

STATE OF MINNESOTA

# Journal of the Senate

EIGHTIETH LEGISLATURE

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EIGHTH DAY

St. Paul, Minnesota, Monday, February 3, 1997

The Senate met at 10:00 a.m. and was called to order by the President.

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Kerry W. Carson.

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

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

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

The President declared a quorum present.

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

## MEMBERS EXCUSED

Messrs. Cohen and Frederickson were excused from the Session of today.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

January 8, 1997

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

**MINNESOTA POLLUTION CONTROL AGENCY**

Bonita Nelson, 5002 Otsego, Duluth, St. Louis County, effective January 12, 1997, for a term expiring on the first Monday in January, 2001.

Daniel Foley, M.D., 1581 Tamberwood Tr., Woodbury, Washington County, effective January 12, 1997, for a term expiring on the first Monday in January, 2001.

(Referred to the Committee on Environment and Natural Resources.)

January 17, 1997

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

**MINNESOTA HOUSING FINANCE AGENCY**

Peter Bernier, H.C. 2, Box 183, Squaw Lake, Itasca County, effective January 21, 1997, for a term expiring on the first Monday in January, 2001.

(Referred to the Committee on Jobs, Energy and Community Development.)

Warmest regards,  
Arne H. Carlson, Governor

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 30, 1997

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 1:** A bill for an act relating to education; repealing the K-12 education appropriations caps; appropriating money; amending Minnesota Statutes 1996, sections 124.17, subdivision 1; and 124A.22, subdivision 2; repealing Laws 1995, First Special Session chapter 3, article 14, section 5, as amended.

Mr. Moe, R.D. moved that H.F. No. 1 be laid on the table. The motion prevailed.

**REPORTS OF COMMITTEES**

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment. The motion prevailed.

**Mr. Marty from the Committee on Election Laws, to which was referred**

**S.F. No. 45:** A bill for an act relating to ethics in government; clarifying and simplifying the law related to lobbyist registration, conflicts of interest, and campaign finance; eliminating invalid provisions; amending Minnesota Statutes 1996, sections 10A.01; 10A.02; 10A.03; 10A.04; 10A.05; 10A.065, subdivisions 1 and 3; 10A.08; 10A.09; 10A.10; 10A.11; 10A.12; 10A.13; 10A.14; 10A.15; 10A.17; 10A.18; 10A.19; 10A.20; 10A.21, subdivision 3; 10A.22; 10A.23; 10A.24; 10A.241; 10A.25; 10A.255, subdivision 1; 10A.265; 10A.27; 10A.275, subdivision 1; 10A.28; 10A.29; 10A.30, subdivision 1; 10A.31; 10A.315; 10A.321; 10A.322; 10A.323; 10A.324, subdivisions 1 and 3; 10A.34; and 290.06, subdivision 23; Laws 1996, chapter 419, section 10; repealing Minnesota Statutes 1996, sections 10A.065, subdivision 5; 10A.255, subdivision 2; 10A.275, subdivisions 2 and 3; 10A.324, subdivisions 2 and 4; 10A.325; 10A.335; 10A.40; 10A.41; 10A.42; 10A.43; 10A.44; 10A.45; 10A.46; 10A.47; 10A.48; 10A.49; 10A.50; and 10A.51.

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

Page 2, line 16, strike "to"

Page 2, line 17, strike "office"

Page 4, line 25, delete "section"

Page 4, line 26, reinstate the stricken language and delete the new language

Page 5, delete lines 18 to 36

Page 6, delete lines 1 to 35 and insert:

"Subd. 10c. [NONCAMPAIGN DISBURSEMENT.] "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, or a donation in kind received, by a political committee, political fund, or principal campaign committee for any of the following purposes:

- (a) (1) payment for accounting and legal services;
- (b) (2) return of a contribution to the source;
- (c) (3) repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) (4) return of a public subsidy;
- (e) (5) payment for food, beverages, entertainment, and facility rental for a fundraising event;
- (f) (6) services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to adjournment sine die of the legislature in the election year for the office held, and half the cost of services for a constituent by a member of the legislature or a constitutional officer in the executive branch performed from adjournment sine die to 60 days after adjournment sine die;
- (g) ~~a donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f);~~
- (h) (7) payment for food and beverages provided to campaign volunteers while they are engaged in campaign activities;

(~~h~~) (8) payment of expenses incurred by elected or appointed leaders of a legislative caucus in carrying out their leadership responsibilities;

(~~i~~) (9) payment by a principal campaign committee of the candidate's expenses for serving in public office, other than for personal uses;

(~~k~~) (10) costs of child care for the candidate's children when campaigning;

(~~l~~) (11) fees paid to attend a campaign school;

(~~m~~) (12) costs of a postelection party during the election year when a candidate's name will no longer appear on a ballot or the general election is concluded, whichever occurs first;

(~~n~~) (13) interest on loans paid by a principal campaign committee on outstanding loans;

(~~o~~) (14) filing fees;

(~~p~~) (15) post-general election thank-you notes or advertisements in the news media;

(~~q~~) (16) the cost of campaign material purchased to replace defective campaign material, if the defective material is destroyed without being used;

(~~r~~) transfers (17) contributions to a party unit as defined in section 10A.275, subdivision 3; and

(~~s~~) (18) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.

The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision."

Page 12, lines 31 to 33, reinstate the stricken language and delete the new language

Page 22, line 30, delete "A" and insert "The"

Page 24, line 19, strike "a" and insert "the"

Page 24, lines 24 and 25, strike "on behalf of a candidate's principal campaign committee,"

Page 24, strike lines 27 and 28

Page 24, line 30, after the period, insert "This prohibition does not apply to a contribution from a political committee that is a party unit not established by the party organization within a house of the legislature."

Page 33, lines 2, 6, and 7, strike "of" and insert "after"

Page 37, line 2, strike from "The" through page 37, line 4, to "is"

Page 37, line 5, strike "held" and delete the new language

Page 37, line 6, delete "January" and strike the period

Page 50, line 21, reinstate the stricken "expenditures and approved" and before the reinstated "approved" insert "permit"

Page 50, line 22, after "expenditures" insert "to be made on behalf of the candidate"

Page 51, delete lines 31 to 36

Page 52, delete lines 1 to 36

Page 53, delete lines 1 to 12

Page 56, line 35, strike "transfer or"

Page 57, lines 5, 7, and 10, delete "state or"

Page 57, line 15, reinstate the stricken language and delete the new language

Page 58, delete lines 2 to 12 and insert:

~~"Subdivision 1. [EXCEPTIONS.] Notwithstanding any other provisions of this chapter, the following expenditures by a state political party, a party unit, or two or more party units acting together, with at least one party unit being either: the state party organization or the party organization within a congressional district, county, or legislative district, shall are not be considered contributions to or expenditures on behalf of any a candidate for the purposes of section 10A.25 or 10A.27; and shall must not be allocated to any candidates pursuant to under section 10A.22, subdivision 5:"~~

Page 60, line 25, delete "designated"

Page 66, line 36, delete "and" and insert "or"

Page 70, line 27, after "their" insert "estimated"

Page 71, line 15, strike "forward a copy" and insert "notify the commissioner of revenue"

Page 71, line 16, strike "to the commissioner of revenue"

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

#### **Mr. Marty from the Committee on Election Laws, to which was referred**

**S.F. No. 72:** A bill for an act relating to elections; changing and clarifying provisions of the Minnesota election law; amending Minnesota Statutes 1996, sections 200.031; 201.061, subdivision 1; 201.071, subdivision 1; 201.081; 201.12, subdivision 2; 201.121, subdivision 1; 201.13, subdivisions 1 and 2; 201.15; 201.161; 201.171; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.08, subdivision 1; 203B.11, subdivision 1, and by adding a subdivision; 203B.12, subdivision 2, and by adding a subdivision; 203B.13, subdivisions 1 and 2; 203B.16, by adding a subdivision; 203B.19; 204B.06, by adding a subdivision; 204B.146; 204B.15; 204B.16, subdivisions 1a and 3; 204B.22, subdivision 1; 204B.23; 204B.27, by adding a subdivision; 204B.31; 204B.36, subdivision 2; 204C.08, by adding a subdivision; 204C.15, subdivision 1; 204C.31, subdivision 2; 204C.32; 204C.33, subdivision 1; 205.10, subdivision 3; 205.13, subdivision 1; 205.17, by adding a subdivision; 205A.05, subdivision 1; 205A.08, by adding a subdivision; 206.55; 206.56, subdivisions 1, 3, 5, 8, and 9; 206.57; 206.58; 206.59; 206.61, subdivisions 1, 3, and 5; 206.62; 206.64, subdivision 1; 206.66; 206.80; 206.81; 206.83; 206.84, subdivisions 3, 6, and 7; 206.86, subdivisions 1 and 2; 206.90, subdivisions 4 and 6; 207A.03, subdivision 2; 211B.14; 367.03, subdivision 1; 367.25, subdivision 1; 387.01; 388.01; and 626.846, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 201; 203B; and 204B; repealing Minnesota Statutes 1996, sections 204D.15, subdivision 2; 206.065; 206.56, subdivisions 4, 6, 10, 11, 12, 13, and 15; 206.60; 206.61, subdivisions 2, 6, 7, and 8; 206.63; 206.64, subdivision 2; 206.68; 206.685; 206.69; 206.70; 206.71; 206.72; 206.73; 206.74; 206.75; 206.76; 206.77; 206.84, subdivisions 2, 4, and 5; and 211B.11, subdivision 2.

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

Page 5, line 31, delete "prior to" and insert "before"

Page 8, line 3, delete "commissioner of corrections" and insert "state court administrator"

Page 8, line 4, delete "and" and insert "date of sentence,"

Page 8, line 5, after "sentence" insert ", and county in which the conviction occurred"

Page 8, line 6, delete "and" and insert ". The state court administrator shall also report the name, address, and date of birth of"

Pages 8 and 9, delete section 11

Page 22, line 18, delete "any" and insert "a"

Page 22, line 19, delete "or decision"

Page 22, line 22, delete "such actions" and insert "the order" and delete "shall"

Page 22, line 23, delete "last" and insert "first" and before "final" insert "next succeeding"

Page 22, line 24, delete "subsequent session of the"

Page 22, line 25, delete "the legislature" and insert "law"

Page 26, line 1, delete "prior to" and insert "before"

Page 26, line 25, delete "60" and insert "40"

Page 27, line 32, delete "60" and insert "40"

Page 42, line 35, delete "prior to" and insert "before"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "201.161;"

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

**Mr. Marty from the Committee on Election Laws, to which was referred**

**S.F. No. 73:** A bill for an act relating to elections; providing a change of address system for registered voters; amending Minnesota Statutes 1996, section 201.13, subdivision 3.

