

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 FIFTEENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 10, 1999

The House of Representatives convened at 12:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Representative Mary Murphy, District 8A, Hermantown, 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	Erhardt	Jaros	Mariani	Paymar	Tingelstad
Abrams	Erickson	Jennings	Marko	Pelowski	Tomassoni
Anderson, B.	Finseth	Johnson	McCollum	Peterson	Trimble
Anderson, I.	Folliard	Juhnke	McElroy	Pugh	Tuma
Bakk	Fuller	Kalis	McGuire	Rest	Tunheim
Biernat	Gerlach	Kelliher	Milbert	Reuter	Van Dellen
Bishop	Gleason	Kielkucki	Molnau	Rhodes	Vandever
Boudreau	Goodno	Knoblach	Mulder	Rifenberg	Wagenius
Broecker	Greenfield	Koskinen	Mullery	Rostberg	Wejzman
Buesgens	Greiling	Krinkie	Munger	Rukavina	Wenzel
Carlson	Gunther	Kubly	Murphy	Schumacher	Westerberg
Carruthers	Haake	Kuisle	Ness	Seagren	Westfall
Cassell	Haas	Larsen, P.	Nornes	Seifert, J.	Westrom
Chaudhary	Hackbarth	Larson, D.	Olson	Seifert, M.	Wilkin
Clark, J.	Harder	Leighton	Opatz	Skoe	Winter
Clark, K.	Hasskamp	Lenczewski	Orfield	Skoglund	Wolf
Daggett	Hausman	Leppik	Osskopp	Smith	Workman
Davids	Hilty	Lieder	Osthoff	Solberg	Spk. Sviggum
Dempsey	Holberg	Lindner	Otremba	Stang	
Dorman	Holsten	Luther	Ozment	Storm	
Dorn	Howes	Mahoney	Paulsen	Swenson	
Entenza	Huntley	Mares	Pawlenty	Sykora	

A quorum was present.

Bradley, Dawkins, Dehler, Gray, Kahn and Stanek were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Larson, D., moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mares from the Committee on Education Policy to which was referred:

H. F. No. 15, A bill for an act relating to education; implementing the recommendations of the standards advisory panel; amending profile of learning requirements; eliminating state performance packages; requiring school districts to implement core learning areas; allowing districts to implement other learning areas; limiting the number of required content standards; comparing 11th grade students' educational performance with students from other states and nations; establishing an advisory group to make recommendations on students who may be unable to meet high school graduation requirements; amending Minnesota Statutes 1998, sections 120B.02; 120B.03, subdivisions 1 and 2; and 120B.30, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 120B.02, is amended to read:

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

(a) The legislature is committed to establishing a rigorous, results-oriented graduation rule for Minnesota's public school students. To that end, the state board shall use its rulemaking authority under section 127A.66, subdivision 2, to adopt a statewide, results-oriented graduation rule containing foundational skills in the three core curricular areas of reading, writing and mathematics to be implemented starting with students beginning ninth grade in the 1996-1997 school year. The board 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 state board 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 district requirements for high school graduation. ~~The standards~~ In addition, districts must also provide an opportunity for students to excel by meeting higher rigorous academic standards through a profile of learning that uses use curricular requirements to allow students to expand their knowledge and skills beyond the foundational skills. The curricular requirements that constitute rigorous academic standards adopted by districts must at least include the curriculum and instruction required under paragraph (c). All state board 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~~ respect 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.

(c) A district must provide instruction under this section in at least the following subject areas:

(1) communication skills including reading and writing, literature, and fine arts;

(2) mathematics including at least geometry and algebra;

(3) science including at least biology and physical science;

(4) social studies including at least history, geography, economics and government;

(5) health and physical education; and

(6) computer science.

