

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 SIXTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 11, 1999

The House of Representatives convened at 2:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Dan Hall, Open Arms Christian Church, Burnsville, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Hausman, Kahn, Milbert, Munger, Osthoff and Stanek were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Haake 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

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

H. F. No. 55, A bill for an act relating to employment; requiring the commissioner of natural resources to maintain a trained force of firefighters; modifying the definition of public employee; amending Minnesota Statutes 1998, sections 88.12, by adding a subdivision; and 179A.03, subdivision 14.

Reported the same back with the following amendments:

Page 3, line 21, delete everything after "employees" and insert a period

Page 3, delete line 22

With the recommendation that when so amended the bill be re-referred to the Committee on Environment and Natural Resources Policy without further recommendation.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 59, A bill for an act relating to recreational vehicles; modifying provisions of snowmobile grants-in-aid; amending Minnesota Statutes 1998, section 84.83, subdivisions 3 and 4.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 137, A bill for an act relating to watercraft; exempting certain collector watercraft from the watercraft licensing requirement; amending Minnesota Statutes 1998, sections 86B.301, subdivision 2; and 86B.401, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 86B.401, is amended by adding a subdivision to read:

Subd. 13. [COLLECTOR WATERCRAFT.] (a) On watercraft built before July 1, 1959, which are used solely as a collector's item, the owner may affix any license numbers and decals required by section 86B.301, subdivision 1, and Minnesota Rules, parts 6110.0300 to 6110.0500, so as to be readily detachable.

(b) During any exhibit, regatta, or boat parade held on the waters of this state authorized under a permit in section 86B.121, any collector watercraft may be exempted in that permit from displaying the license numbers and decals required by section 86B.301, subdivision 1, as well as any equipment or operational requirement."

Delete the title and insert:

"A bill for an act relating to watercraft; exempting collector watercraft from certain watercraft license display requirements; amending Minnesota Statutes 1998, section 86B.401, by adding a subdivision."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Ozment from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 288, A bill for an act relating to appropriations; appropriating money to the Minnesota pollution control agency for equipment purchase and distribution, planning, and response training relating to emergency spill response on the Mississippi river.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1998, section 115C.08, subdivision 4, is amended to read:

Subd. 4. [EXPENDITURES.] (a) Money in the fund may only be spent:

- (1) to administer the petroleum tank release cleanup program established in this chapter;
 - (2) for agency administrative costs under sections 116.46 to 116.50, sections 115C.03 to 115C.06, and costs of corrective action taken by the agency under section 115C.03, including investigations;
 - (3) for costs of recovering expenses of corrective actions under section 115C.04;
 - (4) for training, certification, and rulemaking under sections 116.46 to 116.50;
 - (5) for agency administrative costs of enforcing rules governing the construction, installation, operation, and closure of aboveground and underground petroleum storage tanks;
 - (6) for reimbursement of the harmful substance compensation account under subdivision 5 and section 115B.26, subdivision 4;
 - (7) for administrative and staff costs as set by the board to administer the petroleum tank release program established in this chapter;
 - (8) for corrective action performance audits under section 115C.093; ~~and~~
 - (9) for contamination cleanup grants, as provided in paragraph (c); and
 - (10) purchase of spill response equipment to protect the Mississippi river.
- (b) Except as provided in paragraph (c), money in the fund is appropriated to the board to make reimbursements or payments under this section.
- (c) \$6,200,000 is annually appropriated from the fund to the commissioner of trade and economic development for contamination cleanup grants under section 116J.554, provided that money appropriated in this paragraph may be used only for cleanup costs attributable to petroleum contamination, as determined by the commissioner of the pollution control agency. Of this amount, the commissioner may spend up to \$120,000 annually for administration of the contamination cleanup grant program."

Page 1, line 8, delete "Section 1." and insert "Sec. 2."

Page 1, line 9, delete "general" and insert "petroleum tank"

Amend the title as follows:

Page 1, line 6, before the period, insert "; amending Minnesota Statutes 1998, section 115C.08, subdivision 4"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 137 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Trimble, Gunther and Mahoney introduced:

H. F. No. 651, A bill for an act relating to appropriations; appropriating money for the labor interpretive center.

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

Westerberg, Stanek, Fuller, Paymar, Abeler and Tingelstad introduced:

H. F. No. 652, A bill for an act relating to crime; providing that the disorderly conduct law applies to individuals who commit certain acts in the presence of peace officers or public safety personnel; amending Minnesota Statutes 1998, section 609.72, subdivision 1.