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

Page 1, line 15, delete "Minnesota" and after "residents" insert "of this state"

Page 1, line 23, delete "Minnesota" and insert "this state"

Page 2, line 1, delete "in Minnesota" and insert "within this state"

Page 2, line 3, delete the second "of" and insert "to an" and delete "Minnesota" and insert "this state"

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

**Mr. Johnson, D.J. from the Committee on Taxes,** to which was referred the following appointment as reported in the Journal for January 9, 1997:

DEPARTMENT OF REVENUE  
COMMISSIONER

James L. Girard

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 45, 72 and 73 were read the second time.

**MOTIONS AND RESOLUTIONS**

Ms. Junge moved that the name of Mr. Marty be added as a co-author to S.F. No. 6. The motion prevailed.

Ms. Ranum moved that her name be stricken as a co-author to S.F. No. 107. The motion prevailed.

Mr. Lessard moved that his name be stricken as a co-author to S.F. No. 114. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Johnson, D.E. be added as a co-author to S.F. No. 114. The motion prevailed.

Mr. Metzen moved that the name of Mr. Samuelson be added as a co-author to S.F. No. 131. The motion prevailed.

Ms. Ranum moved that the name of Ms. Junge be added as a co-author to S.F. No. 178. The motion prevailed.

Mr. Spear moved that the name of Mr. Cohen be added as a co-author to S.F. No. 215. The motion prevailed.

Mr. Murphy moved that the name of Mr. Morse be added as a co-author to S.F. No. 220. The motion prevailed.

Mr. Samuelson moved that the names of Messrs. Metzen and Solon be added as co-authors to S.F. No. 247. The motion prevailed.

Ms. Lesewski moved that the name of Mrs. Pariseau be added as a co-author to S.F. No. 265. The motion prevailed.

Mr. Kelly, R.C. moved that the names of Mr. Wiger and Ms. Pappas be added as co-authors to S.F. No. 268. The motion prevailed.

**Messrs. Dille and Johnson, D.H. introduced--**

**Senate Resolution No. 16:** A Senate resolution congratulating the members of the Minnesota Veterinary Medical Association on 100 years of service.

Referred to the Committee on Rules and Administration.

**Messrs. Moe, R.D.; Johnson, D.E.; Vickerman; Langseth and Larson introduced--**

**Senate Resolution No. 17:** A Senate resolution recognizing and honoring state, county, and local employees and officials and others involved in emergency response and snow removal for their exemplary performance during the recent severe winter weather conditions in the state.

Referred to the Committee on Rules and Administration.

Mr. Betzold moved that S.F. No. 98 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Judiciary. The motion prevailed.

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

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

**Mr. Ten Eyck, Ms. Ranum, Messrs. Betzold and Knutson introduced--**

**S.F. No. 269:** A bill for an act relating to state government; secretary of state; regulating filing fees and procedures; amending Minnesota Statutes 1996, sections 5.12; 5.23; 5.25, subdivision 1; 5A.03; 5A.04; 302A.821, subdivision 5; 303.14, subdivision 1; 308A.005, by adding a subdivision; 317A.821, subdivision 3; 317A.827, subdivision 1; 322A.03; 331A.02, subdivision 1; 336.9-403; 336.9-404; 336A.04, subdivision 4; and 514.08, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 5; repealing Minnesota Rules, part 3650.0030, subpart 8.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Metzen, Stumpf, Lessard, Samuelson and Berg introduced--**

**S.F. No. 270:** A bill for an act relating to gambling; permitting tournaments or contests involving certain card games; amending Minnesota Statutes 1996, section 609.761, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Kelly, R.C.; Johnson, D.J.; Ms. Anderson, Mr. Spear and Ms. Ranum introduced--**

**S.F. No. 271:** A bill for an act relating to crime prevention; authorizing the commissioner of economic security to award grants to first-class cities for certain crime prevention programs; appropriating money.

Referred to the Committee on Crime Prevention.

**Ms. Krentz, Mrs. Scheid, Mr. Wiger, Ms. Hanson and Mr. Neuville introduced--**

**S.F. No. 272:** A bill for an act relating to education; exploring disciplinary policies to address classroom misbehavior and provide continuing instruction; providing grants to implement and evaluate behavior intervention and prevention strategies; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Ms. Lesewski, Mr. Larson, Mrs. Robling, Messrs. Vickerman and Metzen introduced--**

**S.F. No. 273:** A bill for an act relating to veterans; authorizing certain improvements at the Hastings, Luverne, and Silver Bay veterans homes using donated funds.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Robertson, Mr. Foley, Mses. Kiscaden, Piper and Mr. Terwilliger introduced--**

**S.F. No. 274:** A bill for an act relating to human services; modifying language for adoption assistance purchase of service reimbursement; amending Minnesota Statutes 1996, section 259.67, subdivision 7.

Referred to the Committee on Health and Family Security.

**Mr. Kelly, R.C. introduced--**



**S.F. No. 275:** A bill for an act relating to crime; modifying the elements of the crime of motor vehicle theft; providing an affirmative defense that the defendant took or drove the vehicle with the consent of the owner or an authorized agent of the owner; amending Minnesota Statutes 1996, section 609.52, subdivision 2.

Referred to the Committee on Crime Prevention.

**Mr. Solon introduced--**

**S.F. No. 276:** A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4; providing for the biennial election of one-half of the members of the senate and one-half of the members of the house of representatives.

Referred to the Committee on Election Laws.

**Mr. Solon introduced--**

**S.F. No. 277:** A bill for an act relating to liquor; requiring a permit for importing malt liquor to a central warehouse or holding area; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce.

**Ms. Kiscaden, Messrs. Betzold, Knutson, Oliver and Foley introduced--**

**S.F. No. 278:** A bill for an act relating to courts; exempting local governments from paying filing fee in forfeiture action resulting from DWI-related offense; amending Minnesota Statutes 1996, section 357.021, subdivision 1a.

Referred to the Committee on Judiciary.

**Mrs. Lourey, Mr. Morse, Ms. Berglin, Messrs. Dille and Samuelson introduced--**

**S.F. No. 279:** A bill for an act relating to human services; increasing reimbursement rates for certain services; appropriating money.

Referred to the Committee on Health and Family Security.

**Ms. Ranum, Mr. Betzold, Ms. Krentz, Mr. Knutson and Ms. Junge introduced--**

**S.F. No. 280:** A bill for an act relating to crime prevention; prohibiting the interruption of a 911 call; providing a criminal penalty; amending Minnesota Statutes 1996, section 609.78.

Referred to the Committee on Crime Prevention.

**Mr. Metzen introduced--**

**S.F. No. 281:** A bill for an act relating to capital improvements; appropriating money for ice centers; authorizing state bonds.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Solon introduced--**

**S.F. No. 282:** A bill for an act relating to the town of Thomson; authorizing the establishment of a detached facility.

Referred to the Committee on Commerce.

**Messrs. Marty, Knutson, Belanger and Murphy introduced--**

**S.F. No. 283:** A bill for an act relating to motor vehicles; authorizing suspension of a vehicle's registration in certain circumstances; requiring a form to be provided in a vehicle's certificate of title and completed under certain circumstances; amending Minnesota Statutes 1996, sections 168.11, subdivision 3; 168.17; 168A.05, subdivision 5; and 168A.10, subdivisions 1 and 2.

Referred to the Committee on Transportation.

**Mr. Marty introduced--**

**S.F. No. 284:** A bill for an act relating to local governmental bodies; authorizing consideration of cost as a criterion in the designation of newspapers for official publication; amending Minnesota Statutes 1996, section 331A.04, subdivision 1, and by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Marty, Knutson, Belanger and Murphy introduced--**

**S.F. No. 285:** A bill for an act relating to crimes; broadening the criteria for license plate impoundment and vehicle forfeiture to include persons with fewer violations for driving while impaired; referencing broader definitions of prior impaired driving convictions and prior license revocations for purposes of license plate impoundment; amending Minnesota Statutes 1996, sections 168.042, subdivisions 1, 2, 4, 9, and 11; and 169.1217, subdivision 1.

Referred to the Committee on Crime Prevention.

**Messrs. Moe, R.D.; Stumpf; Larson; Ms. Kiscaden and Mr. Solon introduced--**

**S.F. No. 286:** A bill for an act relating to education; establishing Virtual U Minnesota; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Messrs. Lessard; Johnson, D.J.; Morse; Johnson, D.E. and Samuelson introduced--**

**S.F. No. 287:** A bill for an act relating to natural resources; increasing snowmobile registration fees; increasing unrefunded gasoline tax revenues attributable to snowmobiles; providing an appropriation for snowmobile grants-in-aid; appropriating money; amending Minnesota Statutes 1996, sections 84.82, subdivision 3; and 296.16, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Lessard, Laidig, Samuelson, Sams and Stevens introduced--**

**S.F. No. 288:** A bill for an act relating to game and fish; permitting youth residents to hunt deer without a license tag; amending Minnesota Statutes 1996, section 97A.485, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Mses. Berglin, Kiscaden, Piper, Messrs. Samuelson and Terwilliger introduced--**

**S.F. No. 289:** A bill for an act relating to human services; defining the term work activities for purposes of the TANF program; providing incentives to counties for placing public assistance recipients into meaningful employment; establishing residency requirements; providing tax incentives to companies in low-income areas; amending higher education statutes to make higher education more accessible to low-income people; appropriating money; amending Minnesota

Statutes 1996, sections 136A.121, subdivision 5; 256D.01, subdivision 1a; 256D.065; 268.0111, subdivision 5; 268.0121, subdivision 1; 268.361, subdivision 6; 268.364, by adding a subdivision; 268.366; 268.53, subdivision 5; 268.54, subdivision 2; 268.551, subdivision 3; 268.552, subdivision 5, and by adding a subdivision; 268.561, by adding a subdivision; 268.61, subdivision 4; 268.62; 268.665, subdivision 3; 268.85, subdivision 1, and by adding a subdivision; and 268.89; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 256J.

Referred to the Committee on Health and Family Security.

**Ms. Robertson, Mr. Terwilliger, Ms. Runbeck, Mr. Betzold and Ms. Wiener introduced--**

**S.F. No. 290:** A bill for an act relating to state employment; excepting convicted sex offenders and employees who engage in sexual harassment from standard discharge procedure; amending Minnesota Statutes 1996, section 43A.33, subdivisions 1, 3, and by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Messrs. Belanger, Beckman, Novak, Frederickson and Ourada introduced--**

**S.F. No. 291:** A bill for an act relating to tourism; modifying requirements relating to expenditure of tourism money; amending Minnesota Statutes 1996, section 116J.615, subdivision 1.

Referred to the Committee on Jobs, Energy and Community Development.

**Ms. Junge, Messrs. Price, Frederickson, Cohen and Ms. Wiener introduced--**

**S.F. No. 292:** A bill for an act relating to the legislative coordinating commission; providing sign language interpreters for meetings with legislators; amending Minnesota Statutes 1996, section 3.303, by adding a subdivision.

Referred to the Committee on Rules and Administration.

**Ms. Junge, Mr. Betzold and Mrs. Scheid introduced--**

**S.F. No. 293:** A bill for an act relating to crime; appropriating money for the northwest community law enforcement project.

Referred to the Committee on Crime Prevention.

**Ms. Junge, Mr. Betzold, Ms. Kiscaden, Messrs. Johnson, D.H. and Foley introduced--**

**S.F. No. 294:** A bill for an act relating to peace officers; requiring law enforcement agencies to do background investigations for applicants for employment as peace officers; requiring employers to disclose personnel records for law enforcement background investigations; providing immunity for employers who disclose information to law enforcement; requiring notice to the POST board when a background investigation is initiated; authorizing sharing of data on subjects of background investigations; amending Minnesota Statutes 1996, sections 13.41, subdivision 2a; 13.43, by adding a subdivision; 604A.31, subdivision 3; and 626.845, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Crime Prevention.

**Ms. Junge, Messrs. Kelley, S.P.; Terwilliger; Ten Eyck and Wiger introduced--**

**S.F. No. 295:** A bill for an act relating to crime prevention; expanding the responsibilities of the criminal alert network; appropriating money; amending Minnesota Statutes 1996, section 299A.61, subdivision 1.

Referred to the Committee on Crime Prevention.

**Messrs. Frederickson, Price, Mrs. Pariseau, Ms. Johnson, J.B. and Mr. Marty introduced--**

**S.F. No. 296:** A bill for an act relating to water; providing for four-year terms for soil and water conservation district supervisors; amending Minnesota Statutes 1996, sections 103C.301, subdivisions 1, 5, and 6; 103C.311; and 103C.315, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Beckman, Samuelson and Mrs. Pariseau introduced--**

**S.F. No. 297:** A bill for an act relating to property taxes; reducing the class rate for first-tier commercial/industrial property; providing for additional state aid; amending Minnesota Statutes 1996, sections 273.13, subdivision 24; and 273.1398, subdivision 1a.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Ten Eyck, Ms. Ranum, Messrs. Knutson, Foley and Neuville introduced--**

**S.F. No. 298:** A bill for an act relating to partnerships; enacting the Uniform Partnership Act of 1994; providing for limited liability partnerships; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 323A; repealing Minnesota Statutes 1996, sections 323.01; 323.02, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 323.03; 323.04; 323.05; 323.06; 323.07; 323.08; 323.09; 323.10; 323.11; 323.12; 323.13; 323.14; 323.15; 323.16; 323.17; 323.18; 323.19; 323.20; 323.21; 323.22; 323.23; 323.24; 323.25; 323.26; 323.27; 323.28; 323.29; 323.30; 323.31; 323.32; 323.33; 323.34; 323.35; 323.36; 323.37; 323.38; 323.39; 323.40; 323.41; 323.42; 323.43; 323.44; 323.45; 323.46; and 323.47.

Referred to the Committee on Judiciary.

**Messrs. Kelley, S.P.; Ten Eyck; Ms. Ranum, Messrs. Knutson and Neuville introduced--**

**S.F. No. 299:** A bill for an act relating to commerce; enacting the revised article 5 of the Uniform Commercial Code; regulating letters of credit; making conforming changes; amending Minnesota Statutes 1996, sections 336.1-105; 336.2-512; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-304; and 336.9-305; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 1996, sections 336.5-101; 336.5-102; 336.5-103; 336.5-104; 336.5-105; 336.5-106; 336.5-107; 336.5-108; 336.5-109; 336.5-110; 336.5-111; 336.5-112; 336.5-113; 336.5-114; 336.5-115; 336.5-116; and 336.5-117.

Referred to the Committee on Judiciary.

**Messrs. Neuville, Limmer and Kleis introduced--**

**S.F. No. 300:** A bill for an act relating to crime; providing that persons convicted of a third violent felony shall be sentenced to life imprisonment; amending Minnesota Statutes 1996, sections 244.05, subdivisions 4 and 5; and 609.152, subdivision 2a.

Referred to the Committee on Crime Prevention.

**Messrs. Frederickson, Price, Mrs. Pariseau, Ms. Johnson, J.B. and Mr. Morse introduced--**

**S.F. No. 301:** A bill for an act relating to state government; adding authority for the board of water and soil resources to accept and administer federal grants, donations, gifts, and other contributions to achieve authorized objectives of the agency; amending Minnesota Statutes 1996, sections 103B.101, subdivision 9; and 103C.401, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Ms. Berglin introduced--**

**S.F. No. 302:** A bill for an act relating to health; allowing certain community health clinics to offer health care services on a prepaid basis; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

**Mrs. Lourey, Messrs. Samuelson; Moe, R.D.; Terwilliger and Knutson introduced--**

**S.F. No. 303:** A bill for an act relating to health; establishing a state board of physical therapy; requiring rulemaking; providing licensing requirements for physical therapists; amending Minnesota Statutes 1996, sections 144A.46, subdivision 2; 148.66; 148.67; 148.70; 148.705; 148.71; 148.72, subdivisions 1, 2, and 4; 148.73; 148.74; 148.75; 148.76; 148.78; and 214.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

**Messrs. Johnson, D.H.; Betzold; Terwilliger and Morse introduced--**

**S.F. No. 304:** A bill for an act relating to building codes; transferring the building code division to the department of public safety.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Krentz, Messrs. Foley, Laidig, Ms. Ranum and Mr. Kelly, R.C. introduced--**

**S.F. No. 305:** A bill for an act relating to civil actions; modifying and clarifying provisions governing lawsuits by prison inmates; amending Minnesota Statutes 1996, sections 244.035; and 563.02, subdivision 3.

Referred to the Committee on Crime Prevention.

**Mr. Laidig introduced--**

**S.F. No. 306:** A bill for an act relating to natural resources; providing for continued exemption for the adopt-a-park program from administrative rulemaking procedures; exempting timber appraisal standards from certain rulemaking provisions; amending Minnesota Statutes 1996, sections 85.045, subdivision 3; and 90.045.

Referred to the Committee on Environment and Natural Resources.

**Mr. Ten Eyck introduced--**

**S.F. No. 307:** A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water or natural wetlands in Cass county.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Laidig, Frederickson and Morse introduced--**

**S.F. No. 308:** A bill for an act relating to game and fish; modifying licensing and stamp provisions to allow for the use of a license identification number and license validation; amending Minnesota Statutes 1996, sections 84.027, by adding a subdivision; 97A.015, by adding a subdivision; 97A.405, subdivision 2; 97A.415, subdivision 2; 97B.715, subdivision 1; 97B.721; 97B.801; and 97C.305, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Mr. Stevens introduced--**

**S.F. No. 309:** A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Mille Lacs county.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Beckman, Vickerman, Sams, Dille and Ms. Lesewski introduced--**

**S.F. No. 310:** A bill for an act relating to taxation; sales and use; making the exemption for used farm machinery permanent; amending Minnesota Statutes 1996, section 297A.25, subdivision 59.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Janezich; Johnson, D.J.; Solon and Lessard introduced--**

**S.F. No. 311:** A bill for an act relating to economic development; appropriating money to the commissioner of trade and economic development for a grant to develop a direct reduction iron processing facility in Minnesota.

Referred to the Committee on Jobs, Energy and Community Development.

**Messrs. Janezich; Johnson, D.J.; Solon and Lessard introduced--**

**S.F. No. 312:** A bill for an act relating to natural resources; appropriating money to the commissioner of natural resources for a grant to develop a direct reduction iron processing facility in Minnesota.

Referred to the Committee on Environment and Natural Resources.

**Mrs. Robling, Messrs. Vickerman, Morse, Ten Eyck and Dille introduced--**

**S.F. No. 313:** A bill for an act relating to health; providing a moratorium exception for replacement beds for a nursing facility in Belle Plaine; amending Minnesota Statutes 1996, section 144A.071, subdivision 4a.

Referred to the Committee on Health and Family Security.

**Ms. Krentz, Mrs. Scheid, Ms. Hanson, Mr. Knutson and Ms. Wiener introduced--**

**S.F. No. 314:** A bill for an act relating to education; allowing district flexibility in using learning and development revenue; amending Minnesota Statutes 1996, section 124A.225, subdivision 4.

Referred to the Committee on Children, Families and Learning.

**Mr. Knutson, Ms. Ranum, Mr. Limmer and Ms. Junge introduced--**

**S.F. No. 315:** A bill for an act relating to business organizations; making technical changes applicable to business corporations and limited liability companies; permitting mergers of domestic corporations and limited liability companies; regulating filings with the secretary of state; amending Minnesota Statutes 1996, sections 302A.011, subdivisions 11, 30, 38, 39, 50, 53, and by adding subdivisions; 302A.111, subdivision 4; 302A.115, subdivision 1; 302A.171, subdivision 2; 302A.223, subdivision 5; 302A.401, subdivision 3; 302A.402, subdivision 3; 302A.405, subdivision 1; 302A.409, subdivision 4; 302A.413, by adding a subdivision; 302A.417,

subdivision 7; 302A.423, subdivision 2; 302A.429, subdivision 2; 302A.437, subdivision 2; 302A.445, subdivision 1; 302A.449, subdivision 1; 302A.457, subdivision 2; 302A.461, subdivision 1; 302A.471, subdivision 3; 302A.473, subdivision 3; 302A.521, subdivisions 4 and 9; 302A.601, subdivision 4; 302A.611; 302A.613, subdivisions 1 and 2; 302A.615; 302A.621, subdivision 6; 302A.631; 302A.641, subdivision 2; 302A.651; 302A.671, subdivision 3; 302A.673, subdivision 3; 302A.675; 308A.005, by adding subdivisions; 317A.011, subdivisions 8 and 19; 322A.01; 322B.03, subdivisions 18 and 45; 322B.115, subdivision 4; 322B.12, subdivision 1; 322B.33, by adding a subdivision; 322B.346, subdivision 2; 322B.356, subdivision 1; 322B.363, subdivision 1; 322B.383, by adding a subdivision; 322B.386, subdivision 3; 322B.699, subdivision 9; 322B.70, subdivisions 1 and 2; 322B.72, subdivisions 2 and 3; 322B.74, subdivisions 1 and 2; 323.02, by adding subdivisions; and 333.001, subdivision 5, and by adding subdivisions; repealing Minnesota Statutes 1996, section 302A.011, subdivision 33.

Referred to the Committee on Judiciary.

**Ms. Junge, Messrs. Oliver, Metzen, Price and Samuelson introduced--**

**S.F. No. 316:** A bill for an act relating to commerce; prohibiting brand labels of cordials and liqueurs containing cartoons and caricatures; providing minimum mandatory civil penalties for sale of alcoholic beverages to persons under 21 years of age; providing for regular compliance checks of and training for licensees; prohibiting retail sale of cordials and liqueurs in bottle sizes of less than 375 milliliters; regulating home delivery of alcoholic beverages; providing for a minimum fine for purchase of alcoholic beverages by a person under 21 years of age; amending Minnesota Statutes 1996, sections 340A.101, by adding a subdivision; 340A.311; 340A.415; 340A.503, subdivision 2, and by adding subdivisions; 340A.511; and 340A.703; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce.

**Messrs. Ten Eyck and Moe, R.D. introduced--**

**S.F. No. 317:** A bill for an act relating to natural resources; appropriating money for wind damage mitigation.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Kleis, Scheevel, Ms. Runbeck, Mmes. Fischbach and Pariseau introduced--**

**S.F. No. 318:** A bill for an act relating to the legislature; defining which members are subject to the legislators' retirement law; proposing coding for new law in Minnesota Statutes, chapter 3A.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Kelly, R.C.; Pogemiller; Moe, R.D.; Morse and Terwilliger introduced--**

**S.F. No. 319:** A bill for an act relating to economic development; modifying requirements of the contamination cleanup grant program; providing for redevelopment and job creation grants; appropriating money; amending Minnesota Statutes 1996, sections 116J.553, subdivision 2; and 116J.554, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs, Energy and Community Development.

**Mses. Wiener, Berglin, Robertson, Mr. Sams and Ms. Kiscaden introduced--**

**S.F. No. 320:** A bill for an act relating to health care; establishing protections for health care patients and consumers; creating a statewide health care consumer assistance office; prohibiting contracts that restrict communication between providers and their patients; requiring disclosure of health care provider financial incentives; creating a tax offset for the Minnesota comprehensive

health association assessment to reduce the premium tax burden on certain purchasers of health insurance; establishing a process for reviewing proposed state-mandated health plan benefits; expanding eligibility for the MinnesotaCare program; authorizing public information projects to inform uninsured persons about the availability of health coverage; encouraging health plans to collaborate with public health agencies; providing alternative funding for local public health activities and county social services; strengthening and enforcing the pass-through provision of the health care provider tax; reducing duplicative inspections and regulatory compliance requirements for health plan companies; authorizing emergency medical services pilot projects; appropriating money; amending Minnesota Statutes 1996, sections 62D.04, by adding a subdivision; 62E.11, by adding a subdivision; 62Q.075, subdivision 2; 256.9354, subdivision 5, and by adding a subdivision; 295.58; 295.582; and 297.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62A; and 144.

Referred to the Committee on Health and Family Security.

**Mr. Dille introduced--**

**S.F. No. 321:** A bill for an act relating to taxation; abolishing accelerated June liability for certain sales and excise taxes; amending Minnesota Statutes 1996, sections 289A.18, subdivision 4; 289A.20, subdivision 4; 297.07, subdivision 1; 297.23, subdivision 4; 297.35, subdivision 1; 297C.03, subdivision 1; and 297C.04; repealing Minnesota Statutes 1996, sections 297.07, subdivision 4; 297.35, subdivision 5; and 297C.05, subdivision 2.

Referred to the Committee on Taxes.

**Messrs. Dille, Sams, Mrs. Lourey, Messrs. Morse and Scheevel introduced--**

**S.F. No. 322:** A bill for an act relating to agriculture; establishing the dairy development program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Knutson, Oliver, Ten Eyck, Ms. Kiscaden and Mr. Foley introduced--**

**S.F. No. 323:** A bill for an act relating to human rights; prohibiting reprisals by any person; amending Minnesota Statutes 1996, section 363.03, subdivision 7.

Referred to the Committee on Judiciary.

**Messrs. Knutson, Neuville, Oliver, Foley and Ten Eyck introduced--**

**S.F. No. 324:** A bill for an act relating to human rights; reclassifying certain investigative data; amending Minnesota Statutes 1996, section 363.061, subdivisions 2 and 3.

Referred to the Committee on Judiciary.

**Ms. Pappas, Mr. Hottinger and Ms. Berglin introduced--**

**S.F. No. 325:** A bill for an act relating to taxation; income; allowing a job training credit; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Messrs. Stumpf; Moe, R.D.; Sams and Langseth introduced--**

**S.F. No. 326:** A bill for an act relating to agriculture; appropriating money for wheat and barley scab research.



Referred to the Committee on Agriculture and Rural Development.

**Messrs. Metzen, Betzold, Cohen, Dille and Mrs. Lourey introduced--**

**S.F. No. 327:** A bill for an act relating to animals; increasing certain penalties for cruelty to animals; defining acts or omissions constituting cruelty or abuse; imposing criminal penalties; amending Minnesota Statutes 1996, sections 343.20, subdivision 3, and by adding subdivisions; 343.21, subdivisions 1, 2, 7, 10, and by adding subdivisions; and 343.27; repealing Minnesota Statutes 1996, sections 343.21, subdivision 9; and 346.57.

Referred to the Committee on Governmental Operations and Veterans.

**Mses. Berglin, Kiscaden, Piper and Mrs. Lourey introduced--**

**S.F. No. 328:** A bill for an act relating to human services; repealing the hospital surcharge tax for medical assistance; increasing the MinnesotaCare surcharge tax on hospitals; amending Minnesota Statutes 1996, sections 295.50, subdivisions 3, 4, and by adding a subdivision; 295.51, subdivision 1; 295.52, subdivisions 1 and 1b; 295.53, subdivisions 3 and 5; 295.54, subdivision 1; 295.58; and 295.582; repealing Minnesota Statutes 1996, sections 256.9657, subdivision 2; and 295.54, subdivision 2.

Referred to the Committee on Health and Family Security.

**Messrs. Dille and Sams introduced--**

**S.F. No. 329:** A bill for an act relating to liens; modifying certain provisions of the lien for veterinary services; amending Minnesota Statutes 1996, section 514.92, subdivisions 1, 1a, 3, and 5.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Spear, Laidig, Ms. Anderson, Messrs. Knutson and Kelly, R.C. introduced--**

**S.F. No. 330:** A bill for an act relating to civil actions; providing limits on liability of certain private corrections treatment facilities that receive patients under court or administrative order; proposing coding for new law in Minnesota Statutes, chapter 604A.

Referred to the Committee on Crime Prevention.

**Mses. Anderson, Piper, Messrs. Beckman; Johnson, D.E. and Ms. Pappas introduced--**

**S.F. No. 331:** A bill for an act relating to human development; creating a statewide citizenship promotion program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Jobs, Energy and Community Development.

**RECESS**

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

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

### CALL OF THE SENATE

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that H.F. No. 1 be taken from the table. The motion prevailed.

**H.F. No. 1:** A bill for an act relating to education; repealing the K-12 education appropriations caps; appropriating money; amending Minnesota Statutes 1996, sections 124.17, subdivision 1; and 124A.22, subdivision 2; repealing Laws 1995, First Special Session chapter 3, article 14, section 5, as amended.

### SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1 and that the rules of the Senate be so far suspended as to give H.F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1 was read the second time.

Mr. Moe, R.D. moved to amend H.F. No. 1 as follows:

Page 1, after line 8, insert:

"Section 1. [123.98] [STATEWIDE TESTING.]

Each school year, all school districts shall give a test selected by the commissioner to all pupils in grades three, five, eight, and eleven. The test shall be given in the spring of each year consistent with the guidelines established by the commissioner. The test shall measure academic achievement in core subject areas and shall be referenced to national achievement standards."

Page 3, line 6, delete "3" and insert "4"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, before "appropriating" insert "requiring statewide testing;"

Page 1, line 5, before "repealing" insert "proposing coding for new law in Minnesota Statutes, chapter 123;"

Mr. Laidig questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 51 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Janezich	Kelly, R.C.	Marty
Beckman	Flynn	Johnson, D.E.	Kiscaden	Metzen
Berg	Foley	Johnson, D.H.	Krentz	Moe, R.D.
Berglin	Hanson	Johnson, D.J.	Lessard	Morse
Betzold	Higgins	Johnson, J.B.	Limmer	Murphy
Dille	Hottinger	Junge	Lourey	Neuville

Oliver	Piper	Runbeck	Spear	Wiger
Olson	Pogemiller	Sams	Stumpf	
Ourada	Ranum	Samuelson	Ten Eyck	
Pappas	Robertson	Scheid	Terwilliger	
Pariseau	Robling	Solon	Wiener	

Those who voted in the negative were:

Belanger	Kleis	Langseth	Novak	Stevens
Day	Knutson	Larson	Price	Vickerman
Kelley, S.P.	Laidig	Lesewski	Scheevel	

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.E. moved to amend H.F. No. 1 as follows:

Page 3, before line 1, insert:

"Sec. 3. [126.125] [SCHOOL START AND DISMISSAL TIMES.]

A school district must not require schools within the district to begin the school day before 8:30 a.m. A school district must not permit schools within the district to dismiss students before 3:30 p.m. School districts may allow student dismissal before 3:30 p.m. for kindergarten classes, emergencies, extracurricular activities, early leave approved by a parent, holidays, or special occasions."

Page 3, line 6, delete "1 to 3" and insert "1, 2, and 4"

Page 3, line 7, after the period, insert "Section 3 is effective for the 1997-1998 school year."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before "appropriating" insert "limiting school start and dismissal times;"

Page 1, line 5, before "repealing" insert "proposing coding for new law in Minnesota Statutes, chapter 126;"

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

Ms. Olson moved to amend H.F. No. 1 as follows:

Page 3, before line 1, insert:

"Sec. 3. [LEVY ADJUSTMENT ATTRIBUTABLE TO THE REPEAL OF THE K-12 APPROPRIATIONS CAPS.]

Notwithstanding Minnesota Statutes, section 124.918, subdivision 6, a school district may spread any positive levy adjustments for fiscal year 1998 for levy categories affected by the change in the general education basic formula allowance under Minnesota Statutes, section 124A.22, subdivision 2, and the pupil unit weightings under Minnesota Statutes, section 124.17, over a three-year period beginning with taxes payable in 1998."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, before "appropriating" insert "authorizing a fiscal year 1998 levy adjustment resulting from the repeal of the K-12 appropriations caps to be spread over three years;"

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

Mr. Morse moved to amend the Moe, R.D. amendment to H.F. No. 1, adopted by the Senate February 3, 1997, as follows:

Page 1, delete line 11 and insert:

"Page 3, line 6, delete "1 to 3" and insert "2 to 4""

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

H.F. No. 1 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

#### **MOTIONS AND RESOLUTIONS - CONTINUED**

Mr. Moe, R.D. moved that S.F. No. 3, No. 2 on General Orders, be stricken and laid on the table. The motion prevailed.

#### **ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, February 6, 1997. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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