(d) For purposes of adopting the rule, the state board, 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)~~ (e) The content of the graduation rule must differentiate between minimum competencies reflected in the basic requirements assessment and rigorous profile of learning academic standards districts adopt that include, at a minimum, the curriculum and instruction requirements under paragraph (c). ~~When fully implemented,~~ The requirements for high school graduation in Minnesota must include both the basic requirements adopted by the state board and the required profile of learning. ~~The profile of learning rigorous academic standards adopted by a district.~~ Using rigorous academic standards, districts must measure student learning 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.

~~(f)~~ (f) The state board 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)~~ (g) The state board 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. Minnesota Statutes 1998, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE TESTING.] (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 with the state's graduation standards and administered annually to all students in the ~~third, fifth, and eighth grades~~ grade. As students' performance improves over time, the items in the reading and mathematics basic skills tests currently at a sixth grade level must be gradually upgraded to establish an eighth grade level of achievement. Nationally norm-referenced standardized achievement tests in reading and math shall be administered to third and fifth grade students and such a test in writing shall be administered to fifth grade students. 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, and mathematics first administered in grade 8, and writing first administered in grade 10 shall fulfill students' testing requirements for a passing state notation. Third and fifth grade test results shall be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner shall disseminate to the public the third and fifth grade test results immediately upon receiving those results.

(b) In addition, at the secondary level, districts shall apply rigorous academic standards to assess student learning and 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 commissioner, after consulting with qualified experts and stakeholders, shall include in the comprehensive assessment system for secondary students, a single nationally norm-referenced standardized achievement test that is correlated with rigorous academic standards and administered annually to all eleventh grade students. 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 and may be used by districts for diagnostic purposes affecting student learning, instruction and curriculum, by students for post-secondary planning purposes, and to establish educational accountability.

(c) ~~The~~ A comprehensive assessment system shall include an evaluation of school site and school district performance 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, 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 also shall record separately, in proximity to the performance baselines, 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, in consultation with the state board of education, shall include the following components in the statewide educational accountability and public reporting system:

(1) uniform nationally normed statewide testing of all third, fifth, eighth; and ~~post-eighth~~ eleventh 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;

(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~~ rigorous academic standards connecting teaching and learning to high academic standards, ~~assessment, and transitions to citizenship and employment under section 120B.02.~~

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

Sec. 3. Minnesota Statutes 1998, section 120B.31, subdivision 1, is amended to read:

Subdivision 1. [EDUCATIONAL ACCOUNTABILITY AND PUBLIC REPORTING.] Consistent with the state board of education process to adopt a results-oriented graduation rule under section 120B.02, the state board and the department, in consultation with education and other system stakeholders, must establish a coordinated and comprehensive system of educational accountability and public reporting that promotes higher academic achievement under this chapter.

Sec. 4. Minnesota Statutes 1998, section 120B.31, subdivision 3, is amended to read:

Subd. 3. [EDUCATIONAL ACCOUNTABILITY.] (a) The independent office of educational accountability, as authorized by Laws 1997, First Special Session chapter 4, article 5, section 28, subdivision 2, is established. The office shall advise the education committees of the legislature and the commissioner of children, families, and learning, at least on ~~a biennial~~ an annual basis, on the degree to which the statewide educational accountability and reporting system includes a comprehensive assessment framework that measures school accountability for students achieving the goals described in the state's results-oriented graduation rule. The office shall consider whether the statewide system of educational accountability utilizes multiple indicators to provide valid and reliable comparative and contextual data on students, schools, districts, and the state, and if not, recommend ways to improve the accountability reporting system.

(b) When the office reviews the statewide educational accountability and reporting system, it shall also consider:

- (1) the objectivity and neutrality of the state's educational accountability system; and
- (2) the impact of a testing program on school curriculum and student learning.

Sec. 5. Minnesota Statutes 1998, section 120B.31, subdivision 4, is amended to read:

Subd. 4. [STATISTICAL ADJUSTMENTS.] In developing policies and assessment processes to hold schools and districts accountable for high levels of academic standards under section 120B.02, ~~including the profile of learning~~, the commissioner shall aggregate student data over time to report student performance levels measured at the school district, regional, or statewide level. When collecting and reporting the data, the commissioner shall: (1) acknowledge the impact of significant demographic factors such as residential instability, the number of single parent families, parents' level of education, and parents' income level on school outcomes; and (2) organize and report the data so that state and local policymakers can understand the educational implications of changes in districts' demographic profiles over time. Any report the commissioner disseminates containing summary data on student performance must integrate student performance and the demographic factors that strongly correlate with that performance.

Sec. 6. Minnesota Statutes 1998, section 136A.233, subdivision 4, is amended to read:

Subd. 4. [COOPERATION WITH LOCAL SCHOOLS.] Each campus using the state work study program is encouraged to cooperate with its local public elementary and secondary schools to place college work study students in activities in the schools, such as tutoring. Students must be placed in meaningful activities that directly assist students in kindergarten through grade 12 in meeting graduation standards ~~including the profiles of learning~~. College students shall work under direct supervision; therefore, school hiring authorities are not required to request criminal background checks on these students under section 123B.03.

Sec. 7. [REPEALER.]

Minnesota Statutes 1998, sections 120B.03; and 120B.04, are repealed.

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. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective the day following final enactment. The rigorous academic standards established under Minnesota Statutes, section 120B.02, apply to students entering the ninth grade in the 1999-2000 school year and later."

Delete the title and insert:

"A bill for an act relating to education; amending the state graduation standards; providing for districts to adopt rigorous academic standards; providing for statewide accountability; amending Minnesota Statutes 1998, sections 120B.02; 120B.30, subdivision 1; 120B.31, subdivisions 1, 3, and 4; and 136A.233, subdivision 4; repealing Minnesota Statutes 1998, sections 120B.03; 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."

With the recommendation that when so amended the bill pass.

The report was adopted.

Lindner from the Committee on Jobs and Economic Development Policy to which was referred:

H. F. No. 134, A bill for an act relating to appropriations; appropriating money for marketing and infrastructure changes due to fishing and border limitations in Ontario waters and Mille Lacs Lake.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 136, A bill for an act relating to veterans; extending the application period for the Gulf War veterans bonus; amending Minnesota Statutes 1998, section 197.79, subdivision 10.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 193, A bill for an act relating to crime; providing that interference with an emergency call is a crime; amending Minnesota Statutes 1998, section 609.78.

Reported the same back with the following amendments:

Page 2, line 9, strike "otherwise"

Page 2, line 10, after "who" insert "intentionally"

Page 2, line 20, delete "service" and insert "assistance"

Page 2, line 24, delete "August 1, 1999," and insert "the day following final enactment"

With the recommendation that when so amended the bill pass.

The report was adopted.

Larsen, P., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 371, A bill for an act relating to local government; removing the limit on the amount a local government may contribute for historical work; permitting local governments to make contributions to public or private, nonprofit senior citizen centers; amending Minnesota Statutes 1998, section 471.93; proposing coding for new law in Minnesota Statutes, chapter 471.

Reported the same back with the following amendments:

Page 1, line 24, after "SENIOR" insert ", YOUTH"

Page 2, line 1, before the period, insert "or youth center"

Amend the title as follows:

Page 1, line 6, after "centers" insert "or youth centers"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 15, 193 and 371 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Skoglund, Mullery and Biernat introduced:

H. F. No. 600, A bill for an act relating to crime; providing increased criminal penalties for offenders who commit repeat felony offenses; authorizing consecutive sentences for felony offenses under certain circumstances; providing for the tolling of a stay of sentence while a defendant serves an executed, consecutive sentence; directing the sentencing guidelines commission to modify its policy on permissive consecutive sentencing; amending Minnesota Statutes 1998, sections 609.1095, subdivisions 2, 3 and 4; 609.135, subdivision 7, and by adding a subdivision.

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

McCollum, Gray, Smith, Mahoney and Rukavina introduced:

H. F. No. 601, A bill for an act relating to employment; increasing and indexing the minimum wage; amending Minnesota Statutes 1998, section 177.24, subdivision 1.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Peterson, Trimble, Kalis and Tuma introduced:

H. F. No. 602, A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; providing for a grant to the city of Madison for infrastructure for the Madison historic preservation and downtown redevelopment program; authorizing issuance of bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Murphy and Paulsen introduced:

H. F. No. 603, A bill for an act relating to liquor; authorizing the city of Proctor to issue an additional on-sale license.

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

Luther, McCollum and Greenfield introduced:

H. F. No. 604, A bill for an act relating to health; providing an exemption from the MinnesotaCare program four month uninsured requirement; modifying MinnesotaCare eligibility requirements for children who are part-time students; amending Minnesota Statutes 1998, sections 256L.04, by adding a subdivision; and 256L.07, subdivisions 2 and 3.

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

Tuma, Mares, Pugh and Luther introduced:

H. F. No. 605, A bill for an act relating to education; establishing a task force on diabetes and schools; appropriating money.

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

Peterson, Winter, Ness, Finseth and Davids introduced:

H. F. No. 606, A bill for an act relating to agriculture; expanding eligibility for ethanol producer payments; amending Minnesota Statutes 1998, section 41A.09, subdivision 3a.

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

Peterson, Trimble, Tuma and Kalis introduced:

H. F. No. 607, A bill for an act relating to economic development; providing for a grant to the city of Madison for planning of the Madison Historic Preservation and Downtown Redevelopment Program; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Rukavina, Larsen, P.; Stang; Westrom and Winter introduced:

H. F. No. 608, A bill for an act relating to local government; providing procedures and criteria for municipal annexation of unincorporated land; amending Minnesota Statutes 1998, section 414.031, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Westfall, Finseth and Workman introduced:

H. F. No. 609, A bill for an act relating to game and fish; authorizing a hunting season for mourning doves; requiring mourning dove stamps; requiring a report on the impact of the mourning dove season; amending Minnesota Statutes 1998, sections 97A.075, by adding a subdivision; and 97A.475, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 1998, section 97B.731, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Tingelstad and Jennings introduced:

H. F. No. 610, A bill for an act relating to health; modifying the definition of public water supply; amending Minnesota Statutes 1998, section 144.382, subdivision 4.

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

Rest and Abrams introduced:

H. F. No. 611, A bill for an act relating to taxation; sales and use; exempting certain materials and short-lived items used in metalcasting; amending Minnesota Statutes 1998, section 297A.25, subdivision 9.

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

Seifert, M., introduced:

H. F. No. 612, A bill for an act relating to the city of Minneota; ratifying actions relating to a tax increment financing district.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Abrams and Rest introduced:

H. F. No. 613, A bill for an act relating to taxation; corporate franchise tax; allowing an election to treat all income as business income; amending Minnesota Statutes 1998, section 290.17, subdivision 6.

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

Davids, Greenfield, Goodno, Haas and Huntley introduced:

H. F. No. 614, A bill for an act relating to health; expanding the reserve corridor for community integrated service networks; modifying the definition of review organization; amending Minnesota Statutes 1998, sections 62N.28, subdivision 5; and 145.61, subdivision 5.

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

Bradley, Huntley, Goodno, Boudreau and Greenfield introduced:

H. F. No. 615, A bill for an act relating to health; adding provisions for training and education providers; appropriating money; amending Minnesota Statutes 1998, section 144A.10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 144A.

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

McElroy, Milbert, Wilkin, Gerlach and Pawlenty introduced:

H. F. No. 616, A bill for an act relating to education; providing for general obligation debt to prepay special assessments; amending Minnesota Statutes 1998, section 123B.61.

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

Rukavina, Gunther, Krinkie, Leighton and Anderson, I., introduced:

H. F. No. 617, A bill for an act relating to taxation; reducing the rate of tax on alcoholic beverages; amending Minnesota Statutes 1998, section 297A.02, subdivision 3.

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

Abeler; Pawlenty; Carruthers; Westerberg; Pugh; Tingelstad; Hackbarth; Koskinen; Boudreau; Dorman; Vandever; Kielkucki; Haas; Lindner; Stanek; Rostberg; Reuter; Erickson; Anderson, B.; Gerlach; Schumacher; Johnson; McElroy; Westfall; Tomassoni; Smith; Anderson, I.; Jennings; Marko; Murphy; Luther; Larsen, P.; Seifert, J.; Dempsey and Nornes introduced:

H. F. No. 618, A bill for an act relating to education; authorizing additional compensatory revenue for a school district with a substantial enrollment of students eligible for free or reduced price meals; amending Minnesota Statutes 1998, section 126C.10, subdivision 3.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Hackbarth; Schumacher; Hasskamp; Huntley; Larsen, P.; Goodno; Rostberg; Tomassoni; Rukavina; Tunheim; Wenzel; Dehler; Ozment and Murphy introduced:

H. F. No. 619, A bill for an act relating to local government; preserving shooting ranges from planning and zoning laws and ordinances; limiting net loss of shooting ranges and providing for relocation costs; proposing coding for new law as Minnesota Statutes, chapter 87A.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Orfield introduced:

H. F. No. 620, A bill for an act relating to metropolitan government; providing for an elected metropolitan council; regulating economic interest statements of candidates and members; regulating contributions to candidates; requiring a study; appropriating money; amending Minnesota Statutes 1998, sections 10A.01, subdivision 5; 10A.09, subdivision 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.322, subdivision 1; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4; 204B.09, subdivisions 1 and 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 353D.01, subdivision 2; 375.09; and 473.123, subdivisions 1, 4, 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; and 473; repealing Minnesota Statutes 1998, section 473.123, subdivisions 2a, 3, 3a, and 3c; Laws 1994, chapter 628, article 1, section 8.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Fuller, Westerberg, Smith, Skoglund, Stanek, Ozment and Broecker introduced:

H. F. No. 621, A bill for an act relating to public safety; adding flammable and combustible gas to an arson definition; prohibiting plea agreements that reduce an arson in the first degree charge when an automated sprinkler system has limited damage; providing penalties for juveniles who possess or use butane lighters in educational or public assembly occupancies and who use such lighters to ignite fireballs that endanger persons or property; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; 609.5631, by adding a subdivision; and 609.5632.

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

Clark, K.; Lindner and Trimble introduced:

H. F. No. 622, A bill for an act relating to data practices; making public the names of elected officials who register property complaints; amending Minnesota Statutes 1998, section 13.44.

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

Daggett, Jennings, Erhardt and Rukavina introduced:

H. F. No. 623, A bill for an act relating to taxes; sales and use tax; expanding the exemptions for the production of water; amending Minnesota Statutes 1998, sections 297A.01, subdivision 16; and 297A.25, subdivision 9.

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

Stanek, Broecker, McGuire, Entenza and Mares introduced:

H. F. No. 624, A bill for an act relating to crime prevention; modifying the criminal penalties for certain crimes to provide more uniformity; increasing the amount of certain civil penalties for issuance of dishonored checks; creating a pretrial diversion program for writers of dishonored checks; amending Minnesota Statutes 1998, sections 332.50, subdivision 2; 609.52, subdivision 3; 609.535, subdivision 2a; 609.631, subdivision 4; and 609.821, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 628.

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

Solberg introduced:

H. F. No. 625, A bill for an act relating to local government; permitting Grand Rapids Township to hold its general election in November.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Larsen, P.; Murphy; Fuller; Broecker; Stanek and Smith introduced:

H. F. No. 626, A bill for an act relating to public safety; appropriating money for fire code position in the state fire marshal division.

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

Larsen, P.; Marko; Seifert, J.; Vandever and Mares introduced:

H. F. No. 627, A bill for an act relating to Washington county; changing the length of the terms of housing and redevelopment authority commissioners; amending Laws 1974, chapter 475, section 2, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Fuller, Howes, Rifenberg, Skoe and Knoblach introduced:

H. F. No. 628, A bill for an act relating to education; approving maximum effort capital loans for certain school districts; authorizing the sale of bonds; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Mariani; Clark, K., and Wejcman introduced:

H. F. No. 629, A resolution memorializing the United States government to urge the Ethiopian government to respect the human rights of Eritreans in Ethiopia.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Kubly; Juhnke; Seifert, M.; Clark, J., and Winter introduced:

H. F. No. 630, A bill for an act relating to traffic regulations; increasing maximum allowable length of recreational vehicle combinations to 65 feet; amending Minnesota Statutes 1998, section 169.81, subdivision 3c.

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

Kubly; Juhnke; Seifert, M.; Clark, J., and Otremba introduced:

H. F. No. 631, A bill for an act relating to traffic regulations; requiring school bus to pull off onto shoulder of road to load and unload students where designated by school district; requiring use of stop signal arm and flashing red signals when loading and unloading from the shoulder; amending Minnesota Statutes 1998, section 169.443, subdivision 2.

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

Kubly, Peterson, Juhnke, Skoe and Otremba introduced:

H. F. No. 632, A bill for an act relating to agriculture; creating a rural dispute resolution procedure; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended; proposing coding for new law as Minnesota Statutes, chapter 40B.

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

Seagren; Broecker; Larsen, P.; Murphy and McGuire introduced:

H. F. No. 633, A bill for an act relating to domestic abuse; appropriating money for a grant for shelter services for battered women to Cornerstone Advocacy Services.

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

Bradley; Abeler; McCollum; Seifert, J.; Haake and Jennings introduced:

H. F. No. 634, A bill for an act relating to human services; increasing funding for crisis nurseries; appropriating money.

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

Osskopp introduced:

H. F. No. 635, A bill for an act relating to education; permitting independent school district No. 253, Goodhue, to start school classes on August 30, 1999.

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

Paymar and Greiling introduced:

H. F. No. 636, A bill for an act relating to health; requiring tobacco manufacturers to report hazardous substances in their products; proposing coding for new law in Minnesota Statutes, chapter 461; repealing Minnesota Statutes 1998, section 461.17.

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

Paymar, Skoglund and Broecker introduced:

H. F. No. 637, A bill for an act relating to corrections; making changes in the work program at Camp Ripley; amending Minnesota Statutes 1998, section 241.277, subdivision 1.

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

Haas, Lindner, Carruthers and Luther introduced:

H. F. No. 638, A bill for an act relating to education; creating a virtual school district; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126C.

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

Rest, Carlson, Gleason, Osskopp and Mullery introduced:

H. F. No. 639, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 6; lowering the eligibility age for certain elective offices.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Bradley, Rhodes, Greenfield, Goodno and Carlson introduced:

H. F. No. 640, A bill for an act relating to mental health; modifying membership, duties, and reporting requirements for the state advisory council on mental health; amending Minnesota Statutes 1998, section 245.697.

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

McCollum introduced:

H. F. No. 641, A bill for an act relating to veterans; authorizing placement of a plaque in the court of honor to memorialize veterans wounded in combat.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Finseth introduced:

H. F. No. 642, A bill for an act relating to education; authorizing a fund transfer for the Oklee school district.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Bishop; Skoglund; Larsen, P.; Seifert, J., and Murphy introduced:

H. F. No. 643, A bill for an act relating to civil commitment; providing the same legal rights for all persons under commitment status; amending Minnesota Statutes 1998, section 253B.23, subdivision 2; repealing Minnesota Statutes 1998, section 609.165, subdivision 1c.

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

Holsten, Jennings, Ozment, Tomassoni and Workman introduced:

H. F. No. 644, A bill for an act relating to occupations and professions; requiring heating and ventilating contractors to be licensed; creating an advisory council and prescribing its powers and duties; providing for rulemaking; prescribing penalties; appropriating money; amending Minnesota Statutes 1998, section 116J.70, subdivision 2a; proposing coding for new law as Minnesota Statutes, chapter 16F.

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

Tingelstad and Jennings introduced:

H. F. No. 645, A bill for an act relating to the environment; conforming state requirements for water supply and wastewater treatment operator certification to federal requirements; removing the expiration date of an advisory council; removing obsolete references; amending Minnesota Statutes 1998, sections 115.71, subdivisions 9a and 10; and 115.741, subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Gunther, Mullery, McElroy, Broecker and Trimble introduced:

H. F. No. 646, A bill for an act relating to youth programs; appropriating money for youth intervention program grants.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Sykora, McGuire, Chaudhary, Nornes and Boudreau introduced:

H. F. No. 647, A bill for an act relating to child care assistance; increasing the maximum rate of reimbursement; modifying payment requirements; directing the commissioner of children, families, and learning to implement a streamlined payment system; amending Minnesota Statutes 1998, section 119B.13, subdivisions 1, 2, and 6.

The bill was read for the first time and referred to the Committee on Family and Early Childhood Education Finance.

Kielkucki, Sviggum, Pelowski, Mares, Dorn and Johnson introduced:

H. F. No. 648, A bill for an act relating to education; amending Minnesota state high school league provisions; amending Minnesota Statutes 1998, sections 43A.18, subdivision 4a; 128C.01, subdivisions 4 and 5; 128C.02, by adding a subdivision; 128C.12, subdivision 1; and 128C.20.

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

Rostberg, Davids, Gunther, Greenfield, Leighton, Boudreau, Sykora, Dorn, Rhodes, Kubly, Jaros and Wejcman introduced:

H. F. No. 649, A bill for an act relating to employment; establishing standards for employment support programs and services for persons with mental illness; requiring the commissioner of economic security to request funding for employment support services; appropriating money; amending Minnesota Statutes 1998, sections 268A.13; and 268A.14; proposing coding for new law in Minnesota Statutes, chapter 245.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

Hackbarth, Smith, Schumacher, Boudreau, Broecker, Goodno, Rostberg, Tomassoni, Rukavina, Tunheim, Daggett, Wenzel, Huntley, Dehler, Ozment, Murphy and Hasskamp introduced:

H. F. No. 650, A bill for an act relating to land servitudes; exempting owners of certain shooting ranges from liability for certain civil and criminal actions; proposing coding for new law in Minnesota Statutes, chapters 500; and 604A.

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

CALL OF THE HOUSE

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

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

Abrams 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.

MESSAGES FROM THE SENATE

The following message was 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. 1, A bill for an act relating to taxation; providing for an income and property tax rebate; providing for agricultural assistance; exempting certain storm-damaged tree trimming and removal services from the sales tax; providing for automatic rebates in enacted budget; appropriating money; amending Minnesota Statutes 1998, sections 297A.15, subdivision 6; and 297A.25, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

PATRICK E. FLAHAVEN, Secretary of the Senate

Abrams moved that the House refuse to concur in the Senate amendments to H. F. No. 1, that the Speaker appoint a Conference Committee of 5 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.

A roll call was requested and properly seconded.

The question was taken on the Abrams motion and the roll was called.

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

There were 69 yeas and 58 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Chaudhary	Gleason	Hilty	Juhnke	Larson, D.
Bakk	Clark, K.	Greenfield	Huntley	Kalis	Leighton
Biernat	Dorn	Greiling	Jaros	Kelliher	Lenczewski
Carlson	Entenza	Hasskamp	Jennings	Koskinen	Lieder
Carruthers	Folliard	Hausman	Johnson	Kubly	Luther

Mahoney	Milbert	Otremba	Rest	Solberg	Wejman
Mariani	Mullery	Paymar	Rukavina	Tomassoni	Wenzel
Marko	Munger	Pelowski	Schumacher	Trimble	Winter
McCollum	Murphy	Peterson	Skoe	Tunheim	
McGuire	Opatz	Pugh	Skoglund	Wagenius	

The motion prevailed.

The Speaker called Abrams to the Chair.

MOTIONS AND RESOLUTIONS

Gleason moved that his name be stricken as an author on H. F. No. 279. The motion prevailed.

Mulder moved that the name of Swenson be added as an author on H. F. No. 401. The motion prevailed.

Kuisle moved that the names of Reuter, Kalis, Storm and Dorn be added as authors on H. F. No. 446. The motion prevailed.

Greiling moved that her name be stricken as an author on H. F. No. 497. The motion prevailed.

Anderson, I., moved that the name of Peterson be added as an author on H. F. No. 529. The motion prevailed.

Huntley moved that the name of Luther be added as an author on H. F. No. 539. The motion prevailed.

Greenfield moved that the name of Luther be added as an author on H. F. No. 546. The motion prevailed.

Dorn moved that the name of Trimble be added as an author on H. F. No. 555. The motion prevailed.

Reuter moved that the name of Vandever be added as an author on H. F. No. 565. The motion prevailed.

Ozment moved that his name be stricken as an author on H. F. No. 581. The motion prevailed.

Kielkucki moved that the name of Luther be added as an author on H. F. No. 582. The motion prevailed.

Munger moved that H. F. No. 258 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Local Government and Metropolitan Affairs. The motion prevailed.

Hilty moved that H. F. No. 343 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Higher Education Finance. The motion prevailed.

Hackbarth moved that H. F. No. 534 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Civil Law. The motion prevailed.

Anderson, B., moved that H. F. No. 283 be returned to its author. The motion prevailed.

McCollum moved that H. F. No. 641 be returned to its author. The motion prevailed.

Ness, Carlson, Seagren, Solberg and Mares introduced:

House Resolution No. 3, A house resolution recognizing February 14-20 as Vocational Technical Education Week in Minnesota.

The resolution was referred to the Committee on Education Policy.

ANNOUNCEMENT BY THE SPEAKER

Mason's Manual of Legislative Procedure, Sec. 575, says in part: "The duties of the presiding officer are: "To preserve order and decorum.""

House Rule 7.01 says, in part: "The Speaker must preserve order and decorum."

In an attempt to comply with the above two directives and in an effort to promote the orderly consideration of business that comes before us I am reminding members, staff and visitors of some general principles of debate and decorum that I will be enforcing as follows:

1. It is not proper procedure to start a debate on a subject not before the body by asking a member to yield to a question under the order of business "Announcements." Section 100 of Mason's Manual states in paragraph 2: "Debate must always have relation to some definite question which is under consideration by the body. There must be a motion or question proposed to the body by the presiding officer for the purpose of ascertaining the will of the body." I intend to enforce this provision.

2. We should not use "Points of Privilege" to make statements that definitely are not points of privilege. Questions relating to members of the body in their representative capacity are called "Points of Personal Privilege" and should relate to charges against a member's rights, conduct or character. Questions relating to the entire body are called "Points of Privilege of the House" and should relate to charges against the membership of the entire body. I will not permit political or other type speeches to be made under the guise of being a "Point of Privilege" nor will I permit members to use this procedure to create a debate on a subject not properly before the body.

3. Members are reminded pursuant to Rule 2.20 to keep their seats at the end of the day until the Speaker announces adjournment.

4. Mason's, Sec. 121, par. 2, says: "A member who resorts to persistent irrelevance or to persistent repetition after the attention of the house has been called to the matter may be directed to discontinue the speech by the presiding officer."

5. Remember, there is no point of order unless a member cites the Rule, Joint Rule, or section of Mason's being violated.

6. Mason's, Sec. 124, par. 1, says "In debate a member must confine remarks to the question before the body, and avoid personalities." The same section, par. 3, says: "It is not the person but the measure that is the subject of debate, and it is not allowable to arraign the motives of a member, but the nature or consequences of a measure may be condemned in strong terms."

By observing the above rules, by showing proper respect for each other as members, and by extending common courtesies to one another as public servants we will have a more pleasant session and will have more time to conduct the people's business on the floor of the House. Your cooperation will be greatly appreciated and will make our job much easier.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, February 11, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 2:30 p.m., Thursday, February 11, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