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

Osskopp introduced:

H. F. No. 653, A bill for an act relating to game and fish; modifying legal firearm requirements for taking big game; amending Minnesota Statutes 1998, section 97B.031, subdivision 1.

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

Tingelstad, Osthoff, Hackbarth, Holsten, McCollum and Mullery introduced:

H. F. No. 654, A bill for an act relating to appropriations; appropriating money for the operation and maintenance of the metropolitan regional parks system.

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

Anderson, B.; Schumacher; Olson; Hackbarth and Tingelstad introduced:

H. F. No. 655, A bill for an act relating to education; modifying definition of maximum effort debt service levy; modifying loan repayment account; amending Minnesota Statutes 1998, sections 126C.63, subdivision 8; and 126C.65, subdivisions 4 and 5.

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

Daggett, Rukavina, Erhardt, Jennings and Finseth introduced:

H. F. No. 656, A bill for an act relating to forestry; modifying tree growth tax requirements; amending Minnesota Statutes 1998, section 270.38, subdivision 1.

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

Trimble introduced:

H. F. No. 657, A bill for an act relating to retirement; St. Paul teachers retirement fund association; providing for the investment of the retirement fund by the state board of investment; amending Minnesota Statutes 1998, sections 11A.23, subdivision 4; and 354A.08; proposing coding for new law in Minnesota Statutes, chapter 354A; repealing Minnesota Statutes 1998, section 354A.29.

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

Osskopp, Kahn, Rhodes and Hilty introduced:

H. F. No. 658, A bill for an act relating to communications; appropriating money for grants to noncommercial television.

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

Davids introduced:

H. F. No. 659, A bill for an act relating to insurance; health; requiring nondiscriminatory coverage of diagnostic or surgical procedures of the bones and joints of the jaw and facial region; amending Minnesota Statutes 1998, section 62A.043, by adding a subdivision.

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

Smith introduced:

H. F. No. 660, A bill for an act relating to family law; changing procedures and presumptions relating to joint custody; amending Minnesota Statutes 1998, section 518.17, subdivision 2.

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

Haas and Davids introduced:

H. F. No. 661, A bill for an act relating to securities regulation; exempting from state registration certain securities that meet federal requirements for exemption from federal registration, if certain other conditions are met; permitting quicker issuance of securities registered under the small company offering registration; amending Minnesota Statutes 1998, sections 80A.115, subdivision 9; and 80A.15, subdivision 2.

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

Sykora, Biernat, Carlson and Seifert, M., introduced:

H. F. No. 662, A bill for an act relating to education; appropriating money for partners for quality school improvement.

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

Daggett, Lindner, Cassell and Kuisle introduced:

H. F. No. 663, A bill for an act relating to employment; modifying provisions governing payment of wages on state projects; amending Minnesota Statutes 1998, sections 116J.871, subdivision 2; 177.41; 177.42; 177.43; 177.44; and 471.345, subdivision 7; repealing Minnesota Statutes 1998, section 177.435.

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

Knoblach introduced:

H. F. No. 664, A bill for an act relating to elections; changing certain campaign finance provisions; amending Minnesota Statutes 1998, sections 10A.065, subdivision 1; 10A.25, subdivision 2; and 10A.27, subdivision 10.

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

Wenzel, Smith, Broecker, Haake and Anderson, I., introduced:

H. F. No. 665, A bill for an act relating to crime; providing criminal penalties for possession or sale of a small amount of marijuana; amending Minnesota Statutes 1998, section 152.027, subdivision 4.

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

Storm, Rhodes, Mares, Murphy and Smith introduced:

H. F. No. 666, A bill for an act relating to retirement; public employees retirement association; authorizing the purchase of certain periods of salary credit.

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

Milbert, Abrams, Pugh, McCollum and Holsten introduced:

H. F. No. 667, A bill for an act relating to taxation; making certain property tax public hearings optional; requiring a reverse referendum for property tax levy increases in counties and certain cities; amending Minnesota Statutes 1998, sections 275.065, subdivisions 3, 5a, 6, 8, and by adding a subdivision; and 275.07, subdivision 1.

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

Solberg, Howes and Bakk introduced:

H. F. No. 668, A bill for an act relating to veterans; appropriating money for transportation of veterans to veterans medical facilities.

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

Goodno, Boudreau, Greenfield and Koskinen introduced:

H. F. No. 669, A bill for an act relating to medical assistance; increasing the income standard for medical assistance; amending Minnesota Statutes 1998, section 256B.056, subdivision 4.

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

Goodno; Bradley; Greenfield; Huntley; Haas; Milbert; Jennings; Carlson; Pugh; Leighton; Wejcman; Boudreau; Clark, K.; Murphy; Ozment; Van Dellen; Tingelstad; Lindner; Fuller; Anderson, B.; Westerberg; Tuma; Rhodes; Mulder; Sviggum; Dorn; Koskinen; Howes; Seifert, J.; Olson; Otremba; Wilkin; Pawlenty; Hasskamp and Luther introduced:

H. F. No. 670, A bill for an act relating to health care; expanding medical assistance eligibility for employed persons with disabilities; amending Minnesota Statutes 1998, section 265B.057, by adding a subdivision.

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

Molnau, Kuisle, Lieder, Harder, Daggett and Hasskamp introduced:

H. F. No. 671, A bill for an act relating to taxation; exempting certain purchases by counties for road and bridge maintenance from the sales tax and the sales tax on motor vehicles; amending Minnesota Statutes 1998, sections 297A.25, subdivision 11; and 297B.03.

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

Kuisle, Tuma, Molnau, Lieder and Hasskamp introduced:

H. F. No. 672, A bill for an act relating to transportation; authorizing county review and approval of plats on real property that is bordering existing or proposed county highways; amending Minnesota Statutes 1998, section 505.03, subdivision 2.

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

Solberg, Bakk and Anderson, I., introduced:

H. F. No. 673, A bill for an act relating to Itasca county; modifying certain accounting and expenditure requirements for road and bridge fund tax money derived from unorganized townships.

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

Clark, K.; Davids and Wejcman introduced:

H. F. No. 674, A bill for an act relating to the housing finance agency; appropriating money to the family homeless prevention and assistance program.

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

Mares, Smith and Murphy introduced:

H. F. No. 675, A bill for an act relating to retirement; modifying various public pension plan provisions; providing for uniformity in various administrative provisions; modifying definitions; making technical and administrative changes; establishing a pilot program; amending Minnesota Statutes 1998, sections 3A.02, subdivision 1b; 3A.03, subdivision 2; 122A.46, subdivision 2; 352.01, subdivision 26; 352.03, subdivision 1; 352.04, subdivision 8; 352.12, subdivisions 2 and 2a; 352.22, subdivision 2; 352B.01, subdivisions 3 and 10; 352B.11, subdivisions 1 and 2; 352C.021, subdivision 5; 352C.031, subdivision 2; 352D.05, subdivision 3; 352D.06, subdivision 3; 352D.09, subdivision 5a; 353.01, subdivisions 6, 15a, and 28; 353.03, subdivision 4; 353.15, subdivision 2; 353.32, subdivisions 1a and 1b; 353.33, subdivisions 2, 6, 7, and 9; 353.34, subdivision 3; 353.656, subdivisions 1, 3, and 4; 353.71, subdivision 2; 353B.11, subdivision 3; 354.05, subdivisions 2, 8a, 35, 37, and 40; 354.06, subdivision 1; 354.091; 354.092, subdivision 2; 354.093; 354.094, subdivision 1; 354.10, subdivisions 2 and 4; 354.35; 354.445; 354.46, subdivisions 2 and 2a; 354.48, subdivision 6; 354.49, subdivision 1; 354.52, subdivisions 3, 4, 4a, and 4b; 354.63, subdivision 2; 356.30, subdivision 1; 490.121, subdivision 17; and 490.124, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1998, sections 353.024; and 354.52, subdivision 2.

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

Hilty and Murphy introduced:

H. F. No. 676, A bill for an act relating to local government; authorizing Carlton county to make a cemetery levy in and for Sawyer unorganized township.

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

Jaros, Molnau and Chaudhary introduced:

H. F. No. 677, A bill for an act relating to appropriations; transferring to the world trade center appropriations that were not expended for an international medical exposition.

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

Davids, Kuisle, Rifenberg and Dorman introduced:

H. F. No. 678, A bill for an act relating to agriculture; providing risk management, tax relief, right-to-farm, and technology development assistance; appropriating money; amending Minnesota Statutes 1998, sections 3.7371, subdivisions 1, 2, 3, and 5; 17.115, by adding a subdivision; 97B.655, subdivision 1; 123B.55; and 126C.17, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Jaros introduced:

H. F. No. 679, A bill for an act relating to liquor; authorizing football boards in retail establishments licensed to sell alcoholic beverages; amending Minnesota Statutes 1998, sections 340A.410, subdivision 5; 541.20; 541.21; 609.75, subdivision 3; and 609.761, by adding a subdivision.

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

Jaros introduced:

H. F. No. 680, A bill for an act relating to marriage dissolution; changing calculation of income when physical custody of children is split between parents; amending Minnesota Statutes 1998, section 518.54, subdivision 6.

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

Jaros introduced:

H. F. No. 681, A bill for an act relating to taxation; sales and use; exempting vitamin and mineral supplements; amending Minnesota Statutes 1998, section 297A.25, subdivision 3.

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

Anderson, B.; Vandever; Westfall; Olson and Rhodes introduced:

H. F. No. 682, A bill for an act relating to veterans; expanding coverage of veterans preference termination rights to state employees; amending Minnesota Statutes 1998, section 197.46.

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

Clark, K.; Stanek; Murphy; Wejcman; Smith; Solberg and Larsen, P., introduced:

H. F. No. 683, A bill for an act relating to crime prevention; appropriating money for grants and training related to restorative justice programs.

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

Dawkins and Davids introduced:

H. F. No. 684, A bill for an act relating to insurance; requiring no-fault automobile insurance medical benefits to include sign interpreting and language translation; making technical changes; amending Minnesota Statutes 1998, section 65B.44, subdivision 2.

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

McCollum; Leppik; Rostberg; Larsen, P., and Dorn introduced:

H. F. No. 685, A bill for an act relating to health professions; establishing a registration system for massage therapists and Oriental bodywork therapists; authorizing rulemaking; providing criminal penalties; amending Minnesota Statutes 1998, sections 116J.70, subdivision 2a; 144.335, subdivision 1; 214.23, subdivision 1; and 604A.01, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 148D.

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

Dehler, Kielkucki, Opatz, Juhnke, Schumacher, Jaros, Hasskamp, Stang, Kuisle, Milbert, Solberg, Mares, Otremba and Tomassoni introduced:

H. F. No. 686, A bill for an act relating to gambling; authorizing dice games in retail establishments licensed to sell alcoholic beverages under certain circumstances; amending Minnesota Statutes 1998, sections 340A.410, subdivision 5; and 609.761, by adding a subdivision.

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

Kubly introduced:

H. F. No. 687, A bill for an act relating to human services; increasing reimbursement rates for certain services.

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

Kubly introduced:

H. F. No. 688, A bill for an act relating to agriculture; exempting hydroponic greenhouses from the corporate farm law; amending Minnesota Statutes 1998, section 500.24, subdivision 2.

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

Lindner, Davids, Krinkie and Juhnke introduced:

H. F. No. 689, A bill for an act relating to employment; modifying provisions governing payment of wages upon discharge; amending Minnesota Statutes, section 181.13.

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

Smith introduced:

H. F. No. 690, A bill for an act relating to corrections; modifying the law prohibiting inmates from bringing actions to challenge the level of expenditures for rehabilitation programs; amending Minnesota Statutes 1998, section 244.03.

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

Smith introduced:

H. F. No. 691, A bill for an act relating to traffic regulations; allowing four hours after crosswalk violation for peace officer to arrest violator; amending Minnesota Statutes 1998, section 169.21, by adding a subdivision.

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

Smith introduced:

H. F. No. 692, A bill for an act relating to the legislature; requiring that each bill be accompanied by a fiscal note; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Smith introduced:

H. F. No. 693, 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.

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

Smith introduced:

H. F. No. 694, A bill for an act relating to marriage dissolution; requiring certain notices regarding real property and debt transfers; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Howes, Davids, Huntley, Tomassoni and Fuller introduced:

H. F. No. 695, A bill for an act relating to appropriations; appropriating money to the Minnesota Festivals and Events Association to promote tourism.

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

Orfield and Opatz introduced:

H. F. No. 696, A bill for an act relating to metropolitan government; requiring the metropolitan area local governments to establish urban growth boundaries; requiring the metropolitan council to review and approve the urban growth boundaries; requiring the metropolitan council to negotiate with the St. Cloud region to preserve agricultural and open space between the urbanized areas in the two regions; amending Minnesota Statutes 1998, sections 473.175, by adding a subdivision; and 473.859, subdivision 2.

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

Rhodes and Erhardt introduced:

H. F. No. 697, A bill for an act relating to education; reducing the space requirement for the alternative facilities bonding and levy program; amending Minnesota Statutes 1998, section 123B.59, subdivision 1.

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

Workman, Molnau, Johnson, Lieder, Kuisle, Vandevveer, Swenson, Westrom, Buesgens, Van Dellen, Rifenberg, Haake and Davids introduced:

H. F. No. 698, A bill for an act relating to transportation; establishing major transportation projects commission; requiring commissioner of transportation to enumerate major projects; requiring major transportation projects commission to report to legislature; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Gunther, Kalis, Swenson, Harder and Dorman introduced:

H. F. No. 699, A bill for an act relating to water; supporting the Blue Earth river basin initiative; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103F.

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

Davids, Ozment, Jennings, Fuller and Hackbarth introduced:

H. F. No. 700, A bill for an act relating to commerce; requiring certain fire protection notifications in contracts for the sale of certain newly constructed residential dwellings; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Pelowski, Carlson, Erickson and Kielkucki introduced:

H. F. No. 701, A bill for an act relating to education; modifying staff development committee outcomes and revenue; amending Minnesota Statutes 1998, sections 122A.60, subdivisions 1 and 3; and 122A.61, subdivision 1.

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

Davids introduced:

H. F. No. 702, A bill for an act relating to insurance; regulating claims; providing remedies for the bad faith actions of certain insurers; proposing coding for new law in Minnesota Statutes, chapter 72A.

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

Van Dellen, Abrams, Sviggum, McElroy, Milbert and Rest introduced:

H. F. No. 703, A bill for an act relating to taxation; corporate franchise; adopting a single factor sales apportionment; amending Minnesota Statutes 1998, section 290.191, subdivision 2; repealing Minnesota Statutes 1998, section 290.191, subdivision 4.

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

Bishop, Stanek, Skoglund and Murphy introduced:

H. F. No. 704, A bill for an act relating to sexually dangerous persons; making the state financially responsible for costs associated with certain persons who have sexual psychopathic personalities or are sexually dangerous; amending Minnesota Statutes 1998, section 253B.185, by adding a subdivision.

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

Juhnke; Seifert, M.; Schumacher; Biernat and Ness introduced:

H. F. No. 705, A bill for an act relating to education; increasing the crime-related costs levy maximum amount; amending Minnesota Statutes 1998, section 126C.44.

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

Lenczewski; Larson, D.; Rest; Hasskamp; Chaudhary; Skoe; Wenzel; McGuire; Winter; Johnson; Gleason; Koskinen; Jennings; Dorn; Solberg; Carruthers; Folliard; Mahoney; Schumacher; Juhnke; Carlson and Pelowski introduced:

H. F. No. 706, A bill for an act relating to education; providing that a person convicted of criminal sexual conduct is ineligible to be licensed as a teacher; amending Minnesota Statutes 1998, sections 122A.20, subdivision 1; 122A.40, subdivisions 5 and 13; 122A.41, subdivision 6; and 631.40, by adding a subdivision.

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

Bakk, Westfall, Leighton, Milbert and Workman introduced:

H. F. No. 707, 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.

Mares, Smith, Murphy and Rostberg introduced:

H. F. No. 708, A bill for an act relating to public administration; authorizing the Minnesota state retirement system, the public employees retirement association, and the teachers retirement association to purchase or construct an administrative building; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1998, sections 353.03, subdivision 4; and 354.06, subdivision 7.

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

Cassell; Daggett; Storm; Lindner; Kielkucki; Buesgens; Dehler; Normes; Stang; Tuma; Seifert, M.; Ness; Sykora; Knoblach; Leppik; Erickson; Anderson, B.; Olson; Gunther; Westfall; Westerberg; Rhodes; Wilkin; Broecker; Paulsen; Harder; Rifenberg; Boudreau; Kuisle; Van Dellen; Dorman; Swenson; Westrom; Erhardt and Holberg introduced:

H. F. No. 709, A bill for an act relating to education; repealing the prevailing wage provision for educational facility construction and remodeling; repealing Minnesota Statutes 1998, section 123B.71, subdivision 2.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 26, A bill for an act relating to appropriations; changing a grantee for the Mississippi education center grant; imposing a condition; amending Laws 1998, chapter 404, section 5, subdivision 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 139, A bill for an act relating to the campaign finance and public disclosure board; specifying member qualifications; amending Minnesota Statutes 1998, section 10A.02, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 71.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 71, A bill for an act relating to administrative procedure; changing certain requirements for notifying the legislature of proposed rulemaking; amending Minnesota Statutes 1998, section 14.116.

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bill to be placed on the Calendar for the Day for Thursday, February 11, 1999:

H. F. No. 15.

CALL OF THE HOUSE

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

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

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

CALENDAR FOR THE DAY

H. F. No. 15 was reported to the House.

Folliard offered an amendment to H. F. No. 15, the second engrossment.

POINT OF ORDER

Ness raised a point of order pursuant to rule 3.21 that the Folliard amendment was not in order. The Speaker ruled the point of order well taken and the Folliard amendment out of order.

Folliard appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

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

There were 70 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Folliard	Johnson	Luther	Pelowski	Tunheim
Bakk	Gleason	Juhnke	Mahoney	Peterson	Wagenius
Biernat	Gray	Kalis	Marko	Pugh	Wejzman
Carlson	Greenfield	Kelliher	McCollum	Rukavina	Wenzel
Carruthers	Greiling	Koskinen	McGuire	Schumacher	Winter
Chaudhary	Hasskamp	Kubly	Mullery	Skoe	
Clark, K.	Hilty	Larson, D.	Murphy	Skoglund	
Dawkins	Huntley	Leighton	Opatz	Solberg	
Dorn	Jaros	Lenczewski	Otremba	Tomassoni	
Entenza	Jennings	Lieder	Paymar	Trimble	

So it was the judgment of the House that the decision of the Speaker should stand.

Carlson moved to amend H. F. No. 15, the second engrossment, as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

AMENDING STATE GRADUATION STANDARDS

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.

~~(d)~~ (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.~~

~~(e)~~ (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.

~~(f)~~ (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~~ 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.

ARTICLE 2

PHASING IN THE PROFILE OF LEARNING

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

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

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

(b) A school district shall implement the profile of learning for the ~~1998-1999~~ 2000-2001 school year and later.

(c) A school district shall implement the profile of learning as follows:

(1) for the ~~1998-1999~~ 2000-2001 school year and later, the district shall implement all required standards in learning areas at the preparatory level and implement for ninth grade students a minimum of six learning areas under the profile of learning with three from the areas of read, listen, and view; write and speak; mathematical applications; scientific applications; and people and cultures; and three from the areas of literature and the arts; inquiry; decision making; resource management; and world language;

(2) for the ~~1999-2000~~ 2001-2002 school year and later, the district shall implement for ninth and tenth grade students two learning areas in addition to those implemented under clause (1). The district shall complete the four learning areas of read, listen, and view; write and speak; mathematical applications; scientific applications; and people and cultures if the four areas were not completed in clause (1); and the remainder from the areas of literature and the arts; inquiry; decision making; resource management; and world language; and

(3) for the ~~2000-2001~~ 2002-2003 school year and later, the district shall implement for ninth, tenth, and eleventh grade students the two learning areas in the profile of learning that were not implemented under clauses (1) and (2).

(d) A district shall develop a local plan to implement the profile of learning and have all ten learning areas fully implemented by the ~~2001-2002~~ 2002-2003 school year.

(e) A district shall notify the commissioner by July 1, ~~1998~~ 2000, as to whether the district will implement the profile of learning under paragraph (b), (c), or (d).

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

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

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

Sec. 2. [ADVISORY GROUP.]

(a) The commissioner of children, families, and learning shall appoint and convene an advisory group to make recommendations on implementing the profile of learning under chapter 120B. The advisory group at least must consider:

(1) state and district costs to comply with the profile of learning;

(2) transfer students' ability to meet profile of learning requirements;

(3) need to ameliorate the disruption caused by introducing new teaching and learning standards;

(4) depth and breadth of content standard;

(5) uniform record keeping system; and

(6) scoring criteria by which to evaluate student work.

The working group must include representation of communities of color, three parents of public high school students, three public high school students, three public high school classroom teachers, and one representative from each of the following organizations: the Minnesota school boards association; the state board of teaching; education Minnesota; the Minnesota state colleges and universities; the University of Minnesota; the Minnesota business partnership; the Minneapolis school district; the St. Paul school district; the association of metropolitan school districts; the Minnesota rural education association; the Minnesota association of school administrators; the Minnesota elementary school principals association; the Minnesota association of secondary school principals; and other organizations the commissioner determines are relevant. By February 15, 2000, the commissioner shall submit the recommendations of the advisory group on implementing the profile of learning under chapter 120B, including recommended statutory changes, to the education committees of the legislature.

(b) The commissioner shall provide technical and other assistance to the advisory group. The group expires on February 15, 2000.

Sec. 3. [EFFECTIVE DATE.]

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

ARTICLE 3

Section 1. [SCHOOL DISTRICT CHOICE.]

By July 1, 1999, a school district must formally elect to adopt high school graduation standards under article 1 or article 2.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective immediately after final enactment."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Carlson amendment and the roll was called.

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

There were 53 yeas and 74 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Skoglund was excused for the remainder of today's session.

Otremba moved to amend H. F. No. 15, the second engrossment, as follows:

Page 2, line 36, after "health" insert ", which shall include abstinence-based sex education at all grade levels."

A roll call was requested and properly seconded.

The question was taken on the Otremba amendment and the roll was called.

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

There were 89 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Folliard	Jaros	Mariani	Ozment	Tingelstad
Anderson, I.	Fuller	Jennings	Marko	Pawlenty	Tomassoni
Biernat	Gleason	Johnson	McCollum	Pelowski	Tuma
Carlson	Gray	Juhnke	McGuire	Peterson	Tunheim
Cassell	Greiling	Kalis	Molnau	Pugh	Van Dellen
Chaudhary	Gunther	Kelliher	Mulder	Rest	Wagenius
Clark, J.	Haake	Koskinen	Mullery	Rifenberg	Wenzel
Clark, K.	Haas	Kubly	Murphy	Rostberg	Westerberg
Davids	Hackbarth	Kuisle	Ness	Schumacher	Westfall
Dehler	Harder	Larson, D.	Nornes	Seagren	Westrom
Dempsey	Hasskamp	Leighton	Olson	Skoe	Winter
Dorn	Holberg	Lenczewski	Opatz	Smith	Wolf
Entenza	Holsten	Lieder	Orfield	Solberg	Workman
Erickson	Howes	Lindner	Osskopp	Stang	Spk. Sviggum
Finseth	Huntley	Luther	Otremba	Storm	

Those who voted in the negative were:

Abeler	Broecker	Gerlach	Leppik	Rhodes	Trimble
Abrams	Buesgens	Goodno	Mahoney	Rukavina	Vandever
Bakk	Daggett	Greenfield	Mares	Seifert, J.	Wejcman
Bishop	Dawkins	Kielkucki	McElroy	Seifert, M.	Wilkin
Boudreau	Dorman	Knoblach	Paulsen	Swenson	
Bradley	Erhardt	Krinkie	Reuter	Sykora	

The motion prevailed and the amendment was adopted.

H. F. No. 15, as amended, was read for the third time.

The Speaker called Abrams to the Chair.

MOTION TO RE-REFER

Peterson moved that H. F. No. 15, as amended, be re-referred to the Committee on Education Policy.

A roll call was requested and properly seconded.

The question was taken on the Peterson motion and the roll was called. There were 51 yeas and 76 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Davids	Haake	Kuistle	Opatz	Seagren
Abrams	Dehler	Haas	Larsen, P.	Osskopp	Seifert, J.
Anderson, B.	Dempsey	Hackbarth	Leppik	Otremba	Seifert, M.
Bishop	Dorman	Harder	Lindner	Ozment	Smith
Boudreau	Erhardt	Hasskamp	Mares	Paulsen	Stang
Bradley	Erickson	Holberg	McElroy	Pawlenty	Storm
Broecker	Finseth	Holsten	Molnau	Pelowski	Swenson
Buesgens	Fuller	Howes	Mulder	Reuter	Sykora
Cassell	Gerlach	Kielkucki	Ness	Rhodes	Tingelstad
Clark, J.	Goodno	Knoblach	Nornes	Rifenberg	Tuma
Daggett	Gunther	Krinkie	Olson	Rostberg	Tunheim

Van Dellen	Wenzel	Westfall	Wilkin	Workman
Vandev eer	Westerberg	Westrom	Wolf	Spk. Sviggum

The motion did not prevail.

The Speaker resumed the Chair.

H. F. No. 15, 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.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 92 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Howes	Marko	Rifenberg	Tuma
Abrams	Dorn	Jaros	McElroy	Rostberg	Tunheim
Anderson, B.	Erhardt	Jennings	Molnau	Rukavina	Van Dellen
Bakk	Erickson	Juhnke	Mulder	Seagren	Vandev eer
Bishop	Finseth	Kalis	Ness	Seifert, J.	Wenzel
Boudreau	Fuller	Kielkucki	Nornes	Seifert, M.	Westerberg
Bradley	Gerlach	Knoblach	Olson	Skoe	Westfall
Broecker	Goodno	Krinkie	Osskopp	Smith	Westrom
Buesgens	Gunther	Kubly	Otremba	Solberg	Wilkin
Cassell	Haake	Kuisle	Ozment	Stang	Wolf
Clark, J.	Haas	Larsen, P.	Paulsen	Storm	Workman
Daggett	Hackbarth	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Harder	Lieder	Pelowski	Sykora	
Dawkins	Hasskamp	Lindner	Peterson	Tingelstad	
Dehler	Holberg	Luther	Reuter	Tomassoni	
Dempsey	Holsten	Mares	Rhodes	Trimble	

Those who voted in the negative were:

Anderson, I.	Entenza	Hilty	Leighton	Mullery	Rest
Biernat	Folliard	Huntley	Lenczewski	Murphy	Schumacher
Carlson	Gleason	Johnson	Mahoney	Opatz	Wagenius
Carruthers	Gray	Kelliher	Mariani	Orfield	Wejzman
Chaudhary	Greenfield	Koskinen	McColum	Paymar	Winter
Clark, K.	Greiling	Larson, D.	McGuire	Pugh	

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

MOTIONS AND RESOLUTIONS

Hilty moved that the name of Larsen, P., be shown as chief author on H. F. No. 73. The motion prevailed.

Juhnke moved that the names of Kubly and Otremba be added as authors on H. F. No. 476. The motion prevailed.

Carruthers moved that the name of Carlson be added as an author on H. F. No. 477. The motion prevailed.

Tomassoni moved that the name of Winter be added as an author on H. F. No. 485. The motion prevailed.

Swenson moved that the name of Mulder be added as an author on H. F. No. 505. The motion prevailed.

Swenson moved that the name of Mulder be added as an author on H. F. No. 509. The motion prevailed.

Holsten moved that the names of Seifert, M.; Dorman; Kuisle; Peterson; Jennings; Stang; Finseth; Fuller; Howes; Tunheim; Osthoff; Workman; Winter and Swenson be added as authors on H. F. No. 595. The motion prevailed.

Solberg moved that the name of Paymar be added as an author on H. F. No. 596. The motion prevailed.

Hackbarth moved that the names of Howes, Tingelstad and Mulder be added as authors on H. F. No. 619. The motion prevailed.

Orfield moved that the name of Paymar be added as an author on H. F. No. 620. The motion prevailed.

Hackbarth moved that the name of Mulder be added as an author on H. F. No. 650. The motion prevailed.

Anderson, B., moved that H. F. No. 196 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.

Winter moved that H. F. No. 334 be recalled from the Committee on Environment and Natural Resources Finance and be re-referred to the Committee on Jobs and Economic Development Policy. The motion prevailed.

Rest moved that H. F. No. 147 be returned to its author. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1:

Abrams, McElroy, Osthoff, Daggett and Kuisle.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 15, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 15, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives