

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 2000

 NINETY-SECOND DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 21, 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 Sister Mary Benita, Holy Cross Church, North East Minneapolis, 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	Dorn	Holberg	Lieder	Ozment	Stang
Abrams	Entenza	Holsten	Lindner	Paulsen	Storm
Anderson, B.	Erhardt	Howes	Luther	Pawlenty	Swapinski
Anderson, I.	Erickson	Huntley	Mahoney	Paymar	Swenson
Bakk	Finseth	Jaros	Mares	Pelowski	Sykora
Biernat	Folliard	Jennings	Mariani	Peterson	Tingelstad
Bishop	Fuller	Johnson	Marko	Pugh	Tomassoni
Boudreau	Gerlach	Juhnke	McCollum	Rest	Trimble
Bradley	Gleason	Kahn	McElroy	Reuter	Tuma
Broecker	Goodno	Kalis	McGuire	Rhodes	Van Dellen
Buesgens	Gray	Kelliher	Milbert	Rifenberg	Vandever
Carlson	Greenfield	Kielkucki	Molnau	Rostberg	Wagenius
Carruthers	Greiling	Knoblach	Mulder	Rukavina	Wejzman
Cassell	Gunther	Koskinen	Mullery	Schumacher	Wenzel
Chaudhary	Haake	Krinkie	Murphy	Seagren	Westerberg
Clark, J.	Haas	Kubly	Ness	Seifert, J.	Westfall
Daggett	Hackbarth	Kuisle	Nornes	Seifert, M.	Westrom
Davids	Harder	Larson, D.	Olson	Skoe	Wilkin
Dawkins	Hasskamp	Leighton	Opatz	Skoglund	Wolf
Dehler	Hausman	Lenczewski	Osskopp	Smith	Workman
Dorman	Hilty	Leppik	Osthoff	Stanek	Spk. Sviggum

A quorum was present.

Otremba, Tunheim and Winter were excused.

Larsen, P., was excused until 1:20 p.m. Solberg was excused until 1:40 p.m. Orfield was excused until 1:50 p.m. Clark, K., was excused until 2:00 p.m. Dempsey was excused until 6:10 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Opatz moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. 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. Nos. 2891 and 3800 reconcile with the budget resolution and targets.

Sincerely,

REPRESENTATIVE DAVE BISHOP
Chair, House Ways and Means Committee

REPORTS OF CHIEF CLERK

S. F. No. 702 and H. F. No. 672, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kuisle moved that the rules be so far suspended that S. F. No. 702 be substituted for H. F. No. 672 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1231 and H. F. No. 1383, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wilkin moved that the rules be so far suspended that S. F. No. 1231 be substituted for H. F. No. 1383 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2676 and H. F. No. 3327, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Broecker moved that the rules be so far suspended that S. F. No. 2676 be substituted for H. F. No. 3327 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2677 and H. F. No. 2995, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Fuller moved that the rules be so far suspended that S. F. No. 2677 be substituted for H. F. No. 2995 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2830 and H. F. No. 2958, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Mahoney moved that the rules be so far suspended that S. F. No. 2830 be substituted for H. F. No. 2958 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2941 and H. F. No. 3365, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Abeler moved that the rules be so far suspended that S. F. No. 2941 be substituted for H. F. No. 3365 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2972 and H. F. No. 3495, 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. 2972 be substituted for H. F. No. 3495 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3025 and H. F. No. 3342, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Mariani moved that the rules be so far suspended that S. F. No. 3025 be substituted for H. F. No. 3342 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3082 and H. F. No. 3263, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Swapinski moved that S. F. No. 3082 be substituted for H. F. No. 3263 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3160 and H. F. No. 3319, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jennings moved that the rules be so far suspended that S. F. No. 3160 be substituted for H. F. No. 3319 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3203 and H. F. No. 2974, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Davids moved that the rules be so far suspended that S. F. No. 3203 be substituted for H. F. No. 2974 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3210 and H. F. No. 3369, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Peterson moved that the rules be so far suspended that S. F. No. 3210 be substituted for H. F. No. 3369 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3253 and H. F. No. 3188, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Tingelstad moved that the rules be so far suspended that S. F. No. 3253 be substituted for H. F. No. 3188 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3260 and H. F. No. 3868, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Daggett moved that the rules be so far suspended that S. F. No. 3260 be substituted for H. F. No. 3868 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3291 and H. F. No. 3566, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Dawkins moved that the rules be so far suspended that S. F. No. 3291 be substituted for H. F. No. 3566 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3348 and H. F. No. 2707, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Juhnke moved that the rules be so far suspended that S. F. No. 3348 be substituted for H. F. No. 2707 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3369 and H. F. No. 3596, 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. 3369 be substituted for H. F. No. 3596 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3478 and H. F. No. 3795, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kuisle moved that the rules be so far suspended that S. F. No. 3478 be substituted for H. F. No. 3795 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3549 and H. F. No. 3306, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Wilkin moved that S. F. No. 3549 be substituted for H. F. No. 3306 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3581 and H. F. No. 3974, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Paulsen moved that the rules be so far suspended that S. F. No. 3581 be substituted for H. F. No. 3974 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 702, 1231, 2676, 2677, 2830, 2941, 2972, 3025, 3082, 3160, 3203, 3210, 3253, 3260, 3291, 3348, 3369, 3478, 3549 and 3581 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Schumacher introduced:

H. F. No. 4126, A bill for an act relating to education; making school safety improvements eligible for health and safety revenue; amending Minnesota Statutes 1998, section 123B.57, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on K-12 Education 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, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3222, A bill for an act relating to state government; modifying reporting requirements for health-related boards; changing membership requirements for the health professionals services program committee; authorizing a diversion program for health professionals; amending Minnesota Statutes 1998, sections 147.01, subdivision 4; 148B.04, subdivision 4; 148B.285, subdivision 3; 214.07; 214.10, subdivision 8; 214.31; and 214.32, subdivision 1; Minnesota Statutes 1999 Supplement, section 148.691, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 214.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rhodes moved that the House concur in the Senate amendments to H. F. No. 3222 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3222, A bill for an act relating to state government; modifying reporting requirements for health-related boards; changing membership requirements for the health professionals services program committee; amending Minnesota Statutes 1998, sections 147.01, subdivision 4; 148B.04, subdivision 4; 148B.285, subdivision 3; 214.07; 214.10, subdivision 8; 214.31; and 214.32, subdivision 1; Minnesota Statutes 1999 Supplement, section 148.691, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 144E; and 214.

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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

H. F. No. 3332, A bill for an act relating to agriculture; allowing the commissioner of agriculture to establish alternative term expiration dates for members of the dairy research and promotion council; amending Minnesota Statutes 1998, section 17.54, subdivisions 6 and 13.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Swenson moved that the House concur in the Senate amendments to H. F. No. 3332 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3332, A bill for an act relating to agriculture; allowing the commissioner of agriculture to establish alternative term expiration dates for members of the dairy research and promotion council; amending Minnesota Statutes 1998, section 17.54, subdivisions 6 and 13.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

The Speaker called Abrams to the Chair.

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. 3433, A bill for an act relating to the St. Paul port authority; changing the powers and jurisdiction with respect to recreation facilities and recreation purposes; amending Minnesota Statutes 1998, section 469.084, subdivisions 1 and 4.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Osthoff moved that the House concur in the Senate amendments to H. F. No. 3433 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3433, A bill for an act relating to the St. Paul port authority; changing the powers and jurisdiction with respect to recreation facilities and recreation purposes; amending Minnesota Statutes 1998, section 469.084, subdivisions 1 and 4.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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 House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Rhodes moved that the House refuse to concur in the Senate amendments to H. F. No. 3633, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

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. 1590, A bill for an act relating to peace officers; clarifying warrant authority of alcohol and gambling agents; amending Minnesota Statutes 1998, section 626.11.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mahoney moved that the House refuse to concur in the Senate amendments to H. F. No. 1590, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 689, 2903, 3055, 2634, 2828, 3108, 2363, 2858, 2701, 1226 and 2461.

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. 2865, 3566, 2723, 3701, 3234, 3423, 1495, 3272, 2770 and 3286.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 689, A bill for an act relating to health; regulating complementary and alternative health care practitioners; establishing civil penalties; amending Minnesota Statutes 1999 Supplement, sections 13.99, by adding a subdivision; 147.09; and 214.01, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 146A.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

S. F. No. 2903, A bill for an act relating to gambling; changing paddlewheel location and prize requirements; allowing lawful gambling organizations to pay for premises; expanding the definition of lawful purpose; requiring manufacturers to sell gambling supplies in certain cases; amending Minnesota Statutes 1998, sections 349.12, subdivisions 19 and 25; 349.15, by adding a subdivision; 349.163, by adding a subdivision; 349.18, subdivisions 1 and 2; 349.211, subdivision 4; and 349.213, subdivision 1.

The bill was read for the first time.

Osskopp moved that S. F. No. 2903 and H. F. No. 3219, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3055, A bill for an act relating to health plans; regulating contract stacking; providing a remedy; expanding the scope of provisions regulating network shadow contracting; requiring the commissioner of health to study the impact of regulating shadow contracting; amending Minnesota Statutes 1999 Supplement, section 62Q.74, subdivision 1.

The bill was read for the first time.

Abeler moved that S. F. No. 3055 and H. F. No. 3310, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2634, A bill for an act relating to civil law; civil commitment; providing for notice to certain relatives of patients receiving or hospitalized for psychiatric or mental health care; modifying consent provisions for voluntary mental health treatment for certain minors; amending Minnesota Statutes 1999 Supplement, section 253B.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time.

Greiling moved that S. F. No. 2634 and H. F. No. 3107, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2828, A bill for an act relating to gambling; regulating and prohibiting certain activities with respect to gambling; regulating shipment of gambling devices; providing penalties; amending Minnesota Statutes 1998, sections 299L.07, subdivisions 2a and 10; 349.2125, subdivision 1; 609.75, by adding subdivisions; and 609.76, subdivision 2, and by adding subdivisions.

The bill was read for the first time.

Osskopp moved that S. F. No. 2828 and H. F. No. 3571, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3108, A bill for an act relating to corrections; regulating telephone access of persons restrained in local and state correctional facilities; limiting penalties; amending Minnesota Statutes 1998, section 481.10.

The bill was read for the first time.

Anderson, B., moved that S. F. No. 3108 and H. F. No. 3512, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2363, A bill for an act relating to health; regulating dental benefit plans; proposing coding for new law in Minnesota Statutes, chapter 62Q.

The bill was read for the first time.

Larsen, P., moved that S. F. No. 2363 and H. F. No. 2935, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2858, A bill for an act relating to human services and corrections; transfer to correctional facility; requiring a report; amending Minnesota Statutes 1998, section 253B.185, subdivision 2.

The bill was read for the first time.

Holberg moved that S. F. No. 2858 and H. F. No. 3457, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2701, A bill for an act relating to crime prevention; creating the crime of gambling fraud; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time.

Broecker moved that S. F. No. 2701 and H. F. No. 3023, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1226, A bill for an act relating to counties; authorizing county economic development authorities; proposing coding for new law in Minnesota Statutes, chapter 469.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 2461, A bill for an act relating to taxation; sales and use; exempting certain aircraft sales; amending Minnesota Statutes 1998, section 297A.25, subdivision 5.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 2865, A bill for an act relating to homeless and runaway youth; requiring the commissioner of human services to establish and support a comprehensive initiative for homeless youth, youth at risk of homelessness, and runaways to the extent that funding is provided; providing for street outreach, drop-in services, basic center shelter, and transitional living programs; proposing coding for new law as Minnesota Statutes, chapter 257B.

The bill was read for the first time.

Tingelstad moved that S. F. No. 2865 and H. F. No. 2622, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3566, A bill for an act relating to crime prevention; creating a new criminal penalty for failure to pay over sales tax on motor vehicles collected from a purchaser; amending Minnesota Statutes 1998, section 297B.10.

The bill was read for the first time.

Entenza moved that S. F. No. 3566 and H. F. No. 3303, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2723, A bill for an act relating to property; 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.

The bill was read for the first time.

Dawkins moved that S. F. No. 2723 and H. F. No. 3208, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3701, A bill for an act relating to state government; adding members to the designer selection board; providing the designation of at least two designers for projects at the University of Minnesota or the state colleges and universities; amending Minnesota Statutes 1998, section 16B.33, subdivisions 2 and 3a.

The bill was read for the first time.

Leppik moved that S. F. No. 3701 and H. F. No. 3195, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3234, A bill for an act relating to state government; authorizing legislative governmental operations committees to formally object to administrative rules; modifying the review of proposed rules; creating a rules task force; providing appointments; amending Minnesota Statutes 1998, sections 3.842, subdivision 4a; and 14.15, subdivision 4; Minnesota Statutes 1999 Supplement, section 14.26, subdivision 3.

The bill was read for the first time and referred to the Committee on Ways and Means.

S. F. No. 3423, A bill for an act relating to insurance; requiring the commissioner of commerce to assist Holocaust victims to settle claims and recover proceeds from applicable insurance policies; proposing coding for new law in Minnesota Statutes, chapter 60A.

The bill was read for the first time.

Abrams moved that S. F. No. 3423 and H. F. No. 3756, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1495, A bill for an act relating to commerce; enacting revised article 9 of the Uniform Commercial Code as adopted by the National Conference of Commissioners on Uniform State Laws; amending Minnesota Statutes 1998, sections 336.1-105; 336.1-201; 336.2-103; 336.2-210; 336.2-326; 336.2-502; 336.2-716; 336.2A-103; 336.2A-303; 336.2A-307; 336.2A-309; 336.4-210; 336.7-503; 336.8-103; 336.8-106; 336.8-110; 336.8-301; 336.8-302; and 336.8-510; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 1998, sections 336.9-101; 336.9-102; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-107; 336.9-108; 336.9-109; 336.9-110; 336.9-112; 336.9-113; 336.9-114; 336.9-115; 336.9-116; 336.9-201; 336.9-202; 336.9-204; 336.9-205; 336.9-206; 336.9-207; 336.9-208; 336.9-301; 336.9-302; 336.9-303; 336.9-304; 336.9-305; 336.9-306; 336.9-307; 336.9-308; 336.9-309; 336.9-310; 336.9-311; 336.9-312; 336.9-313; 336.9-314; 336.9-315; 336.9-316; 336.9-317; 336.9-318; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-408; 336.9-410; 336.9-412; 336.9-413; 336.9-501; 336.9-502; 336.9-503; 336.9-504; 336.9-505; 336.9-506; 336.9-507; and 336.9-508; and Minnesota Statutes 1999 Supplement, sections 336.9-203; 336.9-401; 336.9-402; and 336.9-411.

The bill was read for the first time and referred to the Committee on Ways and Means.

S. F. No. 3272, A bill for an act relating to the building code; modifying requirements of bleacher safety; amending Minnesota Statutes 1999 Supplement, section 16B.616, subdivisions 3 and 4.

The bill was read for the first time.

Bradley moved that S. F. No. 3272 and H. F. No. 2846, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2770, A bill for an act relating to crime prevention; increasing maximum fines for petty misdemeanor and misdemeanor offenses; amending Minnesota Statutes 1998, sections 169.89, subdivision 2; 609.02, subdivisions 3 and 4a; 609.03; 609.033; 609.0331; 609.0332, subdivision 1; and 609.034.

The bill was read for the first time and referred to the Committee on Judiciary Finance.

S. F. No. 3286, A bill for an act relating to education; amending state graduation requirements; amending graduation rules; amending Minnesota Statutes 1998, sections 120A.41; and 120B.03, subdivision 2, and by adding subdivisions; Minnesota Statutes 1999 Supplement, sections 120B.02; and 120B.30, subdivision 1; repealing Minnesota Statutes 1998, sections 120B.03, subdivisions 1 and 3; and 120B.04; Minnesota Rules, parts 3501.0330, subparts 2, item A, and 7, item B; 3501.0370, subparts 1, 2, and 4; 3501.0420, subparts 1, item D, and 4; and 3501.0430.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Ness moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3286 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Ness moved that the rules of the House be so far suspended that S. F. No. 3286 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 3286 was read for the second time.

Ness moved to amend S. F. No. 3286 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3618, the second engrossment:

"Article 1: High Standards for All Students

Section 1. [120B.015] [HIGH STANDARDS FOR ALL STUDENTS.]

All school districts must implement high standards for all students according to article 2, the profile of learning, or article 3, the north star standard, or section 120A.22.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

Article 2: Profile of Learning

Section 1. [MORATORIUM; MORATORIUM REPEAL.]

(a) Minnesota Statutes, sections 120B.02 and 120B.03, and other law and rules governing the state's profile of learning, including preparatory content standards and state high school graduation standards related to the profile of learning, are not mandated by the state for kindergarten through grade 12 students.

(b) Paragraph (a) shall remain in effect until:

(1) the commissioner certifies to the legislature that, under section 2, the recommendations in the commissioner's plan have been addressed and districts' technology needs for reporting have been fully met; and

(2) after the legislature receives the certification under clause (1), a law is enacted specifically repealing paragraph (a).

(c) During the period of the moratorium, school districts may develop and implement a system of high academic standards for students. Districts may disseminate to the commissioner information about the district's system of high academic standards for students. The commissioner, at the request of a school district, must disseminate to that district the information the commissioner receives about districts' systems of high academic standards for students that are developed and implemented under this paragraph.

Sec. 2. [REPORT; IMPLEMENTATION PLAN; TECHNOLOGY NEEDS; CERTIFICATION.]

Subdivision 1. [REPORT ON CONTRACTORS' RECOMMENDATIONS; IMPLEMENTATION PLAN.] After two nationally recognized independent organizations under contract, including the American Federation of Teachers, conduct an external review of the state's standards and related procedures, policies, assessments, and the department of children, families, and learning's implementation plan consistent with section 3, the commissioner must analyze the contractors' recommendations and report to the legislature by December 15, 2000. The report must contain the contractors' recommendations, the commissioner's analysis of the contractors' recommendations, and a plan the commissioner develops in response to those recommendations for implementing the recommendations the commissioner considers appropriate. The plan must indicate how the commissioner proposes to alter graduation standards under the profile of learning to meet the educational needs of all students. The plan must separately indicate which of the contractors' recommendations that the commissioner considers appropriate:

(1) can be effected through administrative actions;

(2) require changes in rule; and

(3) require changes in law.

The commissioner may implement the recommendations under clause (1), but must not begin to adopt rules to implement the recommendations under clause (2) until specifically authorized by law. The commissioner is prohibited from implementing the recommendations under clause (3).

Subd. 2. [TECHNOLOGY NEEDS.] The commissioner must work with school districts to ensure that all districts have sufficient ongoing access to computers and needed software at minimal cost, and staff training and support to permit:

(1) efficient daily classroom recordkeeping;

(2) consistent communications between schools and between school districts; and

(3) compatible local and state accountability reporting.

Subd. 3. [ANNUAL REPORTS.] The commissioner annually by December 15 must report to the legislature on the progress made in implementing the commissioner's plan under subdivision 1 and meeting districts' technology needs for reporting under subdivision 2. The commissioner must continue to present an annual progress report until the conditions under section 1, paragraph (b), are met.

Sec. 3. [CONTENT OF EXTERNAL REVIEW.]

(a) The contractors under section 2 must examine and report on the quality of the state's standards and assessments as an integrated educational system.

(b) The contractors' report must include:

(1) an analysis of the link between the state's standards and assessments intended to hold schools accountable for educational achievement;

(2) meaningful comparisons and specific recommendations for revision by benchmarking the state's standards and assessments against the best existing models; and

(3) diagnostic information, including the strengths and weaknesses of the state's academic standards.

(c) For benchmarking purposes, the contractors must indicate:

(1) whether the standards are clear, specific, and measurable, and whether they are easily understood by teachers, parents, and students;

(2) how Minnesota's standards in English, mathematics, science, and social studies compare to objective exemplary standards; what important elements found in the objective exemplary standards are not found in Minnesota's standards; and what is most important for students to learn;

(3) how well state assessments measure the standards, whether the assessments measure the core academic standards and, if they do not, which standards are not adequately measured;

(4) whether the state assessments are challenging, or more demanding or less demanding than the standards imply, and whether the assessments are set at an appropriate level of difficulty for a particular grade level; and

(5) how proficiency is defined on the state's assessments, whether this definition is comparable to the definition of proficiency, and what changes can strengthen the quality and alignment of the state's standards and assessments.

Sec. 4. 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 or staff development training related to implementing section 16 beyond the number of days of student instruction the board formally adopted as its school calendar at the beginning of the 1996-1997 school year.

Sec. 5. Minnesota Statutes 1999 Supplement, section 120B.02, is amended to read:

120B.02 [RESULTS-ORIENTED GRADUATION RULE; BASIC SKILLS REQUIREMENTS; PROFILE OF LEARNING.]

(a) The legislature is committed to establishing a rigorous, results-oriented graduation rule for Minnesota's public school students. To that end, the commissioner shall use its rulemaking authority under section 127A.05, subdivision 4, to adopt a statewide, results-oriented graduation rule to be implemented starting with students beginning ninth grade in the 1996-1997 school year. The commissioner shall not prescribe in rule or otherwise the delivery system or form of instruction that local sites must use to meet the requirements contained in this rule.

(b) To successfully accomplish paragraph (a), the commissioner shall set in rule high academic standards for all students. The standards must contain the foundational skills in the three core curricular areas of reading, writing, and mathematics while meeting requirements for high school graduation. The standards must also provide an opportunity for students to excel by meeting higher academic standards through a profile of learning that uses curricular requirements to allow students to expand their knowledge and skills beyond the foundational skills. All commissioner actions regarding the rule must be premised on the following:

(1) the rule is intended to raise academic expectations for students, teachers, and schools;

(2) any state action regarding the rule must evidence consideration of school district autonomy; ~~and~~

(3) the department of children, families, and learning, with the assistance of school districts, must make available information about all state initiatives related to the rule to students and parents, teachers, and the general public in a timely format that is appropriate, comprehensive, and readily understandable;

(4)(i) student work completed in the six required learning areas of learning area 1, English language and grammar; learning area 2, composition and speech; learning area 3, mathematics; learning area 4, science; learning area 5, social studies; and learning area 6, literature and the arts; means high school students in grades 9 to 12 must at least complete 12 content standards that include six state-required content standards and six elective content standards, (ii) middle school students in grades 6 to 8 must at least complete one content standard in each of the six required learning areas, (iii) intermediate school students in grades 4 and 5 must complete a content standard in learning areas 1, 2, and 3 and two elective content standards, and (iv) primary school students in kindergarten to grade 3 must focus on learning areas 1, 2, and 3 but are not required to complete content standards in any learning areas;

(5) districts, at their election, may offer students a seventh learning area of world language from which students may satisfy an elective content standard requirement; and

(6) a student who is participating in a rigorous course of study, including an advanced placement or international baccalaureate program, talented youth mathematics project, a concurrent enrollment course where a student takes a college course in a secondary school setting, or a post-secondary enrollment options course or program under section 124D.09, is not required to complete other requirements of any content standards corresponding to the student's rigorous course of study.

(c) Districts must ensure that:

(1) district curriculum and corresponding instruction incorporate content standards in courses offered to students;

(2) assessment of student academic achievement on a content standard is integrated into the grade the student receives for the quality of work a student completes for a course or program; and

(3) all required and elective content standards contain elements of decision making and inquiry.

(d) For purposes of adopting the rule, the commissioner, in consultation with the department, recognized psychometric experts in assessment, and other interested and knowledgeable educators, using the most current version of professional standards for educational testing, shall evaluate the alternative approaches to assessment.

~~(d)~~ (e) The content of the graduation rule must differentiate between minimum competencies reflected in the basic requirements assessment and rigorous profile of learning standards. When fully implemented, the requirements for high school graduation in Minnesota must include both basic requirements and the required profile of learning. The profile of learning must measure student ~~performance~~ academic achievement using ~~performance-based~~ assessments based on student academic achievement compiled over time that integrate higher academic standards, higher order thinking skills, and application of knowledge from a variety of content areas. The profile of learning shall include a broad range of academic experience and accomplishment necessary to achieve the goal of preparing students to

function effectively as purposeful thinkers, effective communicators, self-directed learners, productive group participants, and responsible citizens. The commissioner shall develop and disseminate to school districts a uniform method for reporting student ~~performance~~ academic achievement on the profile of learning. Districts may use outstanding work from each grade level as exemplars for measuring student work in that grade.

~~(e)~~ (f) The commissioner shall periodically review and report on the assessment process and student achievement with the expectation of raising the standards and expanding high school graduation requirements.

~~(f)~~ (g) The commissioner shall report in writing to the legislature annually by January 15 on its progress in developing and implementing the graduation requirements according to the requirements of this subdivision and section 120B.10 until such time as all the graduation requirements are implemented.

(h) Basic skills and profile of learning requirements must be developed and implemented independently of any national education goals established under the 1994 Goals 2000: Educate America Act.

Sec. 6. [120B.0215] [VARIATIONS FOR STUDENTS WITH INDIVIDUAL EDUCATION PLANS OR SECTION 504 ACCOMMODATION PLANS.]

Subdivision 1. [DETERMINATION OF REQUIREMENTS.] (a) A student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan shall have all content standards considered by the student's individual education plan team or section 504 accommodation plan team for inclusion in the student's individual education plan or section 504 accommodation plan under subdivision 2.

(b) A student's individual education plan team or section 504 accommodation plan team must consider the state's graduation requirements for inclusion in the student's individual education plan or section 504 accommodation plan when a student with a disability is 14 years old or registers for grade 9, whichever is first. An individual education plan team also must consider the student's transition plan when determining which of the required and elective content standards to include in the student's individual education plan.

Subd. 2. [INDIVIDUALIZED PLANS.] (a) For a student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team may modify preparatory content standards for the student in the individual education plan or section 504 accommodation plan. The team must determine the specifications of a content standard the student will pursue under the selected modification. If the team determines that the student is exempt from one or more of the content standards, it must explain the exemption in the student's individual education plan or section 504 accommodation plan. When the team adopts an exempt status for a content standard, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(b) For a high school student with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team must:

- (1) determine whether the student will pursue the content standards without modification;
- (2) determine whether one or more of the required content standards will be modified to an individual level;
- (3) define the elective content standards that the student also will pursue and whether, for each elective, the student will pursue the content standard without modification or have the content standard modified to an individual level; or
- (4) determine whether the student is exempt from one or more of the state's graduation requirements.

When the team adopts exempt status for a content standard, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(c) A student's individual education plan team or section 504 accommodation plan team must determine the specifications of a preparatory or high school content standard the student will pursue when the team modifies a content standard. When a content standard is modified, the student's individual education plan team or section 504 accommodation plan team must determine the appropriate assessment of the modified content standard.

Sec. 7. [120B.0216] [ENGLISH PROFICIENCY; INDIVIDUAL GRADUATION PLANS.]

A district must establish and maintain procedures giving students the opportunity to complete both preparatory courses and high school content standards. Graduation requirements for a student must not be modified unless section 120B.0215 applies or unless modified in an individual graduation plan developed for a student with limited English proficiency and annually reviewed by a team that includes school advisory staff designated by the district, the student's teachers, the student's parent or guardian, and the student. A district must not modify specifications for standards in learning areas one to six to permit a student to complete a standard in a language other than English.

Sec. 8. [120B.0217] [TESTING AND ASSESSMENT; MEASURING STUDENT PERFORMANCE.]

Subdivision 1. [DISTRICT CRITERION-REFERENCED TESTING AND ASSESSMENT REQUIREMENTS.]

(a) The commissioner must develop a state model for local criterion-referenced testing and assessment consistent with this section.

(b) A district must:

(1) test and assess student performance in preparatory and high school content standards;

(2) establish processes by which to transfer as completed (i) those content standards that other Minnesota public school districts verify on transcripts as completed, (ii) the work that post-secondary educational institutions or educational institutions outside the state accept for completing the equivalent of content standards and verify on transcripts as completed, and (iii) a student's opportunities to complete high school content standards through learning the student acquires outside the district's curriculum; and

(3) use grading criteria under subdivision 2.

Subd. 2. [GRADING.] The assessment of student achievement under the profile of learning must align with the district's grading system and must be included as part of the student's grade for a subject or course.

Sec. 9. [120B.0218] [NOTICE TO PARENTS AND STUDENTS.]

In addition to other applicable notice requirements, the district must notify parents and students in writing about:

(1) the content standards taught and assessed in the school curriculum;

(2) the procedures for advising the student and the student's parent or guardian about graduation requirements and for accessing these procedures;

(3) the procedures by which students may meet graduation requirements with the equivalent of content standards completed outside the district's curriculum; and

(4) the district's individual student progress and achievement reporting schedule.

Sec. 10. Minnesota Statutes 1998, section 120B.03, subdivision 1, is amended to read:

Subdivision 1. [DISTRICT IMPLEMENTATION OF THE PROFILE OF LEARNING.] (a) A school district shall implement the profile of learning of the graduation rule under paragraph (b); or (c); ~~or (d)~~.

A district may implement the profile of learning under paragraph (c) or (d) only after the commissioner approves the district's request for a waiver and approves the local plan for full implementation:

(b) A school district shall implement the profile of learning for the 1998-1999 school year and later:

(~~e~~) (b) A school district shall implement the profile of learning as follows:

(1) for the ~~1998-1999~~ first school year after which the moratorium under section 1 is repealed and later, the district shall implement ~~at the~~ required standards in learning areas at the preparatory level and (i) must implement for ninth grade students ~~a minimum of six at least two~~ learning areas under the profile of learning ~~with three~~ from the areas of read, listen, and view English language and grammar; write and speak composition and speech; mathematical applications mathematics; scientific applications and science; and people and cultures; (ii) in addition, may implement for ninth grade students the learning areas of social studies and ~~three~~ from the areas of literature and the arts; inquiry; decision making; resource management; and world language;

(2) for the ~~1999-2000~~ second school year after which the moratorium under section 1 is repealed and later, the district shall implement for ninth and tenth grade students two other learning areas under clause (1)(i) in addition to those implemented under clause (1) if four learning areas were not completed under clause (1)(i). ~~The district shall complete the four learning areas of read, listen, and view; write and speak; mathematical applications; scientific applications; and people and cultures if the four areas were not completed in clause (1);~~ in addition, may implement the learning areas of social studies and the remainder from the areas of literature and the arts; inquiry; decision making; resource management; and world language if the learning areas were not completed under clause (1)(ii); and

(3) for the ~~2000-2001~~ third school year after which the moratorium under section 1 is repealed and later, the district shall implement for ninth, tenth, and eleventh grade students the two learning areas in the profile of learning that were not implemented under clauses (1) and (2), if applicable, with the expectation that students graduating in the fourth school year after which the moratorium under section 1 is repealed must successfully complete all profile of learning requirements under section 120B.02 in order to graduate.

(~~d~~) (c) A district shall develop a local plan to implement the profile of learning and have all ~~ten~~ six learning areas fully implemented by the ~~2001-2002~~ start of the third school year after which the moratorium under section 1 is repealed with the expectation that students graduating in the fourth school year after which the moratorium under section 1 is repealed must successfully complete all profile of learning requirements under section 120B.02 in order to graduate.

(~~e~~) (d) A district shall notify the commissioner by July 1, ~~1998~~ of the first school year preceding the school year in which districts' obligation to begin implementing the profile of learning under paragraph (b), clause (1), arises, as to whether the district will implement the profile of learning under paragraph (b); or (c); ~~or (d)~~.

(f) ~~An advisory committee of 11 members is established to advise the governor and commissioner on the implementation of the graduation rule under this section. The commissioner shall appoint 11 members with representatives from education organizations, business, higher education, parents, and organizations representing communities of color.~~

The committee shall review the implementation of the basic requirements and the profile of learning standards:

The commissioner shall provide technical and other assistance to the advisory committee. The committee expires ~~on December 1, 1998.~~

(e) Consistent with the requirements under section 2, subdivision 2, the commissioner shall convene an advisory group composed of qualified experts and interested stakeholders to recommend recordkeeping practices under the profile of learning. After reviewing advisory group recommendations, the commissioner must evaluate the software available to implement recordkeeping practices under the profile of learning and certify to all districts and the legislature that the software needed to record and report student academic achievement levels is readily available to all districts at minimal cost by July 1 of the first school year preceding the school year in which districts' obligation to begin implementing the profile of learning under paragraph (b), clause (1), arises.

(f) To meet the educational accountability and reporting standards under this chapter, and consistent with the requirements under section 2, subdivision 2, the commissioner shall work with school districts to develop and implement a uniform system of measuring and reporting student academic achievement completed as requirements under the profile of learning.

Sec. 11. Minnesota Statutes 1998, section 120B.03, subdivision 3, is amended to read:

Subd. 3. ~~[WAIVER LOCAL PLAN.] In order to receive a waiver, A district must document why the waiver is necessary, how the local plan under subdivision 1, paragraph (c), improves student achievement, and how the profile of learning will be fully implemented for the 2001-2002 students graduating in the fourth school year after which the moratorium is repealed under section 1.~~

Sec. 12. Minnesota Statutes 1999 Supplement, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. ~~[STATEWIDE TESTING AND REPORTING.]~~ (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, shall include in the comprehensive assessment system, for each grade level to be tested, ~~a single statewide norm-referenced or criterion-referenced test, or a combination of a norm-referenced and a criterion-referenced test,~~ which shall be highly correlated aligned with the state's graduation standards and administered annually to all students in the third, fifth, and eighth grades. The reading and math tests administered to third and fifth grade students and the writing test administered to fifth grade students must be sufficiently rigorous, valid, and reliable for districts to use the test results for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner shall establish one or more months during which schools shall administer the tests to students each school year. Only Minnesota basic skills tests in reading, mathematics, and writing shall fulfill students' basic skills testing requirements for a passing state notation.

(b) In addition, at the secondary level, districts shall assess student performance in all required learning areas and selected required standards within each area of the profile of learning. The testing instruments and testing process shall be determined by the commissioner. The results shall be aggregated at the site and district level. The testing shall be administered beginning in the 1999-2000 school year and thereafter.

(c) ~~The comprehensive assessment system shall include an evaluation of commissioner shall report school site and school district performance student academic achievement levels during the 1997-1998 school year and thereafter using an established performance baseline developed from students' test scores under this section that records, at a minimum, of the current and two immediately preceding school years. The report shall include students' unweighted mean test scores in each tested subject, a second performance baseline that reports, at a minimum, the same unweighted mean test scores of only those students enrolled in the school by January 1 of the previous school year, and a third performance baseline that reports the same unweighted test scores of all students except those students receiving limited English proficiency instruction. The evaluation report also shall record separately, in proximity to the reported performance baselines levels, the percentages of students who are eligible to receive a free or reduced price school meal, demonstrate limited English proficiency, or are eligible to receive special education services.~~

(d) In addition to the testing and reporting requirements under paragraphs (a), (b), and (c), the commissioner shall include the following components in the statewide ~~educational accountability and~~ public reporting system:

(1) uniform statewide testing of all third, fifth, eighth, and post-eighth grade students ~~with that provides testing exemptions, only with parent or guardian approval, from the testing requirement only~~ for those very few students for whom the student's individual education plan team under sections 125A.05 and 125A.06, determines that the student is incapable of taking a statewide test, or for a limited English proficiency student under section 124D.59, subdivision 2, if the student has been in the United States for fewer than 12 months and for whom special language barriers exist, such as the student's native language does not have a written form or the district does not have access to appropriate interpreter services for the student's native language;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis including average daily attendance, high school graduation rates, and high school drop-out rates by grade level; and

(3) ~~students' scores on the American College Test;~~

(4) participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement; ~~and~~

(5) ~~basic skills and advanced competencies connecting teaching and learning to high academic standards, assessment, and transitions to citizenship and employment.~~

(e) Districts must report exemptions under paragraph (d), clause (1), to the commissioner consistent with a format provided by the commissioner.

Sec. 13. Minnesota Statutes 1999 Supplement, section 120B.35, is amended to read:

120B.35 [STUDENT ACADEMIC ACHIEVEMENT LEVELS.]

(a) Each school year, a school district must determine if the student achievement levels at each school site meet state and local expectations. If student achievement levels at a school site do not meet state and local expectations for two out of three consecutive school years, beginning with the ~~2000-2001~~ first school year after which the moratorium under section 1 is repealed, the district must work with the school site to adopt a plan to raise student achievement levels to meet state and local expectations. The legislature will determine state expectations after receiving a recommendation from the commissioner of children, families, and learning. ~~The commissioner must submit recommendations to the legislature by January 15, 2000.~~

(b) A district, with timely and adequate technical support from the department at the district's request, must assist school sites in developing recommendations for rigorous, valid, and reliable assessment methods to determine student achievement of content standards required for graduation. The methods of assessment may be different for different content standards, but must indicate a clearly defined minimum level of student achievement in each content standard required for graduation. A district must make timely information about its assessment methods and levels of student achievement readily available in a useful format to interested members of the public and the department, consistent with the requirements of section 13.32. The district also must publish an annual report containing district information about student achievement on the state's basic reading, math, and writing tests, the content standards that students must complete under the profile of learning in order to graduate, sample assessment methods the district uses to determine student achievement, and planned and implemented district efforts to improve student learning and district instruction and curriculum, which it must disseminate to district residents and transmit to the department in a useful and timely manner. The commissioner must review the performance of a school site or district demonstrating a pattern of low student achievement on the state's third and fifth grade reading and math tests and fifth grade writing test and on the eighth grade basic reading and math skills tests and tenth grade writing skills test, and may review the performance of other districts at the request of the district or at the discretion of the commissioner. The commissioner must pay the costs of these reviews.

(c) The department, at a district's request, must assist the district and the school site in developing a plan to improve student achievement. The plan must include parental involvement components.

Sec. 14. Minnesota Statutes 1998, section 123A.06, is amended by adding a subdivision to read:

Subd. 3a. [GRADUATION REQUIREMENT ALTERNATIVE.] The profile of learning high school graduation requirement under section 120B.02 does not apply to students enrolled in an area learning center if the center has:

(1) adopted a resolution to use alternative graduation requirements that are specified and detailed; and

(2) informed the parent or guardian of students who are enrolled or applying to enroll of this resolution.

Sec. 15. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 10, is amended to read:

Subd. 10. [PUPIL PERFORMANCE.] A charter school must design its programs to at least meet the outcomes adopted by the commissioner for public school students. In the absence of the commissioner's requirements, the school must meet the outcomes contained in the contract with the sponsor. The achievement levels of the outcomes contained in the contract may exceed the achievement levels of any outcomes adopted by the commissioner for public school students. The profile of learning high school graduation requirement under section 120B.02 does not apply to students enrolled in a charter school if the board has:

(1) adopted a resolution to use alternative graduation requirements that are specified and detailed; and

(2) informed the parent or guardian of students who are enrolled or applying to enroll of this resolution.

Sec. 16. [CURRICULUM; INSTRUCTIONAL PRACTICES FOR TEACHERS; ALTERNATIVE ASSESSMENTS.]

To fully implement standards and assessments, districts must work to improve:

(1) the scope and sequence of curriculum, especially in language arts, mathematics, science, and social studies at all instruction levels;

(2) research-based instructional skills of teachers and other district staff who work with students; and

(3) alternative assessments of student achievement.

Sec. 17. [CONTRACTORS TO COMPARE PROPOSALS.]

The commissioner separately must contract with each of the two nationally recognized independent organizations under contract in section 2 to conduct an external review and analysis of the learning areas and content standards proposed in article 3. This review and analysis must incorporate the review content listed in section 3 and must compare the state's standards and related procedures, policies, and assessments with the proposals in article 3. The contractors must report their findings by December 15, 2000, to the commissioner and the education committees of the legislature.

Sec. 18. [DISSEMINATING INFORMATION.]

The commissioner, in a timely fashion using readily accessible formats, must disseminate clear information to all school districts about the changes made in this act.

Sec. 19. [EFFECT ON PROFILE OF LEARNING RULES.]

The rules of the department of children, families, and learning are void to the extent they are inconsistent with this act.

Sec. 20. [DEPARTMENT COSTS.]

The department of children, families, and learning is responsible for any costs resulting from the implementing of this act.

Sec. 21. [REPEALER.]

(a) Minnesota Statutes 1998, sections 120B.03, subdivision 2; and 120B.04, are repealed.

(b) Minnesota Rules, parts 3501.0320, subpart 2, items E and F; 3501.0360; 3501.0370; 3501.0400; and 3501.0430, items A to D, are repealed.

Sec. 22. [EFFECTIVE DATE.]

Sections 1 to 21 are effective the day following final enactment.

Article 3: North Star Standard

Section 1. Minnesota Statutes 1999 Supplement, section 120B.02, is amended to read:

120B.02 [RESULTS-ORIENTED GRADUATION RULE; NORTH STAR STANDARD FOR GENUINE ACADEMIC EXCELLENCE AND BASIC SKILLS REQUIREMENTS; PROFILE OF LEARNING.]

(a) The legislature is committed to establishing a rigorous, results-oriented graduation rule the North Star Standard for genuine academic excellence for Minnesota's public school students. To that end, the commissioner shall use its rulemaking authority under section 127A.05, subdivision 4, to adopt a statewide, results-oriented graduation rule to be implemented starting with students beginning ninth grade in the 1996-1997 school year. The commissioner shall not prescribe in rule or otherwise the delivery system or form of instruction that local sites must use to meet the requirements contained in this rule.

(b) To successfully accomplish paragraph (a), the commissioner shall set in rule high academic standards for all students. The standards must contain the foundational skills in the three core curricular areas of reading, writing, and mathematics while meeting requirements for high school graduation. The standards must also provide an opportunity for students to excel by meeting higher academic standards through a profile of learning that uses curricular requirements to allow students to expand their knowledge and skills beyond the foundational skills. All commissioner actions regarding the rule must be The North Star Standard is premised on the following:

(1) the rule North Star Standard is intended to raise academic expectations progressively throughout the Kindergarten through grade 12 experience for students, teachers, and schools;

(2) it is essential that, as much as possible, all students reach a level of minimum competency, but the goal must be that all students be expected and encouraged to reach their greatest potential. The standard is the pursuit of academic excellence; and

(3) any state action regarding the rule North Star Standard must evidence consideration of parent, student, teacher, and school district autonomy; and. The delivery system or form of instruction that local sites must use to meet the standard must not be prescribed.

~~(3) the department of children, families, and learning, with the assistance of school districts, must make available information about all state initiatives related to the rule to students and parents, teachers, and the general public in a timely format that is appropriate, comprehensive, and readily understandable.~~

~~(c) (b) For purposes of adopting the rule, the commissioner, in consultation with the department, recognized local implementation of the North Star Standard, school districts shall consult with psychometric experts in assessment, and or other interested and knowledgeable educators for proven curriculum, testing, assessment, methods, using the most current version of professional standards for educational testing, shall evaluate the alternative approaches to assessment and practices.~~

~~(d) The content of the graduation rule must differentiate between minimum competencies reflected in the basic requirements assessment and rigorous profile of learning standards. When fully implemented, the requirements for high school graduation in Minnesota must include both basic requirements and the required profile of learning. The profile of learning must measure student performance using performance-based assessments compiled over time that integrate higher academic standards, higher order thinking skills, and application of knowledge from a variety of content areas. The profile of learning shall include a broad range of academic experience and accomplishment necessary to achieve the goal of preparing students to function effectively as purposeful thinkers, effective communicators, self-directed learners, productive group participants, and responsible citizens. The commissioner shall develop and disseminate to school districts a uniform method for reporting student performance on the profile of learning.~~

~~(e) The commissioner shall periodically review and report on the assessment process and student achievement with the expectation of raising the standards and expanding high school graduation requirements.~~

~~(f) The commissioner shall report in writing to the legislature annually by January 15 on its progress in developing and implementing the graduation requirements according to the requirements of this subdivision and section 120B.10 until such time as all the graduation requirements are implemented.~~

Sec. 2. [120B.021] [CITATION.]

Sections 120B.01 to 120B.0242 may be cited as the "North Star standard for genuine academic excellence."

Sec. 3. [120B.0211] [GOAL.]

Sections 120B.01 to 120B.0242 establish the educational and academic requirements that students must meet to be eligible to receive a high school diploma.

Sec. 4. [120B.0212] [SCOPE.]

Sections 120B.01 to 120B.0242 govern the minimum requirements that public school districts must establish for students to earn a high school diploma.

Sec. 5. [120B.0213] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] As used in sections 120B.01 to 120B.0242, the terms defined in this section have the meanings given them.

Subd. 2. [GRADE SPECIFIC COURSE AND HIGH SCHOOL COURSE CREDIT.] (a) "Grade specific" means the grade appropriate course content established by the school district. Grade specific course content is not required to be age dependent.

(b) "Course" means a set of school district curriculum specifications in a learning area for one school year.

(c) "High school course credit" is the equivalent of one hour per school day during one school year of study in a learning area for grades 9 to 12.

Subd. 3. [LEARNING AREA.] (a) "Learning area" means one of the eight categories into which all preparatory courses, and one of the ten categories into which all high school course credits are organized.

(b) The high school learning areas include:

- (1) English language and grammar;
- (2) literature and composition;
- (3) mathematics;
- (4) science;
- (5) history and government/citizenship;
- (6) personal fitness and health;
- (7) the arts, an elective learning area;
- (8) personal management, an elective learning area;
- (9) foreign languages, an elective learning area; and
- (10) vocational education, an elective learning area.

(c) The preparatory learning areas include:

- (1) English language and grammar;
- (2) literature and composition;
- (3) mathematics;
- (4) science;
- (5) history, geography, and government;
- (6) personal fitness and health;
- (7) arts; and
- (8) personal management.

Subd. 4. [COURSE PLAN.] "Course plan" means a grade specific written set of district curriculum specifications in a learning area and must include: (1) the teacher's name; (2) the grade level; (3) course sequence; (4) class teaching syllabus; (5) the number of course credits students may earn; (6) the instructional materials used for the class; (7) homework and parental support expectations; (8) the testing requirements, quizzes, or other evaluations; (9) grading credit or methods used; and (10) the requirements that students are expected to successfully complete in the course.

Subd. 5. [PARENTAL ACCESS AND PUBLIC ACCOUNTABILITY.] The course plan must be available in the nearest public/school library and must include:

(1) a grade level, course-specific remediation plan prepared by the school district, which must be used concurrently during the course and may include summer school and criteria for repeating a grade or course; and

(2) a school district grading process that determines when a student's course plan is successfully completed, and assigns a grade to the student's work according to the grading criteria.

Subd. 6. [GRADUATION REQUIREMENTS.] "Graduation requirements" means the number and distribution of high school course credits that a district must offer and a student must successfully complete to be eligible for a high school diploma.

Subd. 7. [EXEMPTION.] "Exemption" means that a student with an individual education plan or section 504 accommodation plan is not required to complete a particular course credit.

Subd. 8. [MODIFICATION.] "Modification" means an adjustment of a test that changes the course credit for a student with an individual education plan or section 504 accommodation plan.

Sec. 6. [120B.0214] [GRADUATION REQUIREMENTS.]

Subdivision 1. [NORTH STAR STANDARD.] School district course credits are contained in sections 120B.0222 to 120B.0242. The preparatory courses are contained in sections 120B.0233 to 120B.0242. High school course credits are contained in sections 120B.0222 to 120B.0232. High school graduation requirements are contained in subdivisions 3 to 5.

Subd. 2. [DISTRICTS AND STUDENTS.] (a) A district must provide learning opportunities for all students in all preparatory courses in learning areas one to eight, and learning opportunities sufficient for students to complete high school course credits in ten learning areas and meet school district graduation requirements.

(b) Students are encouraged to exceed the specifications for all preparatory and high school standards contained in sections 120B.0222 to 120B.0242.

(c) A student must successfully complete at least 21 course credits for graduation. A student may select electives from any course credit in learning areas one to ten under subdivision 3.

Subd. 3. [DISTRIBUTION REQUIREMENTS FOR HIGH SCHOOL GRADUATION.] A student must successfully complete all specifications of at least 21 high school course credits to be eligible for high school graduation. The student must complete 15 of the 21 high school course credits as follows:

(1) two course credits from learning area one, English language and grammar;

(2) two course credits from learning area two, literature and composition;

(3) three course credits from learning area three, mathematics;

(4) two course credits from learning area four, science;

(5) four course credits from learning area five, history, and government/citizenship;

(6) two course credits from learning area six, personal fitness and health;

(7) no course credits from learning area seven, the arts, which is an elective;

(8) no course credits from learning area eight, personal management, which is an elective;

(9) no course credits from learning area nine, foreign languages; and

(10) no course credits from learning area ten, vocational education, which is an elective.

Subd. 4. [ELECTIVE REQUIREMENTS.] In addition to the distribution requirements under subdivision 3, students also must complete six additional course credits of the student's choice from the high school course credits listed in sections 120B.0222 to 120B.0232.

Subd. 5. [ADDITIONAL REQUIREMENTS.] (a) A student must complete one application of technology in each of the following three learning areas:

(1) area two, literature and composition;

(2) area three, mathematics; and

(3) area four, science.

(b) A district may establish additional requirements.

Subd. 6. [VARIATIONS.] A student must successfully complete the requirements in subdivisions 1 to 5 unless the district specifically establishes variations for the student. Variations for a student from the requirements in subdivisions 1 to 5 are permitted only under section 120B.0215 or 120B.0216.

Sec. 7. [120B.0215] [VARIATIONS FOR STUDENTS WITH INDIVIDUAL EDUCATION PLANS OR SECTION 504 ACCOMMODATION PLANS.]

Subdivision 1. [DETERMINATION OF REQUIREMENTS.] (a) A student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan shall have all courses considered by the student's individual education plan team or section 504 accommodation plan team for inclusion in the student's individual education plan or section 504 accommodation plan under subdivision 2.

(b) A student's individual education plan team or section 504 accommodation plan team must consider the graduation requirements under section 120B.0214 for inclusion in the student's individual education plan or section 504 accommodation plan when a student with a disability is 14 years old or registers for grade 9, whichever is first. An individual education plan team also must consider the student's transition plan when determining which of the required and elective courses to include in the student's individual education plan.

Subd. 2. [INDIVIDUALIZED PLANS.] (a) For a student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team may modify preparatory courses for the student in the individual education plan or section 504 accommodation plan. The team must determine the specifications of a course the student will pursue under the selected modification. If the team determines that the student is exempt from one or more of the courses, it must explain the exemption in the student's individual education plan or section 504 accommodation plan. When the team adopts an exempt status for a course, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(b) For a high school student with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team must:

(1) determine whether the student will pursue the course credits without modification;

(2) determine whether one or more of the 21 required course credits will be modified to an individual level;

(3) define the elective course credits that the student also will pursue and whether, for each elective, the student will pursue the course credit without modification or have the course credit modified to an individual level; or

(4) determine whether the student is exempt from one or more of the graduation requirements under section 120B.0214, subdivisions 3 to 5.

When the team adopts exempt status for a course credit, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(c) A student's individual education plan team or section 504 accommodation plan team must determine the specifications of a preparatory or high school course credit the student will pursue when the team modifies a course credit. When a course credit is modified, the student's individual education plan team or section 504 accommodation plan team must determine the appropriate assessment of the modified course credit.

Sec. 8. [120B.0216] [ENGLISH PROFICIENCY; INDIVIDUAL GRADUATION PLANS.]

A district must establish and maintain procedures giving students the opportunity to complete both preparatory courses and high school course credits. Graduation requirements for a student must be as specified in section 120B.0214, subdivisions 3 to 5, unless section 120B.0215 applies or unless modified in an individual graduation plan developed and annually reviewed by a team that includes school advisory staff designated by the district, the student's teachers, the student's parent or guardian, and the student. A district must not modify specifications for standards in learning areas one to ten to permit a student to complete a standard in a language other than English.

Sec. 9. [120B.0217] [TESTING AND SCORING STUDENT ACHIEVEMENT.]

Subdivision 1. [DISTRICT CRITERION REFERENCED TESTING REQUIREMENTS.] (a) Districts shall develop local criterion-referenced testing consistent with this section.

(b) A district must:

(1) test student performance in preparatory courses and high school course credits; and

(2) establish processes by which to transfer as completed (i) those course credits that other Minnesota public school districts verify on transcripts as completed, (ii) the work that post-secondary educational institutions or educational institutions outside the state accept for completion of course credits and verify on transcripts as completed, and (iii) a student's opportunities to complete high school course credits through learning the student acquires outside the district's curriculum.

Subd. 2. [SCORING.] The district must establish a letter grade between A and F for teacher grading of students who complete a course assignment or course. Assessments may include grade point averages when tests that measure specifics are used. Incomplete student work on the course receives a grade of I and does not complete a grade level or course credit.

Sec. 10. [120B.0218] [HIGH SCHOOL STUDENT TRANSCRIPT DATA.]

Subdivision 1. [TRANSCRIPT INFORMATION.] A district must include on a high school student's transcript the following information:

(1) the high school course credits the student successfully completed;

(2) the grade or sequence level the student achieved on each high school course credit, or a notation that the course credit has been certified as completed through the district's process for transferring credit under section 120B.0217, subdivision 1, paragraph (b), clause (2); and

(3) the date the student successfully completed each high school course credit.

Subd. 2. [TRANSCRIPT FORMAT.] A district must format a high school student transcript according to generally accepted academic and vocational specifications.

Sec. 11. [120B.0219] [NOTICE TO PARENTS AND STUDENTS.]

In addition to other applicable notice requirements, the district must notify parents and students in writing about:

(1) the course credit taught and assessed in the school curriculum;

(2) the procedures for advising the student and the student's parent or guardian about graduation requirements and for accessing these procedures;

(3) the procedures by which students may meet graduation requirements with course credits successfully completed outside the district's curriculum; and

(4) the district's individual student progress and achievement reporting schedule.

Sec. 12. [120B.0220] [IMPLEMENTATION REPORTING.]

A school annually must submit to the local school board a report containing the policies and procedures for:

(1) ensuring that all high school students have access to comprehensive academic school curriculum that integrates technology and provides instruction and tests for assessing course content from all ten learning areas under sections 120B.0222 to 120B.0232 sufficient to meet graduation requirements;

(2) testing and assessing a student's understanding and demonstration of the course content;

(3) staff development designed to continuously improve curriculum, instruction, and tests and assessments;

(4) allowing a student to meet a graduation requirement for a course credit, whether the district offers the course content in its school curriculum or the student accomplishes the work in another learning environment, including a process for transferring credits completed in another Minnesota school district, recognizing work completed in other schools and post-secondary institutions, and awarding credit for achievements in extracurricular activities, activities outside of the school, previous learning, and community and work experiences;

(5) periodically advising a student and the student's parent or guardian of the student's progress and achievement and of the choices and opportunities available to the student for learning, graduating, and achieving the student's post-secondary educational and career goals;

(6) recordkeeping and reporting student achievement; and

(7) allowing the student and the student's parent or guardian to appeal district policies and procedures.

Sec. 13. [120B.0221] [OTHER DISTRICT RESPONSIBILITIES.]

A district must maintain records of the following, which it must submit for audit at the state's request, to allow the periodic review of district graduation standards, opportunities, and requirements:

(1) course plans used to test and assess students' completion of preparatory courses and high school course credits;

(2) aggregated records of students' completion of each high school course credit; and

(3) aggregated data on each year's high school graduates, including average number of high school course credits completed, and the number of each grade earned on each course credit.

Sec. 14. [120B.0222] [CONTENT STANDARDS; HIGH SCHOOL LEVEL.]

The specifications of the high school course credits are at least those in sections 120B.0223 to 120B.0232, which districts may supplement at their election.

Sec. 15. [120B.0223] [LEARNING AREA ONE; ENGLISH LANGUAGE AND GRAMMAR.]

Subdivision 1. [HIGH SCHOOL COURSE CREDIT FOR LEARNING AREA ONE.] The specifications for high school course credits in learning area one are at least those described in this section.

Subd. 2. [ENGLISH LANGUAGE AND GRAMMAR.] A student should be able to demonstrate the ability to comprehend and evaluate complex information in fiction or nonfiction by reading, listening, and viewing varied English language selections containing complex information.

Subd. 3. [ENGLISH LANGUAGE AND GRAMMAR; TECHNICAL INFORMATION.] A student should be able to demonstrate the ability to read and apply technical information from varied English language documents.

Sec. 16. [120B.0224] [LEARNING AREA TWO; LITERATURE AND COMPOSITION.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA TWO.] Specifications for high school course credits in learning area two are at least those described in this section.

Subd. 2. [LITERATURE.] A student should be able to demonstrate the ability to interpret and evaluate complex works of famous American and World literature, including works of prose, poetry, and theater, by:

(1) describing the elements of literature for intent, form, and context to historical, cultural, and social background of selected works; and

(2) demonstrating the ability to communicate an informed interpretation of any selection of literary works.

Subd. 3. [COMPOSITION.] A student should be able to demonstrate the ability to write original compositions for a variety of academic purposes and situations using correct grammar, language mechanics, and other conventions of standard written English. The student must also correct the grammatical and other writing errors made to appear in a recognized work of fiction or nonfiction appropriate for this purpose.

Subd. 4. [TECHNICAL WRITING.] A student should be able to demonstrate the ability to write in the English language for a variety of technical purposes, situations, and audiences by writing original technical compositions that include a set of procedures or directions, a report or proposal, and informational correspondence describing a complex process, procedure, or device for a particular audience.

Subd. 5. [PUBLIC SPEAKING.] A student should be able to demonstrate the ability to construct and deliver speeches for a variety of purposes, situations, and audiences using English language conventions.

Subd. 6. [INTERPERSONAL COMMUNICATION.] A student should be able to demonstrate understanding of interpersonal communication strategies, the components of the interpersonal communication process, and how various factors affect patterns of communication, interaction, and problem solving.

Sec. 17. [120B.0225] [LEARNING AREA THREE; MATHEMATICS.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA THREE.] Specifications for high school content standards in learning area three are at least those under subdivisions 2 to 5.

Subd. 2. [MATHEMATICS.] A student should be able to demonstrate a knowledge of mathematical relationships and solve problems.

Subd. 3. [DATA ANALYSIS.] A student should be able to demonstrate understanding of:

- (1) the statistical concepts of measures of center, variability, and rank;
- (2) differences between correlation and causation;
- (3) sampling procedures;
- (4) line or curve of best fit; and
- (5) concepts related to uncertainty of randomness, permutations, combinations, and theoretical and experimental probabilities.

Subd. 4. [ALGEBRA.] A student should be able to understand:

- (1) rates of change in different models of linear relationships and characteristics of polynomial, exponential, and periodic functions and relations;
- (2) functional notation; and
- (3) terminology using properties of algebra to justify reasoning through a logical argument.

Subd. 5. [GEOMETRY.] A student should be able to understand:

- (1) the characteristics of geometric figures in both two and three dimensions, including reflections, rotations, and translations;
- (2) congruence and similarity;
- (3) perimeter, area, and volume;
- (4) distance;
- (5) scaling; and
- (6) symmetry.

Sec. 18. [120B.0226] [LEARNING AREA FOUR; SCIENCE.]

Subdivision 1. [HIGH SCHOOL CONTENT STANDARDS FOR LEARNING AREA FOUR.] Specifications for high school content standards in learning area four are at least those described in this section.

Subd. 2. [BIOLOGY.] A student should be able to demonstrate understanding of biological concepts, theories, and principles including cell theory, mechanisms of heredity, biological change over time, the interdependence of organisms, material cycles and energy flow in living systems, the behavior of organisms, and the historical significance of major scientific advances through the investigation and analysis of cells, organisms, and ecosystems.

Subd. 3. [CHEMISTRY.] A student should be able to demonstrate understanding of concepts, theories, and principles in chemistry by investigating and analyzing:

- (1) atomic theory;

(2) relationships between the structure and properties of matter including organic and inorganic bonding, periodicity, and solutions chemistry;

(3) chemical reactions;

(4) interactions of energy and matter; and

(5) the historical significance of major scientific advances.

Subd. 4. [PHYSICS.] A student should be able to demonstrate understanding of matter, forces, and energy by investigating and analyzing the concepts of motion, force, laws of conservation, electricity, magnetism, waves, energy, and work, and the historical significance of major scientific advances.

Sec. 19. [120B.0227] [LEARNING AREA FIVE; HISTORY, AND GOVERNMENT/CITIZENSHIP.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA FIVE.] Specifications for high school course credits in learning area five are at least those described in this section.

Subd. 2. [THEMES OF MINNESOTA, UNITED STATES, AND WORLD HISTORY.] A student should be able to demonstrate understanding of the Declaration of Independence, the United States Constitution, Northwest Ordinance, and founding principles, truths, and themes related to key events, concepts, and people in the historical development of the United States. A student must demonstrate knowledge of historical events and contributions of key people from different time periods through reading and constructing time lines of key events and the actions of important people, the contributions of key historical people, and cause and effect relationships of events over an extended period of time, including:

(1) the convergence of people, colonization, settlement, and the American Revolution;

(2) expansion, the Civil War, and the Reconstruction;

(3) the relationship between American Indian tribal governments and federal and state government;

(4) industrialization, the emergence of modern America, and the Great Depression;

(5) World War II;

(6) postwar United States to the present; and

(7) Minnesota and World History.

Subd. 3. [UNITED STATES GOVERNMENT/CITIZENSHIP.] A student should be able to demonstrate understanding of the foundations, rights, and responsibilities of United States citizenship including:

(1) how the United States, as established by the Declaration of Independence, Constitution, and Northwest Ordinance, embodies the principles and ideals of a constitutional representative republic and individual self-governance;

(2) the rights and responsibilities of United States citizens, noncitizens, and dual citizens; and

(3) the formal and informal structures within which interest groups exercise power.

Sec. 20. [120B.0228] [LEARNING AREA SIX; PERSONAL FITNESS AND LIFESTYLE.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA SIX.] Specifications for high school course credits in learning area six are at least those described in this section.

Subd. 2. [INDIVIDUAL AND COMMUNITY HEALTH.] A student should be able to demonstrate an understanding of decision-making processes and community health practices that promote healthful nutrition and dietary practices, and physical fitness, and that reduce and prevent tobacco use, drug and alcohol use, intended and unintended injuries.

Subd. 3. [PHYSICAL EDUCATION AND FITNESS.] A student should be able to use decision-making processes to select appropriate physical activities to achieve fitness and demonstrate understanding of the training needed to improve fitness and the rules and skills associated with physical activities.

Sec. 21. [120B.0229] [LEARNING AREA SEVEN; THE ARTS; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL CONTENT STANDARDS FOR LEARNING AREA SEVEN.] Specifications for high school course credits in learning area seven are at least those described in this section.

Subd. 2. [ARTS CREATION AND PERFORMANCE.] In music, dance, theater, visual arts, creative writing, or media arts, a student should be able to demonstrate understanding of the elements, techniques, and processes of the selected art form and how works of the art form are structured. Also, using the art form, the student must create or perform, or both, an original artistic presentation that includes a single complex work or multiple works.

Sec. 22. [120B.0230] [LEARNING AREA EIGHT; PERSONAL MANAGEMENT; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA EIGHT.] Specifications for high school course credits in learning area eight are at least those specified in this section.

Subd. 2. [ECONOMIC SYSTEMS.] By using the fundamental concepts of economics, a student should be able to demonstrate understanding of the interactive nature of local, national, and global economic systems, and how consumer choices and government decisions impact those systems.

Subd. 3. [PERSONAL AND FAMILY RESOURCE MANAGEMENT.] A student should be able to apply principles of personal and family resource management and informed decision making.

Subd. 4. [BUSINESS MANAGEMENT.] A student should be able to use fundamentals of informed decision making and business management, including:

- (1) personnel management procedures;
- (2) customer, employee, and management practices;
- (3) use of banking services;
- (4) forms of business organization; and
- (5) current labor-related laws.

Sec. 23. [120B.0231] [LEARNING AREA NINE; WORLD LANGUAGE; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL COURSE CREDIT IN WORLD LANGUAGE.] Specifications for the high school course credit in learning area nine are at least those described in this section.

Subd. 2. [WORLD LANGUAGE.] A student should be able to demonstrate understanding of a foreign, domestic, technical, or symbolic language other than English and communicate in a second language.

Sec. 24. [120B.0232] [LEARNING AREA TEN; VOCATIONAL EDUCATION; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL CONTENT STANDARDS FOR LEARNING AREA TEN.] Specifications for high school course credits in learning area ten are at least those described in this section.

Subd. 2. [VOCATIONAL OPTIONS.] School districts must determine the scope and sequence of these vocational electives which must reflect the educational needs and diversity of the district and the vocational education interests of students enrolled in the district and community residents.

Sec. 25. [120B.0233] [PREPARATORY COURSES IN LEARNING AREA ONE; ENGLISH LANGUAGE AND GRAMMAR.]

A student should be able to demonstrate comprehension of English and grammar that is appropriate for the student's grade level by reading, listening, and viewing nonfiction and fiction selections to identify main ideas and support details, retell main events or ideas in sequence, pronounce new words using phonics, demonstrate techniques of improving and expanding vocabulary, and demonstrate a grade-level-appropriate reading rate.

Sec. 26. [120B.0234] [PREPARATORY COURSES IN LEARNING AREA TWO; LITERATURE AND COMPOSITION.]

Subdivision 1. [READING AND WRITING.] A student should be able to demonstrate the ability to read, write, and use correct spelling and grammar for a variety of academic purposes, situations, and audiences for the student's grade level.

Subd. 2. [PUBLIC SPEAKING.] A student should be able to demonstrate the ability to speak to an audience.

Sec. 27. [120B.0235] [PREPARATORY COURSES IN LEARNING AREA THREE; MATHEMATICS.]

Subdivision 1. [NUMBER RELATIONSHIPS.] A student should be able to:

(1) use number relationships to represent information and solve problems;

(2) describe and analyze two- and three-dimensional shapes and spaces using appropriate whole and partial units, including metric, to measure length, time, weight, volume, temperature, angle, and area, and names and properties of common two- and three-dimensional shapes;

(3) describe and compare two- and three-dimensional geometric figures existing in the physical world; and

(4) measure, including identifying the type of measurement required, selecting the appropriate tools and units of measurement, and measuring accurately.

Subd. 2. [NUMBER OPERATIONS.] A student should be able to demonstrate understanding of:

(1) concepts of place value, variables, and equations;

(2) when and how to use number operations;

(3) addition, subtraction, and multiplication of single-digit multiples of powers of ten; and

(4) when and how to use a variety of estimation strategies.

Subd. 3. [BASIC CONCEPTS OF COORDINATE.] A student should be able to:

(1) demonstrate understanding of basic concepts of coordinate, by knowing precise mathematical names and properties of two- and three-dimensional shapes, converting common measurement units within the metric system and customary systems, and understanding how properties of shapes affect stability and rigidity of objects; and

(2) recognize and describe shape, size, and position of two- and three-dimensional objects and the images of the objects under transformations.

Subd. 4. [NUMBER CONCEPTS.] A student should be able to demonstrate understanding of:

(1) number concepts including place value, exponents, prime and composite numbers, multiples, and factors;

(2) fractions, decimals, percents, integers, and numbers in scientific notation that translate among equivalent forms; and

(3) how to compare and order numbers within a set.

Subd. 5. [CONCEPTS OF ALGEBRA.] A student should be able to:

(1) analyze patterns and use concepts of algebra to represent mathematical relationships, including demonstrating understanding of the concepts of variables, expressions, and equations; and

(2) use properties of mathematics to informally justify reasoning.

Subd. 6. [GRADE LEVEL KNOWLEDGE; USE OF CALCULATORS.] Knowledge of the concepts under this section must be appropriate for the student's grade level. Districts are encouraged not to use calculators for kindergarten through grade 5.

Sec. 28. [120B.0236] [PREPARATORY COURSES IN LEARNING AREA FOUR; SCIENCE.]

Subdivision 1. [PHYSICAL AND LIFE SCIENCE.] A student should be able to demonstrate knowledge of basic science concepts of physical science and life science that is appropriate for the student's grade level.

Subd. 2. [BIOLOGY.] A student should be able to demonstrate an understanding of:

(1) characteristics of organisms including plants, animals, and microorganisms;

(2) basic structures and functions of the human body; and

(3) cycles and patterns in living organisms and physical systems.

Sec. 29. [120B.0237] [PREPARATORY COURSES IN LEARNING AREA FIVE; HISTORY, GEOGRAPHY, AND GOVERNMENT/CITIZENSHIP.]

Subdivision 1. [HISTORY.] A student should be able to demonstrate grade-level understanding of the Declaration of Independence, the United States Constitution, Northwest Ordinance, and founding principles, truths, and themes related to key events, concepts, and people in the historical development of the United States, including:

(1) the convergence of people, colonization, settlement, and the American Revolution;

(2) expansion, the Civil War, and the Reconstruction;

(3) the relationship between American Indian tribal governments and federal and state government;

(4) industrialization, the emergence of modern America, and the Great Depression;

(5) World War II;

(6) postwar United States to the present; and

(7) Minnesota and World History.

A student should be able to demonstrate knowledge of historical events and contributions of key people from different time periods through reading and constructing time lines of key events and the actions of important people, the contributions of key historical people, and cause and effect relationships of events over an extended period of time.

Subd. 2. [GEOGRAPHY.] A student should be able to demonstrate a grade level understanding of the physical world including the United States capitals, continents, oceans, land forms, rocks, minerals, solids, waters of the earth, weather, climate, natural animal life, and natural plant life. A student must demonstrate a grade level ability to locate specific places or parts of the earth's surface or physical environment.

Subd. 3. [GOVERNMENT/CITIZENSHIP.] A student should be able to demonstrate grade level understanding of the foundations, rights, and responsibilities of United States citizenship including:

(1) how the United States, as established by the Declaration of Independence, Constitution, and Northwest Ordinance, embodies the principles and ideals of a constitutional representative republic and individual self-governance;

(2) the rights and responsibilities of United States citizens, noncitizens, and dual citizens; and

(3) the formal and informal structures within which interest groups exercise power.

Sec. 30. [120B.0238] [PREPARATORY COURSES IN LEARNING AREA SIX; THE ARTS.]

Subdivision 1. [ART FORMS.] (a) A student should be able to describe at least three of the art forms in this section using the vocabulary of the art form and identify similarities and differences between different art forms in:

(1) visual art;

(2) music;

(3) theater; and

(4) dance.

(b) Expectations regarding student work under this section must be appropriate for the student's grade level.

Subd. 2. [ARTISTIC CREATIVITY AND PERFORMANCE; ARTISTIC INTERPRETATION.] (a) A student should be able to:

(1) know the expressive and technical elements of an art form; and

(2) perform or present in each art form, including using principles and elements of the art form and creating original works in a variety of contexts.

(b) A student should be able to interpret and evaluate a variety of art works, performances, or presentations by analyzing art works using the elements, principles, and styles of the art form and evaluating works of art.

Sec. 31. [120B.0239] [PREPARATORY CONTENT STANDARDS IN LEARNING AREA SEVEN; PERSONAL FITNESS AND HEALTH.]

(a) A student should be able to demonstrate a grade level understanding of activities that promote personal fitness, health, nutrition, and safety.

(b) A student should be able to demonstrate a grade level understanding of:

(1) the consequences of using drugs, alcohol, and tobacco;

(2) the strategies to prevent the spread of communicable diseases;

(3) the strategies for preventing accidents; and

(4) age-appropriate nutritional recommendations.

(c) A student should be able to demonstrate a grade level understanding of motor skills and physical fitness and participate in physical activities that develop motor skills and physical fitness.

Sec. 32. [120B.0240] [PREPARATORY COURSES IN LEARNING AREA EIGHT; SECOND LANGUAGES.]

A student should be able to demonstrate the ability to communicate in another language on age-appropriate topics, including knowing and understanding language features needed for communication.

Sec. 33. [120B.36] [ASSESSMENT OF PERFORMANCE IN PUBLIC SCHOOLS.]

(a) Public schools shall annually assess the performance of every child enrolled in public school using a nationally norm-referenced standardized achievement examination. The local school board annually shall select the examination for each grade level. The board must notify the parent or guardian of every child of the name and date of the test at least 14 calendar days before the test is given. Parents who object to the test must notify the school of their objection in writing and name an alternative nationally norm-referenced standardized achievement examination for their child to take. The school must give the child the alternative examination within a reasonable period of time of when the test selected by the board is given. School officials shall place children's test results in their education records.

(b) Each local school board shall establish a written policy indicating what assistance the school district will make available to children and their parents when a child's total battery score on an achievement examination is at or below the 30th percentile.

(c) No state or local unit of government may enter into an exclusive agreement with a testing company to provide only a single form of an examination to the state or a local school district.

Sec. 34. 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~~ North Star standard. 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.

Sec. 35. 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;

(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 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~~ the state's North Star Standard of genuine academic excellence;

(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. 36. Minnesota Statutes 1999 Supplement, section 290.0674, subdivision 1, is amended to read:

Subdivision 1. [CREDIT ALLOWED.] An individual is allowed a credit against the tax imposed by this chapter in an amount equal to the amount paid for education-related expenses for a qualifying child in kindergarten through grade 12. For purposes of this section, "education-related expenses" means:

(1) fees or tuition for instruction by an instructor under section 120A.22, subdivision 10, clause (1), (2), (3), (4), or (5), or by a member of the Minnesota music teachers association, for instruction outside the regular school day or school year, including tutoring, driver's education offered as part of school curriculum, regardless of whether it is taken from a public or private entity or summer camps, in grade or age appropriate curricula that supplement curricula and instruction available during the regular school year, that assists a dependent to improve knowledge of core curriculum areas or to expand knowledge and skills under the ~~graduation rule~~ North Star Standard under section 120B.02 and that do not include the teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such tenets, doctrines, or worship;

(2) expenses for textbooks, including books and other instructional materials and equipment used in elementary and secondary schools in teaching only those subjects legally and commonly taught in public elementary and secondary schools in this state. "Textbooks" does not include instructional books and materials used in the teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such tenets, doctrines, or worship, nor does it include books or materials for extracurricular activities including sporting events, musical or dramatic events, speech activities, driver's education, or similar programs;

(3) a maximum expense of \$200 per family for personal computer hardware, excluding single purpose processors, and educational software that assists a dependent to improve knowledge of core curriculum areas or to expand knowledge and skills under the ~~graduation rule~~ North Star Standard under section 120B.02 purchased for use in the taxpayer's home and not used in a trade or business regardless of whether the computer is required by the dependent's school; and

(4) the amount paid to others for transportation of a qualifying child attending an elementary or secondary school situated in Minnesota, North Dakota, South Dakota, Iowa, or Wisconsin, wherein a resident of this state may legally fulfill the state's compulsory attendance laws, which is not operated for profit, and which adheres to the provisions of the Civil Rights Act of 1964 and chapter 363.

For purposes of this section, "qualifying child" has the meaning given in section 32(c)(3) of the Internal Revenue Code.

Sec. 37. [REPEALER.]

(a) Minnesota Statutes 1998, section 120B.03, subdivision 1, is repealed.

(b) Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; and 3501.0469, are repealed.

Sec. 38. [EFFECTIVE DATE.]

Sections 1 to 37 are effective for the 2000-2001 school year and following."

Delete the title and insert:

"A bill for an act relating to education; balancing statewide accountability and district autonomy under the profile of learning; requiring the graduation rule to be developed independently of any national education goals; reducing the required number of content standards; including decision making and inquiry in all content standards; determining scoring criteria and recordkeeping practices; providing for the North Star Standard alternative to the profile of learning; amending Minnesota Statutes 1998, sections 120A.41; 120B.03, subdivisions 1 and 3; and 123A.06, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 120B.02; 120B.30, subdivision 1; 120B.35; 122A.09, subdivision 4; 124D.10, subdivision 10; 126C.10, subdivision 14; and 290.0674, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120B; repealing Minnesota Statutes 1998, sections 120B.03, subdivisions 1 and 2; and 120B.04; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; and 3501.0469."

The motion prevailed and the amendment was adopted.

Carlson and Ness moved to amend S. F. No. 3286, as amended, as follows:

Page 1, delete lines 29 to 36

Page 18, line 28, delete "article"

Page 18, line 29, delete "3" and insert "a Minnesota revisor of statutes document labeled A00-1008 and dated 03/06/00"

Page 18, line 32, delete "article 3" and insert "a Minnesota revisor of statutes document labeled A00-1008 and dated 03/06/00"

Page 19, delete lines 20 to 36

Delete pages 20 to 47

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Carlson and Ness amendment and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler	Biernat	Chaudhary	Dorman	Erhardt	Gray
Anderson, I.	Carlson	Clark, K.	Dorn	Folliard	Greenfield
Bakk	Carruthers	Dawkins	Entenza	Gleason	Greiling

Hausman	Larson, D.	Marko	Nornes	Pugh	Skoglund
Hilty	Leighton	McCollum	Opatz	Rest	Solberg
Huntley	Lenczewski	McGuire	Orfield	Rhodes	Trimble
Kahn	Leppik	Milbert	Osthoff	Rukavina	Wagenius
Kalis	Lieder	Mullery	Paymar	Seagren	Wejcmán
Kelliher	Mares	Murphy	Pelowski	Seifert, J.	
Koskinen	Mariani	Ness	Peterson	Skoe	

Those who voted in the negative were:

Abrams	Erickson	Holsten	Luther	Rostberg	Van Dellen
Anderson, B.	Finseth	Howes	Mahoney	Schumacher	Vandever
Bishop	Fuller	Jaros	McElroy	Seifert, M.	Wenzel
Boudreau	Gerlach	Jennings	Molnau	Smith	Westerberg
Bradley	Goodno	Juhnke	Mulder	Stanek	Westfall
Broecker	Gunther	Kielkucki	Olson	Stang	Westrom
Buesgens	Haake	Knoblach	Osskopp	Storm	Wilkin
Cassell	Haas	Krinkie	Ozment	Swapinski	Wolf
Clark, J.	Hackbarth	Kubly	Paulsen	Swenson	Workman
Daggett	Harder	Kuisle	Pawlenty	Sykora	Spk. Sviggum
Davids	Hasskamp	Larsen, P.	Reuter	Tingelstad	
Dehler	Holberg	Lindner	Rifenberg	Tuma	

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

S. F. No. 3286, A bill for an act relating to education; amending state graduation requirements; amending graduation rules; amending Minnesota Statutes 1998, sections 120A.41; and 120B.03, subdivision 2, and by adding subdivisions; Minnesota Statutes 1999 Supplement, sections 120B.02; and 120B.30, subdivision 1; repealing Minnesota Statutes 1998, sections 120B.03, subdivisions 1 and 3; and 120B.04; Minnesota Rules, parts 3501.0330, subparts 2, item A, and 7, item B; 3501.0370, subparts 1, 2, and 4; 3501.0420, subparts 1, item D, and 4; and 3501.0430.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 102 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Haas	Knoblach	Mahoney	Paulsen
Abrams	Dawkins	Hackbarth	Koskinen	Mares	Pawlenty
Anderson, B.	Dehler	Harder	Krinkie	Marko	Pelowski
Anderson, I.	Dorman	Hasskamp	Kubly	McElroy	Peterson
Bakk	Dorn	Holberg	Kuisle	Milbert	Pugh
Bishop	Erhardt	Holsten	Larsen, P.	Molnau	Rest
Boudreau	Erickson	Howes	Larson, D.	Mulder	Reuter
Bradley	Finseth	Jaros	Leighton	Ness	Rhodes
Broecker	Fuller	Johnson	Lenczewski	Nornes	Rifenberg
Buesgens	Gerlach	Juhnke	Leppik	Olson	Rostberg
Cassell	Goodno	Kalis	Lieder	Opatz	Rukavina
Clark, J.	Gunther	Kelliher	Lindner	Osskopp	Schumacher
Daggett	Haake	Kielkucki	Luther	Ozment	Seagren

Seifert, J.	Solberg	Swenson	Trimble	Wenzel	Wilkin
Seifert, M.	Stanek	Sykora	Tuma	Westerberg	Wolf
Skoe	Stang	Tingelstad	Van Dellen	Westfall	Workman
Smith	Storm	Tomassoni	Vandever	Westrom	Spk. Sviggum

Those who voted in the negative were:

Biernat	Entenza	Greiling	Mariani	Orfield	Wagenius
Carlson	Folliard	Hilty	McCollum	Osthoff	Wejcman
Carruthers	Gleason	Huntley	McGuire	Paymar	
Chaudhary	Gray	Jennings	Mullery	Skoglund	
Clark, K.	Greenfield	Kahn	Murphy	Swapinski	

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

CONSENT CALENDAR

S. F. No. 2813, A bill for an act relating to motor vehicles; modifying how state vehicles are identified; amending Minnesota Statutes 1999 Supplement, section 168.012, subdivision 1.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 2615 was reported to the House.

Sykora moved to amend S. F. No. 2615 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2945, the third engrossment:

"Section 1. Minnesota Statutes 1998, section 609.378, is amended by adding a subdivision to read:

Subd. 3. [SAFE PLACE FOR NEWBORNS.] Notwithstanding subdivision 1, it is not a crime to leave a newborn at a hospital under section 626.5564 if the newborn was not harmed prior to being left at the hospital.

Sec. 2. [626.5564] [SAFE PLACE FOR NEWBORNS.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given:

(a) "Hospital" means a facility licensed under sections 144.50 to 144.56.

(b) "Newborn" means a child between birth and 72 hours old, as determined within a reasonable degree of medical certainty.

Subd. 2. [LEAVING A NEWBORN.] A mother of a newborn may leave a newborn at any hospital. A person other than the mother may also leave a newborn at a hospital with the mother's consent. A newborn left at a hospital under this subdivision is an abandoned child, but the mother or the person leaving the newborn will receive the benefit of the protections granted under this section and section 609.378, subdivision 2, paragraph (b).

Subd. 3. [HOSPITAL PROCEDURES.] A hospital must accept a newborn left under this section. A hospital may ask the mother or the person leaving the newborn about the mother's and the newborn's medical history. However, the mother or the person leaving the newborn is not required to provide any information, including the name of the mother or the person leaving the newborn. The hospital may provide the mother or person leaving the newborn with a numbered identification bracelet to aid in linking the mother or person leaving the newborn to the newborn at a later date, if reunification is sought. Such a bracelet is an identification aid only and does not permit the person possessing the bracelet to take custody of the newborn on demand. The hospital may provide the mother or person leaving the newborn with any relevant information, including:

(1) information about the safe place for newborns program;

(2) information about adoption and counseling services, including information that confidential adoption services are available and information about the benefits of engaging in a regular, voluntary adoption process;

(3) brochures or telephone numbers for public or private agencies that provide counseling or adoption services; and

(4) information about who to contact if reunification is sought.

Subd. 4. [REPORTING.] Within 24 hours of receiving a newborn under this section, the hospital must inform the local welfare agency that a newborn has been left at the hospital, but must not do so before the mother or the person leaving the newborn leaves the hospital.

Subd. 5. [HOSPITAL IMMUNITY.] A hospital and its agents are immune from any criminal or civil liability for accepting a newborn under this section.

Subd. 6. [LOCAL WELFARE AGENCY RESPONSE.] Upon receiving a report of a newborn left at a hospital under this section, if it appears that the newborn was not harmed, the local welfare agency must proceed under section 626.556 and chapter 260C except that they must not attempt to identify, contact, or investigate the mother or person who left the newborn at the hospital. However, if it appears that the newborn was harmed, the agency must fully investigate the matter as required by law.

Subd. 7. [PROCEDURE IF REUNIFICATION IS REQUESTED.] (a) If a person claiming to be the mother, father, or person who left the newborn at the hospital contacts the agency and requests to be reunited with the newborn, the agency may proceed to identify, contact, and investigate the person as required under section 626.556, chapter 260C, and all other applicable laws.

(b) If a person contacts the agency seeking information only, the agency must not attempt to identify or investigate the person. In that case, the agency may provide public information to the person and may otherwise advise the person regarding the procedures in such a case.

Subd. 8. [BRACELET; EFFECT.] If a person possesses a bracelet linking the person to a newborn left at a hospital under this section and parental rights have not already been terminated, possession of the bracelet creates a presumption that the person has standing to participate in a child in need of protection or services action brought under chapter 260C. Possession of the bracelet does not create a presumption of maternity, paternity, or custody.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to child protection; providing for immunity and anonymity when leaving an unharmed newborn at a hospital emergency room; providing for procedures to be followed by hospitals, and local welfare agencies; providing it is not a crime to leave an unharmed newborn at a hospital if done according to law; amending Minnesota Statutes 1998, section 609.378, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 626."

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Sykora and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Carruthers	Erhardt	Haake	Johnson	Leighton
Abrams	Cassell	Erickson	Haas	Juhnke	Lenczewski
Anderson, B.	Chaudhary	Finseth	Hackbarth	Kahn	Leppik
Anderson, I.	Clark, J.	Folliard	Harder	Kalis	Lieder
Bakk	Clark, K.	Fuller	Hasskamp	Kelliher	Lindner
Biernat	Daggett	Gerlach	Hausman	Kielkucki	Luther
Bishop	Davids	Gleason	Hilty	Knoblach	Mares
Boudreau	Dawkins	Goodno	Holberg	Koskinen	Mariani
Bradley	Dehler	Gray	Holsten	Krinkie	Marko
Broecker	Dorman	Greenfield	Howes	Kubly	McCollum
Buesgens	Dorn	Greiling	Huntley	Kuisle	McElroy
Carlson	Entenza	Gunther	Jennings	Larson, D.	McGuire

Milbert	Orfield	Rest	Skoe	Tingelstad	Westfall
Molnau	Osskopp	Reuter	Skoglund	Tomassoni	Westrom
Mulder	Ozment	Rhodes	Smith	Tuma	Wilkin
Mullery	Paulsen	Rifenberg	Solberg	Van Dellen	Wolf
Murphy	Pawlenty	Rostberg	Stang	Vandever	Workman
Ness	Paymar	Rukavina	Storm	Wagenius	Spk. Sviggum
Nornes	Pelowski	Schumacher	Swapinski	Wejzman	
Olson	Peterson	Seagren	Swenson	Wenzel	
Opatz	Pugh	Seifert, M.	Sykora	Westerberg	

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 question recurred on the Sykora amendment and the roll was called.

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

There were 72 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Hackbarth	Mares	Reuter	Tingelstad
Abrams	Dehler	Harder	McElroy	Rhodes	Tuma
Anderson, B.	Dorman	Holberg	Molnau	Rifenberg	Van Dellen
Bishop	Erhardt	Holsten	Mulder	Rostberg	Vandever
Boudreau	Erickson	Howes	Murphy	Seagren	Wenzel
Bradley	Finseth	Kalis	Ness	Seifert, M.	Westerberg
Broecker	Fuller	Kielkucki	Nornes	Smith	Westfall
Buesgens	Gerlach	Knoblach	Olson	Stanek	Westrom
Cassell	Goodno	Krinkie	Ozment	Stang	Wilkin
Chaudhary	Gunther	Kuisle	Paulsen	Storm	Wolf
Clark, J.	Haake	Leppik	Pawlenty	Swenson	Workman
Daggett	Haas	Lindner	Pelowski	Sykora	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Folliard	Jennings	Lenczewski	Mullery	Schumacher
Bakk	Gleason	Johnson	Lieder	Opatz	Skoe
Biernat	Gray	Juhnke	Luther	Orfield	Skoglund
Carlson	Greenfield	Kahn	Mahoney	Osthoff	Solberg
Carruthers	Greiling	Kelliher	Mariani	Paymar	Swapinski
Clark, K.	Hasskamp	Koskinen	Marko	Peterson	Tomassoni
Dawkins	Hausman	Kubly	McCollum	Pugh	Trimble
Dorn	Hilty	Larson, D.	McGuire	Rest	Wagenius
Entenza	Huntley	Leighton	Milbert	Rukavina	Wejzman

The motion prevailed and the amendment was adopted.

Sykora moved to amend S. F. No. 2615, as amended, as follows:

Page 2, line 3, delete everything after "subdivision" and insert "3"

Page 2, line 4, delete "(b)"

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE LIFTED

Abrams moved that the call of the House be suspended. The motion prevailed and it was so ordered.

The Speaker called Abrams to the Chair.

S. F. No. 2615, A bill for an act relating to public health; providing that a person who leaves an unharmed newborn child at a hospital may not be prosecuted; providing for duties to be undertaken by a hospital when accepting an unharmed newborn child; providing immunity from liability for hospitals and their personnel when carrying out those duties; limiting duty to implement certain relative preference placement requirements; proposing coding for new law in Minnesota Statutes, chapters 145; and 609.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 2891.

H. F. No. 2891 was reported to the House.

Molnau moved to amend H. F. No. 2891, the second engrossment, as follows:

Page 16, after line 19, insert:

"Sec. 12. [REPLACEMENT TRANSIT SERVICE; ELIGIBILITY.]

(a) Notwithstanding the eligibility requirements in Minnesota Statutes, section 473.388, subdivision 2, the city of Shorewood is eligible for the replacement service program under Minnesota Statutes, section 473.388, if the city first applies for assistance or exercises the local levy option under Minnesota Statutes, section 473.388, before June 30, 2003.

(b) Notwithstanding the eligibility requirements in Minnesota Statutes, section 473.388, subdivision 2, the city of Minnetonka is eligible for the replacement service program under Minnesota Statutes, section 473.388, if the city first applies for assistance or exercises the local levy option under Minnesota Statutes, section 473.388, before June 30, 2003."

Reorder 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 Molnau amendment and the roll was called. There were 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Harder	Mares	Rhodes	Tingelstad
Abrams	Dorman	Holberg	McElroy	Rifenberg	Tuma
Anderson, B.	Erhardt	Holsten	Molnau	Rostberg	Van Dellen
Bishop	Erickson	Howes	Mulder	Seagren	Vandever
Boudreau	Finseth	Jennings	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	Kuisle	Ozment	Stang	Wolf
Clark, J.	Haake	Lenczewski	Paulsen	Storm	Workman
Daggett	Haas	Leppik	Paulenty	Swenson	Spk. Sviggum
Davids	Hackbarth	Lindner	Reuter	Sykora	

Those who voted in the negative were:

Anderson, I.	Carlson	Clark, K.	Entenza	Greenfield	Hausman
Bakk	Carruthers	Dawkins	Gleason	Greiling	Hilty
Biernat	Chaudhary	Dorn	Gray	Hasskamp	Huntley

Jaros	Kubly	Mariani	Opatz	Rest	Tomassoni
Johnson	Larsen, P.	Marko	Orfield	Rukavina	Trimble
Juhnke	Larson, D.	McCollum	Osthoff	Schumacher	Wagenius
Kahn	Leighton	McGuire	Paymar	Skoe	Wejcman
Kalis	Lieder	Milbert	Pelowski	Skoglund	Wenzel
Kelliher	Luther	Mullery	Peterson	Solberg	
Koskinen	Mahoney	Murphy	Pugh	Swapinski	

The motion prevailed and the amendment was adopted.

Molnau, Bishop and Dorn moved to amend H. F. No. 2891, the second engrossment, as amended, as follows:

Page 17, delete lines 6 to 34 and insert:

"Sec. 14. [WORKING GROUP.]

The commissioners of transportation, trade and economic development, public safety, natural resources, and agriculture shall convene a multiagency workgroup consisting of representatives of affected state agencies and political subdivisions to assess the financial, physical, economic, social, and environmental effects on southern Minnesota of increased railroad activity within the DM&E railroad corridor. The commissioners shall report to the legislature and governor on the workgroup's findings and recommendations by December 1, 2000.

Included in the assessment and recommendations shall be methods to:

(1) assure appropriate environmental protections are used to minimize land use, protect wetlands, and mitigate noise or other environmental impacts;

(2) fully involve local units of government in siting issues and right-of-way acquisition;

(3) determine what direct and indirect costs are likely to accrue to local units of government and private property owners; and

(4) protect shipping interests of Minnesota farmers.

The commissioners shall also report to the legislature and governor on the project costs to local units of government for mitigations, right-of-way acquisition, crossing safety, or any other direct impacts of the expansion."

Reorder the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Juhnke moved to amend H. F. No. 2891, the second engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"Article 1

Transportation Finance and Planning

Section 1. Minnesota Statutes 1998, section 169.01, subdivision 29, is amended to read:

Subd. 29. [STREET OR HIGHWAY.] "Street or highway" means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic and includes exclusive bus transit ways.

Sec. 2. Minnesota Statutes 1998, section 169.305, is amended by adding a subdivision to read:

Subd. 2a. [RESTRICTION.] The commissioner of transportation shall by order (1) restrict the use of exclusive bus transit ways to those transit providers authorized to use them by the metropolitan council or appropriate transit authority and (2) restrict the use of high-occupancy vehicle lanes and bus-only shoulder lanes to those vehicles or transit providers authorized to use them by the metropolitan council.

Sec. 3. [174.40] [MULTIMODAL TRANSPORTATION FUND.]

Subdivision 1. [CREATION AND PURPOSE; ACCOUNTS.] (a) A multimodal transportation fund is created in the state treasury. The fund consists of 46 percent of the net proceeds of the tax imposed under chapter 297B and other money as provided by law. A transit account and a statewide surface transportation account are created within the fund.

(b) Twenty-five percent of the revenue in the fund must be deposited to the transit account to be available for appropriation to the metropolitan council for transit capital and associated development purposes.

(c) Seventy-five percent of the revenue in the fund must be deposited to the statewide surface transportation account to be available for appropriation to the commissioner of transportation for statewide surface transportation purposes including, but not limited to, highways, transit capital and service expansion needs outside the metropolitan area, commuter rail capital expenses, right-of-way preservation, grants to local units of government for comprehensive planning related to transportation investments, and other transit capital and highway purposes. These funds are intended to augment, not supplant, existing funds appropriated for the same purposes.

Subd. 2. [INVESTMENT OF FUND.] Money in the multimodal transportation fund must be invested by the state board of investment. All earnings from investments must be credited to the respective accounts within the multimodal transportation fund in proportion to their account balances.

Sec. 4. [174.41] [USE OF MULTIMODAL TRANSPORTATION FUND.]

Subdivision 1. [PLANNING GRANTS.] Beginning with fiscal year 2002, each year, the commissioner shall transfer at least 0.5 percent but no more than three percent of the revenue in the statewide surface transportation account to the office of strategic and long-range planning for administrative expenses incurred under sections 4A.09 and 4A.10 and for grants for community-based planning related to transportation investments. Preference in awarding planning grants must be given to local governments engaged in multijurisdictional, community-based, comprehensive planning under section 394.232.

Subd. 2. [STATEWIDE SURFACE TRANSPORTATION ACCOUNT.] For expenditures of funds from the statewide surface transportation account, the commissioner shall give priority to projects that:

(1) are (i) on the interregional corridor system as described in the state transportation plan, (ii) are bottlenecks, or (iii) provide advantages to transit;

(2) can be delivered in a timely manner;

(3) upon completion will improve a part of the highway system that is underperforming or is at risk for signal proliferation;

(4) are located in a community that has signed an access management agreement applicable to the project corridor;

(5) are located along a project corridor in communities that (i) have prepared and adopted within the past five years a community-based plan under section 394.232 that includes, at a minimum, urban growth areas as defined in section 462.352, subdivision 18, transportation plans, access management plans, and (ii) have adopted ordinances providing for the implementation of those plans;

(6) are located in a county where the land outside an urban growth area is zoned as permanent rural or agricultural land, or for other appropriate land use, and is maintained at density levels consistent with those uses; and

(7) the comprehensive plan identifies the density that the municipality wishes to develop.

Subd. 3. [TRANSIT ACCOUNT.] For expenditures of funds from the transit account, the metropolitan council shall give priority to transit service expansion and transit capital projects that:

(1) are consistent with the regional master transit plan, sector studies, and the transit capital improvement program;

(2) support other public investments in infrastructure, housing, schools, and other public services;

(3) encourage development that includes a mix of housing, retail, office, and open space in a pedestrian-friendly environment; and

(4) respond to the needs of growing communities that actively foster transit-oriented development and work with transit providers in developing solutions to mobility needs in their localities.

Sec. 5. Minnesota Statutes 1998, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. [~~GENERAL FUND SHARE TRANSPORTATION EXPENDITURES.~~] (a) Money collected and received under this chapter must be deposited in the state treasury and credited to the general fund. The amounts collected and received shall be credited as provided in this subdivision, and transferred from the general fund on July 15 and February 15 of each fiscal year. The commissioner of finance must make each transfer based upon the actual receipts of the preceding six calendar months and include the interest earned during that six-month period. The commissioner of finance may establish a quarterly or other schedule providing for more frequent payments to the transit assistance fund if the commissioner determines it is necessary or desirable to provide for the cash flow needs of the recipients of money from the transit assistance fund.

(b) ~~Twenty-five~~ Fifty-four percent of the money net proceeds collected and received under this chapter after ~~June 30, 1990, and before July 1, 1991,~~ must be transferred to deposited in the highway user tax distribution fund and the transit assistance fund for apportionment as follows: ~~75 percent must be transferred to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund, and the remaining 25~~ 46 percent of the money net proceeds must be transferred to deposited in the transit assistance multimodal transportation fund to be appropriated to the commissioner of transportation for transit assistance within the state and to the metropolitan council created in section 174.40.

(c) ~~The distributions under this subdivision to the highway user tax distribution fund until June 30, 1991, and to the trunk highway fund thereafter, must be reduced by the amount necessary to fund the appropriation under section 41A.09, subdivision 1. For the fiscal years ending June 30, 1988, and June 30, 1989, the commissioner of finance, before making the transfers required on July 15 and January 15 of each year, shall estimate the amount required to fund the appropriation under section 41A.09, subdivision 1, for the six-month period for which the transfer is being made. The commissioner shall then reduce the amount transferred to the highway user tax distribution fund by the amount of that estimate. The commissioner shall reduce the estimate for any six-month period by the amount by which the estimate for the previous six-month period exceeded the amount needed to fund the appropriation under section 41A.09, subdivision 1, for that previous six-month period. If at any time during a six-month period in those fiscal years the amount of reduction in the transfer to the highway user tax distribution fund is insufficient to fund the appropriation under section 41A.09, subdivision 1, for that period, the commissioner shall transfer to the general~~

~~fund from the highway user tax distribution fund an additional amount sufficient to fund the appropriation for that period, but the additional amount so transferred to the general fund in a six-month period may not exceed the amount transferred to the highway user tax distribution fund for that six-month period.~~

Sec. 6. Minnesota Statutes 1998, section 394.232, subdivision 5, is amended to read:

Subd. 5. [REVIEW AND COMMENT.] (a) ~~The county or joint planning district shall submit its community-based comprehensive plan to the office of strategic and long-range planning for review of the extent to which the plan promotes local citizen participation, promotes cooperation among adjacent communities, and demonstrates consideration of the community-based planning goals in section 4A.08. The office has 60 days after submittal to comment on the plan. The plan is deemed approved 60 days after submittal to the office, unless the office disagrees with the plan as provided in paragraph (c).~~

(b) ~~The office may not disapprove a community-based comprehensive plan if the office determines that the plan promotes local citizen participation, promotes cooperation among adjacent communities, and demonstrates consideration of the community-based planning goals in section 4A.08 meets the requirements of this section.~~

(c) ~~If the office disagrees with a community-based comprehensive plan or any elements of the plan, the office shall notify the county or district in writing of how the plan specifically fails to address the goals of community-based planning the plan deficiencies and suggested changes. Upon receipt of the office's written comments, the county or district has 120 days to revise the community-based comprehensive plan and resubmit it to the office for reconsideration.~~

(d) ~~If the county or district refuses to revise the plan or the office disagrees with the revised plan, the office shall within 60 days notify the county or district that it wishes to initiate the dispute resolution process in chapter 572A.~~

(e) ~~Within 60 days of notice from the office, the county or joint planning district shall notify the office of its intent to enter the dispute resolution process. If the county or district refuses to enter the dispute resolution process, the county or district is ineligible for any future grant disbursements related to community-based planning activities through the office.~~

(f) ~~Priority for other state grants, loans, and other discretionary spending must not be given to local units of government based on their participation in community-based planning.~~

Sec. 7. Minnesota Statutes 1998, section 473.39, is amended by adding a subdivision to read:

Subd. 1j. [PERFORMANCE-BASED FUNDING.] The commissioner of finance, in consultation with the chair of the metropolitan council, shall submit a recommendation for a performance-based funding mechanism for the metropolitan transit operations appropriation as part of the governor's biennial budget recommendations to the 2001 legislature.

Sec. 8. [473.410] [EXCLUSIVE BUS TRANSIT WAYS.]

Subdivision 1. [METROPOLITAN COUNCIL.] Within the seven-county metropolitan area as defined in section 473.121, subdivision 2, the metropolitan council may plan, in consultation with the commissioner of transportation, and may operate, exclusive bus transit ways. The design, location, and use of exclusive bus transit ways must be consistent with the regional master transit plan. The metropolitan council shall determine the order in which exclusive bus transit ways are constructed in consultation with the commissioner of transportation.

Subd. 2. [OUTSIDE METROPOLITAN AREA.] Outside the seven-county metropolitan area, the commissioner of transportation may plan, design, construct, operate and maintain exclusive bus transit ways. The commissioner may contract for the design, construction, operation, and maintenance of exclusive bus transit ways. If an exclusive bus transit way is planned for an area with a metropolitan planning organization, the commissioner must consult with that organization about the location and design of the exclusive bus transit way.

Sec. 9. [473.4101] [USE OF EXCLUSIVE BUS TRANSIT WAYS.]

The exclusive bus transit ways may be used only by transit providers authorized to use them by the metropolitan council or, outside the metropolitan area, by the appropriate transit authority.

Sec. 10. [473.4102] [ADVANCED CORRIDOR PLAN.]

(a) In the metropolitan area, the metropolitan council shall prepare, in consultation with the commissioner of transportation, an advanced corridor plan that contains the following elements:

(1) descriptions of (i) location, length, and termini of routes, (ii) the general dimensions, alignment, and character of routes and crossings, (iii) the approximate location of bus stops and park and ride facilities, and (iv) other related transportation facilities;

(2) preliminary plans for (i) intermodal coordination with bus operations and routes, (ii) ridership capital cost, operating costs, and revenues, (iii) sources of funds for operating subsidies, (iv) funding for final design, construction, and operation, and (v) an implementation method; and

(3) preliminary or draft environmental impact statements and information necessary for environmental clearances.

(b) Outside the metropolitan area, the commissioner shall prepare the advance corridor plan.

(c) Section 16C.065 does not apply to exclusive bus transit ways.

Sec. 11. [473.4103] [PRELIMINARY ENGINEERING PLAN.]

The commissioner of transportation shall prepare, in consultation with the appropriate metropolitan planning organization, preliminary engineering plans that include the items in the preliminary design plan for the exclusive bus transit ways proposed for construction but with greater detail to satisfy final environmental impact statement requirements.

Sec. 12. [473.4104] [COMMISSIONER OF TRANSPORTATION; AUTHORITY.]

The commissioner of transportation may acquire land by purchase, gift, or eminent domain for exclusive bus transit ways and may design, construct, repair, and maintain the exclusive bus transit ways. The commissioner of transportation shall consult with the metropolitan council about the design of exclusive bus transit ways in the metropolitan area.

Sec. 13. [473.4105] [FINAL DESIGN PLAN.]

(a) The commissioner of transportation must prepare a final design plan that includes the items in the advanced corridor plan and the preliminary engineering plan, but with additional detail and specificity needed for construction and operation. It must include final plans for the physical design of facilities, including the right-of-way definition, environmental impacts and mitigation measures, intermodal coordination, and civil engineering plans.

(b) The commissioner of transportation may use a design-build method of project development and construction for exclusive bus transit ways. Notwithstanding any law to the contrary, the commissioner may award a design-build contract on the basis of requests for proposals or requests for qualifications without bids. "Design-build method of project development and construction" means a project delivery system in which a single contractor is responsible for both the design and construction of the project and bids the design and construction together.

Sec. 14. [473.4106] [METROPOLITAN BUS TRANSIT WAY PLAN REVIEW.]

Subdivision 1. [ADVANCED CORRIDOR PLAN; PUBLIC HEARING.] Before a final design plan is prepared, the metropolitan council shall hold a public hearing on the physical design component of the advanced corridor plan. The metropolitan council shall provide appropriate public notice of the hearing and publicity to ensure that affected

parties have an opportunity to present their views at the hearing. The metropolitan council shall summarize the proceedings and testimony and maintain the record of a hearing held under this subdivision, including any written statements submitted.

Subd. 2. [PHYSICAL DESIGN COMPONENT; LOCAL PARTICIPATION.] (a) At least 30 days before the hearing under subdivision 1, the metropolitan council 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.

(b) Within 45 days after the hearing under subdivision 1, the city, county, or town shall review and comment on the plan.

(c) Within 45 days of the hearing, a city or town shall approve or disapprove the location and design of the station 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 approval unless an extension of time is agreed to by the metropolitan council.

Subd. 3. [COUNCIL MODIFICATION OF PLAN.] After the hearing under subdivision 1, and after the receipt of comment under subdivision 2, the metropolitan council may modify the advanced corridor plan.

Sec. 15. [473.4107] [NONMETROPOLITAN BUS TRANSIT WAY PLAN REVIEW.]

(a) Before constructing exclusive bus transit ways outside the seven-county metropolitan area, the commissioner shall submit the advanced corridor plan to each metropolitan planning organization in which the route is to be located. The metropolitan planning organization shall hold a hearing on the plan allowing the commissioner, local governmental units, and other persons to present their views as to whether the plan is consistent with the metropolitan planning organization's 20-year long-range transportation plan.

(b) Within 60 days after the hearing, the metropolitan planning organization shall review the plan submitted by the commissioner to determine whether it is consistent with the 20-year long-range transportation plan. If the plan is consistent with the 20-year long-range transportation plan, the metropolitan planning organization shall approve it. If the plan is not consistent with the 20-year long-range transportation plan, the metropolitan planning organization shall submit to the commissioner proposed amendments to the plan to make it consistent. The commissioner shall incorporate the proposed amendments into the final design plan.

Sec. 16. [473.4108] [FINAL DESIGN PLANS.]

(a) If the final design plans incorporate a substantial change from the preliminary design plans with respect to (1) the location, length, or termini of routes, or (2) the general dimension, elevation, or alignment of routes and crossings, then before beginning construction the commissioner shall submit the changed component of final design plans to the governing body of each statutory and home rule charter city, county, and town in which the changed component is proposed to be located.

(b) Within 60 days after the submission of the plans, the city, county, or town shall review and approve or disapprove the changed component located in the city, county, or town. A local unit of government that disapproves the change shall describe specific amendments to the plans that, if adopted, would cause the local unit to withdraw its disapproval. Failure to approve or disapprove the changed plans in writing within the time period is deemed to be approval, unless an extension is agreed to by the city, county, or town and by the commissioner.

(c) If the governing body of one or more cities, counties, or towns within the seven-county metropolitan area disapproves the changed plans within the period allowed under paragraph (b), the commissioner may refer the plans, along with any comments of local jurisdictions, to the metropolitan council. The council shall review the final design plans under the same procedure and with the same effect as provided in section 473.4102 for preliminary design plans.

Sec. 17. [CONSTITUTIONAL AMENDMENT.]

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a section must be added to article XIV to read:

Sec. 12. Of the proceeds of any tax levied on the sale or transfer of new and used motor vehicles, 54 percent must be paid into the highway user tax distribution fund and 46 percent must be paid to a multi-modal transportation fund.

Sec. 18. [SUBMISSION TO VOTERS.]

The proposed amendment must be submitted to the people at the 2000 general election and, if approved, takes effect for any tax paid after June 30, 2001. The question submitted must be:

"Shall the Minnesota Constitution be amended to provide that 54 percent of the sales tax on motor vehicles be deposited into the highway user tax distribution fund and used solely for highway purposes and 46 percent be deposited into a multi-modal transportation fund?"

Yes
No"

If adopted the constitutional amendment is effective for taxes collected on and after July 1, 2001.

Sec. 19. Laws 1999, chapter 250, article 1, section 115, is amended to read:

Sec. 115. [REPEALER.]

(a) Minnesota Rules, part 8275.0045, subpart 2, is repealed.

(b) Minnesota Statutes 1998, sections 15.90; 15.91; 15.92; 16A.103, subdivision 3; 16E.11; 16E.12; and 16E.13, are repealed.

(c) Laws 1991, chapter 235, article 5, section 3, as amended by Laws 1995, chapter 254, article 1, section 91, is repealed.

(d) Minnesota Statutes 1998, section 16A.1285, subdivisions 4 and 5, are repealed.

(e) Minnesota Statutes 1998, sections 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; 207A.09; and 207A.10, are repealed.

(f) S. F. No. 2223 of the 1999 regular session, if enacted, is repealed.

~~(g) Minnesota Statutes 1998, sections 4A.08; 4A.09; and 4A.10, are repealed.~~

Sec. 20. Laws 1999, chapter 250, article 1, section 116, is amended to read:

Sec. 116. [EFFECTIVE DATE.]

(a) Section 41 is effective January 1, 2001. Section 43 is effective July 1, 2000, with respect to preparation of the model policies and procedures by the commissioner of administration, and January 1, 2001, with respect to the other provisions of section 43.

(b) Sections 62 to 64 and 93 are effective January 1, 2001.

(c) Sections 94 to 100 are effective the day following final enactment.

(d) Sections 47, 49, 55, and 115, ~~paragraphs~~ paragraph (d) and (g), are effective July 1, 2001.

(e) Section 61 is effective the day following final enactment and applies only to contracts executed on or after that date.

(f) The commissioner of employee relations may not implement the long-term care insurance plan under section 78 until April 1, 2000.

Sec. 21. [APPROPRIATIONS.]

Subdivision 1. [TRANSFERS TO HIGHWAY USER TAX DISTRIBUTION FUND.] (a) \$108,500,000 is appropriated from the general fund to the commissioner of transportation for state road construction for fiscal year 2001. The commissioner shall spend this appropriation as follows:

(1) \$54,250,000 for state trunk highway improvements within the seven-county metropolitan area to improve traffic flow and expand highway capacity by eliminating highway bottlenecks; and

(2) \$54,250,000 for improvements on state trunk highways outside the seven-county metropolitan area that the commissioner designates as at-risk interregional corridors.

(b) \$50,750,000 is appropriated from the general fund to the commissioner of transportation for fiscal year 2001 for county state-aid highways. This appropriation is added to the appropriation in Laws 1999, chapter 238, article 1, section 2, subdivision 6, paragraph (a), for fiscal year 2001, and must be distributed in the same manner as that appropriation.

(c) \$15,750,000 is appropriated from the general fund to the commissioner of transportation for fiscal year 2001 for municipal state-aid streets. This appropriation is added to the appropriation in Laws 1999, chapter 238, article 1, section 2, subdivision 6, paragraph (b), for fiscal year 2001, and must be distributed in the same manner as that appropriation.

Subd. 2. [MULTI-MODAL FUND.] \$170,450,000 is appropriated from the general fund to the commissioner of finance for transfer on July 1, 2000, to the statewide surface transportation account in the multi-modal transportation fund. The money so transferred is appropriated to the commissioner of transportation for fiscal year 2001 for state road construction projects that meet the criteria of section 4, subdivision 2, clause (1), subclauses (1) or (2).

Sec. 22. [PUBLIC TRANSIT APPROPRIATIONS.]

Subdivision 1. [METROPOLITAN COUNCIL.] \$3,700,000 is appropriated from the general fund in fiscal year 2001 to the metropolitan council for fiscal year 2001 for transit operations in the metropolitan area. This appropriation adds to the budget base for the 2002-2003 biennium.

Subd. 2. [COMMISSIONER OF TRANSPORTATION.] \$450,000 is appropriated from the general fund in fiscal year 2001 to the commissioner of transportation for grants to public transit systems under Minnesota Statutes, section 174.24. This appropriation adds to the budget base for the 2002-2003 biennium.

Sec. 23. [CONTINUOUS EFFECT.]

Minnesota Statutes, sections 4A.08, 4A.09, and 4A.10, to be repealed by Laws 1999, chapter 250, article 1, section 115, paragraph (g), effective July 1, 2001, by Laws 1999, chapter 250, article 1, section 116, paragraph (d), are by virtue of the amendments made by sections 20 and 21 not to be repealed; rather they remain in continuous effect.

Sec. 24. [COMMISSIONER OF TRANSPORTATION; RAMP METER STUDY.]

(a) Notwithstanding other law to the contrary, the commissioner shall order that all meters on access ramps to a freeway or expressway, as defined in Minnesota Statutes, section 160.02, display flashing yellow lights for a period to be determined by the consultant with whom the commissioner contracts to perform the study required under paragraph (b).

This section does not prohibit temporary closure or other traffic flow restrictions of access ramps to a freeway or expressway in the interests of public safety.

(b) The commissioner shall study and report to the legislature by February 1, 2001, the traffic flow results on expressways and freeways for the period of the study. The department shall gather and compile any relevant facts, comparisons, statistics, or other relevant data and report its findings of fact and conclusions. The commissioner shall contract with an independent consultant to perform the study required by this section.

(c) \$400,000 is appropriated from the trunk highway fund to the commissioner of transportation for the purposes of this section.

Sec. 25. [HIGH-OCCUPANCY VEHICLE LANE STUDY.]

(a) The commissioner of transportation shall study the effects of allowing high-occupancy vehicle lanes on marked interstate highways Nos. 35-W and 394 by (1) vehicles with a registered gross weight of more than 26,000 pounds, (2) other trucks and vans, as defined in section 168.011, subdivisions 10 and 28, not registered as passenger automobiles; and (3) other categories of vehicles the commissioner deems appropriate for inclusion in the study. In conducting the study the commissioner shall evaluate, among other things, the effects of allowing such use on:

(1) congestion and the flow of traffic on other lanes of those highways;

(2) law enforcement and the enforceability of existing and proposed restrictions on high-occupancy vehicle lanes;

(3) highway safety;

(4) bus transit and car pools; and

(5) the efficiency and economy of goods movement.

(b) The commissioner shall report to the governor and legislature by February 1, 2001, on the results of the study.

Sec. 26. [EFFECTIVE DATE.]

Section 5 is effective July 1, 2001, for taxes collected and received after June 30, 2001. Sections 19, 20, 23, 24, and 25 are effective the day following final enactment.

Article 2

Transportation Policy

Section 1. Minnesota Statutes 1998, section 161.32, is amended by adding a subdivision to read:

Subd. 7. [APPROVAL AND PAYMENT OF SUPPLEMENTAL AGREEMENTS.] Notwithstanding any law to the contrary, when goods or services are provided to the commissioner under an agreement supplemental to a contract for work on a trunk highway, the commissioner may approve the supplemental agreement. Payment of valid state obligations must be made within 30 days of approval of the supplemental agreement or submission by the contractor of an invoice indicating completion of work, whichever occurs later.

Sec. 2. Minnesota Statutes 1999 Supplement, section 168.17, is amended to read:

168.17 [SUSPENSION OF REGISTRATION.]

(a) All registrations and issue of number plates shall be subject to amendment, suspension, modification or revocation by the registrar summarily for any violation of or neglect to comply with the provisions of this chapter or when the transferee fails to comply with section 168A.10, subdivision 2, within 30 days of the date of sale.

(b) The registrar may suspend the registration of a motor vehicle if the tax on the vehicle was paid by means of a dishonored check to a deputy motor vehicle registrar. The registrar may continue a suspension under this paragraph until the registrar is informed by the deputy motor vehicle registrar that the dishonored check has been paid in full.

(c) In any case where the proper registration of a motor vehicle is dependent upon procuring information entailing such delay as to unreasonably deprive the owner of the use of the motor vehicle, the registrar may issue a tax receipt and plates conditionally.

(d) In any case when revoking a registration for cause, the registrar shall have authority to demand the return of the number plates and registration certificates, and, if necessary, to seize the number plates issued for such registration.

Sec. 3. Minnesota Statutes 1998, section 168.27, subdivision 8, is amended to read:

Subd. 8. [EXEMPTIONS.] ~~(a)~~ (a) Salespeople and other employees of licensed dealers under this section ~~shall~~ are not be required to obtain individual licenses.

~~(b)~~ (b) Isolated or occasional sales or leases of new or used motor vehicles ~~shall be~~ are exempt from ~~the provisions of this section.~~ A person who makes only isolated or occasional sales or leases is not required to be licensed under this section, is not considered to be in the business of selling or leasing motor vehicles, and does not qualify to receive dealer plates under subdivision 16. "Isolated or occasional sales or leases" means: ~~(i)~~ (1) the sale or lease of a motor vehicle with an actual cash value of \$1,000 or less made by a charitable organization; ~~(ii)~~ (2) the sale, purchase, or lease of not more than five motor vehicles in a 12-month period, other than pioneer or classic motor vehicles as defined in section 168.10, subdivisions 1a and 1b, or ~~(iii)~~ (3) sales by a licensed auctioneer selling motor vehicles at an auction if, in the ordinary course of the auctioneer's business, the sale of motor vehicles is incidental to the sale of other real or personal property. For purposes of this subdivision, ~~a~~ charitable organization means a nonprofit charitable organization that qualifies for tax exemption under section 501(c)(3) of the Internal Revenue Code.

(c) A person whose sales of new and used motor vehicles consist solely of sales to political subdivisions and their agencies of vehicles used solely as firefighting equipment is not required to obtain a license under this section. The person may apply for and receive in-transit plates under subdivision 17 in the same manner as licensed motor vehicle dealers for the purpose of allowing firefighting equipment to be transported from the dealer's source of supply or other place of storage to the dealer's place of business, to another place of storage, or directly to the purchaser.

Sec. 4. Minnesota Statutes 1998, section 169.781, is amended by adding a subdivision to read:

Subd. 10. [EXEMPTION.] This section does not apply to a vehicle operated by a motor carrier of passengers, as defined in section 221.011, subdivision 48, if the vehicle has been inspected under section 221.0252, subdivision 3, paragraph (a), clause (2), within the previous 12 months.

Sec. 5. Minnesota Statutes 1999 Supplement, section 221.0252, subdivision 7, is amended to read:

Subd. 7. [EXEMPTIONS FROM REGULATION.] Notwithstanding any other law, motor carriers of passengers are exempt from sections 221.121; 221.122; 221.123; ~~221.132~~; 221.151; 221.161; and 221.171.

Sec. 6. Minnesota Statutes 1998, section 221.131, subdivision 4, is amended to read:

Subd. 4. [FLOATER CARD; FEE.] The department may issue to carriers subject to subdivision 2 or 3 special "floater" identification cards up to a maximum of five per motor carrier. Floater cards may be freely transferred between vehicles that have evidence of being inspected under section 221.0252, subdivision 3, paragraph (a), clause (2), within the previous 12 months, or have a current Commercial Vehicle Safety Alliance decal, and that are used under short-term leases by the motor carrier. The motor carrier shall pay a fee of \$100 for each floater card issued.

Sec. 7. Minnesota Statutes 1998, section 221.132, is amended to read:

221.132 [PREPAID TEMPORARY VEHICLE IDENTIFICATION CARD.]

For special or extraordinary events, the commissioner may issue a prepaid temporary vehicle identification card to a permit or certificate holder subject to section 221.131, subdivision 2 or 3, for a fee of \$5 per card. The card must be preprinted by the commissioner with the carrier's name, address, and permit or certificate number. The card may be used by the motor carrier to whom it is issued to identify a vehicle temporarily added to its fleet, if the vehicle has evidence of being inspected under section 221.0252, subdivision 3, paragraph (a), clause (2), within the previous 12 months, or has a current Commercial Vehicle Safety Alliance decal. The card must be executed by the motor carrier by dating and signing the card and describing the vehicle in which it will be carried. The identification card is valid for a period of ten days from the date the motor carrier places on the card when the card is executed. The card must be used within one year from the date of issuance by the commissioner. The card may not be used if the permit or certificate is not in full force and effect. The card may not be transferred. The commissioner may not refund the cost of unused prepaid temporary vehicle identification cards.

Sec. 8. Minnesota Statutes 1998, section 473.388, subdivision 2, is amended to read:

Subd. 2. [REPLACEMENT SERVICE; ELIGIBILITY.] The council may provide assistance under the program to a statutory or home rule charter city or town or combination thereof, that:

- (a) is located in the metropolitan transit taxing district;
- (b) is not served by the council bus service or is served only with council bus routes which begin or end within the applying city or town or combination thereof; and
- (c) has fewer than four scheduled runs of council bus service during off-peak hours defined in section 473.408, subdivision 1.

Eligible cities or towns or combinations thereof may apply on behalf of a transit operator with whom they propose to contract for service.

~~The council may not provide assistance under this section to a statutory or home rule charter city or town unless the city or town,~~

- ~~(i) was receiving assistance under Minnesota Statutes 1982, section 174.265 by July 1, 1984;~~
- ~~(ii) had submitted an application for assistance under that section by July 1, 1984, or~~
- ~~(iii) had submitted a letter of intent to apply for assistance under that section by July 1, 1984, and submits an application for assistance under this section by July 1, 1988. A statutory or home rule charter city or town has an additional 12-month extension if it notified the former regional transit board before July 1, 1988, that the city or town is in the process of completing a transportation evaluation study that includes an assessment of the local transit needs of the city or town.~~

Sec. 9. [REPORT; METRO MOBILITY.]

(a) The metropolitan council shall report to the chairs of the senate and house of representatives committees having jurisdiction over transportation policy and transportation finance on the future of the metro mobility paratransit system. The report must include options, alternatives, and strategies for:

- (1) increasing the availability of metro mobility service to meet present and anticipated demand;
- (2) integrating metro mobility service into the new and expanded transit services described in the council's regional transit master plan;
- (3) integration of private taxi services to provide a more efficient pick up and delivery system, and potential savings from doing so; and
- (4) changes in state or federal law, including, but not limited to, changes in fare structure and requirements, to increase effectiveness of the service.

(b) In conducting the study and preparing the report the council must consult with its transportation accessibility advisory council.

(c) The council must submit the report by February 1, 2001.

Sec. 10. [WORKING GROUP TO ASSESS RAIL LINE PROJECT.]

(a) The commissioners of agriculture, transportation, and trade and economic development shall convene as a working group to assess the economic, social, and environmental impact of the DM&E rail line project. The working group shall develop recommendations to the legislature on ways to maximize opportunities to move Minnesota products to market while minimizing environmental, social, and other public costs. The recommendations must include methods to:

- (1) maximize the volume of Minnesota products on the DM&E rail line;
- (2) assure appropriate environmental protections are used to minimize land use, protect wetlands, and mitigate noise or other environmental impacts;
- (3) fully involve local units of government in siting issues and right-of-way acquisitions; and
- (4) determine what direct and indirect costs are likely to accrue to local units of government and private property owners.

(b) The working group shall directly negotiate with the rail line to assure timely access for shipping Minnesota products and to assure minimal environmental and social impact. The working group shall also consider modifications to ports and other infrastructure that could enhance, benefit, and minimize the impact of the DM&E project in Minnesota. The working group shall confer with local governments on the DM&E rail line and report to the legislature by January 15, 2001, on the project costs to local units of government for mitigations, right-of-way acquisitions, crossing safety, or other direct impacts of the project.

Sec. 11. [PUBLIC SAFETY RADIO SYSTEM STUDY.]

Subdivision 1. [PLANNING COMMITTEE.] The commissioners of administration, transportation, and public safety shall convene a planning committee to report to the legislature on a plan for development of an 800 megahertz statewide shared public safety radio system. The planning committee must provide a means for inclusion of input from representatives of local governments and major system user groups.

Subd. 2. [REPORT CONTENTS.] The committee shall review:

- (1) current and future needs and capacities of radio systems in outstate areas;
- (2) the potential for implementation of a multi-agency and multijurisdictional shared radio system;
- (3) potential guidelines for governance and system participation by state and local units of government; and
- (4) statutory changes required to implement a statewide 800 megahertz shared public safety radio system.

Subd. 3. [REVIEW CONSIDERATIONS.] In performing the duties under this section, the planning committee may consider:

- (1) assessment of current uses, needs, and capacities, including growth and expansion capacities, by each local government and by each major user group;
- (2) estimates of future needs by each local government and by each major user group;
- (3) estimates by each local government and by each major user group of the anticipated level and timeline for utilizing the radio system;
- (4) analysis of the expected costs of implementing the radio system; and
- (5) proposed funding mechanisms, including options for allocating costs among local governments and user groups.

Subd. 4. [PUBLIC MEETINGS.] After completing its duties under subdivisions 2 and 3, the planning committee shall prepare a draft report to local governments and major user groups in all outstate areas. The draft report must also be made available to the public. After preparing and disseminating the draft report and before presenting the final report to the legislature, the planning committee shall meet with representatives of local governments and user groups in each department of public safety radio communication district to explain the report and seek comment.

Subd. 5. [REPORT.] By February 1, 2001, the commissioner of administration shall report to the legislature on the findings and recommendations of the planning committee. The report must also identify any changes in statutory authority and funding options necessary to provide for implementation of the statewide, 800 megahertz, shared, public safety radio system.

Sec. 12. [EFFECTIVE DATE.]

Sections 2 to 7 and 8 to 11 are effective the day following final enactment. Section 8 is effective July 1, 2001."

Delete the title and insert:

"A bill for an act relating to transportation; proposing an amendment to the Minnesota Constitution by adding a section to article XIV; requiring 54 percent of the tax on the sale of motor vehicles to be deposited in highway user tax distribution fund; providing authority and procedures for establishing exclusive bus transit ways; creating multimodal transportation fund, with accounts, and providing that 46 percent of the tax on the sale of motor vehicles be deposited in this fund; removing sunset provision for certain responsibilities of the office of strategic and long-range planning; appropriating money for state and local road and transit assistance; amending Minnesota Statutes 1998, sections 169.01, subdivision 29; 169.305, by adding a subdivision; 297B.09, subdivision 1; 394.232, subdivision 5; and 473.39, by adding a subdivision; Laws 1999, chapter 250, article 1, sections 115 and 116; proposing coding for new law in Minnesota Statutes, chapters 174; and 473."

A roll call was requested and properly seconded.

POINT OF ORDER

Pawlenty raised a point of order pursuant to rule 3.21 that the Juhnke amendment was not in order. Speaker pro tempore Abrams ruled the point of order not well taken and the Juhnke amendment in order.

POINT OF ORDER

Molnau 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 Juhnke amendment was not in order.

Pursuant to section 244 of "Mason's Manual of Legislative Procedure," Speaker pro tempore Abrams deferred his decision on the Molnau point of order and the Juhnke amendment was temporarily laid over.

Bakk offered an amendment to H. F. No. 2891, the second engrossment, as amended.

POINT OF ORDER

Molnau raised a point of order pursuant to rule 3.21 that the Bakk amendment was not in order. Speaker pro tempore Abrams ruled the point of order well taken and the Bakk amendment out of order.

Bakk appealed the decision of Speaker pro tempore Abrams.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Molnau moved to lay the Bakk appeal of the decision of Speaker pro tempore Abrams 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 66 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Harder	McElroy	Rifenberg	Tingelstad
Abrams	Dehler	Holberg	Molnau	Rostberg	Tuma
Anderson, B.	Dorman	Holsten	Mulder	Seagren	Van Dellen
Bishop	Erhardt	Kielkucki	Ness	Seifert, J.	Vandever
Boudreau	Erickson	Knoblach	Nornes	Seifert, M.	Westerberg
Bradley	Gerlach	Krinkie	Osskopp	Smith	Westfall
Broecker	Goodno	Kuisle	Ozment	Stanek	Westrom
Buesgens	Gunther	Larsen, P.	Paulsen	Stang	Wilkin
Cassell	Haake	Leppik	Pawlenty	Storm	Wolf
Clark, J.	Haas	Lindner	Reuter	Swenson	Workman
Daggett	Hackbarth	Mares	Rhodes	Sykora	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Folliard	Huntley	Leighton	Mullery	Schumacher
Bakk	Fuller	Jaros	Lenczewski	Murphy	Skoe
Biernat	Gleason	Jennings	Lieder	Opatz	Skoglund
Carlson	Gray	Johnson	Luther	Orfield	Solberg
Carruthers	Greenfield	Juhnke	Mahoney	Paymar	Swapinski
Chaudhary	Greiling	Kahn	Mariani	Pelowski	Tomassoni
Clark, K.	Hasskamp	Kalis	Marko	Peterson	Trimble
Dawkins	Hausman	Kelliher	McCollum	Pugh	Wagenius
Dorn	Hilty	Koskinen	McGuire	Rest	Wejcman
Entenza	Howes	Larson, D.	Milbert	Rukavina	Wenzel

The motion prevailed and the appeal of the decision of Speaker pro tempore Abrams was laid on the table.

PENDING POINT OF ORDER

The pending point of order deferred earlier today by Speaker pro tempore Abrams relating to the Juhnke amendment to H. F. No. 2891, the second engrossment, as amended, and raised by Molnau pursuant to rule 4.03, Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, was again reported to the House. Molnau withdrew her point of order pursuant to rule 4.03.

The Juhnke amendment to H. F. No. 2891, the second engrossment, as amended, reported earlier today was again reported to the House.

The Speaker resumed the Chair.

The question recurred on the Juhnke amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Jennings	Lieder	Opatz	Skoe
Bakk	Gleason	Johnson	Luther	Orfield	Skoglund
Biernat	Gray	Juhnke	Mahoney	Osthoff	Solberg
Carlson	Greenfield	Kahn	Mariani	Paymar	Swapinski
Carruthers	Greiling	Kalis	Marko	Pelowski	Tomassoni
Chaudhary	Hasskamp	Kelliher	McCollum	Peterson	Trimble
Clark, K.	Hausman	Koskinen	McGuire	Pugh	Wagenius
Dawkins	Hilty	Kubly	Milbert	Rest	Wejcman
Dorn	Huntley	Larson, D.	Mullery	Rukavina	Wenzel
Entenza	Jaros	Leighton	Murphy	Schumacher	

Those who voted in the negative were:

Abeler	Bradley	Daggett	Erickson	Gunther	Holsten
Abrams	Broecker	Davids	Finseth	Haake	Howes
Anderson, B.	Buesgens	Dehler	Fuller	Haas	Kielkucki
Bishop	Cassell	Dorman	Gerlach	Hackbarth	Knoblach
Boudreau	Clark, J.	Erhardt	Goodno	Holberg	Krinkie

Kuisle	Molnau	Paulsen	Seifert, J.	Sykora	Westrom
Larsen, P.	Mulder	Pawlenty	Seifert, M.	Tingelstad	Wilkin
Lenczewski	Ness	Reuter	Smith	Tuma	Wolf
Leppik	Nornes	Rhodes	Stanek	Van Dellen	Workman
Lindner	Olson	Rifenberg	Stang	Vandever	Spk. Sviggum
Mares	Osskopp	Rostberg	Storm	Westerberg	
McElroy	Ozment	Seagren	Swenson	Westfall	

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

Reuter offered an amendment to H. F. No. 2891, the second engrossment, as amended.

POINT OF ORDER

Larson, D., 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 Reuter amendment was not in order. The Speaker ruled the point of order well taken and the Reuter amendment out of order.

Marko and Kelliher moved to amend H. F. No. 2891, the second engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

MULTIMODAL TRANSPORTATION FUND

Section 1. [160.035] [MULTIMODAL TRANSPORTATION FUND.]

Subdivision 1. [FUND CREATED.] A multimodal transportation fund is created in the state treasury. The fund consists of all money appropriated or credited to the fund by law.

Subd. 2. [EXPENDITURES FROM FUND.] Money in the multimodal transportation fund may be expended by appropriation for costs related to any transportation purpose, including, but not limited to:

- (1) construction, improvement, and maintenance of public highways;
- (2) operating and capital assistance to transit;
- (3) operating and capital assistance to rail, waterway, and air transportation systems;
- (4) motor carrier regulation; and
- (5) debt service for state transportation and trunk highway bonds.

Sec. 2. Minnesota Statutes 1998, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. ~~[GENERAL FUND SHARE ALLOCATION OF RECEIPTS.] (a) Money collected and received under this chapter must be deposited in the state treasury and credited to the general fund. The amounts collected and received shall be credited as provided in this subdivision, and transferred from the general fund on July 15 and~~

February 15 of each fiscal year. The commissioner of finance must make each transfer based upon the actual receipts of the preceding six calendar months and include the interest earned during that six-month period. The commissioner of finance may establish a quarterly or other schedule providing for more frequent payments to the transit assistance fund if the commissioner determines it is necessary or desirable to provide for the cash flow needs of the recipients of money from the transit assistance fund.

(b) ~~Twenty-five percent of the money collected and received under this chapter after June 30, 1990, and before July 1, 1991, must be transferred to the highway user tax distribution fund and the transit assistance fund for apportionment as follows: 75 percent must be transferred to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund, and the remaining 25 percent of the money must be transferred to the transit assistance fund to be appropriated to the commissioner of transportation for transit assistance within the state and to the metropolitan council.~~

(c) ~~The distributions under this subdivision to the highway user tax distribution fund until June 30, 1991, and to the trunk highway fund thereafter, must be reduced by the amount necessary to fund the appropriation under section 41A.09, subdivision 1. For the fiscal years ending June 30, 1988, and June 30, 1989, the commissioner of finance, before making the transfers required on July 15 and January 15 of each year, shall estimate the amount required to fund the appropriation under section 41A.09, subdivision 1, for the six-month period for which the transfer is being made. The commissioner shall then reduce the amount transferred to the highway user tax distribution fund by the amount of that estimate. The commissioner shall reduce the estimate for any six-month period by the amount by which the estimate for the previous six-month period exceeded the amount needed to fund the appropriation under section 41A.09, subdivision 1, for that previous six-month period. If at any time during a six-month period in those fiscal years the amount of reduction in the transfer to the highway user tax distribution fund is insufficient to fund the appropriation under section 41A.09, subdivision 1, for that period, the commissioner shall transfer to the general fund from the highway user tax distribution fund an additional amount sufficient to fund the appropriation for that period, but the additional amount so transferred to the general fund in a six-month period may not exceed the amount transferred to the highway user tax distribution fund for that six-month period. Receipts from the tax imposed under this chapter must be deposited in the state treasury and credited as follows:~~

~~(1) 25 percent to the highway user tax distribution fund;~~

~~(2) in fiscal years 2002 and 2003, 25 percent to the multimodal transportation fund created in section 160.035 and the remainder to the general fund;~~

~~(3) in fiscal years 2004 and 2005, 50 percent to the multimodal transportation fund and the remainder to the general fund; and~~

~~(4) in fiscal years 2006 and thereafter, 75 percent to the multimodal transportation fund.~~

Sec. 3. [BIENNIAL BUDGET RECOMMENDATION.]

The commissioner of transportation and chair of the metropolitan council shall include in their biennial budget submissions to the legislature, recommendations concerning spending of money in the multimodal transportation fund.

Sec. 4. [TRANSFER.]

(a) The commissioner of finance shall transfer \$125,000,000 from the general fund to the highway user tax distribution fund.

(b) The commissioner of finance shall transfer \$260,000,000 from the general fund to the multimodal transportation fund created in Minnesota Statutes, section 160.035.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 and 4 are effective July 1, 2000. Section 2 is effective July 1, 2001.

ARTICLE 2

TRANSPORTATION SPENDING

Section 1. Minnesota Statutes 1998, section 16A.127, is amended by adding a subdivision to read:

Subd. 10. [HIGHWAY FUNDS.] Statewide indirect cost liabilities may not be accrued to the highway user tax distribution fund, trunk highway fund, county state-aid highway fund, municipal state-aid street fund, or multimodal transportation fund with respect to expenditures from those funds. These liabilities must be accrued to another source of state funds.

Sec. 2. Minnesota Statutes 1998, section 161.20, subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS.] The commissioner may expend trunk highway funds only for trunk highway purposes. Payment of sales tax on purchase of highways construction materials and road construction equipment is not a highway purpose and does not aid in the construct, improvement, or maintenance of the highway system.

Sec. 3. Minnesota Statutes 1998, section 162.08, subdivision 4, is amended to read:

Subd. 4. [PURPOSES; OTHER USES OF MUNICIPAL ACCOUNT ALLOCATION.] (a) Except as provided in subdivision 3, money so apportioned and allocated to each county shall be used for aid in the establishment, location, construction, reconstruction, improvement, and maintenance of the county state-aid highway system within each county, including the expense of sidewalks, commissioner-approved signals and safety devices on county state-aid highways, and systems that permit an emergency vehicle operator to activate a green traffic signal for the emergency vehicle; provided, that in the event of hardship, or in the event that the county state-aid highway system of any county is improved to the standards set forth in the commissioner's rules, a portion of the money apportioned other than the money allocated for expenditures within cities having a population of less than 5,000, may be used on other roads within the county with the consent and in accordance with the commissioner's rules. Payment of sales tax on purchase of highway construction materials and road construction equipment is not a highway purpose and does not aid in the construction, improvement, or maintenance of the highway system.

(b) If the portion of the county state-aid highway system lying within cities having a population of less than 5,000 is improved to the standard set forth in the commissioner's rules, a portion of the money credited to the municipal account may be used on other county highways or other streets lying within such cities. Upon the authorization of the commissioner, a county may expend accumulated municipal account funds on county state-aid highways within the county outside of cities having a population of less than 5,000. The commissioner shall authorize the expenditure if:

(1) the county submits a written request to the commissioner and holds a hearing within 30 days of the request to receive and consider any objections by the governing bodies of cities within the county having a population of less than 5,000; and

(2) no written objection is filed with the commissioner by any such city within 14 days of that hearing as provided in this subdivision.

The county shall notify all of the cities of the public hearing by certified mail and shall notify the commissioner in writing of the results of the hearing and any objections to the use of the funds as requested by the county.

(c) If, within 14 days of the hearing under paragraph (b), a city having a population of less than 5,000 files a written objection with the commissioner identifying a specific county state-aid highway within the city which is requested for improvement, the commissioner shall investigate the nature of the requested improvement. Notwithstanding paragraph (b), clause (2), the commissioner may authorize the expenditure requested by the county if:

- (1) the identified highway is not deficient in meeting minimum state-aid street standards;
- (2) the county shows evidence that the identified highway has been programmed for construction in the county's five-year capital improvement budget in a manner consistent with the county's transportation plan; or
- (3) there are conditions created by or within the city and beyond the control of the county that prohibit programming or constructing the identified highway.

(d) Notwithstanding any contrary provisions of paragraph (b) or (c), accumulated balances in excess of two years of municipal account apportionments may be spent on projects located outside of municipalities under 5,000 population when approved solely by resolution of the county board.

(e) Authorization for use of municipal account funds on county state-aid highways outside of cities having a population of less than 5,000 shall be applicable only to the county's accumulated and current year allocation. Future municipal account allocations shall be used as directed by law unless subsequent requests are made by the county and approved by the commissioner, or approved by resolution of the county board, as applicable, in accordance with the applicable provisions of this section.

Sec. 4. Minnesota Statutes 1998, section 162.14, subdivision 2, is amended to read:

Subd. 2. [PURPOSES, OTHER USES, OTHER FUNDS.] Money so apportioned to each such city shall be used for aid in the establishment, location, construction, reconstruction, improvement, and maintenance of the municipal state-aid street system within each city including the expense of sidewalks, signals and safety devices, including systems that permit an emergency vehicle operator to activate a green traffic signal for the emergency vehicle, on such system approved by the commissioner, provided that in the event of hardship or in the event that the municipal state-aid street system of any municipality is improved to the standards set forth in the commissioner's rules, and subject to the consent of the commissioner and under rules of the commissioner, a portion of the money so apportioned may be used on other streets or roads within the city. The governing body of any such city may, subject to the consent of the commissioner, and under the rules of the commissioner, use a portion of the money so apportioned on any state trunk highway or county state-aid highway within the city. The amount of money to be appropriated by such cities from other funds for use in the establishment, location, construction, reconstruction, improvement, and maintenance of the municipal state-aid street system within the city is hereby left to the direction of the individual governing bodies of the cities. Payment of sales tax on purchase of highway construction materials and road construction equipment is not a highway purpose and does not aid in the construction, improvement, and maintenance of the highway and street system.

Sec. 5. Minnesota Statutes 1998, section 473.39, is amended by adding a subdivision to read:

Subd. 1h. [OBLIGATIONS.] (a) After July 1, 2001, in addition to the authority in subdivisions 1a, 1b, 1c, 1d, 1e, and 1g, the council may issue certificates of indebtedness, bonds, or other obligations under this section for capital expenditures as prescribed in the council's regional transit master plan and transit capital improvement program and for related costs including the costs of issuance and sale of the obligations. The amount of the obligations issued under this subdivision in any year may not exceed an amount equal to the following limitations, except as provided in this subdivision:

- (1) for 2002, the limitation is \$40,000,000; and

(2) for each subsequent year, the limitation is equal to the previous year's limitation calculated under this subdivision adjusted for inflation using the United States Department of Labor's Bureau of Labor Statistics Minneapolis-St. Paul Consumer Price Index for All Urban Consumers (CPI-U) for the previous taxes payable year or three percent, whichever amount is less.

(b) In any year in which the council does not issue obligations totaling the limitation calculated under this subdivision, the council's limitation for the following year is increased by the difference between the previous year's limitation calculated under this subdivision and the amount issued in the previous year, or 20 percent of the previous year's limitation, whichever is less. Any limitation increase carried forward under this subdivision is available only in the following year and is not a permanent increase in the annual limitation calculated under this subdivision.

Sec. 6. Minnesota Statutes 1998, section 473.39, is amended by adding a subdivision to read:

Subd. 1j. [PERFORMANCE-BASED FUNDING.] The commissioner of finance, in consultation with the chair of the metropolitan council, shall submit a recommendation for a performance-based funding mechanism for the metropolitan transit operations appropriation as part of the governor's biennial budget recommendations to the 2001 legislature.

Sec. 7. [PROHIBITION AGAINST APPROPRIATIONS FROM TRUNK HIGHWAY FUND.]

To ensure compliance with the Minnesota Constitution, article XIV, sections 2, 5, and 6, the commissioner of finance, agency directors, and legislative commission personnel may not include in the biennial budget for fiscal years 2002 and 2003, or in any budget thereafter, expenditures from the trunk highway fund for a nonhighway purpose. Prohibited expenditures include, without limitation, statewide indirect costs, sales tax on purchase of highway construction materials and road construction equipment, and those trunk highway fund appropriations that are reduced or eliminated in sections 8 to 28 of this article.

Sec. 8. Laws 1999, chapter 216, article 1, section 1, is amended to read:

Section 1. [CRIMINAL JUSTICE APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1999," "2000," and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively.

SUMMARY BY FUND

	1999	2000	2001	TOTAL
General	\$2,074,000	\$547,845,000	\$582,487,000 \$584,143,000	\$1,130,332,000 \$1,131,988,000
Special Revenue		8,258,000	7,902,000	16,160,000
Environmental		44,000	46,000	90,000
State Government Special Revenue		7,000	7,000	14,000
Trunk Highway		1,626,000	1,656,000 -0-	3,282,000 1,626,000
TOTAL		\$557,780,000	\$592,098,000	\$1,149,878,000

APPROPRIATIONS
Available for the Year
Ending June 30
2000 2001

Sec. 9. Laws 1999, chapter 216, article 1, section 7, subdivision 1, is amended to read:

Subdivision 1. Total Appropriation	44,595,000	41,848,000
Summary by Fund		
	2000	2001
General	42,398,000	39,607,000 <u>41,263,000</u>
Special Revenue	520,000	532,000
State Government Special Revenue	7,000	7,000
Environmental	44,000	46,000
Trunk Highway	1,626,000	1,656,000 <u>-0-</u>

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Sec. 10. Laws 1999, chapter 216, article 1, section 7, subdivision 3, is amended to read:

Subd. 3. Criminal Apprehension

Summary by Fund		
General	23,327,000	23,080,000 <u>24,736,000</u>
Special Revenue	520,000	532,000
State Government Special Revenue	7,000	7,000
Trunk Highway	1,626,000	1,656,000 <u>-0-</u>

\$99,000 the first year and \$99,000 the second year from the Bureau of Criminal Apprehension account in the special revenue fund are for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

APPROPRIATIONS
 Available for the Year
 Ending June 30
 2000 2001

\$421,000 the first year and \$433,000 the second year from the Bureau of Criminal Apprehension account in the special revenue fund are for laboratory activities.

\$5,000,000 the first year and \$4,000,000 the second year are for the statewide criminal and juvenile justice data information system upgrade.

\$210,000 the first year and \$210,000 the second year are to be transferred to the commissioner of corrections for a statewide probation system component of the criminal justice information system. This appropriation must be included in the budget base for the 2002-2003 biennium.

\$500,000 the first year and \$55,000 the second year are for a lab information management system.

\$344,000 the first year and \$400,000 the second year are for laboratory supplies and equipment. This is a one-time appropriation.

\$800,000 the second year is for start-up costs, including employee hiring and training, for the northern BCA satellite laboratory facility in the city of Bemidji, for which predesign money was appropriated in Laws 1998, chapter 404, section 13, subdivision 11.

\$15,000 the first year is for the capitol security study described in article 5, section 13. This is a one-time appropriation.

\$125,000 the second year is to expand DNA testing of predatory offenders.

Sec. 11. Laws 1999, chapter 223, article 1, section 1, is amended to read:

Section 1. [ECONOMIC DEVELOPMENT; APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "2000" and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 2000, or June 30, 2001, respectively. The term "first year" means the fiscal year ending June 30, 2000, and "second year" means the fiscal year ending June 30, 2001.

SUMMARY BY FUND

	1999	2000	2001	TOTAL
General	\$21,000	\$224,507,000	\$184,543,000 <u>\$185,309,000</u>	\$409,071,000 <u>\$409,837,000</u>
Petroleum Tank Cleanup		1,015,000	1,045,000	2,060,000
Environmental Fund		700,000	700,000	1,400,000
TANF		6,000,000	4,000,000	10,000,000
Trunk Highway		745,000	766,000 <u>-0-</u>	1,511,000 <u>745,000</u>
Workers' Compensation		22,217,000	22,439,000	44,656,000
Special Revenue		100,000	-0-	100,000
Workforce Development Fund		17,993,000	12,557,000	30,550,000
TOTAL	\$21,000	\$273,277,000	\$226,050,000	\$499,348,000

APPROPRIATIONS
Available for the Year
Ending June 30

2000	2001
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Sec. 12. Laws 1999, chapter 223, article 1, section 2, subdivision 1, is amended to read:

Sec. 2. TRADE AND ECONOMIC DEVELOPMENT

Subdivision 1. Total Appropriation	56,880,000	46,056,000
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Summary by Fund

General	42,985,000	32,590,000	<u>33,356,000</u>
Trunk Highway	745,000	766,000	<u>-0-</u>
TANF	1,500,000	1,500,000	
Environmental Fund	700,000	700,000	
Workforce Development Fund	10,950,000	10,500,000	

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Sec. 13. Laws 1999, chapter 223, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. Tourism

10,805,000	10,910,000
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APPROPRIATIONS
Available for the Year
Ending June 30
2000 2001

(3) for a partnership with the University of Minnesota's tourism center to enhance professionalism via its certified festival manager program, training event managers and volunteer staff to implement value-added festivals and events for visitors to the state;

(4) for a partnership with the Minnesota office of tourism to publish a pull-out mini-magazine advertising the statewide festivals and events calendar for the year; and

(5) to expand the Minnesota Festivals and Events Association website, to provide travel planners with more festival and event intensive links to communities hosting such activities.

\$250,000 in the first year is for a one-time grant for the purpose of the Upper Red Lake business loan program.

\$829,000 the first year and \$829,000 the second year are for the Minnesota film board. \$329,000 of this appropriation in each year is available only upon receipt by the board of \$1 in matching contributions of money or in-kind from nonstate sources for every \$3 provided by this appropriation. Of this amount, \$500,000 the first year and \$500,000 the second year are for grants to the Minnesota film board for a film production jobs fund to stimulate feature film production in Minnesota. This appropriation is to reimburse film producers for two to five percent of documented wages which they paid to Minnesotans for film production after January 1, 1999.

\$100,000 the first year is for a grant to promote tourism in the Mille Lacs area. This is a one-time appropriation and is not added to the agency's budget base.

\$100,000 the first year is for a one-time grant to promote tourism in the areas near the northern border of Minnesota, including the Northwest Angle.

\$37,000 the first year is for a grant to the Mississippi River parkway commission.

Sec. 14. Laws 1999, chapter 238, article 1, section 1, is amended to read:

Section 1. [TRANSPORTATION AND OTHER AGENCIES APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1999," "2000," and "2001," where used in this act, mean that the appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively. If the

figures are not used, the appropriations are available for the year ending June 30, 2000, or June 30, 2001, respectively. The term "first year" means the year ending June 30, 2000, and the term "second year" means the year ending 30, 2001. Appropriations for the year ending June 30, 1999, are in addition to appropriations made in previous years.

SUMMARY BY FUND

	2000	2001	TOTAL
General	\$85,231,000	\$80,853,000 <u>11,475,000</u>	\$166,084,000 <u>96,706,000</u>
Airports	19,386,000	19,469,000	38,855,000
C.S.A.H.	365,063,000	366,624,000	731,687,000
Highway User	15,480,000	15,575,000	31,055,000
M.S.A.S.	105,549,000	107,394,000	212,943,000
Special Revenue	947,000	965,000	1,912,000
Trunk Highway	1,044,984,000	1,056,111,000 <u>1,051,067,000</u>	2,101,095,000 <u>2,096,051,000</u>
<u>Multimodal</u>	<u>-0-</u>	<u>87,198,000</u>	<u>87,198,000</u>
TOTAL	\$1,636,640,000	\$1,646,991,000 <u>1,659,767,000</u>	\$3,283,631,000 <u>3,296,407,000</u>

APPROPRIATIONS
Available for the Year
Ending June 30

2000 2001

Sec. 15. Laws 1999, chapter 238, article 1, section 2, subdivision 1, is amended to read:

Sec. 2. TRANSPORTATION

Subdivision 1. Total Appropriation	\$1,468,751,000	\$1,482,072,000 <u>\$1,485,072,000</u>
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The appropriations in this section are from the trunk highway fund, except when another fund is named.

Summary by Fund

	2000	2001
General	16,515,000	16,385,000 <u>108,000</u>

Airports	19,336,000	19,419,000
C.S.A.H.	365,063,000	366,624,000
M.S.A.S.	105,549,000	107,394,000
Trunk Highway	962,288,000 972,250,000	<u>967,873,000</u>
<u>Multimodal</u>	<u>-0-</u>	<u>23,654,000</u>

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Sec. 16. Laws 1999, chapter 238, article 1, section 2, subdivision 3, is amended to read:

Subd. 3. Transit	16,206,000	16,224,000 <u>19,000,000</u>
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Summary by Fund

General	15,882,000	15,892,000	<u>-0-</u>
Trunk Highway	324,000	332,000	<u>-0-</u>
<u>Multimodal</u>	<u>-0-</u>	<u>19,000,000</u>	

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Greater Minnesota Transit Assistance

15,406,000	15,406,000	<u>18,182,000</u>
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This appropriation is from the general fund the first year and from the multimodal fund the second year. Any unencumbered balance the first year does not cancel but is available for the second year. ~~Of this amount, \$405,000 each year does not add to the base.~~

(b) Transit Administration

800,000	818,000
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Summary by Fund

General	476,000	486,000	<u>-0-</u>
Trunk Highway	324,000	332,000	<u>-0-</u>
<u>Multimodal</u>	<u>-0-</u>	<u>818,000</u>	

Sec. 17. Laws 1999, chapter 238, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. Railroads and Waterways		1,623,000	1,565,000
Summary by Fund			
General	359,000	266,000	<u>-0-</u>
Trunk Highway	1,264,000	1,299,000	<u>-0-</u>
<u>Multimodal</u>	<u>-0-</u>		<u>1,565,000</u>

\$100,000 the first year is from the general fund for the development of the southern railway corridor improvement plan under article 2, section 34. This appropriation may not be added to the agency's budget base.

Sec. 18. Laws 1999, chapter 238, article 1, section 2, subdivision 5, is amended to read:

Subd. 5. Motor Carrier Regulation		2,851,000	2,865,000
Summary by Fund			
General	116,000	119,000	<u>-0-</u>
Trunk Highway	2,735,000	2,746,000	<u>-0-</u>
<u>Multimodal</u>	<u>-0-</u>		<u>2,865,000</u>

\$301,000 the first year and ~~\$249,000 the second year~~ from the trunk highway fund and \$249,000 the second year from the multimodal fund are for administration of passenger carrier registration.

Sec. 19. Laws 1999, chapter 238, article 1, section 2, subdivision 12, is amended to read:

Subd. 12. Contingent Appropriation

The commissioner of transportation, with the approval of the governor after consultation with the legislative advisory commission under Minnesota Statutes, section 3.30, may transfer all or part of the unappropriated balance in the trunk highway fund to an appropriation (1) for trunk highway design, construction, or inspection in order to take advantage of an unanticipated receipt of income to the trunk highway fund, or (2) for trunk highway maintenance in order to meet an emergency, ~~or~~ (3) to pay tort or environmental claims. The amount transferred is appropriated for the purpose of the account to which it is transferred.

Sec. 20. Laws 1999, chapter 238, article 1, section 3, is amended to read:

Sec. 3. METROPOLITAN COUNCIL TRANSIT	56,801,000	53,101,000	<u>63,101,000</u>
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Summary by Fund

	<u>2000</u>	<u>2001</u>
<u>General</u>	<u>56,801,000</u>	<u>-0-</u>
<u>Multimodal</u>	<u>-0-</u>	<u>63,101,000</u>

The council may not spend more than \$38,100,000 for metro mobility in the 2000-2001 biennium except for proceeds from bond sales when use of those proceeds for metro mobility capital expenditures is authorized by law.

Sec. 21. Laws 1999, chapter 238, article 1, section 5, is amended to read:

Sec. 5. MINNESOTA SAFETY COUNCIL	67,000	67,000
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Summary by Fund

	<u>2000</u>	<u>2001</u>
<u>Trunk Highway</u>	<u>67,000</u>	<u>-0-</u>
<u>Multimodal</u>	<u>-0-</u>	<u>67,000</u>

~~This appropriation is from the trunk highway fund.~~

Sec. 22. Laws 1999, chapter 238, article 1, section 7, is amended to read:

Sec. 7. TORT CLAIMS	600,000	600,000
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Summary by Fund

	<u>2000</u>	<u>2001</u>
<u>Trunk Highway</u>	<u>600,000</u>	<u>-0-</u>
<u>Multimodal</u>	<u>-0-</u>	<u>600,000</u>

To be spent by the commissioner of finance.

~~This appropriation is from the trunk highway fund.~~

~~If the appropriation for either year is insufficient, the appropriation for the other year is available for it.~~

Sec. 23. Laws 1999, chapter 241, article 10, section 5, subdivision 2, is amended to read:

Sec. 5. [APPROPRIATIONS; DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.]

Subd. 2. [TEACHING AND LEARNING PROGRAM.] (a) For the teaching and learning program in the department of children, families, and learning:

\$9,979,000	2000
\$9,926,000	2001

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

(c) \$21,000 ~~each~~ the first 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.

Sec. 24. Laws 1999, chapter 245, article 1, section 1, is amended to read:

Section 1. [HEALTH AND HUMAN SERVICES APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or any other fund named, to the agencies and for the purposes specified in the following sections of this article, to be available for the fiscal years indicated for each purpose. The figures "2000" and "2001" where used in this article, mean that the appropriation or appropriations listed under them are available for the fiscal year ending June 30, 2000, or June 30, 2001, respectively. Where a dollar amount appears in parentheses, it means a reduction of an appropriation.

SUMMARY BY FUND

APPROPRIATIONS	2000	2001	BIENNIAL TOTAL
General	\$2,650,812,000	\$2,774,558,000 <u>\$2,776,331,000</u>	\$5,425,370,000 <u>\$5,427,143,000</u>
State Government Special Revenue	36,424,000	36,103,000	72,527,000
Health Care Access	146,224,000	175,017,000	321,241,000
Trunk Highway	1,726,000	1,773,000 <u>-0-</u>	3,499,000 <u>1,726,000</u>
Lottery Prize	1,300,000	1,300,000	2,600,000
TOTAL	\$2,836,486,000	\$2,988,751,000	\$5,825,237,000

APPROPRIATIONS
Available for the Year
Ending June 30
2000 2001

Sec. 25. Laws 1999, chapter 245, article 1, section 6, is amended to read:

Sec. 6. EMERGENCY MEDICAL SERVICES BOARD 2,420,000 2,467,000

Summary by Fund

General	694,000	694,000 <u>2,467,000</u>
Trunk Highway	1,726,000	1,773,000 <u>-0-</u>

APPROPRIATIONS
Available for the Year
Ending June 30
2000 2001

[COMPREHENSIVE ADVANCED LIFE SUPPORT (CAL S).] Of the general fund appropriation, \$108,000 each year is for the board to establish a comprehensive advanced life support educational program under Minnesota Statutes, section 144E.37.

[EMERGENCY MEDICAL SERVICES GRANTS.] ~~Of the appropriation from the trunk highway fund,~~ \$18,000 is from the trunk highway fund the first year and \$36,000 the second year from the general fund are to the board for grants to regional emergency medical services programs. ~~This~~ The second year appropriation shall become part of the base for the 2002-2003 biennium.

Sec. 26. Laws 1999, chapter 250, article 1, section 1, is amended to read:

Section 1. [STATE GOVERNMENT APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The "1999," "2000," and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively.

SUMMARY BY FUND

	2000	2001	BIENNIAL TOTAL
General	\$349,954,000	\$308,497,000 <u>\$308,536,000</u>	\$658,451,000 <u>\$658,490,000</u>
State Government Special Revenue	13,986,000	13,884,000	27,870,000
For 1999 - \$465,000			
Health Care Access	1,842,000	1,871,000	3,713,000
Environmental	236,000	242,000	478,000
Solid Waste Fund	660,000	670,000	1,330,000
Lottery Prize Fund	110,000	-0-	110,000
Highway User Tax Distribution	2,129,000	2,173,000	4,302,000
Trunk Highway	39,000	39,000 <u>-0-</u>	78,000 <u>39,000</u>

Workers' Compensation	7,024,000	6,959,000	13,983,000
TOTAL	\$376,420,000	\$334,854,000	\$711,274,000

For 1999 - \$465,000

Sec. 27. Laws 1999, chapter 250, article 1, section 2, subdivision 1, is amended to read:

Sec. 2. LEGISLATURE

Subdivision 1. Total Appropriation		58,340,000	63,117,000
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Summary by Fund

General	58,151,000	62,928,000	<u>\$62,967,000</u>
Health Care Access	150,000		150,000
Trunk Highway	39,000	39,000	<u>-0-</u>

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Sec. 28. Laws 1999, chapter 250, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. Legislative Coordinating Commission		13,841,000	14,924,000
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Summary by Fund

General	13,652,000	14,735,000	<u>14,774,000</u>
Health Care Access	150,000		150,000
Trunk Highway	39,000	39,000	<u>-0-</u>

\$5,600,000 the first year and \$6,372,000 the second year are for the office of the revisor of statutes.

\$1,184,000 the first year and \$1,217,000 the second year are for the legislative reference library.

\$4,963,000 the first year and \$5,096,000 the second year are for the office of the legislative auditor.

The legislative commission on pensions and retirement shall study and report to the legislature by January 15, 2000, on the comparability of pension and other postretirement benefits between public sector and private sector employees. When comparing the benefits, the commission shall select comparable job classifications and salary ranges. The study must compare pension portability, initial monthly benefits, average annual benefit increases, employer and employee contribution rates, availability of early retirement incentives, administrative costs, and other factors as necessary to compare benefits.

Sec. 29. [TRUNK HIGHWAY BONDS; ISSUANCE.]

The commissioner of finance is authorized and directed, on recommendation of the commissioner of transportation, to issue and sell Minnesota trunk highway bonds under Minnesota Statutes, sections 167.50 to 167.52, and the Minnesota Constitution, article XI, sections 4 to 7, and article XIV, section 11, at such times and in such amounts as are determined by the commissioner of transportation. Bonds issued under this section are authorized in an aggregate principal amount of \$1,000,000,000. Not more than \$100,000,000 of the bonds authorized under this section may be sold in any fiscal year. The proceeds from the bonds must be deposited in a separate bond proceeds account in the trunk highway fund.

Sec. 30. [APPROPRIATIONS.]

Beginning in fiscal year 2002, \$100,000,000 is appropriated to the commissioner of transportation in each of the fiscal years ending June 30, 2011, or until a total of \$1,000,000,000 in trunk highway bond proceeds has been received by the commissioner of transportation. This appropriation is from the separate bond proceeds account in the trunk highway fund. This appropriation is for reconstruction and replacement of key bridges on the state trunk highway system; for construction, improvement, and maintenance of the interregional corridor system as identified by the commissioner; for the improvement of highways classified as bottlenecks by the commissioner; for providing highway-related advantages for transit; and for acquisition of properties necessary to locate, construct, reconstruct, improve, and maintain the trunk highway system. Before this appropriation may be used for the interregional corridor system, improvement of bottleneck areas, or right-of-way acquisition, the commissioner of transportation must demonstrate to the commissioner of finance that the proposed use of debt financing to accelerate the project is a cost-effective investment of state funds.

Sec. 31. [DEPARTMENT OF TRANSPORTATION APPROPRIATIONS.]

The appropriations in this section are to the commissioner of transportation for the specified purposes.

Subdivision 1. [STATE ROAD CONSTRUCTION.] \$80,000,000 is appropriated from the multimodal transportation fund for state roads for fiscal year 2001. This amount is in addition to any other amounts appropriated for this purpose. Of this amount, at least \$70,000,000 must be used for the actual construction, reconstruction, and improvement of trunk highways, including the costs of right-of-way acquisition. The commissioner shall give priority to trunk highway projects that involve the reconstruction and improvement of key bridges on the trunk highway system; construction and improvement of the interregional corridor system as identified by the commissioner; providing highway-related advantages for transit; and construction and improvement of highways classified as bottlenecks by the commissioner. Up to \$10,000,000 may be used for design and construction engineering purposes. This appropriation does not cancel, but is available until expended.

Subd. 2. [BUILDINGS.] \$27,441,000 is appropriated from the trunk highway fund for building projects, to be used as follows:

(1) \$10,350,000 to design, construct, furnish, and equip an addition to and remodeling of the St. Cloud headquarters building;

(2) \$8,824,000 to construct an addition and remodel the Detroit Lakes district headquarters building;

(3) \$6,667,000 to design, construct, furnish, and equip a regional transportation management center and integrate it with the existing metro headquarters building in Roseville. This appropriation anticipates up to \$15,774,000 in matching federal funds; and

(4) \$1,600,000 to construct, furnish, and equip a new truck station building in Moorhead in partnership with the city of Moorhead and Clay county.

Subd. 3. [RAIL SERVICE IMPROVEMENT.] \$12,000,000 is appropriated from the multimodal transportation fund for grants under the rail service improvement program under Minnesota Statutes, section 222.50. This appropriation does not cancel, but is available until expended.

Subd. 4. [PORT DEVELOPMENT GRANTS.] \$4,000,000 is appropriated from the multimodal transportation fund for port development grants. The grants must be made to political subdivisions for capital improvements under the provisions of Minnesota Statutes, chapter 457A. Any improvement made with the proceeds of these grants must be owned by a public body. This appropriation does not cancel, but is available until expended.

Subd. 5. [LOCAL BRIDGES.] \$44,000,000 is appropriated from the multimodal transportation fund 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

(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. 6. [TRANSIT.] \$5,000,000 is appropriated from the general fund for transit projects, to be used as follows:

(1) \$4,000,000 for grants to public transit systems under Minnesota Statutes, section 174.24, to acquire rolling stock and intelligent transportation system technologies. Priority must be given to projects to match available federal funds; and

(2) \$1,000,000 for grants to public transit systems under Minnesota Statutes, section 174.24, for construction of transit facilities and transit hubs. Priority must be given to projects involving collaboration between transit authorities and local units of government.

Sec. 32. [METROPOLITAN COUNCIL APPROPRIATIONS.]

The appropriations in this section are to the metropolitan council for the specified purposes.

Subdivision 1. [BUS GARAGES.] \$20,000,000 is appropriated from the multimodal transportation fund for construction of bus garages.

Subd. 2. [BUS TRANSITWAYS.] \$10,000,000 is appropriated from the multimodal transportation fund for engineering, design, and construction of bus transitways, including, but not limited to, acquisition of land and rights-of-way.

Sec. 33. [APPLICATION.]

Section 5 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

ARTICLE 3

MULTIMODAL TRANSPORTATION FUND REVENUES

Section 1. Minnesota Statutes 1998, section 221.0355, subdivision 11, is amended to read:

Subd. 11. [ADMINISTRATIVE PENALTIES.] The commissioner may issue an order requiring violations of this section to be corrected. An order may include the administrative assessment of a monetary penalty up to a maximum of \$10,000 for all violations of this section identified during a single inspection, investigation, or audit. Section 221.036 applies to administrative penalty orders issued under this section. Penalties collected under this section must be deposited in the state treasury and credited to the ~~trunk highway~~ multimodal transportation fund.

Sec. 2. Minnesota Statutes 1998, section 221.0355, subdivision 16, is amended to read:

Subd. 16. [REVOLVING ACCOUNT.] (a) The commissioner shall deposit in a separate account in the ~~trunk highway~~ multimodal transportation fund all federal funds received for implementing, administering, and enforcing this section. Money in the account is appropriated to the commissioner for those purposes.

(b) The commissioner shall accept and disburse federal funds available for the purpose of implementing, administering, and enforcing the uniform program.

Sec. 3. Minnesota Statutes 1998, section 221.0355, subdivision 18, is amended to read:

Subd. 18. [DEPOSIT AND USE OF FEES.] Fees received by the commissioner for administrative processing and investigating information in a disclosure statement must be deposited in the state treasury and credited to the ~~trunk highway~~ multimodal transportation fund. Notwithstanding section 221.82, registration fees collected under subdivisions 4, 5, 7, and 7a must be deposited in the state treasury, credited to the general fund, and used to cover the costs of hazardous materials incident response capability under sections 299A.48 to 299A.52 and 299K.095.

Sec. 4. Minnesota Statutes 1998, section 221.036, subdivision 14, is amended to read:

Subd. 14. [CREDITED TO ~~TRUNK-HIGHWAY~~ MULTIMODAL TRANSPORTATION FUND.] Penalties collected under this section must be deposited in the state treasury and credited to the ~~trunk highway~~ multimodal transportation fund.

Sec. 5. Minnesota Statutes 1998, section 221.82, is amended to read:

221.82 [RECEIPTS CREDITED TO ~~TRUNK-HIGHWAY~~ MULTIMODAL TRANSPORTATION FUND.]

Money received by the commissioner under the provisions of this chapter shall be paid into the state treasury and credited to the ~~trunk highway~~ multimodal transportation fund.

Sec. 6. Minnesota Statutes 1998, section 221.83, is amended to read:

221.83 [COSTS PAID FROM ~~TRUNK-HIGHWAY~~ MULTIMODAL TRANSPORTATION FUND.]

The costs of administering the provisions of this chapter shall be paid from the ~~trunk highway~~ multimodal transportation fund.

Sec. 7. Minnesota Statutes 1998, section 221.84, subdivision 4, is amended to read:

Subd. 4. [PERMIT; DECAL; FEES.] (a) The commissioner shall design a distinctive decal to be issued to permit holders under this section. Each decal is valid for one year from the date of issuance. No person may operate a limousine that provides limousine service unless the limousine has such a decal conspicuously displayed.

(b) During the period July 1, 1991, to June 30, 1992, the fee for each decal issued under this section is \$150. After June 30, 1992, the fee for each decal is \$80. The fee for each permit issued under this section is \$150. The commissioner shall deposit all fees under this section in the ~~trunk highway~~ multimodal transportation fund."

Delete the title and insert:

"A bill for an act relating to transportation; reducing the passenger vehicle registration tax; establishing a multimodal transportation fund; requiring deposit of receipts in fund; dedicating a percentage of sales tax on motor vehicles to multimodal transportation; proposing an amendment to the Minnesota Constitution, article XIV, by adding a section; appropriating money; amending Minnesota Statutes 1998, sections 16A.127, by adding a subdivision; 161.20, subdivision 3; 162.08, subdivision 4; 162.14, subdivision 2; 168.013, subdivision 1a; 221.0355, subdivisions 11, 16, and 18; 221.036, subdivision 14; 221.82; 221.83; 221.84, subdivision 4; 297B.09, subdivision 1; and 473.39, by adding subdivisions; 160; subdivision 5; Laws 1999, chapters 216, article 1, sections 1; and 7, subdivisions 1 and 3; 223, article 1, sections 1; and 2, subdivisions 1 and 4; 238, article 1, sections 1; 2, subdivisions 1, 3, 4, 5, and 12; 3; 5; and 7; 241, article 10, section 5, subdivision 2; 245, article 1, sections 1 and 6; and 250, article 1, sections 1; and 2, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 160."

A roll call was requested and properly seconded.

POINT OF ORDER

Knoblach raised a point of order pursuant to rule 3.21 that the Marko and Kelliher amendment was not in order. The Speaker ruled the point of order not well taken and the Marko and Kelliher amendment in order.

The Speaker called Dehler to the Chair.

Dawkins was excused between the hours of 5:20 p.m. and 5:55 p.m.

Carruthers was excused between the hours of 5:20 p.m. and 7:55 p.m.

The question recurred on the Marko and Kelliher amendment and the roll was called. There were 49 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark, K.	Gray	Jaros	Kelliher	Luther
Bakk	Dorn	Greenfield	Jennings	Koskinen	Mahoney
Biernat	Entenza	Greiling	Johnson	Larson, D.	Mariani
Carlson	Folliard	Hausman	Kahn	Leighton	Marko
Chaudhary	Gleason	Huntley	Kalis	Lieder	McCollum

McGuire	Opatz	Pugh	Skoglund	Trimble
Milbert	Orfield	Rest	Solberg	Wagenius
Mullery	Osthoff	Rukavina	Swapinski	Wejcman
Murphy	Paymar	Schumacher	Tomassoni	

Those who voted in the negative were:

Abeler	Erhardt	Holsten	Molnau	Rostberg	Vandever
Abrams	Erickson	Howes	Mulder	Seagren	Wenzel
Anderson, B.	Finseth	Juhnke	Ness	Seifert, J.	Westerberg
Bishop	Fuller	Kielkucki	Nornes	Seifert, M.	Westfall
Boudreau	Gerlach	Knoblach	Olson	Skoe	Westrom
Bradley	Goodno	Krinkie	Osskopp	Smith	Wilkin
Broecker	Gunther	Kubly	Ozment	Stanek	Wolf
Buesgens	Haake	Kuisle	Paulsen	Stang	Workman
Cassell	Haas	Larsen, P.	Pawlenty	Storm	Spk. Sviggum
Clark, J.	Hackbarth	Lenczewski	Pelowski	Swenson	
Daggett	Harder	Leppik	Peterson	Sykora	
Davids	Hasskamp	Lindner	Reuter	Tingelstad	
Dehler	Hilty	Mares	Rhodes	Tuma	
Dorman	Holberg	McElroy	Rifenberg	Van Dellen	

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

Koskinen, Mahoney, Mullery, Leighton, Hausman, Lieder, Pugh, Juhnke, Murphy and Kalis moved to amend H. F. No. 2891, the second engrossment, as amended, as follows:

Page 7, after line 21, insert:

"Sec. 8. [STATE ROAD OPERATIONS; APPROPRIATIONS.]

\$500,000 for fiscal year 2000 and \$2,500,000 for fiscal year 2001 is appropriated from the trunk highway fund to the commissioner of transportation for additional line personnel in craft, maintenance, labor and technical positions for highway maintenance and program delivery and for related equipment and supplies for highway maintenance and program delivery. This appropriation must be used to significantly improve line staffing levels in maintenance and program delivery. Unexpended funds for the first year are available to the commissioner for these purposes in the second year.

Page 9, line 27, delete "12, and 13" and insert "13, and 14"

Page 9, line 28, delete "and 11" and insert "11, and 12"

A roll call was requested and properly seconded.

The question was taken on the Koskinen et al amendment and the roll was called. There were 57 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gray	Juhnke	Luther	Orfield	Solberg
Bakk	Greenfield	Kahn	Mahoney	Osthoff	Swapinski
Biernat	Greiling	Kalis	Mariani	Paymar	Tomassoni
Carlson	Hasskamp	Kelliher	Marko	Pelowski	Trimble
Chaudhary	Hausman	Koskinen	McCollum	Peterson	Vandever
Clark, K.	Hilty	Kubly	McGuire	Pugh	Wagenius
Dorn	Huntley	Larson, D.	Milbert	Rest	Wejeman
Entenza	Jaros	Leighton	Mullery	Schumacher	
Folliard	Jennings	Lenczewski	Murphy	Skoe	
Gleason	Johnson	Lieder	Opatz	Skoglund	

Those who voted in the negative were:

Abeler	Dehler	Harder	McElroy	Rifenberg	Tuma
Abrams	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Anderson, B.	Erhardt	Holsten	Mulder	Seagren	Wenzel
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.

Opatz offered an amendment to H. F. No. 2891, the second engrossment, as amended.

Opatz requested a division of his amendment.

POINT OF ORDER

Molnau raised a point of order pursuant to rule 3.21 that the Opatz amendment was not in order. Speaker pro tempore Dehler ruled the point of order well taken and the Opatz amendment out of order.

Trimble moved to amend H. F. No. 2891, the second engrossment, as amended, as follows:

Page 2, after line 1, insert:

"Section 1. Minnesota Statutes 1998, section 16A.6701, subdivision 1, is amended to read:

Subdivision 1. [STATE LICENSE AND SERVICE FEES.] For purposes of section 16A.67, subdivision 3, and this section, the term "state license and service fees" means, and refers to, all license fees, service fees, and charges imposed by law and collected by any state officer, agency, or employee, which are listed below or which are defined as departmental earnings under section 16A.1285, subdivision 1, and the use of which is not otherwise restricted by law, and which are not required to be credited or transferred to a fund other than the general fund:

Minnesota Statutes 1994, sections 3.9221; 5.12; 5.14; 5.16; 5A.04; 6.58; 13.03, subdivision 10; 16A.155; 16A.48; 16A.54; 16A.72; 16B.59; 16B.70; 17A.04; 18.51, subdivision 2; 18.53; 18.54; 18C.551; 19.58; 19.64; 27.041, subdivision 2, clauses (d) and (e); 27.07, subdivision 5; 28A.08; 32.071; 32.075; 32.392; 35.71; 35.824; 35.95; 41C.12; 45.027, subdivisions 3 and 6; 46.041, subdivision 1; 46.131, subdivisions 2, 7, 8, 9, and 10; 47.101, subdivision 2; 47.54, subdivisions 1 and 4; 47.62, subdivision 4; 47.65; 48.61, subdivision 7; 48.93; 48A.16; 49.36, subdivision 1; 52.01; 52.203; 53.03, subdivisions 1, 5, and 6; 53.09, subdivision 1; 53A.03; 53A.05, subdivision 1; 53A.081, subdivision 3; 54.294, subdivision 1; 55.04, subdivision 2; 55.095; 56.02; 56.04; 56.10; 59A.03, subdivision 2; 59A.06, subdivision 3; 60A.14, subdivisions 1 and 2; 60A.23, subdivision 8; 60K.19, subdivision 5; 65B.48, subdivision 3; 70A.14, subdivision 4; 72B.04, subdivision 10; 79.251, subdivision 5; 80A.28, subdivisions 1, 2, 3, 4, 5, 6, 7, 7a, 8, and 9; 80C.04, subdivision 1; 80C.07; 80C.08, subdivision 1; 80C.16, subdivisions 2 and 3; 80C.18, subdivision 2; 82.20, subdivision 8 and 9; 82A.04, subdivision 1; 82A.08, subdivision 2; 82A.16, subdivisions 2 and 6; 82B.09, subdivision 1; 83.23, subdivisions 2, 3, and 4; 83.25, subdivisions 1 and 2; 83.26, subdivision 2; 83.30, subdivision 2; 83.31, subdivision 2; 83.38, subdivision 2; 85.052; 85.053; 85.055; 88.79, subdivision 2; 89.035; 89.21; 115.073; 115.77, subdivisions 1 and 2; 116.41, subdivision 2; 116C.69; 116C.712; 116J.9673; 125.08; 136C.04, subdivision 9; 155A.045; 155A.16; 168.27, subdivision 11; 168.33, subdivisions 3 and 7; 168.54; 168.67; 168.705; 168A.152; 168A.29, paragraph (a); 169.345; 171.06, subdivision 2a; 171.29, subdivision 2; 176.102; 176.1351; 176.181, subdivision 2a; 177.30; 181A.12; 183.545; 183.57; 184.28; 184.29; 184A.09; 201.091, subdivision 5; 204B.11; 207A.02; 214.06; 216C.261; 221.0355; 239.101; 240.06; 240.07; 240.08; 240.09; 240.10; 246.51; 270.69, subdivision 2; 270A.07; 272.484; 296A.03; 296A.04; 296A.27; 297F.03; 297.33; 299C.46; 299C.62; 299K.09; 299K.095; 299L.07; 299M.04; 300.49; 318.02; 323.44, subdivision 3; 325D.415; 326.22; 326.3331; 326.47; 326.50; 326.92, subdivisions 1 and 3; 327.33; 331A.02; 332.15, subdivisions 2 and 3; 332.17; 332.22, subdivision 1; 332.33, subdivisions 3 and 4; 332.54, subdivision 7; 333.055; 333.20; 333.23; 336.9-413; 336A.04; 336A.05; 336A.09; 345.35; 345.43, subdivision 2a; 345.44; 345.55, subdivision 3; 347.33; 349.151; 349.161; 349.162; 349.163; 349.164; 349.165; 349.166; 349.167; 357.08; 359.01, subdivision 3; 360.018; 360.63; 386.68; and 414.01, subdivision 11; Minnesota Statutes 1994, chapters 154; 216B; 237; 302A; 303; 308A; 317A; 322A; and 322B; Laws 1990, chapter 593; Laws 1993, chapter 254, section 7; and Laws 1994, chapter 573, section 4; Minnesota Rules, parts 1800.0500; 1950.1070; 2100.9300; 7515.0210; and 9545.2000 to 9545.2040."

Page 2, after line 14, insert:

"Sec. 3. Minnesota Statutes 1998, section 168A.29, subdivision 1, is amended to read:

Subdivision 1. [AMOUNTS.] (a) The department shall be paid the following fees:

- (1) for filing an application for and the issuance of an original certificate of title, the sum of \$2;
- (2) for each security interest when first noted upon a certificate of title, including the concurrent notation of any assignment thereof and its subsequent release or satisfaction, the sum of \$2, except that no fee is due for a security interest filed by a public authority under section 168A.05, subdivision 8;
- (3) for the transfer of the interest of an owner and the issuance of a new certificate of title, the sum of \$2;
- (4) for each assignment of a security interest when first noted on a certificate of title, unless noted concurrently with the security interest, the sum of \$1;
- (5) for issuing a duplicate certificate of title, the sum of \$4.

(b) ~~After June 30, 1994~~ Until July 1, 2001, in addition to each of the fees required under paragraph (a), clauses (1) and (3), the department shall be paid \$3.50.

The additional fee collected under this paragraph must be deposited in the special revenue fund and credited to the public safety motor vehicle account established in section 299A.70."

Page 9, after line 24, insert:

"Sec. 14. [PUBLIC SAFETY MOTOR VEHICLE ACCOUNT ABOLISHED; APPROPRIATION.]

The public safety motor vehicle fee established under Minnesota Statutes, section 299A.70, is abolished. All money remaining in the public safety motor vehicle account on July 1, 2001, is appropriated to the emergency medical services regulatory board on that date. The board shall spend this appropriation as grants to ambulance services that serve predominantly rural areas for the purchase of ambulances. The board shall provide for eligibility standards and application procedures for grants under this section. This appropriation is available until spent.

Sec. 15. [REPEALER.]

Minnesota Statutes 1998, section 299A.70, is repealed."

Page 9, line 26, delete "2" and insert "4"

Page 9, line 27, delete "4, 5, 12, and 13" and insert "6, 7, 14, and 16"

Page 9, line 28, delete "1, 6, 7, 8, 9, 10, and 11" and insert "1, 2, 3, 8, 9, 12, 13, and 16" and delete "3" and insert "5"

Page 9, line 29, delete "3" and insert "5"

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 Trimble amendment and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Broecker	Dehler	Gerlach	Hackbarth	Jaros
Abrams	Buesgens	Dorman	Gleason	Harder	Johnson
Anderson, B.	Carlson	Dorn	Goodno	Hasskamp	Juhnke
Anderson, I.	Cassell	Entenza	Gray	Hausman	Kahn
Bakk	Chaudhary	Erhardt	Greenfield	Hilty	Kalis
Biernat	Clark, J.	Erickson	Greiling	Holberg	Kelliher
Bishop	Clark, K.	Finseth	Gunther	Holsten	Kielkucki
Boudreau	Daggett	Folliard	Haake	Howes	Knoblach
Bradley	Davids	Fuller	Haas	Huntley	Koskinen

Krinkie	Mariani	Opatz	Rhodes	Stang	Wenzel
Kubly	Marko	Orfield	Rifenberg	Storm	Westerberg
Kuisle	McCollum	Osskopp	Rostberg	Swapinski	Westfall
Larsen, P.	McElroy	Osthoff	Rukavina	Swenson	Westrom
Larson, D.	McGuire	Ozment	Schumacher	Sykora	Wilkin
Leighton	Milbert	Paulsen	Seagren	Tingelstad	Wolf
Lenczewski	Molnau	Pawlenty	Seifert, J.	Tomassoni	Workman
Leppik	Mulder	Paymar	Seifert, M.	Trimble	Spk. Sviggum
Lieder	Mullery	Pelowski	Skoe	Tuma	
Lindner	Murphy	Peterson	Skoglund	Van Dellen	
Luther	Ness	Pugh	Smith	Vandever	
Mahoney	Nornes	Rest	Solberg	Wagenius	
Mares	Olson	Reuter	Stanek	Wejcman	

Those who voted in the negative were:

Jennings

The motion prevailed and the amendment was adopted.

Mullery, Orfield, Kahn, Wagenius, Wejcman, Skoglund, Biernat and Gray moved to amend H. F. No. 2891, the second engrossment, as amended, as follows:

Page 15, line 22, delete "notwithstanding any other" and insert "provided it meets the requirements of the special permit."

Page 15, delete lines 23 and 24

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

Dauids was excused for the remainder of today's session.

The question was taken on the Mullery et al amendment and the roll was called.

Pursuant to rule 2.05, the Speaker excused Abrams from voting on the Mullery et al amendment to H. F. No. 2891, the second engrossment, as amended.

There were 51 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Lieder	Murphy	Solberg
Bakk	Gray	Kahn	Luther	Orfield	Tomassoni
Biernat	Greenfield	Kalis	Mahoney	Paymar	Trimble
Carlson	Greiling	Kelliher	Mariani	Pugh	Wagenius
Chaudhary	Hasskamp	Koskinen	Marko	Rest	Wejzman
Clark, K.	Hausman	Kubly	McColum	Rhodes	Wenzel
Dawkins	Hilty	Larson, D.	McGuire	Rukavina	
Entenza	Jaros	Leighton	Milbert	Skoe	
Folliard	Johnson	Lenczewski	Mullery	Skoglund	

Those who voted in the negative were:

Abeler	Erhardt	Howes	Mulder	Rostberg	Tuma
Anderson, B.	Erickson	Huntley	Ness	Schumacher	Van Dellen
Bishop	Finseth	Jennings	Nornes	Seagren	Vandever
Boudreau	Fuller	Kielkucki	Olson	Seifert, J.	Westerberg
Bradley	Gerlach	Knoblach	Opatz	Seifert, M.	Westfall
Broecker	Goodno	Krinkie	Osskopp	Smith	Westrom
Buesgens	Gunther	Kuisle	Osthoff	Stanek	Wilkin
Cassell	Haake	Larsen, P.	Ozment	Stang	Wolf
Clark, J.	Haas	Leppik	Paulsen	Storm	Workman
Daggett	Hackbarth	Lindner	Pawlenty	Swapinski	Spk. Sviggum
Dehler	Harder	Mares	Pelowski	Swenson	
Dorman	Holberg	McElroy	Reuter	Sykora	
Dorn	Holsten	Molnau	Rifenberg	Tingelstad	

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

Kahn moved to amend H. F. No. 2891, the second engrossment, as amended, as follows:

Page 15, delete section 11

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

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Van Dellen raised a point of order pursuant to section 124, paragraph 3, of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. The Speaker ruled the point of order well taken.

POINT OF ORDER

Molnau raised a point of order pursuant to section 124, paragraph 3, of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. The Speaker ruled the point of order well taken.

The Speaker called Boudreau to the Chair.

Milbert was excused between the hours of 6:25 p.m. and 8:20 p.m.

The question recurred on the Kahn amendment and the roll was called.

Pursuant to rule 2.05, the Speaker excused Abrams from voting on the Kahn amendment to H. F. No. 2891, the second engrossment, as amended.

There were 52 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Lieder	Olson	Skoglund
Bakk	Gray	Kahn	Luther	Orfield	Solberg
Biernat	Greenfield	Kalis	Mahoney	Osskopp	Tomassoni
Carlson	Greiling	Kelliher	Mariani	Paymar	Trimble
Chaudhary	Hasskamp	Koskinen	Marko	Pugh	Wagenius
Clark, K.	Hausman	Kubly	McCollum	Rhodes	Wejcmán
Dawkins	Hilty	Larson, D.	McGuire	Rukavina	Wenzel
Entenza	Jaros	Leighton	Mullery	Schumacher	
Folliard	Johnson	Lenczewski	Murphy	Skoe	

Those who voted in the negative were:

Abeler	Dorn	Holsten	Molnau	Rostberg	Van Dellen
Anderson, B.	Erhardt	Hoves	Mulder	Seagren	Vanderveer
Bishop	Erickson	Huntley	Ness	Seifert, J.	Westerberg
Boudreau	Finseth	Jennings	Nornes	Seifert, M.	Westfall
Bradley	Fuller	Kielkucki	Opatz	Smith	Westrom
Broecker	Gerlach	Knoblach	Osthoff	Stanek	Wilkin
Buesgens	Goodno	Krinkie	Ozment	Stang	Wolf
Cassell	Gunther	Kuise	Paulsen	Storm	Workman
Clark, J.	Haake	Larsen, P.	Pawlenty	Swapinski	Spk. Sviggum
Daggett	Haas	Leppik	Pelowski	Swenson	
Dehler	Hackbarth	Lindner	Rest	Sykora	
Dempsey	Harder	Mares	Reuter	Tingelstad	
Dorman	Holberg	McElroy	Rifenberg	Tuma	

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

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

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 82 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	McCollum	Reuter	Tingelstad
Abrams	Dorn	Holsten	McElroy	Rhodes	Tuma
Anderson, B.	Erhardt	Howes	Molnau	Rifenberg	Van Dellen
Bakk	Erickson	Kalis	Mulder	Rostberg	Vandever
Bishop	Finseth	Kielkucki	Murphy	Seagren	Wenzel
Boudreau	Fuller	Knoblach	Ness	Seifert, J.	Westerberg
Bradley	Gerlach	Krinkie	Nornes	Seifert, M.	Westfall
Broecker	Goodno	Kuisle	Olson	Smith	Westrom
Buesgens	Gunther	Larsen, P.	Opatz	Solberg	Wilkin
Cassell	Haake	Leppik	Osskopp	Stanek	Wolf
Clark, J.	Haas	Lieder	Ozment	Stang	Workman
Daggett	Hackbarth	Lindner	Paulsen	Storm	Spk. Sviggum
Dehler	Harder	Luther	Pawlenty	Swenson	
Dempsey	Hasskamp	Mares	Pelowski	Sykora	

Those who voted in the negative were:

Anderson, I.	Gleason	Jennings	Leighton	Osthoff	Skoglund
Biernat	Gray	Johnson	Lenczewski	Paymar	Swapinski
Carlson	Greenfield	Juhnke	Mahoney	Peterson	Tomassoni
Chaudhary	Greiling	Kahn	Mariani	Pugh	Trimble
Clark, K.	Hausman	Kelliher	Marko	Rest	Wagenius
Dawkins	Hilty	Koskinen	McGuire	Rukavina	Wejeman
Entenza	Huntley	Kubly	Mullery	Schumacher	
Folliard	Jaros	Larson, D.	Orfield	Skoe	

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

POINT OF ORDER

Pugh raised a point of order pursuant to rule 3.13 relating to the Previous Question.

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 3800.

H. F. No. 3800 was reported to the House.

POINT OF ORDER

Chaudhary raised a point of order pursuant to section 90 of "Mason's Manual of Legislative Procedure," relating to the Right to Debate Questions.

POINT OF ORDER

Pawlenty raised a point of order that this item of business had passed. Speaker pro tempore Boudreau ruled the point of order well taken.

Speaker pro tempore Boudreau ruled the Chaudhary point of order not well taken.

Speaker pro tempore Boudreau ruled the Pugh point of order not well taken.

Larson, D., appealed the decision of Speaker pro tempore Boudreau on the Chaudhary point of order.

POINT OF ORDER

Pawlenty raised a point of order that this item of business had passed. Speaker pro tempore Boudreau ruled the point of order well taken.

Pugh appealed the decision of Speaker pro tempore Boudreau on his point of order.

Pugh withdrew his appeal.

Pugh withdrew his point of order.

MOTION FOR RECONSIDERATION

Tuma moved that the vote whereby H. F. No. 2891, as amended, which was passed earlier today, be now reconsidered. The motion prevailed.

H. F. No. 2891, as amended, was again reported to the House.

Clark, K., was excused for the remainder of today's session.

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

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. There were 81 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Marko	Reuter	Tuma
Abrams	Dorn	Holsten	McElroy	Rhodes	Van Dellen
Anderson, B.	Erhardt	Howes	Molnau	Rifenberg	Vandever
Bishop	Erickson	Kalis	Mulder	Rostberg	Wenzel
Boudreau	Finseth	Kielkucki	Murphy	Seagren	Westerberg
Bradley	Fuller	Knoblach	Ness	Seifert, J.	Westfall
Broecker	Gerlach	Krinkie	Nornes	Seifert, M.	Westrom
Buesgens	Goodno	Kuisle	Olson	Smith	Wilkin
Carruthers	Gunther	Larsen, P.	Opatz	Stanek	Wolf
Cassell	Haake	Leppik	Osskopp	Stang	Workman
Clark, J.	Haas	Lieder	Ozment	Storm	Spk. Sviggum
Daggett	Hackbarth	Lindner	Paulsen	Swenson	
Dehler	Harder	Luther	Pawlenty	Sykora	
Dempsey	Hasskamp	Mares	Pelowski	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Dawkins	Greenfield	Jaros	Kelliher	Lenczewski
Bakk	Entenza	Greiling	Jennings	Koskinen	Mahoney
Biernat	Folliard	Hausman	Johnson	Kubly	Mariani
Carlson	Gleason	Hilty	Juhnke	Larson, D.	McCollum
Chaudhary	Gray	Huntley	Kahn	Leighton	McGuire

Mullery	Peterson	Rukavina	Skoglund	Tomassoni	Wejzman
Orfield	Pugh	Schumacher	Solberg	Trimble	
Paymar	Rest	Skoe	Swapinski	Wagenius	

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

MOTION TO FIX TIME TO RECONVENE

Tomassoni moved that when the House adjourns today it adjourn until 1:00 p.m., Wednesday, March 22, 2000.

A roll call was requested and properly seconded.

The question was taken on the Tomassoni motion and the roll was called. There were 57 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Jennings	Lenczewski	Opatz	Skoglund
Bakk	Gleason	Johnson	Lieder	Orfield	Solberg
Biernat	Gray	Juhnke	Luther	Paymar	Swapinski
Carlson	Greenfield	Kahn	Mahoney	Pelowski	Tomassoni
Carruthers	Greiling	Kalis	Mariani	Peterson	Trimble
Chaudhary	Hasskamp	Kelliher	Marko	Pugh	Wagenius
Dawkins	Hausman	Koskinen	McCollum	Rest	Wejzman
Dehler	Hilty	Kubly	McGuire	Rukavina	
Dorn	Huntley	Larson, D.	Mullery	Schumacher	
Entenza	Jaros	Leighton	Murphy	Skoe	

Those who voted in the negative were:

Abeler	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Abrams	Erhardt	Holsten	Mulder	Seagren	Vandever
Anderson, B.	Erickson	Howes	Ness	Seifert, J.	Westerberg
Bishop	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Boudreau	Fuller	Knoblach	Olson	Smith	Westrom
Bradley	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Broecker	Goodno	Kuisle	Ozment	Stang	Wolf
Buesgens	Gunther	Larsen, P.	Paulsen	Storm	Workman
Cassell	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Clark, J.	Haas	Lindner	Reuter	Sykora	
Daggett	Hackbarth	Mares	Rhodes	Tingelstad	
Dempsey	Harder	McElroy	Rifenberg	Tuma	

The motion did not prevail.

MOTION TO ADJOURN

Tomassoni moved that the House adjourn.

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Tomassoni motion and the roll was called. There were 57 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Johnson	Luther	Osthoff	Solberg
Bakk	Gray	Juhnke	Mahoney	Paymar	Swapinski
Biernat	Greenfield	Kalis	Mariani	Pelowski	Tingelstad
Carlson	Greiling	Kelliher	Marko	Peterson	Tomassoni
Carruthers	Hasskamp	Koskinen	McCollum	Pugh	Trimble
Chaudhary	Hausman	Kubly	McGuire	Rest	Wagenius
Dehler	Hilty	Larson, D.	Mullery	Rukavina	Wejcman
Dorn	Huntley	Leighton	Murphy	Schumacher	
Entenza	Jaros	Lenczewski	Opatz	Skoe	
Folliard	Jennings	Lieder	Orfield	Skoglund	

Those who voted in the negative were:

Abeler	Dorman	Holberg	Molnau	Seagren	Westerberg
Abrams	Erhardt	Holsten	Mulder	Seifert, J.	Westfall
Anderson, B.	Erickson	Howes	Ness	Seifert, M.	Westrom
Bishop	Finseth	Kielkucki	Nornes	Smith	Wilkin
Boudreau	Fuller	Knoblach	Osskopp	Stanek	Wolf
Bradley	Gerlach	Krinkie	Ozment	Stang	Workman
Broecker	Goodno	Kuisle	Paulsen	Storm	Spk. Sviggum
Buesgens	Gunther	Larsen, P.	Pawlenty	Swenson	
Cassell	Haake	Leppik	Reuter	Sykora	
Clark, J.	Haas	Lindner	Rhodes	Tuma	
Daggett	Hackbarth	Mares	Rifenberg	Van Dellen	
Dempsey	Harder	McElroy	Rostberg	Vandever	

The motion did not prevail.

Haake was excused between the hours of 8:20 p.m. and 9:20 p.m.

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 3800.

H. F. No. 3800 was reported to the House.

Seagren moved to amend H. F. No. 3800, the third engrossment, as follows:

Page 37, line 34, strike "section 126C.10,"

Page 120, delete section 15

Renumber the sections in sequence and correct the internal references

The motion prevailed and the amendment was adopted.

Seagren moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 48, line 1, after "purpose" insert "and includes the amounts necessary for aid under section 30"

The motion prevailed and the amendment was adopted.

Seifert, M., and Pelowski moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 101, after line 12, insert:

"Sec. 29. [TEACHER PREPARATION PROGRAMS.]

(a) The legislature intends that the implementation and enforcement of board of teaching rules relating to institution and teacher preparation program approval respect the rights of post-secondary faculty to teach in a manner the faculty deems most appropriate for student achievement, and that the program approval process involve the least amount of time and paperwork necessary to meet these rules.

(b) The state board of teaching must consult with representatives of faculty and administrators from Minnesota post-secondary institutions that have teacher preparation programs. The state board of teaching must report to the government operations and education committees of the legislature by January 15, 2001, on these institutions' opinions on the rules implemented or enforced under paragraph (a)."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Howes, Fuller, Daggett, Gunther, Hasskamp, Nornes, Bakk and Tomassoni moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 101, after line 12, insert:

"Sec. 29. [2000-2001 SCHOOL YEAR START DATE.]

Notwithstanding Minnesota Statutes, section 120A.40, for the 2000-2001 school year only, a district must not begin the elementary or secondary school year prior to Labor Day."

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 Howes et al amendment and the roll was called. There were 46 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abeler	Fuller	Kalis	Ness	Seifert, M.	Trimble
Anderson, I.	Hackbarth	Knoblach	Nornes	Skoe	Tuma
Bakk	Hasskamp	Lieder	Orfield	Smith	Wejcman
Cassell	Hilty	Lindner	Osskopp	Solberg	Wenzel
Daggett	Howes	Luther	Osthoff	Storm	Westerberg
Dawkins	Jaros	Mahoney	Ozment	Swapinski	Westfall
Entenza	Jennings	Milbert	Peterson	Tingelstad	
Finseth	Juhnke	Murphy	Rukavina	Tomassoni	

Those who voted in the negative were:

Abrams	Dorman	Hausman	Leighton	Pawlenty	Swenson
Anderson, B.	Dorn	Holberg	Lenczewski	Paymar	Sykora
Biernat	Erhardt	Holsten	Leppik	Pelowski	Van Dellen
Bishop	Erickson	Huntley	Mares	Rest	Vandever
Boudreau	Folliard	Johnson	Marko	Reuter	Wagenius
Bradley	Gerlach	Kahn	McCollum	Rhodes	Westrom
Broecker	Gleason	Kelliher	McElroy	Rifenberg	Wilkin
Buesgens	Goodno	Kielkucki	McGuire	Rostberg	Wolf
Carlson	Greenfield	Koskinen	Molnau	Schumacher	Workman
Carruthers	Greiling	Krinkie	Mulder	Seagren	Spk. Sviggum
Chaudhary	Gunther	Kubly	Mullery	Seifert, J.	
Clark, J.	Haake	Kuisle	Olson	Skoglund	
Dehler	Haas	Larsen, P.	Opatz	Stanek	
Dempsey	Harder	Larson, D.	Paulsen	Stang	

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

Opatz moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 130, after line 30, insert:

"Sec. 10. Laws 1999, chapter 214, article 1, section 3, subdivision 2, is amended to read:

Subd. 2. Estimated Expenditures and Appropriations

The legislature estimates that instructional expenditures will be \$678,729,000 in the first year and \$713,533,000 in the second year.

The legislature estimates that noninstructional expenditures will be \$65,093,000 in the first year and \$66,723,000 in the second year.

The legislature intends that state appropriations be used to strengthen and support education of students. To this end, all money appropriated in this section, except that in direct support of system office activities, shall be allocated by the board directly to the colleges and universities.

During the biennium, neither the board nor campuses shall plan or develop doctoral level programs or degrees until after they have received the recommendation of the house and senate committees on education, finance, and ways and means.

This appropriation includes an increase of \$5,000,000 in each year for customized training and leveraged equipment purchases.

This appropriation includes money for repair and replacement of state-financed facilities, a degree audit reporting system, technology infrastructure, Y2K, virtual university, and ISEEK.

This appropriation includes \$5,000,000 per year for grants to historically underfunded institutions demonstrating financial distress. Grants must not exceed \$500,000. The money must be spent in support of instructional programs or student services. The board may provide relief to campuses that have experienced health care cost increases greater than 80 percent above the systemwide average increase since 1996 if the campus is also an historically underfunded institution. By December 31 of each year, the system shall report to the chairs of the higher education finance committees on the distribution of the grants.

This appropriation includes money to increase access to the farm and small business management programs by expanding the capacity of the programs and providing additional tuition subsidies.

This appropriation includes money for the Center for Research and Innovation at Bemidji State University.

This appropriation includes money for start-up funding for a rural research center at Southwest State University.

This appropriation includes money for the agriculture program at the Staples campus of the Central Lakes college.

Metropolitan State University may retain any money saved from a reduction in lease costs at the 730 Hennepin Avenue South site.

During the biennium, technical and consolidated colleges shall make use of instructional advisory committees consisting of employers, students, and instructors. The instructional advisory committee shall be consulted when a technical program is proposed to be created, modified, or eliminated. If a decision is made to eliminate a program, a college shall adequately notify students and make plans to assist students affected by the closure.

The system shall prepare a budget plan for the system office. The plan shall include budgeted expenditures for each major division or program of the system office. The plan also shall include a review of the current functions, services, and programs managed or provided by the system office. The review shall describe the purpose of these activities and their cost; analyze whether they are necessary and how they benefit the colleges and universities; and identify unnecessary duplication of programs and services provided at the system and institutional levels. The board shall report to the higher education finance committees by February 15, 2000, on its findings and articulate an organizational plan for the system office.

In each year, the board of trustees shall increase the percentage of the total general fund expenditures for direct instruction and academic support, as reported in the federal Integrated Postsecondary Education Data System (IPEDS). By February 15 of 2000 and 2001, the board of trustees shall report to the higher education finance committees the percentage of total general fund expenditures spent on direct instruction and on academic support during the previous fiscal year by institution and for the system as a whole.

Before commencing any new program not specifically authorized by law for teachers of color and urban teachers, the board shall evaluate existing programs and determine whether to expand or modify an existing program or create a new program.

The board may waive tuition for eligible Southwest Asia veterans, as provided in Minnesota Statutes, section 136F.28.

Notwithstanding Minnesota Statutes, section 136F.71, subdivision 1, a state college shall retain revenues in excess of costs for delivering customized training programs. The excess revenues shall be used for expanding and developing customized training programs."

Pages 131 and 132, delete section 13

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 Opatz amendment and the roll was called. There were 37 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abeler	Gleason	Jennings	McGuire	Pugh	Wejcman
Biernat	Goodno	Juhnke	Milbert	Rest	Westfall
Carlson	Greenfield	Knoblach	Mullery	Schumacher	
Carruthers	Greiling	Koskinen	Opatz	Skoglund	
Chaudhary	Hausman	Larson, D.	Orfield	Storm	
Dorn	Howes	Lenczewski	Paymar	Swapinski	
Folliard	Jaros	Luther	Pelowski	Wagenius	

Those who voted in the negative were:

Abrams	Dorman	Holsten	Mahoney	Paulsen	Swenson
Anderson, B.	Entenza	Huntley	Mares	Pawlenty	Sykora
Anderson, I.	Erhardt	Johnson	Mariani	Peterson	Tingelstad
Bakk	Erickson	Kahn	Marko	Reuter	Tomassoni
Bishop	Finseth	Kalis	McCollum	Rhodes	Trimble
Boudreau	Fuller	Kelliher	McElroy	Rifenberg	Tuma
Bradley	Gerlach	Kielkucki	Molnau	Rostberg	Van Dellen
Broecker	Gray	Krinkie	Mulder	Rukavina	Vandever
Buesgens	Gunther	Kubly	Murphy	Seagren	Wenzel
Cassell	Haas	Kuile	Ness	Seifert, J.	Westerberg
Clark, J.	Hackbarth	Larsen, P.	Nornes	Seifert, M.	Westrom
Daggett	Harder	Leighton	Olson	Skoe	Wilkin
Dawkins	Hasskamp	Leppik	Osskopp	Smith	Wolf
Dehler	Hilty	Lieder	Osthoff	Stanek	Workman
Dempsey	Holberg	Lindner	Ozment	Stang	Spk. Sviggum

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

McCollum was excused for the remainder of today's session.

Sykora moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 105, line 22, delete "\$300,000 from"

Page 105, delete line 23

Page 105, line 24, delete "service fund and up to"

A roll call was requested and properly seconded.

The question was taken on the Sykora amendment and the roll was called. There were 37 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark, J.	Hackbarth	Krinkie	Pawlenty	Vandever
Bishop	Daggett	Harder	Leppik	Rhodes	Westerberg
Boudreau	Dawkins	Holberg	Mahoney	Seagren	
Bradley	Dempsey	Holsten	McElroy	Stang	
Broecker	Dorman	Jaros	Molnau	Storm	
Buesgens	Gunther	Juhnke	Ness	Sykora	
Cassell	Haas	Knoblach	Paulsen	Tingelstad	

Those who voted in the negative were:

Abeler	Fuller	Kalis	Marko	Pugh	Swenson
Anderson, B.	Gerlach	Kelliher	McGuire	Rest	Tomassoni
Anderson, I.	Gleason	Kielkucki	Milbert	Reuter	Trimble
Bakk	Goodno	Koskinen	Mulder	Rifenberg	Tuma
Biernat	Gray	Kubly	Mullery	Rostberg	Van Dellen
Carlson	Greenfield	Kuisle	Murphy	Rukavina	Wagenius
Carruthers	Greiling	Larsen, P.	Nornes	Schumacher	Wejzman
Chaudhary	Hasskamp	Larson, D.	Olson	Seifert, J.	Wenzel
Dehler	Hausman	Leighton	Opatz	Seifert, M.	Westfall
Dorn	Hilty	Lenczewski	Orfield	Skoe	Westrom
Entenza	Howes	Lieder	Osskopp	Skoglund	Wilkin
Erhardt	Huntley	Lindner	Ozment	Smith	Wolf
Erickson	Jennings	Luther	Paymar	Solberg	Workman
Finseth	Johnson	Mares	Pelowski	Stanek	Spk. Sviggum
Folliard	Kahn	Mariani	Peterson	Swapinski	

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

Ness and Mares moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 101, after line 31, insert:

"Article 7

Kindergarten through Grade 12 Education: Profile of Learning

Part 1: High Standards for All Students

Section 1. [120B.015] [HIGH STANDARDS FOR ALL STUDENTS.]

All school districts must implement high standards for all students according to part 2, the profile of learning, or part 3, the north star standard, or section 120A.22.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

Part 2: Profile of Learning

Section 1. [MORATORIUM; MORATORIUM REPEAL.]

(a) Minnesota Statutes, sections 120B.02 and 120B.03, and other law and rules governing the state's profile of learning, including preparatory content standards and state high school graduation standards related to the profile of learning, are not mandated by the state for kindergarten through grade 12 students.

(b) Paragraph (a) shall remain in effect until:

(1) the commissioner certifies to the legislature that, under section 2, the recommendations in the commissioner's plan have been addressed and districts' technology needs for reporting have been fully met; and

(2) after the legislature receives the certification under clause (1), a law is enacted specifically repealing paragraph (a).

(c) During the period of the moratorium, school districts may develop and implement a system of high academic standards for students. Districts may disseminate to the commissioner information about the district's system of high academic standards for students. The commissioner, at the request of a school district, must disseminate to that district the information the commissioner receives about districts' systems of high academic standards for students that are developed and implemented under this paragraph.

Sec. 2. [REPORT; IMPLEMENTATION PLAN; TECHNOLOGY NEEDS; CERTIFICATION.]

Subdivision 1. [REPORT ON CONTRACTORS' RECOMMENDATIONS; IMPLEMENTATION PLAN.] After two nationally recognized independent organizations under contract, including the American Federation of Teachers, conduct an external review of the state's standards and related procedures, policies, assessments, and the department of children, families, and learning's implementation plan consistent with section 3, the commissioner must analyze the contractors' recommendations and report to the legislature by December 15, 2000. The report must contain the contractors' recommendations, the commissioner's analysis of the contractors' recommendations, and a plan the commissioner develops in response to those recommendations for implementing the recommendations the commissioner considers appropriate. The plan must indicate how the commissioner proposes to alter graduation standards under the profile of learning to meet the educational needs of all students. The plan must separately indicate which of the contractors' recommendations that the commissioner considers appropriate:

(1) can be effected through administrative actions;

(2) require changes in rule; and

(3) require changes in law.

The commissioner may implement the recommendations under clause (1), but must not begin to adopt rules to implement the recommendations under clause (2) until specifically authorized by law. The commissioner is prohibited from implementing the recommendations under clause (3).

Subd. 2. [TECHNOLOGY NEEDS.] The commissioner must work with school districts to ensure that all districts have sufficient ongoing access to computers and needed software at minimal cost, and staff training and support to permit:

(1) efficient daily classroom recordkeeping;

(2) consistent communications between schools and between school districts; and

(3) compatible local and state accountability reporting.

Subd. 3. [ANNUAL REPORTS.] The commissioner annually by December 15 must report to the legislature on the progress made in implementing the commissioner's plan under subdivision 1 and meeting districts' technology needs for reporting under subdivision 2. The commissioner must continue to present an annual progress report until the conditions under section 1, paragraph (b), are met.

Sec. 3. [CONTENT OF EXTERNAL REVIEW.]

(a) The contractors under section 2 must examine and report on the quality of the state's standards and assessments as an integrated educational system.

(b) The contractors' report must include:

(1) an analysis of the link between the state's standards and assessments intended to hold schools accountable for educational achievement;

(2) meaningful comparisons and specific recommendations for revision by benchmarking the state's standards and assessments against the best existing models; and

(3) diagnostic information, including the strengths and weaknesses of the state's academic standards.

(c) For benchmarking purposes, the contractors must indicate:

(1) whether the standards are clear, specific, and measurable, and whether they are easily understood by teachers, parents, and students;

(2) how Minnesota's standards in English, mathematics, science, and social studies compare to objective exemplary standards; what important elements found in the objective exemplary standards are not found in Minnesota's standards; and what is most important for students to learn;

(3) how well state assessments measure the standards, whether the assessments measure the core academic standards and, if they do not, which standards are not adequately measured;

(4) whether the state assessments are challenging, or more demanding or less demanding than the standards imply, and whether the assessments are set at an appropriate level of difficulty for a particular grade level; and

(5) how proficiency is defined on the state's assessments, whether this definition is comparable to the definition of proficiency, and what changes can strengthen the quality and alignment of the state's standards and assessments.

Sec. 4. 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 or staff development training related to implementing section 16 beyond the number of days of student instruction the board formally adopted as its school calendar at the beginning of the 1996-1997 school year.

Sec. 5. Minnesota Statutes 1999 Supplement, section 120B.02, is amended to read:

120B.02 [RESULTS-ORIENTED GRADUATION RULE; BASIC SKILLS REQUIREMENTS; PROFILE OF LEARNING.]

(a) The legislature is committed to establishing a rigorous, results-oriented graduation rule for Minnesota's public school students. To that end, the commissioner shall use its rulemaking authority under section 127A.05, subdivision 4, to adopt a statewide, results-oriented graduation rule to be implemented starting with students beginning ninth grade in the 1996-1997 school year. The commissioner shall not prescribe in rule or otherwise the delivery system or form of instruction that local sites must use to meet the requirements contained in this rule.

(b) To successfully accomplish paragraph (a), the commissioner shall set in rule high academic standards for all students. The standards must contain the foundational skills in the three core curricular areas of reading, writing, and mathematics while meeting requirements for high school graduation. The standards must also provide an opportunity for students to excel by meeting higher academic standards through a profile of learning that uses curricular requirements to allow students to expand their knowledge and skills beyond the foundational skills. All commissioner actions regarding the rule must be premised on the following:

(1) the rule is intended to raise academic expectations for students, teachers, and schools;

(2) any state action regarding the rule must evidence consideration of school district autonomy; ~~and~~

(3) the department of children, families, and learning, with the assistance of school districts, must make available information about all state initiatives related to the rule to students and parents, teachers, and the general public in a timely format that is appropriate, comprehensive, and readily understandable;

(4)(i) student work completed in the six required learning areas of learning area 1, English language and grammar; learning area 2, composition and speech; learning area 3, mathematics; learning area 4, science; learning area 5, social studies; and learning area 6, literature and the arts; means high school students in grades 9 to 12 must at least complete 12 content standards that include six state-required content standards and six elective content standards, (ii) middle school students in grades 6 to 8 must at least complete one content standard in each of the six required learning areas, (iii) intermediate school students in grades 4 and 5 must complete a content standard in learning areas 1, 2, and 3 and two elective content standards, and (iv) primary school students in kindergarten to grade 3 must focus on learning areas 1, 2, and 3 but are not required to complete content standards in any learning areas;

(5) districts, at their election, may offer students a seventh learning area of world language from which students may satisfy an elective content standard requirement; and

(6) a student who is participating in a rigorous course of study, including an advanced placement or international baccalaureate program, talented youth mathematics project, a concurrent enrollment course where a student takes a college course in a secondary school setting, or a post-secondary enrollment options course or program under section 124D.09, is not required to complete other requirements of any content standards corresponding to the student's rigorous course of study.

(c) Districts must ensure that:

(1) district curriculum and corresponding instruction incorporate content standards in courses offered to students;

(2) assessment of student academic achievement on a content standard is integrated into the grade the student receives for the quality of work a student completes for a course or program; and

(3) all required and elective content standards contain elements of decision making and inquiry.

(d) For purposes of adopting the rule, the commissioner, in consultation with the department, recognized psychometric experts in assessment, and other interested and knowledgeable educators, using the most current version of professional standards for educational testing, shall evaluate the alternative approaches to assessment.

(e) The content of the graduation rule must differentiate between minimum competencies reflected in the basic requirements assessment and rigorous profile of learning standards. When fully implemented, the requirements for high school graduation in Minnesota must include both basic requirements and the required profile of learning. The profile of learning must measure student performance academic achievement using performance-based assessments based on student academic achievement compiled over time that integrate higher academic standards, higher order thinking skills, and application of knowledge from a variety of content areas. The profile of learning shall include a broad range of academic experience and accomplishment necessary to achieve the goal of preparing students to function effectively as purposeful thinkers, effective communicators, self-directed learners, productive group participants, and responsible citizens. The commissioner shall develop and disseminate to school districts a uniform method for reporting student performance academic achievement on the profile of learning. Districts may use outstanding work from each grade level as exemplars for measuring student work in that grade.

(f) The commissioner shall periodically review and report on the assessment process and student achievement with the expectation of raising the standards and expanding high school graduation requirements.

(g) The commissioner shall report in writing to the legislature annually by January 15 on its progress in developing and implementing the graduation requirements according to the requirements of this subdivision and section 120B.10 until such time as all the graduation requirements are implemented.

(h) Basic skills and profile of learning requirements must be developed and implemented independently of any national education goals established under the 1994 Goals 2000: Educate America Act.

Sec. 6. [120B.0215] [VARIATIONS FOR STUDENTS WITH INDIVIDUAL EDUCATION PLANS OR SECTION 504 ACCOMMODATION PLANS.]

Subdivision 1. [DETERMINATION OF REQUIREMENTS.] (a) A student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan shall have all content standards considered by the student's individual education plan team or section 504 accommodation plan team for inclusion in the student's individual education plan or section 504 accommodation plan under subdivision 2.

(b) A student's individual education plan team or section 504 accommodation plan team must consider the state's graduation requirements for inclusion in the student's individual education plan or section 504 accommodation plan when a student with a disability is 14 years old or registers for grade 9, whichever is first. An individual education plan team also must consider the student's transition plan when determining which of the required and elective content standards to include in the student's individual education plan.

Subd. 2. [INDIVIDUALIZED PLANS.] (a) For a student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team may modify preparatory content standards for the student in the individual education plan or section 504 accommodation plan. The team must determine the specifications of a content standard the student will pursue under the selected modification. If the team determines that the student is exempt from one or more of the content standards, it must explain the exemption in the student's individual education plan or section 504 accommodation plan. When the team adopts an exempt status for a content standard, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(b) For a high school student with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team must:

(1) determine whether the student will pursue the content standards without modification;

(2) determine whether one or more of the required content standards will be modified to an individual level;

(3) define the elective content standards that the student also will pursue and whether, for each elective, the student will pursue the content standard without modification or have the content standard modified to an individual level; or

(4) determine whether the student is exempt from one or more of the state's graduation requirements.

When the team adopts exempt status for a content standard, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(c) A student's individual education plan team or section 504 accommodation plan team must determine the specifications of a preparatory or high school content standard the student will pursue when the team modifies a content standard. When a content standard is modified, the student's individual education plan team or section 504 accommodation plan team must determine the appropriate assessment of the modified content standard.

Sec. 7. [120B.0216] [ENGLISH PROFICIENCY; INDIVIDUAL GRADUATION PLANS.]

A district must establish and maintain procedures giving students the opportunity to complete both preparatory courses and high school content standards. Graduation requirements for a student must not be modified unless section 120B.0215 applies or unless modified in an individual graduation plan developed for a student with limited English proficiency and annually reviewed by a team that includes school advisory staff designated by the district, the student's teachers, the student's parent or guardian, and the student. A district must not modify specifications for standards in learning areas one to six to permit a student to complete a standard in a language other than English.

Sec. 8. [120B.0217] [TESTING AND ASSESSMENT; MEASURING STUDENT PERFORMANCE.]

Subdivision 1. [DISTRICT CRITERION-REFERENCED TESTING AND ASSESSMENT REQUIREMENTS.]

(a) The commissioner must develop a state model for local criterion-referenced testing and assessment consistent with this section.

(b) A district must:

(1) test and assess student performance in preparatory and high school content standards;

(2) establish processes by which to transfer as completed (i) those content standards that other Minnesota public school districts verify on transcripts as completed, (ii) the work that post-secondary educational institutions or educational institutions outside the state accept for completing the equivalent of content standards and verify on transcripts as completed, and (iii) a student's opportunities to complete high school content standards through learning the student acquires outside the district's curriculum; and

(3) use grading criteria under subdivision 2.

Subd. 2. [GRADING.] The assessment of student achievement under the profile of learning must align with the district's grading system and must be included as part of the student's grade for a subject or course.

Sec. 9. [120B.0218] [NOTICE TO PARENTS AND STUDENTS.]

In addition to other applicable notice requirements, the district must notify parents and students in writing about:

(1) the content standards taught and assessed in the school curriculum;

(2) the procedures for advising the student and the student's parent or guardian about graduation requirements and for accessing these procedures;

(3) the procedures by which students may meet graduation requirements with the equivalent of content standards completed outside the district's curriculum; and

(4) the district's individual student progress and achievement reporting schedule.

Sec. 10. Minnesota Statutes 1998, section 120B.03, subdivision 1, is amended to read:

Subdivision 1. [DISTRICT IMPLEMENTATION OF THE PROFILE OF LEARNING.] (a) A school district shall implement the profile of learning of the graduation rule under paragraph (b); or (c); ~~or (d).~~

A district may implement the profile of learning under paragraph (c) or (d) only after the commissioner approves the district's request for a waiver and approves the local plan for full implementation.

~~(b)~~ A school district shall implement the profile of learning for the 1998-1999 school year and later:

~~(c)~~ (b) A school district shall implement the profile of learning as follows:

(1) for the ~~1998-1999~~ first school year after which the moratorium under section 1 is repealed and later, the district shall implement ~~at the~~ the required standards in learning areas at the preparatory level and (i) must implement for ninth grade students a minimum of six at least two learning areas under the profile of learning with three from the areas of read, listen, and view English language and grammar; write and speak composition and speech; mathematical applications mathematics; scientific applications and science; and people and cultures; (ii) in addition, may implement for ninth grade students the learning areas of social studies and three from the areas of literature and the arts; inquiry; decision making; resource management; and world language;

(2) for the ~~1999-2000~~ second school year after which the moratorium under section 1 is repealed and later, the district shall implement for ninth and tenth grade students two other learning areas under clause (1)(i) in addition to those implemented under clause (1) if four learning areas were not completed under clause (1)(i). The district shall complete the four learning areas of read, listen, and view; write and speak; mathematical applications; scientific applications; and people and cultures if the four areas were not completed in clause (1);, in addition, may implement the learning areas of social studies and the remainder from the areas of literature and the arts; inquiry; decision making; resource management; and world language if the learning areas were not completed under clause (1)(ii); and

(3) for the ~~2000-2001~~ third school year after which the moratorium under section 1 is repealed and later, the district shall implement for ninth, tenth, and eleventh grade students the two learning areas in the profile of learning that were not implemented under clauses (1) and (2), if applicable, with the expectation that students graduating in the fourth school year after which the moratorium under section 1 is repealed must successfully complete all profile of learning requirements under section 120B.02 in order to graduate.

~~(d)~~ (c) A district shall develop a local plan to implement the profile of learning and have all ~~ten~~ six learning areas fully implemented by the ~~2001-2002~~ start of the third school year after which the moratorium under section 1 is repealed with the expectation that students graduating in the fourth school year after which the moratorium under section 1 is repealed must successfully complete all profile of learning requirements under section 120B.02 in order to graduate.

~~(e)~~ (d) A district shall notify the commissioner by July 1, ~~1998~~ of the first school year preceding the school year in which districts' obligation to begin implementing the profile of learning under paragraph (b), clause (1), arises, as to whether the district will implement the profile of learning under paragraph (b); or (c); ~~or (d).~~

~~(f) An advisory committee of 11 members is established to advise the governor and commissioner on the implementation of the graduation rule under this section. The commissioner shall appoint 11 members with representatives from education organizations, business, higher education, parents, and organizations representing communities of color.~~

~~The committee shall review the implementation of the basic requirements and the profile of learning standards.~~

~~The commissioner shall provide technical and other assistance to the advisory committee. The committee expires on December 1, 1998.~~

(e) Consistent with the requirements under section 2, subdivision 2, the commissioner shall convene an advisory group composed of qualified experts and interested stakeholders to recommend recordkeeping practices under the profile of learning. After reviewing advisory group recommendations, the commissioner must evaluate the software available to implement recordkeeping practices under the profile of learning and certify to all districts and the legislature that the software needed to record and report student academic achievement levels is readily available to all districts at minimal cost by July 1 of the first school year preceding the school year in which districts' obligation to begin implementing the profile of learning under paragraph (b), clause (1), arises.

(f) To meet the educational accountability and reporting standards under this chapter, and consistent with the requirements under section 2, subdivision 2, the commissioner shall work with school districts to develop and implement a uniform system of measuring and reporting student academic achievement completed as requirements under the profile of learning.

Sec. 11. Minnesota Statutes 1998, section 120B.03, subdivision 3, is amended to read:

Subd. 3. ~~[WAIVER LOCAL PLAN.] In order to receive a waiver, A district must document why the waiver is necessary,~~ how the local plan under subdivision 1, paragraph (c), improves student achievement, and how the profile of learning will be fully implemented for the 2001-2002 students graduating in the fourth school year after which the moratorium is repealed under section 1.

Sec. 12. Minnesota Statutes 1999 Supplement, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE TESTING AND REPORTING.] (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, shall include in the comprehensive assessment system, for each grade level to be tested, a single statewide norm-referenced or criterion-referenced test, or a combination of a norm-referenced and a criterion-referenced test, which shall be highly correlated aligned with the state's graduation standards and administered annually to all students in the third, fifth, and eighth grades. The reading and math tests administered to third and fifth grade students and the writing test administered to fifth grade students must be sufficiently rigorous, valid, and reliable for districts to use the test results for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner shall establish one or more months during which schools shall administer the tests to students each school year. Only Minnesota basic skills tests in reading, mathematics, and writing shall fulfill students' basic skills testing requirements for a passing state notation.

(b) In addition, at the secondary level, districts shall assess student performance in all required learning areas and selected required standards within each area of the profile of learning. The testing instruments and testing process shall be determined by the commissioner. The results shall be aggregated at the site and district level. The testing shall be administered beginning in the 1999-2000 school year and thereafter.

(c) ~~The comprehensive assessment system shall include an evaluation of commissioner shall report school site and school district performance student academic achievement levels during the 1997-1998 school year and thereafter using an established performance baseline developed from students' test scores under this section that records, at a minimum, of the current and two immediately preceding school years. The report shall include students' unweighted~~

mean test scores in each tested subject, ~~a second performance baseline that reports, at a minimum, the same unweighted mean test scores of only those students enrolled in the school by January 1 of the previous school year, and a third performance baseline that reports the same unweighted test scores of all students except those students receiving limited English proficiency instruction.~~ The evaluation report also shall record separately, in proximity to the reported performance baselines levels, the percentages of students who are eligible to receive a free or reduced price school meal, demonstrate limited English proficiency, or are eligible to receive special education services.

(d) In addition to the testing and reporting requirements under paragraphs (a), (b), and (c), the commissioner shall include the following components in the statewide ~~educational accountability and~~ public reporting system:

(1) uniform statewide testing of all third, fifth, eighth, and post-eighth grade students ~~with that provides testing exemptions, only with parent or guardian approval, from the testing requirement only~~ for those very few students for whom the student's individual education plan team under sections 125A.05 and 125A.06, determines that the student is incapable of taking a statewide test, or for a limited English proficiency student under section 124D.59, subdivision 2, if the student has been in the United States for fewer than 12 months and for whom special language barriers exist, such as the student's native language does not have a written form or the district does not have access to appropriate interpreter services for the student's native language;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis including average daily attendance, high school graduation rates, and high school drop-out rates by grade level; and

(3) ~~students' scores on the American College Test;~~

(4) ~~participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement; and~~

(5) ~~basic skills and advanced competencies connecting teaching and learning to high academic standards, assessment, and transitions to citizenship and employment.~~

(e) Districts must report exemptions under paragraph (d), clause (1), to the commissioner consistent with a format provided by the commissioner.

Sec. 13. Minnesota Statutes 1999 Supplement, section 120B.35, is amended to read:

120B.35 [STUDENT ACADEMIC ACHIEVEMENT LEVELS.]

(a) Each school year, a school district must determine if the student achievement levels at each school site meet state and local expectations. If student achievement levels at a school site do not meet state and local expectations for two out of three consecutive school years, beginning with the ~~2000-2001~~ first school year after which the moratorium under section 1 is repealed, the district must work with the school site to adopt a plan to raise student achievement levels to meet state and local expectations. The legislature will determine state expectations after receiving a recommendation from the commissioner of children, families, and learning. ~~The commissioner must submit recommendations to the legislature by January 15, 2000.~~

(b) A district, with timely and adequate technical support from the department at the district's request, must assist school sites in developing recommendations for rigorous, valid, and reliable assessment methods to determine student achievement of content standards required for graduation. The methods of assessment may be different for different content standards, but must indicate a clearly defined minimum level of student achievement in each content standard required for graduation. A district must make timely information about its assessment methods and levels of student achievement readily available in a useful format to interested members of the public and the department, consistent with the requirements of section 13.32. The district also must publish an annual report containing district

information about student achievement on the state's basic reading, math, and writing tests, the content standards that students must complete under the profile of learning in order to graduate, sample assessment methods the district uses to determine student achievement, and planned and implemented district efforts to improve student learning and district instruction and curriculum, which it must disseminate to district residents and transmit to the department in a useful and timely manner. The commissioner must review the performance of a school site or district demonstrating a pattern of low student achievement on the state's third and fifth grade reading and math tests and fifth grade writing test and on the eighth grade basic reading and math skills tests and tenth grade writing skills test, and may review the performance of other districts at the request of the district or at the discretion of the commissioner. The commissioner must pay the costs of these reviews.

(c) The department, at a district's request, must assist the district and the school site in developing a plan to improve student achievement. The plan must include parental involvement components.

Sec. 14. Minnesota Statutes 1998, section 123A.06, is amended by adding a subdivision to read:

Subd. 3a. [GRADUATION REQUIREMENT ALTERNATIVE.] The profile of learning high school graduation requirement under section 120B.02 does not apply to students enrolled in an area learning center if the center has:

- (1) adopted a resolution to use alternative graduation requirements that are specified and detailed; and
- (2) informed the parent or guardian of students who are enrolled or applying to enroll of this resolution.

Sec. 15. Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 10, is amended to read:

Subd. 10. [PUPIL PERFORMANCE.] A charter school must design its programs to at least meet the outcomes adopted by the commissioner for public school students. In the absence of the commissioner's requirements, the school must meet the outcomes contained in the contract with the sponsor. The achievement levels of the outcomes contained in the contract may exceed the achievement levels of any outcomes adopted by the commissioner for public school students. The profile of learning high school graduation requirement under section 120B.02 does not apply to students enrolled in a charter school if the board has:

- (1) adopted a resolution to use alternative graduation requirements that are specified and detailed; and
- (2) informed the parent or guardian of students who are enrolled or applying to enroll of this resolution.

Sec. 16. [CURRICULUM; INSTRUCTIONAL PRACTICES FOR TEACHERS; ALTERNATIVE ASSESSMENTS.]

To fully implement standards and assessments, districts must work to improve:

- (1) the scope and sequence of curriculum, especially in language arts, mathematics, science, and social studies at all instruction levels;
- (2) research-based instructional skills of teachers and other district staff who work with students; and
- (3) alternative assessments of student achievement.

Sec. 17. [CONTRACTORS TO COMPARE PROPOSALS.]

The commissioner separately must contract with each of the two nationally recognized independent organizations under contract in section 2 to conduct an external review and analysis of the learning areas and content standards proposed in part 3. This review and analysis must incorporate the review content listed in section 3 and must

compare the state's standards and related procedures, policies, and assessments with the proposals in part 3. The contractors must report their findings by December 15, 2000, to the commissioner and the education committees of the legislature.

Sec. 18. [DISSEMINATING INFORMATION.]

The commissioner, in a timely fashion using readily accessible formats, must disseminate clear information to all school districts about the changes made in this act.

Sec. 19. [EFFECT ON PROFILE OF LEARNING RULES.]

The rules of the department of children, families, and learning are void to the extent they are inconsistent with this act.

Sec. 20. [DEPARTMENT COSTS.]

The department of children, families, and learning is responsible for any costs resulting from the implementing of this act.

Sec. 21. [REPEALER.]

(a) Minnesota Statutes 1998, sections 120B.03, subdivision 2; and 120B.04, are repealed.

(b) Minnesota Rules, parts 3501.0320, subpart 2, items E and F; 3501.0360; 3501.0370; 3501.0400; and 3501.0430, items A to D, are repealed.

Sec. 22. [EFFECTIVE DATE.]

Sections 1 to 21 are effective the day following final enactment.

Part 3: North Star Standard

Section 1. Minnesota Statutes 1999 Supplement, section 120B.02, is amended to read:

120B.02 [RESULTS-ORIENTED GRADUATION RULE; NORTH STAR STANDARD FOR GENUINE ACADEMIC EXCELLENCE AND BASIC SKILLS REQUIREMENTS; PROFILE OF LEARNING.]

(a) The legislature is committed to establishing a rigorous, results-oriented graduation rule the North Star Standard for genuine academic excellence for Minnesota's public school students. To that end, the commissioner shall use its rulemaking authority under section 127A.05, subdivision 4, to adopt a statewide, results-oriented graduation rule to be implemented starting with students beginning ninth grade in the 1996-1997 school year. The commissioner shall not prescribe in rule or otherwise the delivery system or form of instruction that local sites must use to meet the requirements contained in this rule.

(b) To successfully accomplish paragraph (a), the commissioner shall set in rule high academic standards for all students. The standards must contain the foundational skills in the three core curricular areas of reading, writing, and mathematics while meeting requirements for high school graduation. The standards must also provide an opportunity for students to excel by meeting higher academic standards through a profile of learning that uses curricular requirements to allow students to expand their knowledge and skills beyond the foundational skills. All commissioner actions regarding the rule must be The North Star Standard is premised on the following:

(1) the rule North Star Standard is intended to raise academic expectations progressively throughout the Kindergarten through grade 12 experience for students, teachers, and schools;

(2) it is essential that, as much as possible, all students reach a level of minimum competency, but the goal must be that all students be expected and encouraged to reach their greatest potential. The standard is the pursuit of academic excellence; and

(3) any state action regarding the rule North Star Standard must evidence consideration of parent, student, teacher, and school district autonomy; and. The delivery system or form of instruction that local sites must use to meet the standard must not be prescribed.

(3) the department of children, families, and learning, with the assistance of school districts, must make available information about all state initiatives related to the rule to students and parents, teachers, and the general public in a timely format that is appropriate, comprehensive, and readily understandable.

(c) (b) For purposes of adopting the rule, the commissioner, in consultation with the department, recognized local implementation of the North Star Standard, school districts shall consult with psychometric experts in assessment, and or other interested and knowledgeable educators for proven curriculum, testing, assessment, methods, using the most current version of professional standards for educational testing, shall evaluate the alternative approaches to assessment and practices.

(d) The content of the graduation rule must differentiate between minimum competencies reflected in the basic requirements assessment and rigorous profile of learning standards. When fully implemented, the requirements for high school graduation in Minnesota must include both basic requirements and the required profile of learning. The profile of learning must measure student performance using performance-based assessments compiled over time that integrate higher academic standards, higher order thinking skills, and application of knowledge from a variety of content areas. The profile of learning shall include a broad range of academic experience and accomplishment necessary to achieve the goal of preparing students to function effectively as purposeful thinkers, effective communicators, self-directed learners, productive group participants, and responsible citizens. The commissioner shall develop and disseminate to school districts a uniform method for reporting student performance on the profile of learning.

(e) The commissioner shall periodically review and report on the assessment process and student achievement with the expectation of raising the standards and expanding high school graduation requirements.

(f) The commissioner shall report in writing to the legislature annually by January 15 on its progress in developing and implementing the graduation requirements according to the requirements of this subdivision and section 120B.10 until such time as all the graduation requirements are implemented.

Sec. 2. [120B.021] [CITATION.]

Sections 120B.01 to 120B.0242 may be cited as the "North Star standard for genuine academic excellence."

Sec. 3. [120B.0211] [GOAL.]

Sections 120B.01 to 120B.0242 establish the educational and academic requirements that students must meet to be eligible to receive a high school diploma.

Sec. 4. [120B.0212] [SCOPE.]

Sections 120B.01 to 120B.0242 govern the minimum requirements that public school districts must establish for students to earn a high school diploma.

Sec. 5. [120B.0213] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] As used in sections 120B.01 to 120B.0242, the terms defined in this section have the meanings given them.

Subd. 2. [GRADE SPECIFIC COURSE AND HIGH SCHOOL COURSE CREDIT.] (a) "Grade specific" means the grade appropriate course content established by the school district. Grade specific course content is not required to be age dependent.

(b) "Course" means a set of school district curriculum specifications in a learning area for one school year.

(c) "High school course credit" is the equivalent of one hour per school day during one school year of study in a learning area for grades 9 to 12.

Subd. 3. [LEARNING AREA.] (a) "Learning area" means one of the eight categories into which all preparatory courses, and one of the ten categories into which all high school course credits are organized.

(b) The high school learning areas include:

(1) English language and grammar;

(2) literature and composition;

(3) mathematics;

(4) science;

(5) history and government/citizenship;

(6) personal fitness and health;

(7) the arts, an elective learning area;

(8) personal management, an elective learning area;

(9) foreign languages, an elective learning area; and

(10) vocational education, an elective learning area.

(c) The preparatory learning areas include:

(1) English language and grammar;

(2) literature and composition;

(3) mathematics;

(4) science;

(5) history, geography, and government;

(6) personal fitness and health;

(7) arts; and

(8) personal management.

Subd. 4. [COURSE PLAN.] "Course plan" means a grade specific written set of district curriculum specifications in a learning area and must include: (1) the teacher's name; (2) the grade level; (3) course sequence; (4) class teaching syllabus; (5) the number of course credits students may earn; (6) the instructional materials used for the class; (7) homework and parental support expectations; (8) the testing requirements, quizzes, or other evaluations; (9) grading credit or methods used; and (10) the requirements that students are expected to successfully complete in the course.

Subd. 5. [PARENTAL ACCESS AND PUBLIC ACCOUNTABILITY.] The course plan must be available in the nearest public/school library and must include:

(1) a grade level, course-specific remediation plan prepared by the school district, which must be used concurrently during the course and may include summer school and criteria for repeating a grade or course; and

(2) a school district grading process that determines when a student's course plan is successfully completed, and assigns a grade to the student's work according to the grading criteria.

Subd. 6. [GRADUATION REQUIREMENTS.] "Graduation requirements" means the number and distribution of high school course credits that a district must offer and a student must successfully complete to be eligible for a high school diploma.

Subd. 7. [EXEMPTION.] "Exemption" means that a student with an individual education plan or section 504 accommodation plan is not required to complete a particular course credit.

Subd. 8. [MODIFICATION.] "Modification" means an adjustment of a test that changes the course credit for a student with an individual education plan or section 504 accommodation plan.

Sec. 6. [120B.0214] [GRADUATION REQUIREMENTS.]

Subdivision 1. [NORTH STAR STANDARD.] School district course credits are contained in sections 120B.0222 to 120B.0242. The preparatory courses are contained in sections 120B.0233 to 120B.0242. High school course credits are contained in sections 120B.0222 to 120B.0232. High school graduation requirements are contained in subdivisions 3 to 5.

Subd. 2. [DISTRICTS AND STUDENTS.] (a) A district must provide learning opportunities for all students in all preparatory courses in learning areas one to eight, and learning opportunities sufficient for students to complete high school course credits in ten learning areas and meet school district graduation requirements.

(b) Students are encouraged to exceed the specifications for all preparatory and high school standards contained in sections 120B.0222 to 120B.0242.

(c) A student must successfully complete at least 21 course credits for graduation. A student may select electives from any course credit in learning areas one to ten under subdivision 3.

Subd. 3. [DISTRIBUTION REQUIREMENTS FOR HIGH SCHOOL GRADUATION.] A student must successfully complete all specifications of at least 21 high school course credits to be eligible for high school graduation. The student must complete 15 of the 21 high school course credits as follows:

(1) two course credits from learning area one, English language and grammar;

(2) two course credits from learning area two, literature and composition;

(3) three course credits from learning area three, mathematics;

- (4) two course credits from learning area four, science;
- (5) four course credits from learning area five, history, and government/citizenship;
- (6) two course credits from learning area six, personal fitness and health;
- (7) no course credits from learning area seven, the arts, which is an elective;
- (8) no course credits from learning area eight, personal management, which is an elective;
- (9) no course credits from learning area nine, foreign languages; and
- (10) no course credits from learning area ten, vocational education, which is an elective.

Subd. 4. [ELECTIVE REQUIREMENTS.] In addition to the distribution requirements under subdivision 3, students also must complete six additional course credits of the student's choice from the high school course credits listed in sections 120B.0222 to 120B.0232.

Subd. 5. [ADDITIONAL REQUIREMENTS.] (a) A student must complete one application of technology in each of the following three learning areas:

- (1) area two, literature and composition;
- (2) area three, mathematics; and
- (3) area four, science.

(b) A district may establish additional requirements.

Subd. 6. [VARIATIONS.] A student must successfully complete the requirements in subdivisions 1 to 5 unless the district specifically establishes variations for the student. Variations for a student from the requirements in subdivisions 1 to 5 are permitted only under section 120B.0215 or 120B.0216.

Sec. 7. [120B.0215] [VARIATIONS FOR STUDENTS WITH INDIVIDUAL EDUCATION PLANS OR SECTION 504 ACCOMMODATION PLANS.]

Subdivision 1. [DETERMINATION OF REQUIREMENTS.] (a) A student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan shall have all courses considered by the student's individual education plan team or section 504 accommodation plan team for inclusion in the student's individual education plan or section 504 accommodation plan under subdivision 2.

(b) A student's individual education plan team or section 504 accommodation plan team must consider the graduation requirements under section 120B.0214 for inclusion in the student's individual education plan or section 504 accommodation plan when a student with a disability is 14 years old or registers for grade 9, whichever is first. An individual education plan team also must consider the student's transition plan when determining which of the required and elective courses to include in the student's individual education plan.

Subd. 2. [INDIVIDUALIZED PLANS.] (a) For a student in kindergarten through grade 8 with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team may modify preparatory courses for the student in the individual education plan or section 504 accommodation plan. The team must determine the specifications of a course the student will pursue under the selected modification. If the team determines that the student is exempt from one or more of the courses,

it must explain the exemption in the student's individual education plan or section 504 accommodation plan. When the team adopts an exempt status for a course, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(b) For a high school student with an individual education plan or section 504 accommodation plan, the student's individual education plan team or section 504 accommodation plan team must:

- (1) determine whether the student will pursue the course credits without modification;
- (2) determine whether one or more of the 21 required course credits will be modified to an individual level;
- (3) define the elective course credits that the student also will pursue and whether, for each elective, the student will pursue the course credit without modification or have the course credit modified to an individual level; or
- (4) determine whether the student is exempt from one or more of the graduation requirements under section 120B.0214, subdivisions 3 to 5.

When the team adopts exempt status for a course credit, it must determine whether or not a different standard or individual education plan goal specific to the learning area is appropriate and include that goal in the student's plan.

(c) A student's individual education plan team or section 504 accommodation plan team must determine the specifications of a preparatory or high school course credit the student will pursue when the team modifies a course credit. When a course credit is modified, the student's individual education plan team or section 504 accommodation plan team must determine the appropriate assessment of the modified course credit.

Sec. 8. [120B.0216] [ENGLISH PROFICIENCY; INDIVIDUAL GRADUATION PLANS.]

A district must establish and maintain procedures giving students the opportunity to complete both preparatory courses and high school course credits. Graduation requirements for a student must be as specified in section 120B.0214, subdivisions 3 to 5, unless section 120B.0215 applies or unless modified in an individual graduation plan developed and annually reviewed by a team that includes school advisory staff designated by the district, the student's teachers, the student's parent or guardian, and the student. A district must not modify specifications for standards in learning areas one to ten to permit a student to complete a standard in a language other than English.

Sec. 9. [120B.0217] [TESTING AND SCORING STUDENT ACHIEVEMENT.]

Subdivision 1. [DISTRICT CRITERION REFERENCED TESTING REQUIREMENTS.] (a) Districts shall develop local criterion-referenced testing consistent with this section.

(b) A district must:

- (1) test student performance in preparatory courses and high school course credits; and
- (2) establish processes by which to transfer as completed (i) those course credits that other Minnesota public school districts verify on transcripts as completed, (ii) the work that post-secondary educational institutions or educational institutions outside the state accept for completion of course credits and verify on transcripts as completed, and (iii) a student's opportunities to complete high school course credits through learning the student acquires outside the district's curriculum.

Subd. 2. [SCORING.] The district must establish a letter grade between A and F for teacher grading of students who complete a course assignment or course. Assessments may include grade point averages when tests that measure specifics are used. Incomplete student work on the course receives a grade of I and does not complete a grade level or course credit.

Sec. 10. [120B.0218] [HIGH SCHOOL STUDENT TRANSCRIPT DATA.]

Subdivision 1. [TRANSCRIPT INFORMATION.] A district must include on a high school student's transcript the following information:

(1) the high school course credits the student successfully completed;

(2) the grade or sequence level the student achieved on each high school course credit, or a notation that the course credit has been certified as completed through the district's process for transferring credit under section 120B.0217, subdivision 1, paragraph (b), clause (2); and

(3) the date the student successfully completed each high school course credit.

Subd. 2. [TRANSCRIPT FORMAT.] A district must format a high school student transcript according to generally accepted academic and vocational specifications.

Sec. 11. [120B.0219] [NOTICE TO PARENTS AND STUDENTS.]

In addition to other applicable notice requirements, the district must notify parents and students in writing about:

(1) the course credit taught and assessed in the school curriculum;

(2) the procedures for advising the student and the student's parent or guardian about graduation requirements and for accessing these procedures;

(3) the procedures by which students may meet graduation requirements with course credits successfully completed outside the district's curriculum; and

(4) the district's individual student progress and achievement reporting schedule.

Sec. 12. [120B.0220] [IMPLEMENTATION REPORTING.]

A school annually must submit to the local school board a report containing the policies and procedures for:

(1) ensuring that all high school students have access to comprehensive academic school curriculum that integrates technology and provides instruction and tests for assessing course content from all ten learning areas under sections 120B.0222 to 120B.0232 sufficient to meet graduation requirements;

(2) testing and assessing a student's understanding and demonstration of the course content;

(3) staff development designed to continuously improve curriculum, instruction, and tests and assessments;

(4) allowing a student to meet a graduation requirement for a course credit, whether the district offers the course content in its school curriculum or the student accomplishes the work in another learning environment, including a process for transferring credits completed in another Minnesota school district, recognizing work completed in other schools and post-secondary institutions, and awarding credit for achievements in extracurricular activities, activities outside of the school, previous learning, and community and work experiences;

(5) periodically advising a student and the student's parent or guardian of the student's progress and achievement and of the choices and opportunities available to the student for learning, graduating, and achieving the student's post-secondary educational and career goals;

(6) recordkeeping and reporting student achievement; and

(7) allowing the student and the student's parent or guardian to appeal district policies and procedures.

Sec. 13. [120B.0221] [OTHER DISTRICT RESPONSIBILITIES.]

A district must maintain records of the following, which it must submit for audit at the state's request, to allow the periodic review of district graduation standards, opportunities, and requirements:

(1) course plans used to test and assess students' completion of preparatory courses and high school course credits;

(2) aggregated records of students' completion of each high school course credit; and

(3) aggregated data on each year's high school graduates, including average number of high school course credits completed, and the number of each grade earned on each course credit.

Sec. 14. [120B.0222] [CONTENT STANDARDS; HIGH SCHOOL LEVEL.]

The specifications of the high school course credits are at least those in sections 120B.0223 to 120B.0232, which districts may supplement at their election.

Sec. 15. [120B.0223] [LEARNING AREA ONE; ENGLISH LANGUAGE AND GRAMMAR.]

Subdivision 1. [HIGH SCHOOL COURSE CREDIT FOR LEARNING AREA ONE.] The specifications for high school course credits in learning area one are at least those described in this section.

Subd. 2. [ENGLISH LANGUAGE AND GRAMMAR.] A student should be able to demonstrate the ability to comprehend and evaluate complex information in fiction or nonfiction by reading, listening, and viewing varied English language selections containing complex information.

Subd. 3. [ENGLISH LANGUAGE AND GRAMMAR; TECHNICAL INFORMATION.] A student should be able to demonstrate the ability to read and apply technical information from varied English language documents.

Sec. 16. [120B.0224] [LEARNING AREA TWO; LITERATURE AND COMPOSITION.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA TWO.] Specifications for high school course credits in learning area two are at least those described in this section.

Subd. 2. [LITERATURE.] A student should be able to demonstrate the ability to interpret and evaluate complex works of famous American and World literature, including works of prose, poetry, and theater, by:

(1) describing the elements of literature for intent, form, and context to historical, cultural, and social background of selected works; and

(2) demonstrating the ability to communicate an informed interpretation of any selection of literary works.

Subd. 3. [COMPOSITION.] A student should be able to demonstrate the ability to write original compositions for a variety of academic purposes and situations using correct grammar, language mechanics, and other conventions of standard written English. The student must also correct the grammatical and other writing errors made to appear in a recognized work of fiction or nonfiction appropriate for this purpose.

Subd. 4. [TECHNICAL WRITING.] A student should be able to demonstrate the ability to write in the English language for a variety of technical purposes, situations, and audiences by writing original technical compositions that include a set of procedures or directions, a report or proposal, and informational correspondence describing a complex process, procedure, or device for a particular audience.

Subd. 5. [PUBLIC SPEAKING.] A student should be able to demonstrate the ability to construct and deliver speeches for a variety of purposes, situations, and audiences using English language conventions.

Subd. 6. [INTERPERSONAL COMMUNICATION.] A student should be able to demonstrate understanding of interpersonal communication strategies, the components of the interpersonal communication process, and how various factors affect patterns of communication, interaction, and problem solving.

Sec. 17. [120B.0225] [LEARNING AREA THREE; MATHEMATICS.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA THREE.] Specifications for high school content standards in learning area three are at least those under subdivisions 2 to 5.

Subd. 2. [MATHEMATICS.] A student should be able to demonstrate a knowledge of mathematical relationships and solve problems.

Subd. 3. [DATA ANALYSIS.] A student should be able to demonstrate understanding of:

(1) the statistical concepts of measures of center, variability, and rank;

(2) differences between correlation and causation;

(3) sampling procedures;

(4) line or curve of best fit; and

(5) concepts related to uncertainty of randomness, permutations, combinations, and theoretical and experimental probabilities.

Subd. 4. [ALGEBRA.] A student should be able to understand:

(1) rates of change in different models of linear relationships and characteristics of polynomial, exponential, and periodic functions and relations;

(2) functional notation; and

(3) terminology using properties of algebra to justify reasoning through a logical argument.

Subd. 5. [GEOMETRY.] A student should be able to understand:

(1) the characteristics of geometric figures in both two and three dimensions, including reflections, rotations, and translations;

(2) congruence and similarity;

(3) perimeter, area, and volume;

(4) distance;

(5) scaling; and

(6) symmetry.

Sec. 18. [120B.0226] [LEARNING AREA FOUR; SCIENCE.]

Subdivision 1. [HIGH SCHOOL CONTENT STANDARDS FOR LEARNING AREA FOUR.] Specifications for high school content standards in learning area four are at least those described in this section.

Subd. 2. [BIOLOGY.] A student should be able to demonstrate understanding of biological concepts, theories, and principles including cell theory, mechanisms of heredity, biological change over time, the interdependence of organisms, material cycles and energy flow in living systems, the behavior of organisms, and the historical significance of major scientific advances through the investigation and analysis of cells, organisms, and ecosystems.

Subd. 3. [CHEMISTRY.] A student should be able to demonstrate understanding of concepts, theories, and principles in chemistry by investigating and analyzing:

(1) atomic theory;

(2) relationships between the structure and properties of matter including organic and inorganic bonding, periodicity, and solutions chemistry;

(3) chemical reactions;

(4) interactions of energy and matter; and

(5) the historical significance of major scientific advances.

Subd. 4. [PHYSICS.] A student should be able to demonstrate understanding of matter, forces, and energy by investigating and analyzing the concepts of motion, force, laws of conservation, electricity, magnetism, waves, energy, and work, and the historical significance of major scientific advances.

Sec. 19. [120B.0227] [LEARNING AREA FIVE; HISTORY, AND GOVERNMENT/CITIZENSHIP.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA FIVE.] Specifications for high school course credits in learning area five are at least those described in this section.

Subd. 2. [THEMES OF MINNESOTA, UNITED STATES, AND WORLD HISTORY.] A student should be able to demonstrate understanding of the Declaration of Independence, the United States Constitution, Northwest Ordinance, and founding principles, truths, and themes related to key events, concepts, and people in the historical development of the United States. A student must demonstrate knowledge of historical events and contributions of key people from different time periods through reading and constructing time lines of key events and the actions of important people, the contributions of key historical people, and cause and effect relationships of events over an extended period of time, including:

(1) the convergence of people, colonization, settlement, and the American Revolution;

(2) expansion, the Civil War, and the Reconstruction;

(3) the relationship between American Indian tribal governments and federal and state government;

(4) industrialization, the emergence of modern America, and the Great Depression;

(5) World War II;

(6) postwar United States to the present; and

(7) Minnesota and World History.

Subd. 3. [UNITED STATES GOVERNMENT/CITIZENSHIP.] A student should be able to demonstrate understanding of the foundations, rights, and responsibilities of United States citizenship including:

(1) how the United States, as established by the Declaration of Independence, Constitution, and Northwest Ordinance, embodies the principles and ideals of a constitutional representative republic and individual self-governance;

(2) the rights and responsibilities of United States citizens, noncitizens, and dual citizens; and

(3) the formal and informal structures within which interest groups exercise power.

Sec. 20. [120B.0228] [LEARNING AREA SIX; PERSONAL FITNESS AND LIFESTYLE.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA SIX.] Specifications for high school course credits in learning area six are at least those described in this section.

Subd. 2. [INDIVIDUAL AND COMMUNITY HEALTH.] A student should be able to demonstrate an understanding of decision-making processes and community health practices that promote healthful nutrition and dietary practices, and physical fitness, and that reduce and prevent tobacco use, drug and alcohol use, intended and unintended injuries.

Subd. 3. [PHYSICAL EDUCATION AND FITNESS.] A student should be able to use decision-making processes to select appropriate physical activities to achieve fitness and demonstrate understanding of the training needed to improve fitness and the rules and skills associated with physical activities.

Sec. 21. [120B.0229] [LEARNING AREA SEVEN; THE ARTS; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL CONTENT STANDARDS FOR LEARNING AREA SEVEN.] Specifications for high school course credits in learning area seven are at least those described in this section.

Subd. 2. [ARTS CREATION AND PERFORMANCE.] In music, dance, theater, visual arts, creative writing, or media arts, a student should be able to demonstrate understanding of the elements, techniques, and processes of the selected art form and how works of the art form are structured. Also, using the art form, the student must create or perform, or both, an original artistic presentation that includes a single complex work or multiple works.

Sec. 22. [120B.0230] [LEARNING AREA EIGHT; PERSONAL MANAGEMENT; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL COURSE CREDITS FOR LEARNING AREA EIGHT.] Specifications for high school course credits in learning area eight are at least those specified in this section.

Subd. 2. [ECONOMIC SYSTEMS.] By using the fundamental concepts of economics, a student should be able to demonstrate understanding of the interactive nature of local, national, and global economic systems, and how consumer choices and government decisions impact those systems.

Subd. 3. [PERSONAL AND FAMILY RESOURCE MANAGEMENT.] A student should be able to apply principles of personal and family resource management and informed decision making.

Subd. 4. [BUSINESS MANAGEMENT.] A student should be able to use fundamentals of informed decision making and business management, including:

(1) personnel management procedures;

(2) customer, employee, and management practices;

(3) use of banking services;

(4) forms of business organization; and

(5) current labor-related laws.

Sec. 23. [120B.0231] [LEARNING AREA NINE; WORLD LANGUAGE; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL COURSE CREDIT IN WORLD LANGUAGE.] Specifications for the high school course credit in learning area nine are at least those described in this section.

Subd. 2. [WORLD LANGUAGE.] A student should be able to demonstrate understanding of a foreign, domestic, technical, or symbolic language other than English and communicate in a second language.

Sec. 24. [120B.0232] [LEARNING AREA TEN; VOCATIONAL EDUCATION; AN ELECTIVE.]

Subdivision 1. [HIGH SCHOOL CONTENT STANDARDS FOR LEARNING AREA TEN.] Specifications for high school course credits in learning area ten are at least those described in this section.

Subd. 2. [VOCATIONAL OPTIONS.] School districts must determine the scope and sequence of these vocational electives which must reflect the educational needs and diversity of the district and the vocational education interests of students enrolled in the district and community residents.

Sec. 25. [120B.0233] [PREPARATORY COURSES IN LEARNING AREA ONE; ENGLISH LANGUAGE AND GRAMMAR.]

A student should be able to demonstrate comprehension of English and grammar that is appropriate for the student's grade level by reading, listening, and viewing nonfiction and fiction selections to identify main ideas and support details, retell main events or ideas in sequence, pronounce new words using phonics, demonstrate techniques of improving and expanding vocabulary, and demonstrate a grade-level-appropriate reading rate.

Sec. 26. [120B.0234] [PREPARATORY COURSES IN LEARNING AREA TWO; LITERATURE AND COMPOSITION.]

Subdivision 1. [READING AND WRITING.] A student should be able to demonstrate the ability to read, write, and use correct spelling and grammar for a variety of academic purposes, situations, and audiences for the student's grade level.

Subd. 2. [PUBLIC SPEAKING.] A student should be able to demonstrate the ability to speak to an audience.

Sec. 27. [120B.0235] [PREPARATORY COURSES IN LEARNING AREA THREE; MATHEMATICS.]

Subdivision 1. [NUMBER RELATIONSHIPS.] A student should be able to:

(1) use number relationships to represent information and solve problems;

(2) describe and analyze two- and three-dimensional shapes and spaces using appropriate whole and partial units, including metric, to measure length, time, weight, volume, temperature, angle, and area, and names and properties of common two- and three-dimensional shapes;

(3) describe and compare two- and three-dimensional geometric figures existing in the physical world; and

(4) measure, including identifying the type of measurement required, selecting the appropriate tools and units of measurement, and measuring accurately.

Subd. 2. [NUMBER OPERATIONS.] A student should be able to demonstrate understanding of:

(1) concepts of place value, variables, and equations;

(2) when and how to use number operations;

(3) addition, subtraction, and multiplication of single-digit multiples of powers of ten; and

(4) when and how to use a variety of estimation strategies.

Subd. 3. [BASIC CONCEPTS OF COORDINATE.] A student should be able to:

(1) demonstrate understanding of basic concepts of coordinate, by knowing precise mathematical names and properties of two- and three-dimensional shapes, converting common measurement units within the metric system and customary systems, and understanding how properties of shapes affect stability and rigidity of objects; and

(2) recognize and describe shape, size, and position of two- and three-dimensional objects and the images of the objects under transformations.

Subd. 4. [NUMBER CONCEPTS.] A student should be able to demonstrate understanding of:

(1) number concepts including place value, exponents, prime and composite numbers, multiples, and factors;

(2) fractions, decimals, percents, integers, and numbers in scientific notation that translate among equivalent forms; and

(3) how to compare and order numbers within a set.

Subd. 5. [CONCEPTS OF ALGEBRA.] A student should be able to:

(1) analyze patterns and use concepts of algebra to represent mathematical relationships, including demonstrating understanding of the concepts of variables, expressions, and equations; and

(2) use properties of mathematics to informally justify reasoning.

Subd. 6. [GRADE LEVEL KNOWLEDGE; USE OF CALCULATORS.] Knowledge of the concepts under this section must be appropriate for the student's grade level. Districts are encouraged not to use calculators for kindergarten through grade 5.

Sec. 28. [120B.0236] [PREPARATORY COURSES IN LEARNING AREA FOUR; SCIENCE.]

Subdivision 1. [PHYSICAL AND LIFE SCIENCE.] A student should be able to demonstrate knowledge of basic science concepts of physical science and life science that is appropriate for the student's grade level.

Subd. 2. [BIOLOGY.] A student should be able to demonstrate an understanding of:

(1) characteristics of organisms including plants, animals, and microorganisms;

(2) basic structures and functions of the human body; and

(3) cycles and patterns in living organisms and physical systems.

Sec. 29. [120B.0237] [PREPARATORY COURSES IN LEARNING AREA FIVE; HISTORY, GEOGRAPHY, AND GOVERNMENT/CITIZENSHIP.]

Subdivision 1. [HISTORY.] A student should be able to demonstrate grade-level understanding of the Declaration of Independence, the United States Constitution, Northwest Ordinance, and founding principles, truths, and themes related to key events, concepts, and people in the historical development of the United States, including:

(1) the convergence of people, colonization, settlement, and the American Revolution;

(2) expansion, the Civil War, and the Reconstruction;

(3) the relationship between American Indian tribal governments and federal and state government;

(4) industrialization, the emergence of modern America, and the Great Depression;

(5) World War II;

(6) postwar United States to the present; and

(7) Minnesota and World History.

A student should be able to demonstrate knowledge of historical events and contributions of key people from different time periods through reading and constructing time lines of key events and the actions of important people, the contributions of key historical people, and cause and effect relationships of events over an extended period of time.

Subd. 2. [GEOGRAPHY.] A student should be able to demonstrate a grade level understanding of the physical world including the United States capitals, continents, oceans, land forms, rocks, minerals, solids, waters of the earth, weather, climate, natural animal life, and natural plant life. A student must demonstrate a grade level ability to locate specific places or parts of the earth's surface or physical environment.

Subd. 3. [GOVERNMENT/CITIZENSHIP.] A student should be able to demonstrate grade level understanding of the foundations, rights, and responsibilities of United States citizenship including:

(1) how the United States, as established by the Declaration of Independence, Constitution, and Northwest Ordinance, embodies the principles and ideals of a constitutional representative republic and individual self-governance;

(2) the rights and responsibilities of United States citizens, noncitizens, and dual citizens; and

(3) the formal and informal structures within which interest groups exercise power.

Sec. 30. [120B.0238] [PREPARATORY COURSES IN LEARNING AREA SIX; THE ARTS.]

Subdivision 1. [ART FORMS.] (a) A student should be able to describe at least three of the art forms in this section using the vocabulary of the art form and identify similarities and differences between different art forms in:

(1) visual art;

(2) music;

(3) theater; and

(4) dance.

(b) Expectations regarding student work under this section must be appropriate for the student's grade level.

Subd. 2. [ARTISTIC CREATIVITY AND PERFORMANCE; ARTISTIC INTERPRETATION.] (a) A student should be able to:

(1) know the expressive and technical elements of an art form; and

(2) perform or present in each art form, including using principles and elements of the art form and creating original works in a variety of contexts.

(b) A student should be able to interpret and evaluate a variety of art works, performances, or presentations by analyzing art works using the elements, principles, and styles of the art form and evaluating works of art.

Sec. 31. [120B.0239] [PREPARATORY CONTENT STANDARDS IN LEARNING AREA SEVEN; PERSONAL FITNESS AND HEALTH.]

(a) A student should be able to demonstrate a grade level understanding of activities that promote personal fitness, health, nutrition, and safety.

(b) A student should be able to demonstrate a grade level understanding of:

(1) the consequences of using drugs, alcohol, and tobacco;

(2) the strategies to prevent the spread of communicable diseases;

(3) the strategies for preventing accidents; and

(4) age-appropriate nutritional recommendations.

(c) A student should be able to demonstrate a grade level understanding of motor skills and physical fitness and participate in physical activities that develop motor skills and physical fitness.

Sec. 32. [120B.0240] [PREPARATORY COURSES IN LEARNING AREA EIGHT; SECOND LANGUAGES.]

A student should be able to demonstrate the ability to communicate in another language on age-appropriate topics, including knowing and understanding language features needed for communication.

Sec. 33. [120B.36] [ASSESSMENT OF PERFORMANCE IN PUBLIC SCHOOLS.]

(a) Public schools shall annually assess the performance of every child enrolled in public school using a nationally norm-referenced standardized achievement examination. The local school board annually shall select the examination for each grade level. The board must notify the parent or guardian of every child of the name and date of the test at least 14 calendar days before the test is given. Parents who object to the test must notify the school of their objection in writing and name an alternative nationally norm-referenced standardized achievement examination for their child to take. The school must give the child the alternative examination within a reasonable period of time of when the test selected by the board is given. School officials shall place children's test results in their education records.

(b) Each local school board shall establish a written policy indicating what assistance the school district will make available to children and their parents when a child's total battery score on an achievement examination is at or below the 30th percentile.

(c) No state or local unit of government may enter into an exclusive agreement with a testing company to provide only a single form of an examination to the state or a local school district.

Sec. 34. 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~~ North Star standard. The rules adopted under this paragraph apply to teachers who renew their licenses in year 2001 and later.

(1) 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.

Sec. 35. 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;
- (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 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~~ the state's North Star Standard of genuine academic excellence;
 - (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. 36. Minnesota Statutes 1999 Supplement, section 290.0674, subdivision 1, is amended to read:

Subdivision 1. [CREDIT ALLOWED.] An individual is allowed a credit against the tax imposed by this chapter in an amount equal to the amount paid for education-related expenses for a qualifying child in kindergarten through grade 12. For purposes of this section, "education-related expenses" means:

- (1) fees or tuition for instruction by an instructor under section 120A.22, subdivision 10, clause (1), (2), (3), (4), or (5), or by a member of the Minnesota music teachers association, for instruction outside the regular school day or school year, including tutoring, driver's education offered as part of school curriculum, regardless of whether it is taken from a public or private entity or summer camps, in grade or age appropriate curricula that supplement curricula and instruction available during the regular school year, that assists a dependent to improve knowledge of core curriculum areas or to expand knowledge and skills under the ~~graduation rule~~ North Star Standard under section 120B.02 and that do not include the teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such tenets, doctrines, or worship;
- (2) expenses for textbooks, including books and other instructional materials and equipment used in elementary and secondary schools in teaching only those subjects legally and commonly taught in public elementary and secondary schools in this state. "Textbooks" does not include instructional books and materials used in the teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such tenets, doctrines, or worship, nor does it include books or materials for extracurricular activities including sporting events, musical or dramatic events, speech activities, driver's education, or similar programs;
- (3) a maximum expense of \$200 per family for personal computer hardware, excluding single purpose processors, and educational software that assists a dependent to improve knowledge of core curriculum areas or to expand knowledge and skills under the ~~graduation rule~~ North Star Standard under section 120B.02 purchased for use in the taxpayer's home and not used in a trade or business regardless of whether the computer is required by the dependent's school; and
- (4) the amount paid to others for transportation of a qualifying child attending an elementary or secondary school situated in Minnesota, North Dakota, South Dakota, Iowa, or Wisconsin, wherein a resident of this state may legally fulfill the state's compulsory attendance laws, which is not operated for profit, and which adheres to the provisions of the Civil Rights Act of 1964 and chapter 363.

For purposes of this section, "qualifying child" has the meaning given in section 32(c)(3) of the Internal Revenue Code.

Sec. 37. [REPEALER.]

(a) Minnesota Statutes 1998, section 120B.03, subdivision 1, is repealed.

(b) Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; and 3501.0469, are repealed.

Sec. 38. [EFFECTIVE DATE.]

Sections 1 to 37 are effective for the 2000-2001 school year and following."

Renumber subsequent articles

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Reuter; Holberg; Kubly; Buesgens; Wilkin; Kielkucki; Workman; Rifenberg; Davids; Gerlach; Finseth; Vandever; Erickson; Larsen, P.; Olson; Osskopp; Hasskamp and Clark, J., moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 28, after line 19, insert:

"Section 1. [121A.24] [RESTRICTION ON DISTRIBUTION OF CONTRACEPTIVES.]

A public school may not distribute or allow to be distributed on school property contraceptives or a voucher or prescription for contraceptives to a student without the written permission of a minor student's parent or guardian."

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 Reuter et al amendment and the roll was called. There were 102 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Bradley	Cassell	Dehler	Erhardt
Abrams	Biernat	Broecker	Chaudhary	Dempsey	Erickson
Anderson, B.	Bishop	Buesgens	Clark, J.	Dorman	Finseth
Anderson, I.	Boudreau	Carlson	Daggett	Dorn	Fuller

Gerlach	Johnson	Leppik	Nornes	Rifenberg	Sykora
Gleason	Juhnke	Lieder	Olson	Rostberg	Tingelstad
Goodno	Kalis	Lindner	Opatz	Schumacher	Tuma
Greiling	Kielkucki	Luther	Osskopp	Seagren	Van Dellen
Gunther	Knoblach	Mares	Ozment	Seifert, J.	Vandever
Haake	Koskinen	Marko	Paulsen	Seifert, M.	Wagenius
Haas	Krinkie	McElroy	Pawlenty	Skoe	Wenzel
Hackbarth	Kubly	McGuire	Pelowski	Smith	Westerberg
Harder	Kuisle	Milbert	Peterson	Solberg	Westfall
Hasskamp	Larsen, P.	Molnau	Pugh	Stanek	Westrom
Holsten	Larson, D.	Mulder	Rest	Stang	Wilkin
Howes	Leighton	Murphy	Reuter	Storm	Workman
Jennings	Lenczewski	Ness	Rhodes	Swenson	Spk. Sviggum

Those who voted in the negative were:

Dawkins	Hausman	Kelliher	Orfield	Skoglund	Wejcman
Folliard	Huntley	Mahoney	Osthoff	Swapinski	Wolf
Gray	Jaros	Mariani	Paymar	Tomassoni	
Greenfield	Kahn	Mullery	Rukavina	Trimble	

The motion prevailed and the amendment was adopted.

Schumacher moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 58, line 31, strike "12" and insert "10"

Page 58, after line 36, insert:

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

Subd. 5. [EQUALIZED DEBT SERVICE LEVY.] To obtain debt service equalization revenue, a district must levy an amount not to exceed the district's 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) ~~\$4,000~~ \$6,000."

Page 60, line 10, delete "\$37,134,000" and insert "\$61,741,000"

Page 60, line 10, delete "\$38,940,000" and insert "\$66,281,000"

Page 60, line 16, delete "\$34,230,000" and insert "\$58,837,000"

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 Schumacher amendment and the roll was called. There were 61 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Fuller	Johnson	Mahoney	Paymar	Tomassoni
Anderson, I.	Gleason	Juhnke	Mariani	Pelowski	Trimble
Bakk	Gray	Kalis	Marko	Peterson	Vandevier
Biernat	Greiling	Kelliher	McGuire	Pugh	Wagenius
Carlson	Hasskamp	Koskinen	Milbert	Rest	Wejman
Carruthers	Hausman	Kubly	Mullery	Rukavina	Wenzel
Chaudhary	Hilty	Larson, D.	Murphy	Schumacher	
Dawkins	Howes	Leighton	Olson	Skoe	
Dorn	Huntley	Lenczewski	Opatz	Skoglund	
Entenza	Jaros	Lieder	Orfield	Solberg	
Folliard	Jennings	Luther	Osthoff	Swapinski	

Those who voted in the negative were:

Abeler	Dempsey	Harder	McElroy	Rifenberg	Tingelstad
Abrams	Dorman	Holberg	Molnau	Rostberg	Tuma
Bishop	Erhardt	Holsten	Mulder	Seagren	Van Dellen
Boudreau	Erickson	Kielkucki	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Knoblach	Nornes	Seifert, M.	Westfall
Broecker	Gerlach	Krinkie	Osskopp	Smith	Westrom
Buesgens	Goodno	Kuisle	Ozment	Stanek	Wilkin
Cassell	Gunther	Larsen, P.	Paulsen	Stang	Wolf
Clark, J.	Haake	Leppik	Pawlenty	Storm	Workman
Daggett	Haas	Lindner	Reuter	Swenson	Spk. Sviggum
Dehler	Hackbarth	Mares	Rhodes	Sykora	

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

Rest was excused for the remainder of today's session.

Dorn moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 101, after line 31, insert:

"Subd. 4. [MINNESOTA TALENTED YOUTH MATH PROJECT.] For a grant to the South Central Service Cooperative for the Minnesota talented youth math project program operated by the South Central Service Cooperative and as fiscal agent for the talented youth math project programs established and operated by the Northwest Service Cooperative, Northeast Service Cooperative, North Central Service Cooperative, and Southwest/West Central Service Cooperative.

\$175,000

2001"

Page 109, line 20, delete "\$29,785,000" and insert "\$29,610,000"

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 Dorn amendment and the roll was called. There were 62 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gray	Johnson	Mahoney	Paymar	Swenson
Bakk	Greenfield	Juhnke	Mariani	Pelowski	Tomassoni
Biernat	Greiling	Kalis	Marko	Peterson	Trimble
Carlson	Gunther	Kelliher	McGuire	Pugh	Tuma
Carruthers	Harder	Koskinen	Milbert	Rukavina	Wagenius
Chaudhary	Hasskamp	Kubly	Mullery	Schumacher	Wejcmian
Dawkins	Hausman	Larson, D.	Murphy	Skoe	Wenzel
Dorn	Hilty	Leighton	Ness	Skoglund	
Entenza	Huntley	Lenczewski	Opatz	Solberg	
Folliard	Jaros	Lieder	Orfield	Storm	
Gleason	Jennings	Luther	Osthoff	Swapinski	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rifenberg	Vandevveer
Abrams	Dempsey	Holberg	McElroy	Rostberg	Westerberg
Anderson, B.	Dorman	Holsten	Molnau	Seagren	Westfall
Bishop	Erhardt	Howes	Mulder	Seifert, J.	Westrom
Boudreau	Erickson	Kielkucki	Nornes	Seifert, M.	Wilkin
Bradley	Finseth	Knoblach	Olson	Smith	Wolf
Broecker	Fuller	Krinkie	Ozment	Stanek	Workman
Buesgens	Gerlach	Kuile	Paulsen	Stang	Spk. Sviggum
Cassell	Goodno	Larsen, P.	Pawlenty	Sykora	
Clark, J.	Haake	Leppik	Reuter	Tingelstad	
Daggett	Haas	Lindner	Rhodes	Van Dellen	

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

The Speaker called Abrams to the Chair.

Leighton moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 77, after line 31, insert:

"Sec. 36. [DEBT SERVICE EQUALIZATION.]

For the purpose of calculating debt service equalization, annual donations for capital improvements received by independent school districts from a foundation, must be considered as part of the percentage that is required to be raised locally under Minnesota Statutes, section 123B.53."

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 Leighton amendment and the roll was called. There were 61 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Johnson	Luther	Osthoff	Tomassoni
Bakk	Gleason	Juhnke	Mahoney	Paymar	Trimble
Biernat	Gray	Kahn	Mariani	Pelowski	Vandever
Carlson	Greenfield	Kalis	Marko	Peterson	Wagenius
Carruthers	Greiling	Kelliher	McGuire	Pugh	Wejman
Chaudhary	Hasskamp	Koskinen	Milbert	Rukavina	Wenzel
Dawkins	Hausman	Kubly	Mullery	Schumacher	
Dempsey	Hilty	Larson, D.	Murphy	Skoe	
Dorman	Huntley	Leighton	Ness	Skoglund	
Dorn	Jaros	Lenczewski	Opatz	Solberg	
Entenza	Jennings	Lieder	Orfield	Swapinski	

Those who voted in the negative were:

Abeler	Dehler	Harder	Mares	Rhodes	Sykora
Abrams	Erhardt	Holberg	McElroy	Rifenberg	Tingelstad
Anderson, B.	Erickson	Holsten	Molnau	Rostberg	Tuma
Bishop	Finseth	Howes	Mulder	Seagren	Van Dellen
Boudreau	Fuller	Kielkucki	Nornes	Seifert, J.	Westerberg
Bradley	Gerlach	Knoblach	Olson	Seifert, M.	Westfall
Broecker	Goodno	Krinkie	Osskopp	Smith	Westrom
Buesgens	Gunther	Kuisle	Ozment	Stanek	Wilkin
Cassell	Haake	Larsen, P.	Paulsen	Stang	Wolf
Clark, J.	Haas	Leppik	Pawlenty	Storm	Workman
Daggett	Hackbarth	Lindner	Reuter	Swenson	Spk. Sviggum

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

Pugh offered an amendment to H. F. No. 3800, the third engrossment, as amended.

POINT OF ORDER

Paulsen 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 Pugh amendment was not in order. Speaker pro tempore Abrams ruled the point of order well taken and the Pugh amendment out of order.

Pugh appealed the decision of Speaker pro tempore Abrams.

LAY ON THE TABLE

Pawlenty moved to lay the Pugh appeal of the decision of Speaker pro tempore Abrams on the table.

A roll call was requested and properly seconded.

The question was taken on the Pawlenty motion and the roll was called. There were 70 yeas and 57 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.	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	
Dehler	Hackbarth	Mares	Rhodes	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Gleason	Johnson	Lieder	Orfield	Solberg
Bakk	Gray	Juhnke	Luther	Osthoff	Swapinski
Biernat	Greenfield	Kahn	Mahoney	Paymar	Tomassoni
Carlson	Greiling	Kalis	Mariani	Pelowski	Trimble
Carruthers	Hasskamp	Kelliher	Marko	Peterson	Wagenius
Chaudhary	Hausman	Koskinen	McGuire	Pugh	Wejzman
Dawkins	Hilty	Kubly	Milbert	Rukavina	Wenzel
Dorn	Huntley	Larson, D.	Mullery	Schumacher	
Entenza	Jaros	Leighton	Murphy	Skoe	
Folliard	Jennings	Lenczewski	Opatz	Skoglund	

The motion prevailed and the appeal of the decision of Speaker pro tempore Abrams was laid on the table.

Reuter, Wilkin, Davids, Vandever, Hasskamp, Erickson, Olson and Osskopp moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 28, after line 19, insert:

"Section 1. [121A.245] [PROHIBITION AGAINST PROGRAMS ADVOCATING SEXUAL ACTIVITY BY MINORS.]

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

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 Reuter et al amendment and the roll was called. There were 110 yeas and 14 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dawkins	Greiling	Mahoney	Rukavina	Wejcmán
Gray	Jaros	Mariani	Swapinski	Wolf
Greenfield	Kahn	Osthoff	Trimble	

The motion prevailed and the amendment was adopted.

Bakk, Rukavina and Tomassoni moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 77, after line 31, insert:

"Sec. 36. [ST. LOUIS COUNTY ALTERNATIVE FACILITIES BONDING AND LEVY PROGRAM.]

(a) Independent school district No. 2142, St. Louis county, is eligible for the alternative facilities bonding and levy program under Minnesota Statutes, section 123B.59, for the purposes of financing school facilities in the district.

(b) The school district may participate in this program only after: (1) the school board adopts a resolution authorizing the project; (2) the school board has prepared and published in a newspaper of general circulation in the district a notice of the public meeting on the district's intent to sell bonds; and (3) the school 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 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 school district at a special election

held in and for the district. The date of the election, the question to be submitted, and all other necessary conduct of the election shall be fixed by the school board. The election shall be conducted and canvassed under the direction of the 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 school district is in favor of the question, the school board may thereupon proceed with the sale and issuance of the bonds.

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

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

Tomassoni moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 54, line 15, delete "2001" and insert "later"

Page 56, line 11, delete section 5 and insert:

"Sec. 5. [REPEALER.]

Laws 1999, chapter 241, article 3, section 5 is repealed the day following enactment."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Tomassoni amendment and the roll was called. There were 63 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeler	Gleason	Johnson	Luther	Paymar	Swapinski
Anderson, I.	Gray	Juhnke	Mahoney	Pelowski	Tomassoni
Bakk	Greenfield	Kahn	Mariani	Peterson	Trimble
Biernat	Greiling	Kalis	Marko	Pugh	Vandever
Carlson	Haake	Kelliher	McGuire	Rukavina	Wagenius
Carruthers	Hasskamp	Koskinen	Milbert	Schumacher	Wejcman
Chaudhary	Hausman	Kubly	Mullery	Seifert, J.	Wenzel
Dawkins	Hilty	Larson, D.	Murphy	Skoe	Westerberg
Dorn	Huntley	Leighton	Ness	Skoglund	
Entenza	Jaros	Lenczewski	Opatz	Solberg	
Folliard	Jennings	Lieder	Orfield	Storm	

Those who voted in the negative were:

Abrams	Broecker	Dehler	Finseth	Haas	Howes
Anderson, B.	Buesgens	Dempsey	Fuller	Hackbarth	Kielkucki
Bishop	Cassell	Dorman	Gerlach	Harder	Knoblach
Boudreau	Clark, J.	Erhardt	Goodno	Holberg	Krinkie
Bradley	Daggett	Erickson	Gunther	Holsten	Kuisle

Larsen, P.	Mulder	Pawlenty	Seifert, M.	Tingelstad	Wolf
Leppik	Nornes	Reuter	Smith	Tuma	Workman
Lindner	Olson	Rhodes	Stanek	Van Dellen	Spk. Sviggum
Mares	Osskopp	Rifenberg	Stang	Westfall	
McElroy	Ozment	Rostberg	Swenson	Westrom	
Molnau	Paulsen	Seagren	Sykora	Wilkin	

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

The Speaker resumed the Chair.

Mulder moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 49, after line 8, insert:

"Sec. 2. Minnesota Statutes 1999 Supplement, section 125A.15, is amended to read:

125A.15 [PLACEMENT IN ANOTHER DISTRICT; RESPONSIBILITY.]

The responsibility for special instruction and services for a child with a disability temporarily placed in another district for care and treatment shall be determined in the following manner:

(a) The district of residence of a child shall be the district in which the child's parent resides, if living, or the child's guardian, or the district designated by the commissioner if neither parent nor guardian is living within the state.

(b) When a child is temporarily placed for care and treatment in a day program located in another district and the child continues to live within the district of residence during the care and treatment, the district of residence is responsible for providing transportation to and from the care and treatment facility and an appropriate educational program for the child. Transportation shall only be provided by the district during regular operating hours of the district. The district may provide the educational program at a school within the district of residence, at the child's residence, or in the district in which the day treatment center is located by paying tuition to that district.

(c) When a child is temporarily placed in a residential program for care and treatment, the nonresident district in which the child is placed is responsible for providing an appropriate educational program for the child and necessary transportation while the child is attending the educational program; and must bill the district of the child's residence for the actual cost of providing the program, as outlined in section 125A.11, except as provided in paragraph (d). However, the board, lodging, and treatment costs incurred in behalf of a child with a disability placed outside of the school district of residence by the commissioner of human services or the commissioner of corrections or their agents, for reasons other than providing for the child's special educational needs must not become the responsibility of either the district providing the instruction or the district of the child's residence. For the purposes of this section, the state correctional facilities operated on a fee-for-service basis are considered to be residential programs for care and treatment.

(d) A privately owned and operated residential facility may enter into a contract to obtain appropriate educational programs for special education children and services with a joint powers entity. The entity with which the private facility contracts for special education services shall be the district responsible for providing students placed in that facility an appropriate educational program in place of the district in which the facility is located. If a privately owned and operated residential facility does not enter into a contract under this paragraph, then paragraph (c) applies.

(e) The district of residence shall pay tuition and other program costs, not including transportation costs, to the district providing the instruction and services. The district of residence may claim general education aid for the child as provided by law. Transportation costs must be paid by the district responsible for providing the transportation and the state must pay transportation aid to that district."

Page 53, after line 16, insert:

"Sec. 11. [EFFECT.]

If the department of children, families, and learning; the state attorney general; or the federal government determines that Minnesota Statutes, section 125A.15, paragraph (d), violates state or federal special education law, then Minnesota Statutes, section 125A.15, paragraph (d), is not effective."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Mullery, Seagren and Carlson moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 99, after line 23, insert:

"Sec. 25. Minnesota Statutes 1999 Supplement, section 260C.143, subdivision 4, is amended to read:

Subd. 4. [TRUANT.] When a peace officer or probation officer has probable cause to believe that a child is ~~currently under age 16~~ and absent from school without lawful excuse, consistent with section 120A.22, subdivisions 5 and 8, the officer may:

- (1) transport the child to the child's home and deliver the child to the custody of the child's parent or guardian;
- (2) transport the child to the child's school of enrollment and deliver the child to the custody of a school superintendent or teacher ~~or~~;
- (3) transport the child to a truancy service center under section 260A.04, subdivision 3; or
- (4) transport the child from the child's home to the child's school of enrollment or to a truancy service center."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Gerlach moved to amend the Mullery et al amendment to H. F. No. 3800, the third engrossment, as amended, as follows:

Page 1, line 15, reinstate the stricken "or"

Page 1, line 17, delete "; or"

Page 1, delete line 18

Page 1, line 19, delete everything before the period

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 58 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeler	Erickson	Hasskamp	Mares	Rifenberg	Tingelstad
Abrams	Finseth	Holberg	McElroy	Rostberg	Van Dellen
Anderson, B.	Fuller	Holsten	Mulder	Seifert, J.	Vandever
Boudreau	Gerlach	Howes	Ness	Seifert, M.	Westerberg
Broecker	Goodno	Kielkucki	Nornes	Smith	Westfall
Cassell	Gunther	Knoblach	Olson	Stanek	Westrom
Clark, J.	Haake	Krinkie	Paulsen	Stang	Workman
Daggett	Haas	Kuisle	Pawlenty	Storm	Spk. Sviggum
Dehler	Hackbarth	Larsen, P.	Reuter	Swenson	
Dempsey	Harder	Lindner	Rhodes	Sykora	

Those who voted in the negative were:

Anderson, I.	Entenza	Johnson	Mahoney	Ozment	Tomassoni
Bakk	Erhardt	Juhnke	Mariani	Paymar	Trimble
Biernat	Folliard	Kalis	Marko	Pelowski	Tuma
Bishop	Gleason	Kelliher	McGuire	Peterson	Wagenius
Bradley	Gray	Koskinen	Milbert	Pugh	Wejcman
Buesgens	Greenfield	Kubly	Molnau	Rukavina	Wenzel
Carlson	Greiling	Larson, D.	Mullery	Schumacher	Wilkin
Carruthers	Hausman	Leighton	Murphy	Seagren	Wolf
Chaudhary	Hilty	Lenczewski	Opatz	Skoe	
Dawkins	Huntley	Leppik	Orfield	Skoglund	
Dorman	Jaros	Lieder	Osskopp	Solberg	
Dorn	Jennings	Luther	Osthoff	Swapinski	

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

The question recurred on the Mullery et al amendment to H. F. No. 3800, the third engrossment, as amended. The motion prevailed and the amendment was adopted.

Dorn moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 90, line 34, before the period, insert "except that an applicant may appeal the decision of a school board only if at least two members of the school board vote affirmatively to sponsor the charter school"

A roll call was requested and properly seconded.

The question was taken on the Dorn amendment and the roll was called. There were 51 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeler	Entenza	Juhnke	Lieder	Paymar	Storm
Anderson, I.	Gleason	Kahn	Luther	Pelowski	Swapinski
Bakk	Greenfield	Kalis	Mahoney	Peterson	Tomassoni
Biernat	Hausman	Kelliher	Marko	Pugh	Trimble
Carlson	Hilty	Koskinen	Milbert	Rukavina	Wagenius
Carruthers	Huntley	Kubly	Mullery	Schumacher	Wejzman
Chaudhary	Jaros	Larson, D.	Murphy	Skoe	
Dawkins	Jennings	Leighton	Opatz	Skoglund	
Dorn	Johnson	Lenczewski	Orfield	Solberg	

Those who voted in the negative were:

Abrams	Dorman	Harder	Mares	Reuter	Tingelstad
Anderson, B.	Erhardt	Hasskamp	Mariani	Rhodes	Tuma
Bishop	Erickson	Holberg	McElroy	Rifenberg	Van Dellen
Boudreau	Finseth	Holsten	Molnau	Rostberg	Vandever
Bradley	Folliard	Howes	Mulder	Seagren	Wenzel
Broecker	Fuller	Kielkucki	Ness	Seifert, J.	Westerberg
Buesgens	Gerlach	Knoblach	Nornes	Seifert, M.	Westfall
Cassell	Goodno	Krinkie	Olson	Smith	Westrom
Clark, J.	Gunther	Kuisele	Osskopp	Stank	Wilkin
Daggett	Haake	Larsen, P.	Ozment	Stang	Wolf
Dehler	Haas	Leppik	Paulsen	Swenson	Workman
Dempsey	Hackbarth	Lindner	Pawlenty	Sykora	Spk. Sviggum

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

Olson, Broecker, Holberg, Gunther and Reuter moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 98, after line 26, insert:

"Sec. 23. [124D.495] [INFORMED CONSENT FOR STUDENT PARTICIPATION IN EMPLOYMENT-RELATED PROGRAMS.]

No minor student may participate in work-based learning, service learning, career and technical, transitional, or apprenticeship programs without the informed written consent of the parent or guardian. Informed consent shall include information on applicable state and federal employment and safety-related laws.

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

Page 101, after line 12, insert:

"Sec. 30. [REPEALER.]

Minnesota Statutes 1998, sections 120B.04 and 124D.46, subdivision 1, are repealed.

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

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 et al amendment and the roll was called. There were 56 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeler	Finseth	Holberg	Olson	Seifert, M.	Westerberg
Abrams	Fuller	Holsten	Osskopp	Smith	Westfall
Anderson, B.	Gerlach	Kielkucki	Ozment	Stanek	Wilkin
Broecker	Goodno	Knoblach	Paulsen	Storm	Wolf
Buesgens	Gunther	Krinkie	Pawlenty	Swenson	Workman
Clark, J.	Haake	Kubly	Peterson	Sykora	Spk. Sviggum
Daggett	Haas	Larsen, P.	Reuter	Tuma	
Dehler	Hackbarth	Lindner	Rhodes	Van Dellen	
Dempsey	Harder	Molnau	Rifenberg	Vandever	
Erickson	Hasskamp	Mulder	Seifert, J.	Wenzel	

Those who voted in the negative were:

Anderson, I.	Dorn	Jaros	Leppik	Nornes	Solberg
Bakk	Entenza	Jennings	Lieder	Opatz	Stang
Biernat	Erhardt	Johnson	Luther	Orfield	Swapinski
Bishop	Folliard	Juhnke	Mahoney	Osthoff	Tingelstad
Boudreau	Gleason	Kahn	Mares	Paymar	Tomassoni
Bradley	Gray	Kalis	Mariani	Pelowski	Trimble
Carlson	Greenfield	Kelliher	Marko	Pugh	Wagenius
Carruthers	Greiling	Koskinen	McElroy	Rostberg	Wejzman
Cassell	Hausman	Kuisle	McGuire	Rukavina	Westrom
Chaudhary	Hilty	Larson, D.	Milbert	Schumacher	
Dawkins	Howes	Leighton	Murphy	Skoe	
Dorman	Huntley	Lenczewski	Ness	Skoglund	

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

Krinkie moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 125, line 32, delete "2003" and insert "2001"

The motion prevailed and the amendment was adopted.

Tomassoni moved to amend H. F. No. 3800, the third engrossment, as amended, as follows:

Page 48, line 5, before the comma, insert "; Minnesota Statutes 1999 Supplement, section 126C.23"

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 Tomassoni amendment and the roll was called. There were 61 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Kahn	Mahoney	Paymar	Swenson
Bakk	Fuller	Kalis	Mariani	Pelowski	Tomassoni
Biernat	Gleason	Kelliher	Marko	Peterson	Trimble
Boudreau	Gray	Koskinen	Milbert	Pugh	Wagenius
Buesgens	Greenfield	Kubly	Mullery	Rukavina	Wejzman
Carlson	Hausman	Larson, D.	Murphy	Schumacher	Wenzel
Carruthers	Hilty	Leighton	Ness	Skoe	
Cassell	Huntley	Lenczewski	Nornes	Skoglund	
Chaudhary	Jaros	Lieder	Opatz	Solberg	
Dawkins	Jennings	Lindner	Orfield	Storm	
Dorn	Juhnke	Luther	Osskopp	Swapinski	

Those who voted in the negative were:

Abeler	Erhardt	Harder	Leppik	Reuter	Tingelstad
Abrams	Erickson	Hasskamp	Mares	Rhodes	Tuma
Anderson, B.	Finseth	Holberg	McElroy	Rifenberg	Van Dellen
Bishop	Folliard	Holsten	McGuire	Rostberg	Vandever
Bradley	Gerlach	Howes	Molnau	Seagren	Westerberg
Broecker	Goodno	Johnson	Mulder	Seifert, J.	Westfall
Clark, J.	Greiling	Kielkucki	Olson	Seifert, M.	Westrom
Daggett	Gunther	Knoblach	Osthoff	Smith	Wilkin
Dehler	Haake	Krinkie	Ozment	Stanek	Wolf
Dempsey	Haas	Kuise	Paulsen	Stang	Workman
Dorman	Hackbarth	Larsen, P.	Pawlenty	Sykora	Spk. Sviggum

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

CALL OF THE HOUSE

On the motion of Holberg and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Bradley	Chaudhary	Dorn	Fuller	Greiling
Anderson, B.	Broecker	Clark, J.	Entenza	Gerlach	Gunther
Anderson, I.	Buesgens	Daggett	Erhardt	Gleason	Haake
Bakk	Carlson	Dawkins	Erickson	Goodno	Haas
Biernat	Carruthers	Dehler	Finseth	Gray	Hackbarth
Boudreau	Cassell	Dempsey	Folliard	Greenfield	Harder

Hasskamp	Knoblach	Mares	Osskopp	Seagren	Trimble
Hausman	Koskinen	Mariani	Osthoff	Seifert, J.	Tuma
Hilty	Krinkie	Marko	Ozment	Seifert, M.	Van Dellen
Holberg	Kubly	McGuire	Paulsen	Skoe	Vandever
Holsten	Kuisle	Milbert	Pawlenty	Skoglund	Wagenius
Howes	Larsen, P.	Molnau	Paymar	Smith	Wejman
Huntley	Larson, D.	Mulder	Pelowski	Stanek	Wenzel
Jaros	Leighton	Mullery	Peterson	Stang	Westerberg
Johnson	Lenczewski	Murphy	Pugh	Storm	Westfall
Juhnke	Leppik	Ness	Reuter	Swapinski	Westrom
Kahn	Lieder	Nornes	Rhodes	Swenson	Wilkin
Kalis	Lindner	Olson	Rifenberg	Sykora	Wolf
Kelliher	Luther	Opatz	Rostberg	Tingelstad	Spk. Sviggum
Kielkucki	Mahoney	Orfield	Schumacher	Tomassoni	

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.

H. F. No. 3800, A bill for an act relating to education; providing for family and early childhood education; making changes to adult basic education programs; modifying child care licensing and inservice training requirements; transferring energy assistance programs; changing eligibility for individual development accounts; changing requirements for child care assistance; providing for kindergarten through grade 12 general education, special programs, employment and transitions, facilities and technology, educational excellence and other policy, nutrition, fund transfers, libraries, and technical, conforming, and clarifying amendments; providing for higher education; modifying salary and compensation procedures for the chancellor and other personnel of the Minnesota state colleges and universities; requiring board of regents and board of trustees to maintain certain data to be eligible for capital funding; modifying and making technical changes for state designer selection board, student residency, and child care grant provisions; increasing aggregate principal amount of revenue bonds issued by board of trustees; requiring a study and report; modifying state graduation requirements; providing for the North Star Standard alternative to the profile of learning; requiring board of trustees to plan and coordinate programs with certain intermediate school districts and to provide relief to campuses experiencing increased health care costs; transferring certain programs from the higher education services office to the department of children, families, and learning; appropriating money to Minnesota state colleges and universities to fund increased enrollment; appropriating money; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; 16B.33, subdivisions 2 and 3a; 120A.22, subdivision 3; 120A.41; 120B.03, subdivisions 1 and 3; 121A.61, subdivision 3; 122A.18, subdivision 2; 122A.31, subdivision 4; 123A.06, by adding a subdivision; 123A.485, subdivision 4; 123B.02, by adding a subdivision; 123B.51, subdivision 6; 123B.52, by adding a subdivision; 123B.53, by adding subdivisions; 123B.59, subdivision 6, and by adding subdivisions; 123B.71, subdivisions 3 and 10; 123B.75, subdivision 5; 123B.79, subdivision 7; 123B.85, subdivision 1; 123B.86, subdivision 1; 123B.88, subdivision 3; 124D.081, subdivision 6; 124D.111, subdivision 1; 124D.128, subdivision 4; 124D.44; 124D.454, subdivisions 2 and 10; 124D.52, subdivisions 1, 2, 3, and by adding subdivisions; 124D.86, subdivision 6, and by adding subdivisions; 125A.76, subdivision 7; 126C.10, by adding a subdivision; 126C.12, subdivision 2; 126C.40, subdivision 1, and by adding a subdivision; 126C.69, subdivision 3; 127A.05, subdivision 4; 127A.41, subdivisions 8 and 9; 127A.48, subdivision 1; 135A.031, subdivision 2; 136A.125, by adding a subdivision; 136D.281, subdivision 4; 136D.741, subdivision 4; 136D.88, subdivision 4; 136F.40; 136F.98, subdivision 1; 245A.14, subdivision 4, and by adding subdivisions; 471.15; and 475.53, subdivision 4; Minnesota Statutes 1999 Supplement, sections 119B.011, subdivision 20; 120B.02; 120B.30, subdivision 1; 122A.09, subdivision 4; 123B.53, subdivisions 4, 6, and by adding subdivisions; 123B.54; 123B.59, subdivision 6, and by adding subdivisions; 124D.10, subdivisions 3, 4, 6, 8, 10, 11, 14, 15, and 23; 124D.11, subdivisions 1, 4, and 6; 124D.1155, subdivision 2; 124D.128, subdivision 2; 124D.453, subdivision 3; 124D.53, subdivision 3; 124D.84, subdivision 1; 124D.86, subdivisions 1 and 3; 124D.87; 125A.023, subdivisions 3 and 5; 125A.08; 125A.15; 125A.76, subdivision 2; 125A.79, subdivision 8; 125A.80; 125B.21, subdivision 3; 126C.052; 126C.10, subdivisions 1, 2, 14, 23, 24, 25, and 26; 126C.12, subdivision 1; 126C.17, subdivision 9; 126C.40, subdivision 6; 126C.44; 126C.63, subdivision 8; 126C.69, subdivision 9; 127A.45, subdivision 12a;

127A.51; 181A.04, subdivision 6; 260C.143, subdivision 4; and 290.0674, subdivision 1; Laws 1997, First Special Session chapter 4, article 8, section 4, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10, subdivision 1, as amended; 11, subdivision 2, as amended; Laws 1999, chapter 205, article 1, sections 65; 71, subdivisions 3, 7, and 9; article 2, section 4, subdivisions 2, 3, and 4; article 3, section 5, subdivision 9; article 4, section 12, subdivisions 5, 6, and 7; chapter 241, article 1, sections 66; 68, subdivisions 4 and 5; 69; and 70; article 2, section 60, subdivisions 7, 9, 12, 13, 14, 17, and 19; article 3, sections 3, subdivisions 2 and 4; 5; article 4, sections 27, subdivisions 2, 3, 4, 5, 7, 10, and 11; and 29; article 5, section 18, subdivisions 5 and 6; article 6, section 14, subdivisions 2, 3, 4, and 5; article 8, section 4, subdivision 5; article 9, section 49; article 10, section 6; proposing coding for new law in Minnesota Statutes, chapters 16A; 120B; 121A; 122A; 123B; 124D; 125B; 134; repealing Minnesota Statutes 1998, sections 120B.03, subdivision 2; 120B.04; 123B.59, subdivision 7; 124D.453; 124D.53; 126C.30; 126C.31; 126C.32; 126C.33; 126C.34; 126C.35; 126C.36; 136D.281, subdivision 8; 136D.741, subdivision 8; and 136D.88, subdivision 8; Laws 1998, First Special Session chapter 1, article 1, section 10, subdivision 2, as amended; Laws 1999, chapters 216, article 4, section 12; 241, article 1, section 64; article 9, sections 35 and 36; article 10, section 5; and 245, article 4, section 3; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320, subpart 2, items E and F; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430, items A to D; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; 3501.0469; 3535.9920; and 4830.9005 to 4830.9030.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

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

There were 78 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hasskamp	Lindner	Peterson	Sykora
Abrams	Dorn	Holberg	Mares	Rhodes	Tingelstad
Anderson, B.	Erhardt	Holsten	McElroy	Rifenberg	Tuma
Bishop	Erickson	Howes	Molnau	Rostberg	Van Dellen
Boudreau	Finseth	Kalis	Mulder	Seagren	Vanderveer
Bradley	Fuller	Kielkucki	Ness	Seifert, J.	Wenzel
Broecker	Gerlach	Knoblach	Nornes	Seifert, M.	Westerberg
Buesgens	Goodno	Krinkie	Opatz	Skoe	Westfall
Cassell	Gunther	Kubly	Osskopp	Smith	Westrom
Clark, J.	Haake	Kuisle	Ozment	Stanek	Wilkin
Daggett	Haas	Larsen, P.	Paulsen	Stang	Wolf
Dehler	Hackbarth	Leppik	Pawlenty	Storm	Workman
Dempsey	Harder	Lieder	Pelowski	Swenson	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Chaudhary	Gray	Huntley	Kelliher	Luther
Bakk	Dawkins	Greenfield	Jaros	Koskinen	Mahoney
Biernat	Entenza	Greiling	Johnson	Larson, D.	Mariani
Carlson	Folliard	Hausman	Juhnke	Leighton	Marko
Carruthers	Gleason	Hilty	Kahn	Lenczewski	McGuire

Milbert	Olson	Paymar	Rukavina	Solberg	Trimble
Mullery	Orfield	Pugh	Schumacher	Swapinski	Wagenius
Murphy	Osthoff	Reuter	Skoglund	Tomassoni	Wejcman

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

CALENDAR FOR THE DAY

Pawlenty moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Leppik moved that the name of Paulsen be added as an author on H. F. No. 3098. The motion prevailed.

McGuire moved that the name of Hasskamp be added as an author on H. F. No. 3180. The motion prevailed.

Van Dellen moved that the name of Chaudhary be added as an author on H. F. No. 3384. The motion prevailed.

Haas moved that the names of Paulsen and Holberg be added as authors on H. F. No. 3923. The motion prevailed.

Vandevier moved that the name of Paulsen be added as an author on H. F. No. 3989. The motion prevailed.

Abeler moved that the name of Erickson be added as an author on H. F. No. 4109. The motion prevailed.

Hasskamp moved that H. F. No. 3105 be returned to its author. The motion prevailed.

Hasskamp moved that H. F. No. 3957 be returned to its author. The motion prevailed.

Tomassoni; Sviggum; Anderson, I.; Pugh and Solberg introduced:

House Resolution No. 19, A house resolution honoring the Minnesota Twins on the occasion of their 40th season home opener on April 3, 2000.

The resolution was referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1415:

Finseth, Holsten, Westfall, Bakk and Hausman.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1590:

Mahoney, Finseth and Osthoff.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3633:

Rhodes, Rostberg and McCollum.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 1:00 p.m., Wednesday, March 22, 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., Wednesday, March 22, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives