bishop	Dorman	Holsten	Ness	Seifert, M.	Westfall
Boudreau	Erhardt	Kielkucki	Nornes	Smith	Westrom
Bradley	Finseth	Knoblach	Osskopp	Stanek	Wilkin
Broecker	Gerlach	Krinkie	Ozment	Stang	Wolf
Buesgens	Goodno	Kuisle	Paulsen	Storm	Workman
Cassell	Gunther	Leppik	Pawlenty	Swenson	Spk. Sviggum
Clark, J.	Haake	Lindner	Reuter	Sykora	
Daggett	Haas	Mares	Rhodes	Tingelstad	
Davids	Hackbarth	McElroy	Rifenberg	Tuma	

The motion prevailed and the amendment was adopted.

Koskinen and Huntley offered an amendment to H. F. No. 2699, the third engrossment, as amended.

POINT OF ORDER

Goodno raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Koskinen and Huntley amendment was not in order. The Speaker ruled the point of order well taken and the Koskinen and Huntley amendment out of order.

Trimble moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 1, page 5, line 17, delete "(10,925,000)" and insert "(10,553,000)"

Article 1, page 5, after line 22, insert:

"(b) Aging Adult Service Grants

-0- 372,000

[SENIOR NUTRITION MEALS.] Of this appropriation, \$370,000 in fiscal year 2001 is for the commissioner to allocate for congregate dining services and home-delivered meals under Minnesota Statutes, section 256.975. An area agency on aging must use its entire allocation under this provision to expand its provision of congregate dining services and home-delivered meals to eligible senior citizens. None of the appropriation may be used for administrative costs. This appropriation must be added to the base level funding for senior nutrition programs in the 2002-2003 biennial budget."

Adjust the totals and the summaries by fund in this section and section 1 of Article 1 accordingly

Article 21, pages 312 to 313, delete sections 15 to 17

Renumber the sections in Article 21 in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Trimble amendment and the roll was called. There were 54 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Huntley	Lieder	Opatz	Skoe
Bakk	Folliard	Jaros	Luther	Orfield	Skoglund
Biernat	Gleason	Jennings	Mahoney	Osthoff	Solberg
Carlson	Gray	Juhnke	Mariani	Paymar	Swapinski
Carruthers	Greenfield	Kahn	McCollum	Peterson	Tomassoni
Chaudhary	Greiling	Kalis	McGuire	Pugh	Trimble
Clark, K.	Hasskamp	Kelliher	Milbert	Rest	Wagenius
Dawkins	Hausman	Koskinen	Mullery	Rukavina	Wejcmán
Dorn	Hilty	Kubly	Murphy	Schumacher	Wenzel

Those who voted in the negative were:

Abeler	Dempsey	Holberg	Mares	Rhodes	Tuma
Abrams	Dorman	Holsten	Marko	Rifenberg	Van Dellen
Anderson, B.	Erhardt	Howes	McElroy	Rostberg	Vandever
Bishop	Erickson	Kielkucki	Molnau	Seagren	Westerberg
Boudreau	Finseth	Knoblach	Mulder	Seifert, J.	Westfall
Bradley	Fuller	Krinkie	Ness	Seifert, M.	Westrom
Broecker	Gerlach	Kuisle	Nornes	Smith	Wilkin
Buesgens	Goodno	Larsen, P.	Olson	Stanek	Wolf
Cassell	Gunther	Larson, D.	Osskopp	Stang	Workman
Clark, J.	Haake	Leighton	Ozment	Storm	Spk. Sviggum
Daggett	Haas	Lenczewski	Paulsen	Swenson	
Davids	Hackbarth	Leppik	Pawlenty	Sykora	
Dehler	Harder	Lindner	Reuter	Tingelstad	

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

Kubly; Bakk; Storm; Fuller; Leighton; Juhnke; Tomassoni; Schumacher; Mulder; Marko; Davids; Hasskamp; Seifert, M.; Peterson; Lenczewski; Erickson; Harder; Clark, J.; Paulsen; Nornes; Olson and Cassell moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 169, after line 7, insert:

"Sec. 8. [85.056] [CAMPING FACILITIES TO REMAIN OPEN.]

Unless authorized by law, a state park must not close its camping facilities earlier in the year or open them later, due to budget shortfalls, than it is ordinarily scheduled to do so."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Koskinen moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 5, line 1, delete "2,594,000" and insert "3,308,000"

Page 5, line 22, delete "(4,950,000)" and insert "(5,664,000)"

Page 7, line 21, delete "\$56,587,000" and insert "\$57,301,000"

Page 7, line 28, delete "\$4,950,000" and insert "\$5,664,000"

Page 7, line 33, delete "\$4,950,000" and insert "\$5,664,000"

Page 29, after line 32, insert:

"Sec. 17. Minnesota Statutes 1998, section 256.955, is amended by adding a subdivision to read:

Subd. 2a. [BURIAL EXCLUSION.] Effective upon receipt of any necessary federal waivers and other required federal approval, or July 1, 2001, whichever is later, assets designated specifically for burial expenses up to a total of \$8,000 are excluded for the prescription drug program under this section and for qualified Medicare beneficiaries under section 256B.057, subdivisions 3 and 3a, as an alternative to the supplemental security income program burial exclusion policy in section 256B.056, subdivision 3, paragraph (d)."

Page 29, line 36, after the headnote insert "(a)"

Page 30, after line 24, insert:

"(b) The commissioner shall develop an application form for the prescription drug program that does not exceed one page in length using a 12-point type, and which requests information on monthly medical expenses to determine potential eligibility for medical assistance or general assistance medical care. The commissioner shall make this form available to applicants by January 1, 2001."

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

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Koskinen amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Jaros	Lieder	Opatz	Skoglund
Bakk	Folliard	Jennings	Luther	Orfield	Solberg
Biernat	Gleason	Juhnke	Mahoney	Osthoff	Swapinski
Carlson	Gray	Kahn	Mariani	Paymar	Tomassoni
Carruthers	Greenfield	Kelliher	Marko	Peterson	Trimble
Chaudhary	Greiling	Koskinen	McCollum	Pugh	Wagenius
Clark, K.	Hasskamp	Kubly	McGuire	Rest	Wejcman
Dawkins	Hausman	Larson, D.	Milbert	Rukavina	Wenzel
Dorman	Hilty	Leighton	Mullery	Schumacher	
Dorn	Huntley	Lenczewski	Murphy	Skoe	

Those who voted in the negative were:

Abeler	Dehler	Harder	Mares	Rhodes	Tingelstad
Abrams	Dempsey	Holberg	McElroy	Rifenberg	Tuma
Anderson, B.	Erhardt	Holsten	Molnau	Rostberg	Van Dellen
Bishop	Erickson	Hoves	Mulder	Seagren	Vandever
Boudreau	Finseth	Kalis	Ness	Seifert, J.	Westerberg
Bradley	Fuller	Kielkucki	Nornes	Seifert, M.	Westfall
Broecker	Gerlach	Knoblach	Olson	Smith	Westrom
Buesgens	Goodno	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Gunther	Kuisele	Ozment	Stang	Wolf
Clark, J.	Haake	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haas	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Hackbarth	Lindner	Reuter	Sykora	

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

Juhnke moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 163, after line 31, insert:

"Sec. 14. [ADMINISTRATION TO PREPARE PLANS; RELOCATION OF DEPARTMENT OF AGRICULTURE PRINCIPAL OFFICES.]

The commissioner of administration, in consultation with the commissioner of agriculture, shall develop comprehensive plans and timelines for relocation of the principal offices of the department of agriculture to a location outside the metropolitan counties listed in section 473.121, subdivision 4. The relocation must be completed no later than June 30, 2003, the date on which the current lease on the Agriculture Department headquarters at 90 West Plato Blvd., Saint Paul, MN expires."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker called Abrams to the Chair.

The question was taken on the Juhnke amendment and the roll was called. There were 87 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Jennings	Marko	Rifenberg	Tomassoni
Anderson, I.	Finseth	Juhnke	Molnau	Rostberg	Trimble
Bakk	Fuller	Kahn	Mulder	Rukavina	Tuma
Biernat	Gleason	Kalis	Mullery	Schumacher	Van Dellen
Boudreau	Goodno	Kelliher	Murphy	Seagren	Vanderveer
Bradley	Greenfield	Kielkucki	Ness	Seifert, M.	Wejcman
Broecker	Greiling	Koskinen	Nornes	Skoe	Wenzel
Cassell	Gunther	Kubly	Olson	Smith	Westerberg
Chaudhary	Haake	Kuisle	Opatz	Solberg	Westfall
Clark, J.	Harder	Larson, D.	Orfield	Stanek	Westrom
Daggett	Hasskamp	Leighton	Osskopp	Stang	Wilkin
Davids	Hilty	Lenczewski	Ozment	Storm	Spk. Sviggum
Dehler	Howes	Lieder	Paulsen	Swapinski	
Dempsey	Huntley	Lindner	Pawlenty	Swenson	
Dorman	Jaros	Mares	Peterson	Sykora	

Those who voted in the negative were:

Abrams	Entenza	Hackbarth	Leppik	Milbert	Seifert, J.
Anderson, B.	Erhardt	Hausman	Luther	Osthoff	Skoglund
Buesgens	Erickson	Holberg	Mahoney	Paymar	Tingelstad
Carlson	Folliard	Holsten	Mariani	Pugh	Wolf
Carruthers	Gerlach	Knoblach	McCollum	Rest	Workman
Clark, K.	Gray	Krinkie	McElroy	Reuter	
Dawkins	Haas	Larsen, P.	McGuire	Rhodes	

The motion prevailed and the amendment was adopted.

Mullery moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Pages 279 and 280, delete Article 17, section 65

ReNUMBER the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mullery amendment and the roll was called. There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Jennings	Lieder	Opatz	Skoe
Bakk	Gleason	Juhnke	Luther	Orfield	Skoglund
Biernat	Gray	Kahn	Mahoney	Osskopp	Solberg
Carlson	Greenfield	Kalis	Mariani	Osthoff	Swapinski
Carruthers	Greiling	Kelliher	Marko	Paymar	Tomassoni
Chaudhary	Hasskamp	Koskinen	McCollum	Peterson	Trimble
Clark, K.	Hausman	Kubly	McGuire	Pugh	Vandever
Dawkins	Hilty	Larson, D.	Milbert	Rest	Wagenius
Dorn	Huntley	Leighton	Mullery	Rukavina	Wejzman
Entenza	Jaros	Lenczewski	Murphy	Schumacher	Wenzel

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rifenberg	Tuma
Abrams	Dempsey	Harder	McElroy	Rostberg	Van Dellen
Anderson, B.	Dorman	Holberg	Molnau	Seagren	Westerberg
Bishop	Erhardt	Holsten	Mulder	Seifert, J.	Westfall
Boudreau	Erickson	Howes	Ness	Seifert, M.	Westrom
Bradley	Finseth	Kielkucki	Nornes	Smith	Wilkin
Broecker	Fuller	Knoblach	Olson	Stanek	Wolf
Buesgens	Gerlach	Krinkie	Ozment	Stang	Workman
Cassell	Goodno	Kuise	Paulsen	Storm	Spk. Sviggum
Clark, J.	Gunther	Larsen, P.	Pawlenty	Swenson	
Daggett	Haake	Leppik	Reuter	Sykora	
Davids	Haas	Lindner	Rhodes	Tingelstad	

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

Mullery moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Delete Article 17, sections 29, 52, and 54

Page 281, line 17, delete everything after the period

Page 281, delete lines 18 to 20

Page 281, line 21, delete everything through the period

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mullery amendment and the roll was called. There were 51 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Kelliher	Mariani	Osthoff	Swapinski
Bakk	Gleason	Knoblach	Marko	Paymar	Tomassoni
Biernat	Gray	Koskinen	McCollum	Pugh	Trimble
Carlson	Greenfield	Larson, D.	McGuire	Rest	Wagenius
Carruthers	Greiling	Leighton	Milbert	Rukavina	Wejeman
Chaudhary	Hausman	Lenczewski	Mullery	Seifert, J.	Wenzel
Clark, K.	Huntley	Lieder	Murphy	Skoe	
Dawkins	Jaros	Luther	Opatz	Skoglund	
Entenza	Kahn	Mahoney	Orfield	Solberg	

Those who voted in the negative were:

Abeler	Dempsey	Harder	Larsen, P.	Pawlenty	Swenson
Abrams	Dorman	Hasskamp	Leppik	Peterson	Sykora
Anderson, B.	Dorn	Hilty	Lindner	Reuter	Tingelstad
Bishop	Erhardt	Holberg	Mares	Rhodes	Tuma
Boudreau	Erickson	Holsten	McElroy	Rifenberg	Van Dellen
Bradley	Finseth	Howes	Molnau	Rostberg	Vandever
Broecker	Fuller	Jennings	Mulder	Schumacher	Westerberg
Buesgens	Gerlach	Juhnke	Ness	Seagren	Westfall
Cassell	Goodno	Kalis	Nornes	Seifert, M.	Westrom
Clark, J.	Gunther	Kielkucki	Olson	Smith	Wilkin
Daggett	Haake	Krinkie	Osskopp	Stanek	Wolf
Davids	Haas	Kubly	Ozment	Stang	Workman
Dehler	Hackbarth	Kuisle	Paulsen	Storm	Spk. Sviggum

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

MOTION FOR RECONSIDERATION

Abeler moved that the vote whereby the Greenfield et al amendment to H. F. No. 2699, the third engrossment, as amended, which was adopted earlier today, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Abeler motion and the roll was called. There were 66 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Buesgens	Dempsey	Gleason	Harder	Kuisle
Abrams	Cassell	Dorman	Goodno	Holberg	Leppik
Bishop	Clark, J.	Erhardt	Gunther	Holsten	Lindner
Boudreau	Daggett	Erickson	Haake	Kielkucki	Mares
Bradley	Davids	Finseth	Haas	Knoblach	McElroy
Broecker	Dehler	Gerlach	Hackbarth	Krinkie	Molnau

Mulder	Paulsen	Rostberg	Stang	Tuma	Westrom
Ness	Pawlenty	Seagren	Storm	Van Dellen	Wilkin
Nornes	Reuter	Seifert, M.	Swenson	Vandever	Wolf
Osskopp	Rhodes	Smith	Sykora	Westerberg	Workman
Ozment	Rifenberg	Stanek	Tingelstad	Westfall	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Fuller	Juhnke	Mahoney	Osthoff	Swapinski
Bakk	Gray	Kahn	Mariani	Paymar	Tomassoni
Biernat	Greenfield	Kalis	Marko	Peterson	Trimble
Carlson	Greiling	Kelliher	McCollum	Pugh	Wagenius
Carruthers	Hasskamp	Koskinen	McGuire	Rest	Wejzman
Chaudhary	Hausman	Kubly	Milbert	Rukavina	Wenzel
Clark, K.	Hilty	Larson, D.	Mullery	Schumacher	
Dawkins	Howes	Leighton	Murphy	Seifert, J.	
Dorn	Huntley	Lenczewski	Olson	Skoe	
Entenza	Jaros	Lieder	Opatz	Skoglund	
Folliard	Jennings	Luther	Orfield	Solberg	

The motion prevailed.

The Speaker resumed the Chair.

The Greenfield, Jennings and Huntley amendment to H. F. No. 2699, the third engrossment, as amended, was again reported to the House as follows:

Page 4, line 13, delete "2,212,000" and insert "(1,156,000)"

Page 4, after line 27, insert:

"[RELATIVE CUSTODY ASSISTANCE FUNDING.] For fiscal year 2001, the base level appropriation for the relative custody assistance program under Minnesota Statutes, section 257.85, shall be reduced by \$3,368,000. The commissioner may use federal TANF funds as provided under Minnesota Statutes, section 256J.02, subdivision 2, to provide up to \$3,368,000 in funding for this program in fiscal year 2001."

Page 5, line 25, delete "(3,450,000)" and insert "10,558,000"

Page 5, line 28, delete "(4,065,000)" and insert "16,915,000"

Page 5, after line 47, insert:

"(b) The commissioner shall increase reimbursement rates in effect on June 30, 2000, by three percent for home and community-based waived services for persons with mental retardation or related conditions under Minnesota Statutes, section

256B.501; home and community-based waived services for the elderly under Minnesota Statutes, section 256B.0915; waived services under community alternatives for disabled individuals under Minnesota Statutes, section 256B.49; community alternative care waived services under Minnesota Statutes, section 256B.49; traumatic brain injury waived services under Minnesota Statutes, section 256B.49; day training and habilitation services for adults with mental retardation or related conditions under Minnesota Statutes, sections 252.40 to 252.46; alternative care services under Minnesota Statutes, section 256B.0913; adult residential program grants under Minnesota Rules, parts 9535.2000 to 9535.3000; adult and family community support grants under Minnesota Rules, parts 9535.1700 to 9535.1760; semi-independent living services under Minnesota Statutes, section 252.275, including SILS funding under county social services grants formerly funded under Minnesota Statutes, chapter 256I; community support services for deaf and hard-of-hearing adults with mental illness who use or wish to use sign language as their primary means of communication; and living skills training programs for persons with intractable epilepsy who need assistance in the transition to independent living. This increase is in addition to the increase provided for in the second year of the biennium in Laws 1999, chapter 245, article 1, section 2, subdivision 8, paragraph (g), and shall be effective for services rendered on or after July 1, 2000."

Page 5, line 48, delete "(b)" and insert "(c)"

Page 6, line 1, delete "(c)" and insert "(d)"

Page 6, line 18, delete "(d)" and insert "(e)"

Page 7, line 7, delete "(23,491,000)" and insert "(25,491,000)" and delete "(47,064,000)" and insert "(51,064,000)"

Page 7, line 21, delete "\$56,587,000" and insert "\$70,595,000"

Page 9, line 39, delete "\$71,000,000" and insert "\$77,000,000"

Page 10, line 23, delete "797,000" and insert "(3,843,000)"

Page 11, after line 19, insert:

"[FAMILY PLANNING FUNDING.] For fiscal year 2001, the base level appropriation for family planning grants under Minnesota Statutes, section 145.925, shall be reduced by \$4,640,000. The commissioner may use federal TANF funds as provided under Minnesota Statutes, section 256J.02, subdivision 2, to provide up to \$4,640,000 in funding for the family planning grant activity in fiscal year 2001."

Page 31, after line 17, insert:

"Sec. 20. Minnesota Statutes 1999 Supplement, section 256B.431, subdivision 28, is amended to read:

Subd. 28. [NURSING FACILITY RATE INCREASES BEGINNING JULY 1, 1999, AND JULY 1, 2000.] (a) For the rate years beginning July 1, 1999, and July 1, 2000, the commissioner shall make available to each nursing facility reimbursed under this section or section 256B.434 an adjustment to the total operating payment rate. For each facility, total operating costs shall be separated into costs that are compensation related and all other costs. Compensation-related costs include salaries, payroll taxes, and fringe benefits for all employees except management fees, the administrator, and central office staff.

(b) For the rate year beginning July 1, 1999, the commissioner shall make available a rate increase for compensation-related costs of 4.843 percent and a rate increase for all other operating costs of 3.446 percent.

(c) For the rate year beginning July 1, 2000, the commissioner shall make available a rate increase for compensation-related costs of 3.632 percent; an additional rate increase for compensation-related costs of 3.125 percent; and a rate increase for all other operating costs of 2.585 percent.

(d) The payment rate adjustment for each nursing facility must be determined under clause (1) or (2):

(1) for each nursing facility that reports salaries for registered nurses, licensed practical nurses, aides, orderlies, and attendants separately, the commissioner shall determine the payment rate adjustment using the categories specified in paragraph (a) multiplied by the rate increases specified in paragraph (b) or (c), and then dividing the resulting amount by the nursing facility's actual resident days. In determining the amount of a payment rate adjustment for a nursing facility reimbursed under section 256B.434, the commissioner shall determine the proportions of the facility's rates that are compensation-related costs and all other operating costs based on the facility's most recent cost report; and

(2) for each nursing facility that does not report salaries for registered nurses, licensed practical nurses, aides, orderlies, and attendants separately, the payment rate adjustment shall be computed using the facility's total operating costs, separated into the categories specified in paragraph (a) in proportion to the weighted average of all facilities determined under clause (1), multiplied by the rate increases specified in paragraph (b) or (c), and then dividing the resulting amount by the nursing facility's actual resident days.

(e) A nursing facility may apply for the compensation-related payment rate adjustment calculated under this subdivision. The application must be made to the commissioner and contain a plan by which the nursing facility will distribute the compensation-related portion of the payment rate adjustment to employees of the nursing facility. For nursing facilities in which the employees are represented by an exclusive bargaining representative, an agreement negotiated and agreed to by the employer and the exclusive bargaining representative after July 1, 2000, constitutes the plan. Money received by a facility, as a result of the additional rate increase for compensation-related costs of 3.125 percent for the rate year beginning July 1, 2000, provided under paragraph (c), shall be used only for compensation-related increases implemented on or after July 1, 2000, and shall not be used for compensation-related increases implemented prior to that date. The commissioner shall review the plan to ensure that the payment rate adjustment per diem is used as provided in paragraphs (a) to (c). To be eligible, a facility must submit its plan for the compensation distribution by December 31 each year. A facility may amend its plan for the second rate year by submitting a revised plan by December 31, 2000. If a facility's plan for compensation distribution is effective for its employees after July 1 of the year that the funds are available, the payment rate adjustment per diem shall be effective the same date as its plan.

(f) A copy of the approved distribution plan must be made available to all employees. This must be done by giving each employee a copy or by posting it in an area of the nursing facility to which all employees have access. If an employee does not receive the compensation adjustment described in their facility's approved plan and is unable to resolve the problem with the facility's management or through the employee's union representative, the employee may contact the commissioner at an address or phone number provided by the commissioner and included in the approved plan.

(g) If the reimbursement system under section 256B.435 is not implemented until July 1, 2001, the salary adjustment per diem authorized in subdivision 2i, paragraph (c), shall continue until June 30, 2001.

(h) For the rate year beginning July 1, 1999, the following nursing facilities shall be allowed a rate increase equal to 67 percent of the rate increase that would be allowed if subdivision 26, paragraph (a), was not applied:

- (1) a nursing facility in Carver county licensed for 33 nursing home beds and four boarding care beds;
- (2) a nursing facility in Faribault county licensed for 159 nursing home beds on September 30, 1998; and
- (3) a nursing facility in Houston county licensed for 68 nursing home beds on September 30, 1998.

(i) For the rate year beginning July 1, 1999, the following nursing facilities shall be allowed a rate increase equal to 67 percent of the rate increase that would be allowed if subdivision 26, paragraphs (a) and (b), were not applied:

- (1) a nursing facility in Chisago county licensed for 135 nursing home beds on September 30, 1998; and
- (2) a nursing facility in Murray county licensed for 62 nursing home beds on September 30, 1998.

(j) For the rate year beginning July 1, 1999, a nursing facility in Hennepin county licensed for 134 beds on September 30, 1998, shall:

(1) have the prior year's allowable care-related per diem increased by \$3.93 and the prior year's other operating cost per diem increased by \$1.69 before adding the inflation in subdivision 26, paragraph (d), clause (2); and

(2) be allowed a rate increase equal to 67 percent of the rate increase that would be allowed if subdivision 26, paragraphs (a) and (b), were not applied."

Page 68, line 6, delete "and"

Page 68, line 7, before the period insert ";

(13) the relative custody assistance program under section 257.85; and

(14) family planning grant expenditures under section 145.925"

Page 1, line 4, of the Bradley amendment (H2699A48-1) adopted earlier today, to H. F. No. 2699, the third engrossment, delete "16,915,000" and insert "6,415,000"

Page 1, line 19, of the Bradley amendment (H2699A48-1) adopted earlier today, to H. F. No. 2699, the third engrossment, delete "484.90" and insert "242.45"

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Greenfield et al amendment and the roll was called. There were 63 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Fuller	Jennings	Luther	Orfield	Solberg
Bakk	Gleason	Juhnke	Mahoney	Osthoff	Swapinski
Biernat	Gray	Kahn	Mariani	Paymar	Tomassoni
Carlson	Greenfield	Kalis	Marko	Peterson	Trimble
Carruthers	Greiling	Kelliher	McCollum	Pugh	Wagenius
Chaudhary	Hasskamp	Koskinen	McGuire	Rest	Wejzman
Clark, K.	Hausman	Kubly	Milbert	Rukavina	Wenzel
Dawkins	Hilty	Larson, D.	Mullery	Schumacher	Westerberg
Dorn	Howes	Leighton	Murphy	Seifert, J.	
Entenza	Huntley	Lenczewski	Olson	Skoe	
Folliard	Jaros	Lieder	Opatz	Skoglund	

Those who voted in the negative were:

Abeler	Davids	Haas	Mares	Rhodes	Tingelstad
Abrams	Dehler	Hackbarth	McElroy	Rifenberg	Tuma
Anderson, B.	Dempsey	Harder	Molnau	Rostberg	Van Dellen
Bishop	Dorman	Holberg	Mulder	Seagren	Vandever
Boudreau	Erhardt	Holsten	Ness	Seifert, M.	Westfall
Bradley	Erickson	Kielkucki	Nornes	Smith	Westrom
Broecker	Finseth	Knoblach	Osskopp	Stanek	Wilkin
Buesgens	Gerlach	Krinkie	Ozment	Stang	Wolf
Cassell	Goodno	Kuisle	Paulsen	Storm	Workman
Clark, J.	Gunther	Leppik	Pawlenty	Swenson	Spk. Sviggum
Daggett	Haake	Lindner	Reuter	Sykora	

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

Solberg and Anderson, I., moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 193, line 34, after "Wing" insert "and Thistledeu"

A roll call was requested and properly seconded.

The question was taken on the Solberg and Anderson, I., amendment and the roll was called. There were 57 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark, K.	Greenfield	Huntley	Kelliher	Lieder
Bakk	Dorn	Greiling	Jaros	Koskinen	Luther
Biernat	Entenza	Hasskamp	Jennings	Kubly	Mahoney
Carlson	Folliard	Hausman	Juhnke	Larson, D.	Mariani
Carruthers	Gleason	Hilty	Kahn	Leighton	Marko
Chaudhary	Gray	Howes	Kalis	Lenczewski	McCollum

McGuire	Olson	Pugh	Skoe	Tomassoni	Wenzel
Milbert	Opatz	Rest	Skoglund	Trimble	
Mullery	Orfield	Rukavina	Solberg	Wagenius	
Murphy	Peterson	Schumacher	Swapinski	Wejman	

Those who voted in the negative were:

Abeler	Dawkins	Haas	Mares	Reuter	Sykora
Abrams	Dehler	Hackbarth	McElroy	Rhodes	Tingelstad
Anderson, B.	Dempsey	Harder	Molnau	Rifenberg	Tuma
Bishop	Dorman	Holberg	Mulder	Rostberg	Van Dellen
Boudreau	Erhardt	Holsten	Ness	Seagren	Vandever
Bradley	Erickson	Kielkucki	Nornes	Seifert, J.	Westerberg
Broecker	Finseth	Knoblach	Osskopp	Seifert, M.	Westfall
Buesgens	Fuller	Krinkie	Osthoff	Smith	Westrom
Cassell	Gerlach	Kuisle	Ozment	Stanek	Wilkin
Clark, J.	Goodno	Larsen, P.	Paulsen	Stang	Wolf
Daggett	Gunther	Leppik	Pawlenty	Storm	Workman
Davids	Haake	Lindner	Paymar	Swenson	Spk. Sviggum

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

Bishop, Rukavina, Bakk, Solberg and Osthoff moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 172, after line 36, insert:

"Sec. 11. Laws 1998, chapter 389, article 16, section 31, subdivision 2, as amended by Laws 1999, chapter 180, section 1, is amended to read:

Subd. 2. [EXCHANGE OF COUNTY LAKESHORE LAND FOR LEASED LAKESHORE LOTS.] (a) For the purposes of this section:

(1) "county land" includes, but is not limited to, tax-forfeited land administered by any county;

(2) "leased lakeshore lots" means lands leased by the state, including lots for which leases have been canceled, pursuant to Minnesota Statutes, section 92.46, subdivision 1; and

(3) "plan for exchange" means a listing of parcels proposed for exchange with legal descriptions, county estimates of values, and maps and acreage for each parcel. By July 1, 1999, counties shall include exchange plans for all lakeshore lease lots that are in substantial compliance with official controls. The plan shall also include a timeline that provides for the completion of the exchange of all remaining lakeshore lease lots by December 31, 2000.

(b) By July 1, 1999, a county board with leased lakeshore lots must petition the land exchange board with a plan for an exchange of county land for leased lakeshore lots in the county that are not listed by the commissioner pursuant to subdivision 1. Notwithstanding Minnesota Statutes, section 94.342, the land proposed for the exchange must be land bordering on or adjacent to meandered or other public waters. A county board proposing an exchange under this section may include tax-forfeited land administered by another county in the proposal with the consent of that county board.

(c) In determining the value of the leased lakeshore lots for purposes of the exchange, the land exchange board must review an appraisal of each lot prepared by an appraiser licensed by the commissioner of commerce. The selection of the appraiser must be agreed to by the commissioner of natural resources and the county board of the county containing the leased lakeshore lot. The commissioner of natural resources must pay the costs of appraisal and may recover these costs as provided in this section. The commissioner must submit appraisals under this paragraph to the land exchange board by June 1, 1999.

(d) The land exchange board must determine whether the land offered for exchange by a county under this section is lakeshore of substantially equal value to the leased lakeshore lots included in the county's petition. In making this determination, the land exchange board must review an appraisal of the land offered for exchange prepared by an appraiser licensed by the commissioner of commerce. The selection of the appraiser must be agreed to by the commissioner of natural resources and the county board of the county containing the leased lakeshore lots. The county must pay the costs of this appraisal and may recover those costs as provided in this section.

(e) Before the proposed exchange may be submitted to the land exchange board, the commissioner of natural resources must ensure that, whenever possible, state lands are added to the leased lakeshore lots when necessary to provide conformance with zoning official controls. The lands added to the leased lakeshore lots must be included in the appraised value of the lots. If the commissioner is unable to add the necessary land to a lot, the lot shall be treated as if purchased at the time the state first leased the site, for the purposes of local zoning and other ordinances at the time of sale of the lot by the county.

(f) Additional state or county lands, including state riparian land leased for a commercial use, may be added to the exchanges if mutually agreed upon by the commissioner and the affected county board to meet county zoning standards or other regulatory needs for the lots, for use of the land by the county or state, or to avoid leaving unmanageable parcels of land in state or county ownership after an exchange, or to dispose of state commercial riparian leases. The additional county land may include nonriparian land, if the land is adjacent to county land exchanged under this section and is beneficial to or enhances the value of the school trust land. Notwithstanding Minnesota Statutes, chapter 282, or any other law to the contrary, a county board may sell all or part of any additional land to an owner of a lakeshore lot sold by the county under this section, or sold by the state at a lakeshore lot sale, or to the lessee of a commercial lease.

(g) In the event that commercial leased state land is proposed for exchange, the state and county must submit to the land exchange board prior to exchanges, without regard to the dates provided in this section, the reports, appraisals, and plan for exchange required by this section. The county is not required to sell the commercially leased lands it receives from the state within the times stated in this section.

(h) The land exchange board must determine whether the lots are of substantially equal value and may approve the exchange, notwithstanding the requirements of Minnesota Statutes, sections 94.342 to 94.347, relating to the approval process. If the board approves the exchange, the commissioner must exchange the leased lakeshore lots for the county lands, together with any additional state land provided for under this section, subject to the requirements of the Minnesota Constitution, article XI, section 10, relating to the reservation of mineral and water power rights.

(i) The deeds between the state and counties for land exchanges under this section are exempt from the deed tax imposed by Minnesota Statutes, section 287.21.

(j) The deeds issued by the state and counties for the land exchanges and sales to a lessee made pursuant to this section are exempt from the requirements imposed for well disclosure by Minnesota Statutes, section 1031.235, well sealing by Minnesota Statutes, section 1031.311, and individual sewage treatment system disclosure by Minnesota Statutes, section 115.55, subdivision 6."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Olson moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Pages 149 to 316, delete articles 8 to 21

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Olson amendment and the roll was called. There were 53 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Bakk	Entenza	Jaros	Luther	Olson	Skoe
Biernat	Folliard	Jennings	Mahoney	Orfield	Skoglund
Buesgens	Gleason	Juhnke	Mariani	Osthoff	Solberg
Carruthers	Greenfield	Kahn	Marko	Paymar	Swapinski
Chaudhary	Greiling	Kelliher	McCollum	Peterson	Tomassoni
Clark, K.	Hasskamp	Koskinen	McGuire	Pugh	Trimble
Dawkins	Hausman	Larson, D.	Milbert	Reuter	Wagenius
Dehler	Huntley	Leighton	Mullery	Rukavina	Wejzman
Dorn		Lenczewski	Murphy	Schumacher	

Those who voted in the negative were:

Abeler	Dempsey	Holberg	Molnau	Seagren	Wenzel
Abrams	Dorman	Holsten	Mulder	Seifert, J.	Westerberg
Anderson, B.	Erhardt	Howes	Ness	Seifert, M.	Westfall
Anderson, I.	Erickson	Kielkucki	Nornes	Smith	Westrom
Bishop	Finseth	Knoblach	Opatz	Stanek	Wilkin
Boudreau	Fuller	Krinkie	Osskopp	Stang	Wolf
Bradley	Gerlach	Kubly	Ozment	Storm	Workman
Broecker	Goodno	Kuisle	Paulsen	Swenson	Spk. Sviggum
Carlson	Gunther	Larsen, P.	Pawlenty	Sykora	
Cassell	Haake	Leppik	Rest	Tingelstad	
Clark, J.	Haas	Lindner	Rhodes	Tuma	
Daggett	Hackbarth	Mares	Rifenberg	Van Dellen	
Davids	Harder	McElroy	Rostberg	Vandever	

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

Huntley moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 1, page 4, line 13, delete "2,212,000" and insert "3,712,000"

Article 1, page 4, after line 27, insert:

"[SAFETY NET SERVICES RESERVE FOR CHILDREN IN SANCTIONED FAMILIES.] Of this appropriation, \$1,500,000 in fiscal year 2001 is for the commissioner to establish a reserve account to reimburse counties, beginning January 1, 2001, for the costs of fulfilling the requirement under Minnesota Statutes, section 256J.46, subdivision 4, to provide safety net services to ensure the well-being of children in a family where the participant's MFIP case has been closed due to noncompliance under Minnesota Statutes, section 256J.46, subdivision 1, paragraph (c)."

Article 4, page 82, after line 17, insert:

"The notice of case closure must inform the participant that the assistance unit may be eligible for food assistance, and how to apply for the federal food stamp program."

Article 4, page 87, after line 31, insert:

"Sec. 20. Minnesota Statutes 1998, section 256J.46, is amended by adding a subdivision to read:

Subd. 4. [MONITORING, SAFETY NET SERVICES REQUIRED AFTER CASE CLOSURE.] (a) When a participant's MFIP case is closed due to noncompliance under subdivision 1, paragraph (b), clause (3), the county agency shall monitor the well-being of the children in the household who are at risk of safety, health or nutritional problems due to the lack of resources available to the family. The county agency shall protect the welfare of the children in the household by providing a full array of necessary health and welfare services or other resources to the children or family, or by taking other appropriate actions.

(b) The county agency must report quarterly to the commissioner of human services on the number of participants whose MFIP case has been closed due to noncompliance under subdivision 1, paragraph (b), clause (3). The commissioner shall provide timely periodic reports containing summary information on the number of families who received a 100% sanction, and on county utilization of the safety net services reserve account, to the chairs of the house and senate policy committees, finance committee and budget division with jurisdiction over MFIP.

EFFECTIVE DATE: This section is effective January 1, 2001."

Page 234, after line 11, insert:

"Sec. 10. ATTORNEY GENERAL

(1,500,000)

This reduction is from the general fund appropriation for fiscal year 2001 in Laws 1999, chapter 250, article 1, section 6."

Adjust amounts accordingly

ReNUMBER or reletter in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker called Boudreau to the Chair.

The question was taken on the Huntley amendment and the roll was called. There were 116 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lieder	Paulsen	Swapinski
Abrams	Dorn	Holsten	Luther	Pawlenty	Swenson
Anderson, B.	Entenza	Howes	Mahoney	Paymar	Sykora
Anderson, I.	Erhardt	Huntley	Mares	Peterson	Tingelstad
Bakk	Erickson	Jaros	Mariani	Pugh	Tomassoni
Biernat	Finseth	Jennings	McCollum	Rest	Trimble
Bishop	Folliard	Juhnke	McElroy	Rhodes	Tuma
Broecker	Fuller	Kahn	McGuire	Rifenberg	Vandever
Buesgens	Gerlach	Kalis	Milbert	Rostberg	Wagenius
Carlson	Gleason	Kelliher	Molnau	Rukavina	Wejman
Carruthers	Goodno	Kielkucki	Mullery	Schumacher	Wenzel
Cassell	Gray	Knoblach	Murphy	Seagren	Westerberg
Chaudhary	Greenfield	Koskinen	Ness	Seifert, J.	Westfall
Clark, J.	Greiling	Krinkie	Nornes	Seifert, M.	Westrom
Clark, K.	Haake	Kubly	Olson	Skoe	Wilkin
Daggett	Hackbarth	Larsen, P.	Opatz	Skoglund	Wolf
Davids	Harder	Larson, D.	Orfield	Smith	
Dawkins	Hasskamp	Leighton	Osskopp	Solberg	
Dehler	Hausman	Lenczewski	Osthoff	Stanek	
Dempsey	Hilty	Leppik	Ozment	Storm	

Those who voted in the negative were:

Boudreau	Gunther	Kuisle	Mulder	Stang	Workman
Bradley	Haas	Lindner	Reuter	Van Dellen	Spk. Sviggum

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

McCollum and Luther moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 7, line 21, delete "\$56,587,000" and insert "\$57,087,000"

Page 8, after line 61, insert:

"(8) Of the amounts in clause (1), \$500,000 is for transfer in fiscal year 2001 to the commissioner of health for family planning grants under Minnesota Statutes, section 145.925."

A roll call was requested and properly seconded.

The question was taken on the McCollum and Luther amendment and the roll was called. There were 52 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Huntley	Leppik	Murphy	Skoglund
Bakk	Erhardt	Jaros	Lieder	Orfield	Solberg
Biernat	Folliard	Jennings	Luther	Osthoff	Swapinski
Carlson	Gleason	Kahn	Mahoney	Paymar	Tomassoni
Carruthers	Gray	Kelliher	Mariani	Peterson	Trimble
Chaudhary	Greenfield	Koskinen	Marko	Pugh	Wagenius
Clark, K.	Greiling	Larson, D.	McCollum	Rest	Wejcman
Dawkins	Hausman	Leighton	McGuire	Rhodes	
Dorn	Hilty	Lenczewski	Mullery	Rukavina	

Those who voted in the negative were:

Abeler	Dempsey	Holberg	McElroy	Rifenberg	Tingelstad
Abrams	Dorman	Holsten	Milbert	Rostberg	Tuma
Anderson, B.	Erickson	Howes	Molnau	Schumacher	Van Dellen
Bishop	Finseth	Juhnke	Mulder	Seagren	Vandever
Boudreau	Fuller	Kalis	Ness	Seifert, J.	Wenzel
Bradley	Gerlach	Kielkucki	Nornes	Seifert, M.	Westerberg
Broecker	Goodno	Knoblach	Olson	Skoe	Westfall
Buesgens	Gunther	Krinkie	Opatz	Smith	Westrom
Cassell	Haake	Kubly	Osskopp	Stanek	Wilkin
Clark, J.	Haas	Kuisle	Ozment	Stang	Wolf
Daggett	Hackbarth	Larsen, P.	Paulsen	Storm	Workman
Davids	Harder	Lindner	Pawlenty	Swenson	Spk. Sviggum
Dehler	Hasskamp	Mares	Reuter	Sykora	

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

PENDING POINT OF ORDER

The pending point of order deferred earlier today by the Speaker relating to H. F. No. 2699, the third engrossment, as amended, and raised by Entenza pursuant to rule 4.03, Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, was again reported to the House. The Speaker ruled the Entenza point of order not well taken and H. F. No. 2699, the third engrossment, as amended, in order.

Pugh appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 72 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Hackbarth	Lindner	Reuter	Sykora
Abrams	Dempsey	Harder	Mares	Rhodes	Tingelstad
Anderson, B.	Dorman	Holberg	McElroy	Rifenberg	Tuma
Bishop	Erhardt	Holsten	Molnau	Rostberg	Van Dellen
Boudreau	Erickson	Howes	Mulder	Seagren	Vandever
Bradley	Finseth	Kahn	Ness	Seifert, J.	Westerberg
Broecker	Fuller	Kielkucki	Nornes	Seifert, M.	Westfall
Buesgens	Gerlach	Knobloch	Olson	Smith	Westrom
Cassell	Goodno	Krinkie	Osskopp	Stanek	Wilkin
Clark, J.	Gunther	Kuisle	Ozment	Stang	Wolf
Daggett	Haake	Larsen, P.	Paulsen	Storm	Workman
Davids	Haas	Leppik	Pawlenty	Swenson	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Folliard	Juhnke	Mahoney	Osthoff	Swapinski
Bakk	Gleason	Kalis	Mariani	Paymar	Tomassoni
Biernat	Gray	Kelliher	Marko	Peterson	Trimble
Carlson	Greenfield	Koskinen	McCollum	Pugh	Wagenius
Carruthers	Greiling	Kubly	McGuire	Rest	Wejman
Chaudhary	Hasskamp	Larson, D.	Milbert	Rukavina	Wenzel
Clark, K.	Hausman	Leighton	Mullery	Schumacher	
Dawkins	Hilty	Lenczewski	Murphy	Skoe	
Dorn	Huntley	Lieder	Opatz	Skoglund	
Entenza	Jennings	Luther	Orfield	Solberg	

So it was the judgment of the House that the decision of the Speaker should stand.

Greenfield moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 2, page 13, after line 34, insert:

"Sec. 2. Minnesota Statutes 1998, section 121A.15, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivisions 3, 4, and 10, no person over two months old may be allowed to enroll or remain enrolled in any elementary or secondary school or child care facility in this state until the person has submitted to the administrator or other person having general control and supervision of the school or child care facility, one of the following statements:

(1) a statement from a physician or a public clinic which provides immunizations stating that the person has received immunization, consistent with medically acceptable standards, against measles after having attained the age of 12 months, rubella, diphtheria, tetanus, pertussis, polio, mumps, haemophilus influenza type b, ~~and~~ hepatitis B, and varicella; or

(2) a statement from a physician or a public clinic which provides immunizations stating that the person has received immunizations, consistent with medically acceptable standards, against measles after having attained the age of 12 months, rubella, mumps, ~~and~~ haemophilus influenza type b, and varicella and that the person has commenced a schedule of immunizations for diphtheria, tetanus, pertussis, polio, and hepatitis B and which indicates the month and year of each immunization received.

Sec. 3. Minnesota Statutes 1998, section 121A.15, subdivision 3, is amended to read:

Subd. 3. [EXEMPTIONS FROM IMMUNIZATIONS.] (a) If a person is at least seven years old and has not been immunized against pertussis, the person must not be required to be immunized against pertussis.

(b) If a person is at least 18 years old and has not completed a series of immunizations against poliomyelitis, the person must not be required to be immunized against poliomyelitis.

(c) If a statement, signed by a physician or a public clinic, is submitted to the administrator or other person having general control and supervision of the school or child care facility stating that an immunization is ~~contraindicated~~ not indicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists, the immunization specified in the statement need not be required.

(d) If a notarized statement signed by the minor child's parent or guardian or by the emancipated person is submitted to the administrator or other person having general control and supervision of the school or child care facility stating that the person has not been immunized as prescribed in subdivision 1 because of the conscientiously held beliefs of the parent or guardian of the minor child or of the emancipated person, the immunizations specified in the statement shall not be required. This statement must also be forwarded to the commissioner of the department of health.

(e) If the person is under 15 months, the person is not required to be immunized against measles, rubella, or mumps.

(f) If a person is at least five years old and has not been immunized against haemophilus influenza type b, the person is not required to be immunized against haemophilus influenza type b.

(g) If a person is under 18 months, the person is not required to be immunized against varicella."

Page 14, line 18, strike "and"

Page 14, line 19, before the period, insert "; and no less than one dose of vaccine for varicella"

Page 15, line 7, strike the second "and"

Page 15, line 8, before the period, insert "; and no less than one dose of vaccine for varicella"

Page 15, line 15, strike "and"

Page 15, line 16, before the period, insert "; and no less than one dose of vaccine for varicella"

Page 15, after line 27, insert:

"Sec. 5. Minnesota Statutes 1998, section 121A.15, subdivision 8, is amended to read:

Subd. 8. [REPORT.] The administrator or other person having general control and supervision of the elementary or secondary school shall file a report with the commissioner on all persons enrolled in the school. The superintendent of each district shall file a report with the commissioner for all persons within the district receiving

instruction in a home school in compliance with sections 120A.22 and 120A.24. The parent of persons receiving instruction in a home school shall submit the statements as required by subdivisions 1, 2, 3, and 4 to the superintendent of the district in which the person resides by October 1 of each school year. The school report must be prepared on forms developed jointly by the commissioner of health and the commissioner of children, families, and learning and be distributed to the local districts by the commissioner of health. The school report must state the number of persons attending the school, the number of persons who have not been immunized according to subdivision 1 or 2, and the number of persons who received an exemption under subdivision 3, clause (c) or (d). The school report must be filed with the commissioner of children, families, and learning within 60 days of the commencement of each new school term. Upon request, a district must be given a 60-day extension for filing the school report. The commissioner of children, families, and learning shall forward the report, or a copy thereof, to the commissioner of health who shall provide summary reports to boards of health as defined in section 145A.02, subdivision 2. The administrator or other person having general control and supervision of the child care facility shall file a report with the commissioner of human services on all persons enrolled in the child care facility. The child care facility report must be prepared on forms developed jointly by the commissioner of health and the commissioner of human services and be distributed to child care facilities by the commissioner of health. The child care facility report must state the number of persons enrolled in the facility, the number of persons with no immunizations, the number of persons who received an exemption under subdivision 3, clause (c) or (d), and the number of persons with partial or full immunization histories. The child care facility report must be filed with the commissioner of human services by November 1 of each year. The commissioner of human services shall forward the report, or a copy thereof, to the commissioner of health who shall provide summary reports to boards of health as defined in section 145A.02, subdivision 2. The report required by this subdivision is not required of a family child care or group family child care facility, for prekindergarten children enrolled in any elementary or secondary school provided services according to ~~sections 125A.05 and 125A.06~~ section 125A.03, nor for child care facilities in which at least 75 percent of children in the facility participate on a one-time only or occasional basis to a maximum of 45 hours per child, per month.

Sec. 6. Minnesota Statutes 1998, section 121A.15, subdivision 9, is amended to read:

Subd. 9. [DEFINITIONS.] As used in this section the following terms have the meanings given them.

(a) "Elementary or secondary school" includes any public school as defined in section 120A.05, subdivisions 9, 11, 13, and 17, or nonpublic school, church, or religious organization, or home school in which a child is provided instruction in compliance with sections 120A.22 and 120A.24.

(b) "Person enrolled in any elementary or secondary school" means a person born after 1956 and enrolled in grades kindergarten through 12, and a child with a disability receiving special instruction and services as required in ~~sections section 125A.03 to 125A.24 and 125A.65~~, excluding a child being provided services according to section 125A.05, ~~paragraph (c), or 125A.06, paragraph (d)~~ paragraph (a), clauses (3) and (7).

(c) "Child care facility" includes those child care programs subject to licensure under chapter 245A, and Minnesota Rules, chapters 9502 and 9503.

(d) "Family child care" means child care for no more than ten children at one time of which no more than six are under school age. The licensed capacity must include all children of any caregiver when the children are present in the residence.

(e) "Group family child care" means child care for no more than 14 children at any one time. The total number of children includes all children of any caregiver when the children are present in the residence."

Page 16, after line 31, insert:

"(g) The requirement for varicella vaccination shall apply to persons enrolling in a child care facility beginning with the 2001-2002 school term."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Greenfield amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Jennings	Lieder	Opatz	Skoglund
Bakk	Gleason	Juhnke	Luther	Orfield	Solberg
Biernat	Gray	Kahn	Mahoney	Osthoff	Tomassoni
Carlson	Greenfield	Kalis	Mariani	Paymar	Trimble
Carruthers	Greiling	Kelliher	Marko	Peterson	Van Dellen
Chaudhary	Hasskamp	Koskinen	McCollum	Pugh	Wagenius
Clark, K.	Hausman	Kubly	McGuire	Rest	Wejcman
Dawkins	Hilty	Larson, D.	Milbert	Rukavina	Wenzel
Dorn	Huntley	Leighton	Mullery	Schumacher	
Entenza	Jaros	Lenczewski	Murphy	Skoe	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rhodes	Sykora
Abrams	Dempsey	Harder	McElroy	Rifenberg	Tingelstad
Anderson, B.	Dorman	Holberg	Molnau	Rostberg	Tuma
Bishop	Erhardt	Holsten	Mulder	Seagren	Vandever
Boudreau	Erickson	Howes	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Broecker	Fuller	Knoblach	Olson	Smith	Westrom
Buesgens	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Goodno	Kuise	Ozment	Stang	Wolf
Clark, J.	Gunther	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haake	Leppik	Pawlenty	Swapinski	Spk. Sviggum
Davids	Haas	Lindner	Reuter	Swenson	

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

Trimble and Marko moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 4, page 106, after line 18 insert:

"Sec. 33. Minnesota Statutes 1998, section 517.08, subdivision 1b, is amended to read:

Subd. 1b. [TERM OF LICENSE; FEE.] The court administrator shall examine upon oath the party applying for a license relative to the legality of the contemplated marriage. If at the expiration of a five-day period, on being satisfied that there is no legal impediment to it, the court administrator shall issue the license, containing the full

names of the parties before and after marriage, and county and state of residence, with the district court seal attached, and make a record of the date of issuance. The license shall be valid for a period of six months. In case of emergency or extraordinary circumstances, a judge of the district court of the county in which the application is made, may authorize the license to be issued at any time before the expiration of the five days. The court administrator shall collect from the applicant a fee of ~~\$70~~ \$10 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital statistics the reports of marriage required by this section. If the license should not be used within the period of six months due to illness or other extenuating circumstances, it may be surrendered to the court administrator for cancellation, and in that case a new license shall issue upon request of the parties of the original license without fee. A court administrator who knowingly issues or signs a marriage license in any manner other than as provided in this section shall pay to the parties aggrieved an amount not to exceed \$1,000.

Sec. 34. Minnesota Statutes 1998, section 517.08, subdivision 1c, is amended to read:

Subd. 1c. [DISPOSITION OF LICENSE FEE.] Of the marriage license fee collected pursuant to subdivision 1b, the court administrator shall pay ~~\$55~~ \$5 to the state treasurer to be deposited as follows:

(1) ~~\$50 in the general fund;~~

~~(2) \$3 in the special revenue fund to be appropriated to the commissioner of children, families, and learning for supervised visitation facilities under section 119A.37; and~~

~~(3) (2) \$2 in the special revenue fund to be appropriated to the commissioner of health for developing and implementing the MN ENABL program under section 145.9255.~~

EFFECTIVE DATE: Sections 33 and 34 are effective July 1, 2001."

Amend the title accordingly

Renumber the sections in Article 4 in sequence

A roll call was requested and properly seconded.

The question was taken on the Trimble and Marko amendment and the roll was called. There were 59 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Entenza	Jaros	Lenczewski	Olson	Skoe
Anderson, I.	Folliard	Jennings	Lieder	Opatz	Skoglund
Bakk	Gleason	Juhnke	Luther	Orfield	Solberg
Biernat	Gray	Kahn	Mahoney	Osskopp	Swapinski
Carlson	Greenfield	Kalis	Mariani	Paymar	Tomassoni
Carruthers	Greiling	Kelliher	Marko	Peterson	Trimble
Chaudhary	Hasskamp	Koskinen	McCollum	Pugh	Vandever
Clark, K.	Hausman	Kubly	McGuire	Rest	Wagenius
Dawkins	Hilty	Larson, D.	Milbert	Rukavina	Wenzel
Dorn	Huntley	Leighton	Mullery	Schumacher	

Those who voted in the negative were:

Abeler	Dempsey	Harder	McElroy	Rostberg	Van Dellen
Abrams	Dorman	Holberg	Molnau	Seagren	Wejcman
Bishop	Erhardt	Holsten	Mulder	Seifert, J.	Westerberg
Boudreau	Erickson	Howes	Murphy	Seifert, M.	Westfall
Bradley	Finseth	Kielkucki	Ness	Smith	Westrom
Broecker	Fuller	Knoblach	Nornes	Stanek	Wilkin
Buesgens	Gerlach	Krinkie	Ozment	Stang	Wolf
Cassell	Goodno	Kuisle	Paulsen	Storm	Workman
Clark, J.	Gunther	Larsen, P.	Pawlenty	Swenson	Spk. Sviggum
Daggett	Haake	Leppik	Reuter	Sykora	
Davids	Haas	Lindner	Rhodes	Tingelstad	
Dehler	Hackbarth	Mares	Rifenberg	Tuma	

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

Anderson, I., moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 4, line 13, delete "2,212,000" and insert "(1,156,000)"

Page 4, after line 27, insert:

"[RELATIVE CUSTODY ASSISTANCE FUNDING.] For fiscal year 2001, the base level appropriation for the relative custody assistance program under Minnesota Statutes, section 257.85, shall be reduced by \$3,368,000. The commissioner may use federal TANF funds as provided under Minnesota Statutes, section 256J.02, subdivision 2, to provide up to \$3,368,000 in funding for this program in fiscal year 2001."

Page 7, line 21, delete "\$56,587,000" and insert "\$59,955,000"

Page 68, line 6, delete "and"

Page 68, line 7, before the period, insert " and

(13) the relative custody assistance program under section 257.85."

Page 294, line 15, delete "2,750,000" and insert "6,118,000"

Page 295, after line 43, insert:

"(e) Big Bear Country Education Center

-0- 3,368,000

This appropriation is from the general fund to the commissioner of trade and economic development for a grant to the city of Northome to construct a North American bear center called the Big Bear Country Education Center. This appropriation does not cancel."

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

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

Olson, Mahoney, Erickson, Mulder, Kubly and Juhnke moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 168, after line 5, insert:

"Subd. 4. State Park Operations	-0-	733,000
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\$733,000 in fiscal year 2001 is appropriated from the general fund to the commissioner of natural resources for state park operations. This appropriation is in addition to the appropriation in Laws 1999, chapter 231, section 5."

Page 169, after line 7, insert:

"Sec. 8. Minnesota Statutes 1998, section 85.055, subdivision 1, is amended to read:

Subdivision 1. [FEES.] The fee for state park permits for:

- (1) an annual use of state parks is ~~\$20~~ \$25;
- (2) a second vehicle state park permit is ~~\$15~~ \$20;
- (3) a state park permit valid up to two days is ~~\$4~~ \$5;
- (4) a daily vehicle state park permit for groups is ~~\$2~~ \$3;
- (5) an employee's state park permit is without charge; and
- (6) a state park permit for handicapped persons under section 85.053, subdivision 7, clauses (1) and (2), is \$12.

The fees specified in this subdivision include any sales tax required by state law.

Sec. 9. [85.056] [CAMPING FACILITIES TO REMAIN OPEN.]

Unless authorized by law, a state park must not close its camping facilities earlier in the year or open them later, due to budget shortfalls, than it is ordinarily scheduled to do so."

Page 180, after line 26, insert:

"Sec. 24. [REPORT REQUIRED.]

By April 1, 2001, the parks and recreation division of the department of natural resources shall report to the legislature with recommendations for legislative and departmental changes needed to fully fund state park operations entirely from user fees within five years."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Holberg, Broecker and Murphy moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 1 of the Howes amendment, adopted earlier today, delete line 3 and insert:

"Page 230, line 33, delete "may include" and insert "shall consider including"

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

Mullery moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Page 138, after line 46, insert:

"Section 1. Minnesota Statutes 1998, section 198.03, subdivision 1, is amended to read:

Subdivision 1. [DISCRETIONARY ADMISSION.] Any person otherwise eligible for admission to the Minnesota veterans homes, except that the person has means of support, may, at the discretion of the board, be admitted to one of the Minnesota veterans homes upon entering into and complying with the terms of a contract made by the person with the board, providing for reasonable compensation to be paid by such person to the state of Minnesota for care, support, and maintenance in the home. Any earnings derived by the person from participating in a work therapy program while the person is a resident of the home may not be considered a means of support. Refunds or rebates of state sales taxes may not be considered a means of support."

Page 138, line 51, delete "a"

Page 138, line 52, delete "dwelling" and insert "dwellings"

Page 139, after line 3, insert:

"Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective for tax refunds or rebates paid after June 30, 1999."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mullery amendment and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lindner	Paulsen	Swapinski
Abrams	Dorn	Holsten	Luther	Pawlenty	Swenson
Anderson, B.	Entenza	Howes	Mahoney	Paymar	Sykora
Anderson, I.	Erhardt	Huntley	Mares	Peterson	Tingelstad
Bakk	Erickson	Jaros	Mariani	Pugh	Tomassoni
Biernat	Finseth	Jennings	Marko	Rest	Trimble
Bishop	Folliard	Juhnke	McCollum	Reuter	Tuma
Boudreau	Fuller	Kahn	McElroy	Rhodes	Van Dellen
Bradley	Gerlach	Kalis	McGuire	Rifenberg	Vandever
Broecker	Gleason	Kelliher	Milbert	Rostberg	Wagenius
Buesgens	Goodno	Kielkucki	Molnau	Rukavina	Wejman
Carlson	Gray	Knoblach	Mulder	Schumacher	Wenzel
Carruthers	Greenfield	Koskinen	Mullery	Seagren	Westerberg
Cassell	Greiling	Krinkie	Murphy	Seifert, J.	Westfall
Chaudhary	Gunther	Kubly	Ness	Seifert, M.	Westrom
Clark, J.	Haake	Kuisle	Nornes	Skoe	Wilkin
Clark, K.	Haas	Larsen, P.	Olson	Skoglund	Wolf
Daggett	Hackbarth	Larson, D.	Opatz	Smith	Workman
Davids	Harder	Leighton	Orfield	Solberg	Spk. Sviggum
Dawkins	Hasskamp	Lenczewski	Osskopp	Stanek	
Dehler	Hausman	Leppik	Osthoff	Stang	
Dempsey	Hilty	Lieder	Ozment	Storm	

The motion prevailed and the amendment was adopted.

Greenfield moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 1, page 2, after line 22, insert:

"[CSSA FUNDING TO REPLACE FEDERAL CUTS.] Of this appropriation, \$2,000,000 in fiscal year 2000 and \$4,000,000 in fiscal year 2001 is for the commissioner to allocate to counties for social services under Minnesota Statutes, chapter 256E. Notwithstanding the provisions of Minnesota Statutes, section 256E.06, because these appropriations are intended to replace funds lost through reductions in federal Title XX funding, the commissioner shall allocate these appropriations according to the formula in Minnesota Statutes, section 256E.07. This is a one-time appropriation that shall not be added to the base level funding for community social service aids."

Article 1, page 5, line 22, delete "-0-" and insert "\$2,000,000" and delete "(4,950,000)" and insert "(950,000)"

Article 1, page 7, line 7, delete "(23,491,000)" and insert "(25,491,000)" and delete "(47,064,000)" and insert "(51,064,000)"

Adjust the totals and the summaries by fund in this section and section 1 accordingly

Article 1, page 7, line 20, delete "\$34,000,000" and insert "\$35,000,000"

Article 1, page 7, line 28, delete "\$4,950,000" and insert "\$5,950,000"

Article 1, page 7, line 33, delete "\$4,950,000" and insert "\$5,950,000"

Article 1, page 9, line 39, delete "\$71,000,000" and insert "\$77,000,000"

A roll call was requested and properly seconded.

The question was taken on the Greenfield amendment and the roll was called. There were 56 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Jennings	Lieder	Orfield	Swapinski
Bakk	Gleason	Juhnke	Luther	Paymar	Tomassoni
Biernat	Gray	Kahn	Mahoney	Peterson	Trimble
Carlson	Greenfield	Kalis	Mariani	Pugh	Wagenius
Carruthers	Greiling	Kelliher	Marko	Rest	Wejzman
Chaudhary	Hasskamp	Koskinen	McGuire	Rukavina	Wenzel
Clark, K.	Hausman	Kubly	Milbert	Schumacher	
Dawkins	Hilty	Larson, D.	Mullery	Skoe	
Dorn	Huntley	Leighton	Murphy	Skoglund	
Entenza	Jaros	Lenczewski	Opatz	Solberg	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rhodes	Tingelstad
Abrams	Dempsey	Harder	McElroy	Rifenberg	Tuma
Anderson, B.	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Bishop	Erhardt	Holsten	Mulder	Seagren	Vandever
Boudreau	Erickson	Howes	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Broecker	Fuller	Knoblach	Olson	Smith	Westrom
Buesgens	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Goodno	Kuisle	Ozment	Stang	Wolf
Clark, J.	Gunther	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Haas	Lindner	Reuter	Sykora	

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

Greenfield moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Article 2, page 21, after line 1 insert:

"Sec. 7. [145.4105] [LEGISLATIVE FINDINGS ON REGULATION OF ABORTIONS.]

(a) The legislature finds that the United States Supreme Court decision in Roe v. Wade is the law of the land and secures an important constitutional right. The legislature further finds that consistent with the decisions of the United States Supreme Court, any legislation regulating abortions passed by the legislature must comply with the following:

(1) to promote the state's profound interest in potential life, throughout pregnancy the state may take measures to ensure that a woman's choice regarding whether to obtain an abortion is informed;

(2) as with any medical procedure, the state may enact regulations to further the health or safety of a woman seeking an abortion. Unnecessary health regulations that have the purpose or effect of presenting a substantial obstacle to a woman seeking an abortion impose an undue burden on the right, and are invalid;

(3) the state may not prohibit any woman from making the ultimate decision to terminate her pregnancy before viability; and

(4) subsequent to viability, the state in promoting its interest in the potentiality of human life may, if it chooses, regulate, and even proscribe, abortion except where necessary, in appropriate medical judgment, for the preservation of the life or health of the mother.

(b) Any written materials that are required to be distributed or available to a woman prior to the performance of an abortion, including the materials under section 145.4243, must include a statement of the findings in paragraph (a)."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Greenfield amendment and the roll was called. There were 46 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hausman	Larson, D.	McGuire	Skoglund
Bakk	Entenza	Hilty	Leighton	Mullery	Swapinski
Biernat	Erhardt	Huntley	Leppik	Orfield	Tomassoni
Bishop	Folliard	Jaros	Luther	Osthoff	Trimble
Carlson	Gleason	Jennings	Mahoney	Paymar	Wagenius
Carruthers	Gray	Kahn	Mariani	Rest	Wejman
Chaudhary	Greenfield	Kelliher	Marko	Rhodes	
Clark, K.	Greiling	Koskinen	McCollum	Rukavina	

Those who voted in the negative were:

Abeler	Buesgens	Dempsey	Gerlach	Harder	Kalis
Anderson, B.	Cassell	Dorman	Goodno	Hasskamp	Kielkucki
Anderson, I.	Clark, J.	Dorn	Gunther	Holberg	Knoblach
Boudreau	Daggett	Erickson	Haake	Holsten	Krinkie
Bradley	Davids	Finseth	Haas	Howes	Kubly
Broecker	Dehler	Fuller	Hackbarth	Juhnke	Kuise

Larsen, P.	Mulder	Paulsen	Seagren	Storm	Westerberg
Lenczewski	Murphy	Pawlenty	Seifert, J.	Swenson	Westfall
Lieder	Ness	Peterson	Seifert, M.	Sykora	Westrom
Lindner	Nornes	Pugh	Skoe	Tingelstad	Wilkin
Mares	Olson	Reuter	Smith	Tuma	Wolf
McElroy	Opatz	Rifenberg	Solberg	Van Dellen	Workman
Milbert	Osskopp	Rostberg	Stanek	Vandever	Spk. Sviggum
Molnau	Ozment	Schumacher	Stang	Wenzel	

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

Pawlenty moved to amend H. F. No. 2699, the third engrossment, as amended, as follows:

Pages 165 and 166, delete Article 9

A roll call was requested and properly seconded.

The question was taken on the Pawlenty amendment and the roll was called. There were 74 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Haas	Lindner	Rhodes	Van Dellen
Abrams	Dempsey	Hackbarth	Mares	Rifenberg	Vandever
Anderson, B.	Dorman	Harder	McCollum	Rostberg	Westerberg
Biernat	Erhardt	Holberg	McElroy	Seagren	Westfall
Bishop	Erickson	Holsten	Molnau	Seifert, J.	Westrom
Boudreau	Finseth	Howes	Mulder	Seifert, M.	Wilkin
Bradley	Folliard	Juhnke	Ness	Smith	Wolf
Broecker	Fuller	Kielkucki	Nornes	Stanek	Workman
Buesgens	Gerlach	Knoblach	Olson	Stang	Spk. Sviggum
Cassell	Goodno	Krinkie	Ozment	Storm	
Clark, J.	Greiling	Kuise	Paulsen	Swenson	
Daggett	Gunther	Larsen, P.	Pawlenty	Sykora	
Davids	Haake	Leppik	Reuter	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Gray	Kelliher	Marko	Peterson	Trimble
Bakk	Greenfield	Koskinen	McGuire	Pugh	Tuma
Carlson	Hasskamp	Kubly	Milbert	Rest	Wagenius
Carruthers	Hausman	Larson, D.	Mullery	Rukavina	Wejcman
Chaudhary	Hilty	Leighton	Murphy	Schumacher	Wenzel
Clark, K.	Huntley	Lenczewski	Opatz	Skoe	
Dawkins	Jaros	Lieder	Orfield	Skoglund	
Dorn	Jennings	Luther	Osskopp	Solberg	
Entenza	Kahn	Mahoney	Osthoff	Swapinski	
Gleason	Kalis	Mariani	Paymar	Tomassoni	

The motion prevailed and the amendment was adopted.

Kubly, Peterson, Schumacher and Skoe offered an amendment to H. F. No. 2699, the third engrossment, as amended.

POINT OF ORDER

Kuisle raised a point of order pursuant to rule 3.21 that the Kubly et al amendment was not in order. The Speaker ruled the point of order well taken and the Kubly et al amendment out of order.

Pugh appealed the decision of the Speaker.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Molnau moved to lay the Pugh appeal of the decision of the Speaker on the table.

A roll call was requested and properly seconded.

The question was taken on the Molnau motion and the roll was called. There were 69 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	McElroy	Rostberg	Van Dellen
Abrams	Dorman	Holberg	Molnau	Seagren	Vandever
Anderson, B.	Erhardt	Holsten	Mulder	Seifert, J.	Westerberg
Bishop	Erickson	Howes	Ness	Seifert, M.	Westfall
Boudreau	Finseth	Kielkucki	Nornes	Smith	Westrom
Bradley	Fuller	Knoblach	Osskopp	Stanek	Wilkin
Broecker	Gerlach	Krinkie	Ozment	Stang	Wolf
Buesgens	Goodno	Kuisle	Paulsen	Storm	Workman
Cassell	Gunther	Larsen, P.	Pawlenty	Swenson	Spk. Sviggum
Clark, J.	Haake	Leppik	Reuter	Sykora	
Daggett	Haas	Lindner	Rhodes	Tingelstad	
Davids	Hackbarth	Mares	Rifenberg	Tuma	

Those who voted in the negative were:

Anderson, I.	Folliard	Jennings	Lieder	Olson	Skoe
Bakk	Gleason	Juhnke	Luther	Opatz	Skoglund
Biernat	Gray	Kahn	Mahoney	Orfield	Solberg
Carlson	Greenfield	Kalis	Mariani	Osthoff	Swapinski
Carruthers	Greiling	Kelliher	Marko	Paymar	Tomassoni
Chaudhary	Hasskamp	Koskinen	McCollum	Peterson	Trimble
Clark, K.	Hausman	Kubly	McGuire	Pugh	Wagenius
Dawkins	Hilty	Larson, D.	Milbert	Rest	Wejman
Dorn	Huntley	Leighton	Mullery	Rukavina	Wenzel
Entenza	Jaros	Lenczewski	Murphy	Schumacher	

The motion prevailed and the appeal of the decision of the Speaker was laid on the table.

H. F. No. 2699, as amended, was read for the third time.

POINT OF ORDER

Olson raised a point of order pursuant to section 517 of "Mason's Manual of Legislative Procedure," relating to Actions Must be Within its Power or Vote is Ineffective. The Speaker ruled the point of order not well taken.

Olson appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	McElroy	Rifenberg	Tuma
Abrams	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Anderson, B.	Erhardt	Holsten	Mulder	Seagren	Vandever
Bishop	Erickson	Howes	Ness	Seifert, J.	Wenzel
Boudreau	Finseth	Kielkucki	Nornes	Seifert, M.	Westerberg
Bradley	Fuller	Knoblach	Opatz	Smith	Westfall
Broecker	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Goodno	Kuisle	Ozment	Stang	Wolf
Clark, J.	Gunther	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Haas	Lindner	Rest	Sykora	
Dehler	Hackbarth	Mares	Rhodes	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Entenza	Jaros	Lenczewski	Olson	Skoglund
Bakk	Folliard	Jennings	Lieder	Orfield	Solberg
Biernat	Gleason	Juhnke	Luther	Osthoff	Swapinski
Buesgens	Gray	Kahn	Mahoney	Paymar	Tomassoni
Carlson	Greenfield	Kalis	Mariani	Peterson	Trimble
Carruthers	Greiling	Kelliher	McCollum	Pugh	Wagenius
Chaudhary	Hasskamp	Koskinen	McGuire	Reuter	Wejcman
Clark, K.	Hausman	Kubly	Milbert	Rukavina	Westrom
Dawkins	Hilty	Larson, D.	Mullery	Schumacher	
Dorn	Huntley	Leighton	Murphy	Skoe	

So it was the judgment of the House that the decision of the Speaker should stand.

The Speaker called Boudreau to the Chair.

CALL OF THE HOUSE

On the motion of Pawlenty and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dorman	Holberg	Luther	Paymar	Sykora
Abrams	Dorn	Holsten	Mahoney	Peterson	Tingelstad
Anderson, B.	Entenza	Howes	Mares	Pugh	Tomassoni
Anderson, I.	Erhardt	Huntley	Mariani	Rest	Trimble
Bakk	Erickson	Jaros	Marko	Reuter	Tuma
Biernat	Finseth	Juhnke	McCollum	Rhodes	Van Dellen
Bishop	Folliard	Kahn	McElroy	Rifenberg	Vandever
Boudreau	Fuller	Kalis	McGuire	Rostberg	Wagenius
Bradley	Gerlach	Kelliher	Milbert	Rukavina	Wejcmán
Broecker	Gleason	Kielkucki	Molnau	Schumacher	Wenzel
Buesgens	Goodno	Knoblach	Mulder	Seagren	Westerberg
Carlson	Gray	Koskinen	Mullery	Seifert, J.	Westfall
Carruthers	Greenfield	Krinkie	Murphy	Seifert, M.	Westrom
Cassell	Greiling	Kubly	Ness	Skoe	Wilkin
Chaudhary	Gunther	Kuisle	Nornes	Skoglund	Wolf
Clark, J.	Haake	Larsen, P.	Olson	Smith	Workman
Clark, K.	Haas	Larson, D.	Opatz	Solberg	Spk. Sviggum
Daggett	Hackbarth	Leighton	Osskopp	Stanek	
Davids	Harder	Lenczewski	Osthoff	Stang	
Dawkins	Hasskamp	Leppik	Ozment	Storm	
Dehler	Hausman	Lieder	Paulsen	Swapinski	
Dempsey	Hilty	Lindner	Pawlenty	Swenson	

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The Speaker resumed the Chair.

H. F. No. 2699, A bill for an act relating to public administration; appropriating money for health and human services, agriculture, environment and natural resources, criminal justice, state government, and economic development; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; providing penalties; amending Minnesota Statutes 1998, sections 13.82, subdivision 3b; 15.0591, subdivision 2; 15A.0815, subdivisions 2 and 3; 16A.10, by adding a subdivision; 16A.11, subdivision 3; 16A.124, by adding a subdivision; 16A.126, subdivision 2; 16B.052; 16B.31, by adding a subdivision; 16B.335, subdivision 5; 16B.42, subdivisions 2 and 3; 16B.48, subdivision 4; 16B.485; 17A.03, subdivision 5; 18E.04, subdivision 4; 41A.09, subdivision 3a; 41B.03, subdivisions 1 and 2; 41B.039, subdivision 2; 41B.04, subdivision 8; 41B.042, subdivision 4; 41B.043, subdivision 2; 41B.045, subdivision 2; 43A.38, subdivision 1; 60H.03, by adding a subdivision; 80A.122, by adding a subdivision; 80A.28, subdivision 1; 85A.02, subdivision 5a; 103E.011, by adding a subdivision; 115B.17, subdivision 19; 119A.05, subdivision 1; 119A.37, subdivision 4; 120B.22, subdivision 1; 121A.15, subdivisions 4 and 10; 125A.74, subdivisions 1 and 2; 138.17, subdivision 10; 144.551, subdivision 1; 144A.071, by adding a subdivision; 169.01, subdivision 37; 169.121, subdivision 3b; 169.129, by adding a subdivision; 169.21, subdivisions 2 and 3; 169.89, subdivision 2; 179A.18,

subdivision 1; 181.932, subdivision 1; 182.661, subdivision 1; 182.666, subdivision 2, and by adding a subdivision; 193.143; 198.03, subdivision 1; 221.173; 242.41; 242.43; 242.44; 254B.03, subdivision 1; 256.01, by adding a subdivision; 256.011, subdivision 3; 256.741, by adding a subdivision; 256.955, subdivisions 1 and 2; 256.9753, subdivision 3; 256.995, subdivision 1; 256B.431, by adding subdivisions; 256B.69, subdivision 5d; 256J.08, by adding a subdivision; 256J.15, by adding a subdivision; 256J.32, by adding a subdivision; 256J.40; 256J.45, subdivision 3; 256J.46, by adding a subdivision; 256J.47, subdivision 1; 256J.49, subdivision 13; 256J.50, subdivisions 5 and 7; 256J.52, by adding a subdivision; 256L.05, subdivision 5; 257.75, subdivision 6; 268.362, subdivision 2; 345.31, by adding a subdivision; 345.39, subdivision 1; 349A.02, subdivision 1; 352.91, subdivision 3c, and by adding subdivisions; 352D.02, subdivision 1; 352D.04, subdivision 2; 356.30, subdivision 1; 383B.225, subdivision 2; 390.005, subdivision 3; 390.33, subdivision 1; 422A.101, subdivision 3; 471.345, by adding a subdivision; 490.121, subdivision 4, and by adding a subdivision; 490.123, subdivisions 1a and 1b; 490.124, subdivision 1; 518B.01, subdivision 21; 609.02, subdivisions 3 and 4a; 609.03; 609.033; 609.0331; 609.0332, subdivision 1; 609.034; 609.135, by adding a subdivision; 609.2231, subdivision 1; 609.378, subdivision 1; 611A.07, subdivision 1; 611A.32, subdivisions 1, 2, 3, and 5; 611A.33; 611A.34, subdivisions 1, 2, and 3; 611A.345; 611A.35; 611A.36, subdivisions 1 and 2; 626.556, by adding a subdivision; 629.342, subdivision 2; and 629.72, subdivision 6; Minnesota Statutes 1999 Supplement, sections 3.971, subdivision 8; 10A.01, subdivisions 2 and 21; 13.99, subdivision 108, and by adding a subdivision; 15.059, subdivision 5a; 16A.103, subdivision 1; 16A.129, subdivision 3; 16B.616, subdivisions 3 and 4; 62J.535, subdivision 2; 62J.694, subdivision 2; 116.073, subdivision 1; 116J.421, subdivision 2; 119B.011, subdivision 15; 119B.02, subdivision 1; 125B.21, subdivision 1; 144.395, by adding a subdivision; 144.396, subdivisions 11 and 12; 144A.04, subdivision 5; 147.09; 169.121, subdivisions 3, 3d, and 3f; 169.1217, subdivision 7; 169.129, subdivision 1; 179A.04, subdivision 3; 181.932, subdivision 2; 214.01, subdivision 2; 241.272, subdivision 6; 242.192; 256.01, subdivision 2; 256.019; 256.955, subdivisions 4, 8, and 9; 256B.0916, subdivision 1; 256B.69, subdivision 5b; 256D.03, subdivision 4; 256J.02, subdivision 2; 256J.08, subdivision 86; 256J.21, subdivision 2; 256J.26, subdivision 1; 256J.33, subdivision 4; 256J.34, subdivisions 1 and 4; 256J.46, subdivisions 1, 2, and 2a; 256J.52, subdivisions 3 and 5; 256J.56; 256L.07, subdivision 1; 326.105; 473.3993, subdivision 3; 609.135, subdivision 2; 626.556, subdivision 2; and 626.558, subdivision 1; Laws 1997, Chapter 200, article 1, section 5, subdivision; Laws 1997, chapter 225, article 4, section 4, as amended; Laws 1998, chapter 389, article 16, section 31, subdivision 2, as amended; Laws 1999, chapter 216, article 1, sections 2, subdivision 3; 9; 14; Laws 1999, chapter 223, article 1, section 6, subdivision 1; article 2, section 81, as amended; article 3, section 8; Laws 1999, chapter 231, sections 2, subdivision 2; 6, as amended; 11, subdivision 3; Laws 1999, chapter 245, article 1, section 2, subdivisions 3, 5, and 10; article 4, section 121; and Laws 1999, chapter 250, article 1, sections 11; 14, subdivision 3; 18; and 116; proposing coding for new law in Minnesota Statutes, chapters 3; 5; 10A; 16A; 41B; 43A; 85; 136F; 144; 145; 169; 181; 182; 198; 242; 252; 256J; 256K; 260B; 326; 345; 473; and 611A; proposing coding for new law as Minnesota Statutes, chapter 146A; repealing Minnesota Statutes 1998, sections 16B.37, subdivisions 1, 2, and 3; 16B.88; 16E.01, subdivisions 2 and 3; 16E.03, subdivisions 1 and 3; 16E.04, subdivision 1; 16E.05; 16E.06; 16E.07, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, and 11; 136F.59, subdivision 3; 168A.40, subdivisions 1 and 3; 184A.01; 184A.02; 184A.03; 184A.04; 184A.05; 184A.06; 184A.07; 184A.08; 184A.09; 184A.10; 184A.11; 184A.12; 184A.13; 184A.14; 184A.15; 184A.16; 184A.17; 184A.18; 184A.19; 184A.20; 241.41; 241.42; 241.43; 241.44; 241.441; 241.45; 256J.46, subdivision 1a; 352.91, subdivision 4; 465.795; 465.796; 465.797, subdivisions 2, 3, 4, 5, 6, and 7; 465.7971; 465.798; 465.799; 465.801; 465.802; 465.803; 465.81; 465.82, subdivisions 1, 2, and 3; 465.83; 465.84; 465.85; 465.86; 465.87; and 465.88; Minnesota Statutes 1999 Supplement, sections 16E.01, subdivision 1; 16E.02; 16E.03, subdivisions 2, 4, 5, 6, 7, and 8; 16E.04, subdivision 2; 16E.07, subdivision 4; 16E.08; 43A.318; 144.396, subdivision 13; 168A.40, subdivision 2; 465.797, subdivisions 1 and 5a; and 465.82, subdivision 4; Laws 1997, chapter 203, article 7, section 27; Laws 1999, chapter 135, section 9; Laws 1999, chapter 245, article 5, section 24; and Laws 1999, chapter 250, article 1, section 15, subdivision 4; Minnesota Rules, parts 3800.3810; 7672.0100; 7672.0200; 7672.0300; 7672.0400; 7672.0500; 7672.0600; 7672.0700; 7672.0800; 7672.0900; 7672.1000; 7672.1100; 7672.1200; 7672.1300; 7674.0100; 7674.0200; 7674.0300; 7674.0400; 7674.0500; 7674.0600; 7674.0700; 7674.0800; 7674.0900; 7674.1000; 7674.1100; and 7674.1200.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pugh moved that those not voting be excused from voting. The motion did not prevail.

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

There were 85 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Howes	McElroy	Rifenberg	Van Dellen
Anderson, B.	Dorman	Juhnke	Molnau	Rostberg	Vandever
Anderson, I.	Erickson	Kalis	Mulder	Schumacher	Wenzel
Bakk	Finseth	Kielkucki	Murphy	Seagren	Westerberg
Bishop	Fuller	Knoblach	Ness	Seifert, J.	Westfall
Boudreau	Gerlach	Krinkie	Nornes	Seifert, M.	Westrom
Bradley	Goodno	Kubly	Opatz	Skoe	Wilkin
Broecker	Gunther	Kuisle	Osskopp	Smith	Wolf
Buesgens	Haake	Larsen, P.	Osthoff	Stanek	Workman
Carlson	Haas	Larson, D.	Ozment	Stang	Spk. Sviggum
Cassell	Hackbarth	Lenczewski	Paulsen	Storm	
Clark, J.	Harder	Lieder	Pawlenty	Swenson	
Daggett	Hasskamp	Lindner	Peterson	Sykora	
Davids	Holberg	Luther	Rest	Tingelstad	
Dehler	Holsten	Mares	Reuter	Tuma	

Those who voted in the negative were:

Abrams	Entenza	Hausman	Leighton	Milbert	Skoglund
Biernat	Erhardt	Hilty	Leppik	Mullery	Solberg
Carruthers	Folliard	Huntley	Mahoney	Olson	Swapinski
Chaudhary	Gleason	Jaros	Mariani	Paymar	Tomassoni
Clark, K.	Gray	Kahn	Marko	Pugh	Trimble
Dawkins	Greenfield	Kelliher	McCollum	Rhodes	Wagenius
Dorn	Greiling	Koskinen	McGuire	Rukavina	Wejzman

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

CONSENT CALENDAR

Pawlenty moved that the Consent Calendar be continued. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day, immediately preceding the remaining bills on the Calendar for the Day, for Monday, March 20, 2000:

H. F. Nos. 2563 and 3534.

CALENDAR FOR THE DAY

CALL OF THE HOUSE LIFTED

Pugh moved that the call of the House be suspended. The motion prevailed and it was so ordered.

H. F. No. 2563, A bill for an act relating to liens; modifying mechanics' lien penalties; creating a civil cause of action; authorizing attorney fees; providing that proceeds are exempt from execution; imposing criminal penalties; amending Minnesota Statutes 1998, sections 514.02, subdivision 1, and by adding a subdivision; and 550.37, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hausman	Lenczewski	Ozment	Storm
Abrams	Dorn	Hilty	Leppik	Paulsen	Swapinski
Anderson, B.	Entenza	Holberg	Lieder	Pawlenty	Swenson
Anderson, I.	Erhardt	Holsten	Lindner	Peterson	Sykora
Bakk	Erickson	Howes	Luther	Pugh	Tingelstad
Bishop	Finseth	Huntley	Mahoney	Reuter	Tomassoni
Boudreau	Folliard	Jaros	Mares	Rhodes	Trimble
Bradley	Fuller	Juhnke	Marko	Rifenberg	Tuma
Broecker	Gerlach	Kahn	McCollum	Rostberg	Van Dellen
Buesgens	Gleason	Kalis	McElroy	Rukavina	Vandever
Carlson	Goodno	Kelliher	McGuire	Schumacher	Wagenius
Carruthers	Gray	Kielkucki	Milbert	Seagren	Wejcman
Cassell	Greenfield	Knoblach	Molnau	Seifert, J.	Wenzel
Chaudhary	Greiling	Koskinen	Mulder	Seifert, M.	Westerberg
Clark, J.	Gunther	Krinkie	Mullery	Skoe	Westfall
Clark, K.	Haake	Kubly	Murphy	Skoglund	Westrom
Daggett	Haas	Kuisle	Ness	Smith	Wilkin
Davids	Hackbarth	Larsen, P.	Nornes	Solberg	Wolf
Dehler	Harder	Larson, D.	Osskopp	Stanek	Workman
Dempsey	Hasskamp	Leighton	Osthoff	Stang	Spk. Sviggum

Those who voted in the negative were:

Biernat Dawkins Opatz Rest

The bill was passed and its title agreed to.

H. F. No. 3534, A bill for an act relating to agriculture; changing certain requirements and enforcement procedures for agricultural contracts; amending Minnesota Statutes 1998, sections 17.90, by adding a subdivision; and 17.91; proposing coding for new law in Minnesota Statutes, chapter 17.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lindner	Peterson	Sykora
Abrams	Dorn	Holsten	Luther	Pugh	Tingelstad
Anderson, B.	Entenza	Howes	Mahoney	Rest	Tomassoni
Anderson, I.	Erhardt	Huntley	Mares	Reuter	Trimble
Bakk	Erickson	Jaros	Marko	Rhodes	Tuma
Biernat	Finseth	Juhnke	McCollum	Rifenberg	Van Dellen
Bishop	Folliard	Kahn	McElroy	Rostberg	Vandever
Boudreau	Fuller	Kalis	McGuire	Rukavina	Wagenius
Bradley	Gerlach	Kelliher	Milbert	Schumacher	Wejzman
Broecker	Gleason	Kielkucki	Molnau	Seagren	Wenzel
Buesgens	Goodno	Knoblach	Mulder	Seifert, J.	Westerberg
Carlson	Greenfield	Koskinen	Mullery	Seifert, M.	Westfall
Carruthers	Greiling	Krinkie	Murphy	Skoe	Westrom
Cassell	Gunther	Kubly	Ness	Skoglund	Wilkin
Chaudhary	Haake	Kuisle	Nornes	Smith	Wolf
Clark, J.	Haas	Larsen, P.	Opatz	Solberg	Workman
Clark, K.	Hackbarth	Larson, D.	Osskopp	Stanek	Spk. Sviggum
Daggett	Harder	Leighton	Osthoff	Stang	
Davids	Hasskamp	Lenczewski	Ozment	Storm	
Dehler	Hausman	Leppik	Paulsen	Swapinski	
Dempsey	Hilty	Lieder	Pawlenty	Swenson	

Those who voted in the negative were:

Dawkins

The bill was passed and its title agreed to.

Pawlenty moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Erhardt moved that the name of Paulsen be added as an author on H. F. No. 2402. The motion prevailed.

Goodno moved that the name of Bradley be added as an author on H. F. No. 2699. The motion prevailed.

Juhnke moved that the names of Chaudhary and Trimble be added as authors on H. F. No. 2707. The motion prevailed.

Swenson moved that the name of Mulder be added as an author on H. F. No. 3238. The motion prevailed.

Goodno moved that the name of Abeler be added as an author on H. F. No. 3610. The motion prevailed.

McElroy moved that the name of Wilkin be added as an author on H. F. No. 3772. The motion prevailed.

Mulder moved that the name of Winter be added as an author on H. F. No. 3992. The motion prevailed.

Goodno moved that the name of Abeler be added as an author on H. F. No. 4009. The motion prevailed.

Hasskamp moved that H. F. No. 4122 be returned to its author. The motion prevailed.

Hackbarth and Tingelstad introduced:

House Resolution No. 18, A house resolution congratulating Samantha Redden and Katie Dick for their heroic acts.

The resolution was referred to the Committee on Rules and Legislative Administration.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. Nos. 2891 and 3800 on the Fiscal Calendar for Tuesday, March 21, 2000.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 1:00 p.m., Tuesday, March 21, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Tuesday, March 21, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives