

construct, furnish, and equip a consolidated area office and service facility in Fergus Falls.

**Sec. 15. REENACTMENT OF CORRECTIONS TO 2000 BOND PROVISIONS.**

The amendments made to Laws 2000, chapter 492, article 1, sections 1; 22, subdivision 3; 25; and 26, subdivision 1; by Laws 2000, chapter 499, sections 12, 15, 17, and 18, respectively, are reenacted.

**Sec. 16. EFFECTIVE DATE.**

This act is effective the day following its final enactment.

Presented to the governor June 30, 2001

Signed by the governor June 30, 2001, 8:37 p.m.

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**CHAPTER 13—S.F.No. 1**

*An act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 2000, sections 122A.06, by adding a subdivision; 122A.09, subdivision 4; 122A.18, subdivision 2a, by adding a subdivision; 124D.80, subdivisions 1, 2, 3; 297A.70, subdivision 10, as amended; 297B.09, subdivision 1, as amended; 473.608, by adding a subdivision; 2001 First Special Session, H.F. No. 1, article 15, section 3; 2001 First Special Session, H.F. No. 2, article 2, section 77, subdivisions 2, 25, 28, by adding subdivisions; 2001 First Special Session, H.F. No. 2, article 6, section 1; 2001 First Special Session, H.F. No. 2, article 7, section 13, subdivision 2; 2001 First Special Session, S.F. No. 7, article 4, section 4; proposing coding for new law in Minnesota Statutes, chapter 120B.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **CORRECTION 1.** H.F. No. 1, article 15, section 3, the effective date, if enacted by the First Special Session of the 2001 legislature, is amended to read:

**EFFECTIVE DATE.** This section is effective for loans and advances made after July 31, 2001, and to districts with requests for certification made after July 31, 1979. Interfund loans and advances made before August 1, 2001, are ratified and approved, subject to the following restrictions: (1) the interest accrued or paid after July 31, 2001, may not exceed the limit in ~~this~~ Minnesota Statutes, section 469.178, subdivision 7, and (2) if there is no resolution or other document created contemporaneously with the making of the loan or advance that specifies the principal amount of the loan or advance, the principal amount of the loan or advance is limited to a maximum amount equal to the largest negative cash balance that existed at any time in the fund that received the undocumented loan or advance. An authority or municipality may modify

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the terms of an interfund loan or advance made before August 1, 2001, to comply with any of the requirements of this section as the authority or municipality deems appropriate.

Sec. 2. **CORRECTION 2A.** Minnesota Statutes 2000, section 122A.06, is amended by adding a subdivision to read:

Subd. 4. **COMPREHENSIVE, SCIENTIFICALLY BASED READING INSTRUCTION.** “Comprehensive, scientifically based reading instruction” includes instruction and practice in phonemic awareness, phonics and other word-recognition skills, and guided oral reading for beginning readers, as well as extensive silent reading, vocabulary instruction, instruction in comprehension, and instruction that fosters understanding and higher-order thinking for readers of all ages and proficiency levels.

Sec. 3. **CORRECTION 2B.** Minnesota Statutes 2000, section 122A.09, subdivision 4, is amended to read:

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

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

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

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

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

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain

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periodic exposure to the elementary or secondary teaching environment.

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

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

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

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

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

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

(m) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law.

**EFFECTIVE DATE.** This section is effective for teachers who renew their licenses in year 2004 and later.

Sec. 4. **CORRECTION 2C.** Minnesota Statutes 2000, section 122A.18, subdivision 2a, is amended to read:

Subd. 2a. **READING STRATEGIES.** (a) All colleges and universities approved by the board of teaching to prepare persons for classroom teacher licensure must include in their teacher preparation programs reading best practices that enable classroom teacher licensure candidates to know how to teach reading, such as phonics or other research-based best practices.

(b) Board-approved teacher preparation programs for teachers of elementary education must require instruction in the application of comprehensive, scientifically based, and balanced reading instruction programs.

New language is indicated by underline, deletions by ~~strikeout~~.

**EFFECTIVE DATE.** This section is effective for candidates for initial licensure in year 2004 and later.

Sec. 5. **CORRECTION 2D.** Minnesota Statutes 2000, section 122A.18, is amended by adding a subdivision to read:

Subd. 2b. READING SPECIALIST. Not later than July 1, 2002, the board of teaching must adopt rules providing for the licensure of teachers of reading.

Sec. 6. **CORRECTION 2E.** 2001 First Special Session, H.F. No. 2, article 2, section 77, subdivision 28, if enacted, is amended to read:

Subd. 28. **LABORATORY SCHOOL STUDY; INNOVATIVE TEACHING TECHNIQUES.** For a grant to independent school district No. 482, Little Falls, to conduct a study for a laboratory school for innovative teaching techniques in the Randall area:

\$10,000                    .....                    2002

Sec. 7. **CORRECTION 2F.** 2001 First Special Session, H.F. No. 2, article 2, section 77, if enacted, is amended by adding a subdivision to read:

Subd. 32. 7TH GRADE TESTING. For the development of the 7th grade test under Minnesota Statutes, section 120B.30, subdivision 1:

\$2,500,000                    .....                    2003

Sec. 8. **CORRECTION 2G.** 2001 First Special Session, H.F. No. 2, article 6, section 1, if enacted, is amended by adding an effective date to read:

**EFFECTIVE DATE.** This section is effective June 30, 2001. The department of children, families, and learning may make any necessary adjustments and may make payments with the fiscal year 2001 money after June 30, 2001.

Sec. 9. **CORRECTION 2H.** Minnesota Statutes 2000, section 124D.80, subdivision 1, is amended to read:

Subdivision 1. **ESTABLISHMENT.** The commissioner of children, families, and learning shall create ~~one or more~~ an 18-member American Indian education ~~committees~~ committee. The commissioner must appoint members with the assistance of the Indian affairs council as provided under section 3.922, subdivision 6, and the higher education services office. Members must include representatives of tribal bodies, community groups, parents of children eligible to be served by the programs, American Indian administrators and teachers, persons experienced in the training of teachers for American Indian education programs, persons involved in programs for American Indian children in American Indian schools, and persons knowledgeable in the field of American Indian education. Members shall be appointed so as to be representative of significant segments of the population of American Indians, with membership consisting of representatives from the 11 reservations and the Minnesota Chippewa

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tribe, the chair of the Minnesota Indian affairs council, urban advisory council, and five urban at-large representatives, two of which reside in the metropolitan area, one of which resides in the Duluth area, one of which resides in the Bemidji area, and one of which resides in the southern region of the state.

Sec. 10. **CORRECTION 2I.** Minnesota Statutes 2000, section 124D.80, subdivision 2, is amended to read:

**Subd. 2. COMMITTEE TO ADVISE COMMISSIONER.** ~~Each~~ The committee on American Indian education programs shall advise the commissioner in the administration of the commissioner's duties under sections 124D.71 to 124D.82 and other programs for the education of American Indian people, as determined by the commissioner. The committee shall also provide advice to the commissioner in awarding scholarships to eligible American Indian students and in administering the commissioner's duties regarding awarding of American Indian post-secondary preparation grants to school districts. The committee may work in multiple subcommittees focused on general Indian education issues and scholarship-related issues.

Sec. 11. **CORRECTION 2J.** Minnesota Statutes 2000, section 124D.80, subdivision 3, is amended to read:

**Subd. 3. EXPENSES; EXPIRATION.** ~~Each~~ The committee must be reimbursed for expenses according to section 15.059, subdivision 6. The commissioner must determine the membership terms and the duration of each the committee, which shall expire no later than June 30, 2001 2003.

Sec. 12. **CORRECTION 2K. [120B.12] READING INTERVENTION.**

**Subdivision 1. LITERACY GOAL.** The legislature seeks to have Minnesota's children able to read no later than the end of second grade.

**Subd. 2. IDENTIFICATION.** For the 2002-2003 school year and later, each school district shall identify before the end of first grade students who are at risk of not learning to read before the end of second grade. The district must use a locally adopted assessment method.

**Subd. 3. INTERVENTION.** For each student identified under subdivision 2, the district shall provide a reading intervention method or program to assist the student in reaching the goal of learning to read no later than the end of second grade. District intervention methods shall encourage parental involvement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school and intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day.

**Subd. 4. STAFF DEVELOPMENT.** Each district shall identify the staff development needs to ensure that:

(1) elementary teachers are able to implement comprehensive, scientifically based, and balanced reading instruction programs that have resulted in improved student performance;

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(2) elementary teachers who are instructing students identified under subdivision 2 are prepared to teach using the intervention methods or programs selected by the district for the identified students; and

(3) all licensed teachers employed by the district have regular opportunities to improve reading instruction.

**Subd. 5. COMMISSIONER.** The commissioner shall recommend to districts multiple assessment tools that will assist districts and teachers with identifying students under subdivision 2. The commissioner shall also make available to districts examples of nationally recognized and research-based instructional methods or programs that districts may use to provide reading intervention according to this section.

**Sec. 13. CORRECTION 2L.** 2001 First Special Session, H.F. No. 2, article 2, section 77, subdivision 2, if enacted, is amended to read:

**Subd. 27. READING COMPETENCY GRANTS.** For reading competency grants under Minnesota Statutes, section ~~120B.12~~ 70:

\$100,000	.....	2002
\$100,000	.....	2003

The commissioner must award one grant to the St. Croix river education district by July 1, 2001.

**Sec. 14. CORRECTION 2M.** 2001 First Special Session, H.F. No. 2, article 2, section 77, subdivision 25, if enacted, is amended to read:

**Subd. 25. SCHOOL EVALUATION SERVICES.** For contracting with an independent school evaluation services contractor to evaluate and report on school districts' academic and financial performance under section 64:

\$2,500,000	.....	2002
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Any balance in the first year does not cancel but is available in the second year.

**Sec. 15. CORRECTION 2N.** 2001 First Special Session, H.F. No. 2, article 7, section 13, subdivision 2, if enacted, is amended to read:

**Subd. 2. DEPARTMENT.** (a) For the department of children, families, and learning:

\$31,530,000	.....	2002
\$31,748,000	.....	2003

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

(b) \$684,000 in 2002 and \$690,000 in 2003 are for the board of teaching.

(c) \$165,000 each year is for the board of school administrators.

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(d) \$400,000 in fiscal year 2002 and \$400,000 in fiscal year 2003 are for the office of educational accountability under Minnesota Statutes, section 120B.31, subdivision 3.

(e) \$500,000 in 2002 and \$250,000 in 2003 and thereafter are for the Minnesota Academic Excellence Foundation.

(f) (e) \$260,000 each year is for the Minnesota Children's Museum; \$50,000 in fiscal year 2002 is for the Duluth Children's Museum.

(g) (f) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and shall be spent as indicated.

(h) (g) In preparing the department budget for fiscal years 2004-2005, the department shall shift all administrative funding from aids appropriations into the appropriation for the department.

Sec. 16. **CORRECTION 5.** Minnesota Statutes 2000, section 297A.70, subdivision 10, as amended by H.F. No. 1, article 12, section 62, if enacted by the First Special Session of the 2001 legislature, is amended to read:

Subd. 10. **NONPROFIT TICKETS OR ADMISSIONS.** (a) Tickets or admissions to an event are exempt if all the gross receipts are recorded as such, in accordance with generally accepted accounting principles, on the books of one or more organizations that provide an opportunity for citizens of the state to participate in the creation, performance, or appreciation of the arts, and provided that each organization is either:

(1) an organization described in section 501(c)(3) of the Internal Revenue Code in which voluntary contributions make up at least the following percent of the organization's annual revenue in its most recently completed 12-month fiscal year, or in the current year if the organization has not completed a 12-month fiscal year:

(i) for a fiscal year completed in calendar year 2000, three percent;

(ii) for a fiscal year completed in calendar year 2001, four percent; and

(iii) for a fiscal year completed in calendar year 2002 or thereafter, five percent;

or

(i) for sales made after July 31, 2001, and before July 1, 2002, for the organization's fiscal year completed in calendar year 2000, three percent;

(ii) for sales made on or after July 1, 2002, and on or before June 30, 2003, for the organization's fiscal year completed in calendar year 2001, three percent;

(iii) for sales made on or after July 1, 2003, and on or before June 30, 2004, for the organization's fiscal year completed in calendar year 2002, four percent; and

(iv) for sales made in each 12-month period, beginning on July 1, 2004, and each subsequent year, for the organization's fiscal year completed in the preceding calendar year, five percent; or

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(2) a municipal board that promotes cultural and arts activities.

The exemption only applies if the entire proceeds, after reasonable expenses, are used solely to provide opportunities for citizens of the state to participate in the creation, performance, or appreciation of the arts.

(b) Tickets or admissions to the premises of the Minnesota zoological garden are exempt, provided that the exemption under this paragraph does not apply to tickets or admissions to performances or events held on the premises unless the performance or event is sponsored and conducted exclusively by the Minnesota zoological board or employees of the Minnesota zoological garden.

Sec. 17. **CORRECTION 6.** Minnesota Statutes 2000, section 473.608, is amended by adding a subdivision to read:

Subd. 2a. COLDWATER SPRINGS PROPERTY. (a) The metropolitan airports commission may acquire property, consisting of approximately 27 acres in and around Coldwater Springs in Hennepin county, from the Secretary of the Interior of the United States or any other federal official or agency authorized to transfer the property. If the commission acquires the property, the commission may convey all of its interest in the property, other than the interest permitted to be retained under paragraph (b), to the commissioner of natural resources for park, green space, or similar uses.

(b) To preserve its ability to conduct current or future aviation operations at the Minneapolis-St. Paul International Airport and to protect the commission from potential liability for those aviation operations, the commission may:

(1) retain an easement permitting overflight or another similar property interest in the property; or

(2) impose restrictions on the transferred property's use that would be inconsistent with or may create conflicts with aviation operations.

**EFFECTIVE DATE.** This section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington and is effective the day following its final enactment.

Sec. 18. **CORRECTION 7.** 2001 First Special Session, S.F. No. 7, article 4, section 4, if enacted, is amended to read:

Sec. 4. DISTRICT COURTS	118,470,000	128,842,000
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**CARLTON COUNTY EXTRAORDINARY EXPENSES.** \$300,000 the first year is to reimburse Carlton county for extraordinary expenses related to homicide trials. This is a onetime appropriation.

**NEW JUDGE UNITS.** \$774,000 the first year and \$1,504,000 the second year are for

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an increase in judgeship units, including one trial court judge unit beginning October 1, 2001, in the tenth judicial district, one trial court judge unit beginning April 1, 2002, in the third judicial district, one trial court judge unit beginning July 1, 2002, in the tenth judicial district, one trial court judge unit beginning January 1, 2003, in the seventh judicial district, and one trial court judge unit beginning January 1, 2003, in the first judicial district. Each judge unit consists of a judge, law clerk, and court reporter.

**ALTERNATIVE DISPUTE RESOLUTION PROGRAMS.** A portion of this appropriation may be used for the alternative dispute resolution programs authorized by article 5, section 18.

**SUPPLEMENTAL FUNDING FOR CERTAIN MANDATED COSTS.** \$4,533,000 the first year and \$6,032,000 the second year are to supplement funding for guardians ad litem, interpreters, rule 20 and civil commitment examinations, and in forma pauperis costs ~~in the fifth, seventh, eighth, and ninth judicial districts.~~

**TRIAL COURT INFRASTRUCTURE STAFF.** \$684,000 the first year and \$925,000 the second year are for infrastructure staff.

**COURT EFFECTIVENESS INITIATIVES; COMMUNITY COURTS AND SCREENER COLLECTORS.** \$835,000 the first year and \$765,000 the second year are for court effectiveness initiatives. Of this amount, \$125,000 each year is for continued funding of the community court in the fourth judicial district and \$125,000 each year is for continued funding of the community court in the second judicial

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district. These are onetime appropriations.

The second judicial district and fourth judicial district shall each report quarterly to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over criminal justice funding on:

(1) how money appropriated for this initiative was spent; and

(2) the cooperation of other criminal justice agencies and county units of government in the community courts' efforts.

The first report is due on October 1, 2001. None of this appropriation may be used for the purpose of complying with these reporting requirements.

Of this amount, \$585,000 the first year and \$515,000 the second year are for screener collector programs.

The fifth, seventh, and ninth judicial district courts shall implement screener collector programs to enhance the collection of overdue fine revenue by at least ten percent in each location serviced by a screener collector. By August 15, 2002, and annually thereafter, the state court administrator shall report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over criminal justice policy and funding issues on the total amount of fines collected, the amount of overdue fines collected for the two preceding fiscal years, and the expenditures associated with the screener collector program.

**NINTH DISTRICT CUSTODY AND SUPPORT PILOT PROJECTS.** Up to

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\$99,000 each year may be used for the ninth judicial district to implement the pilot projects on the six-month review of child custody, parenting time, and support orders, and on the accounting for child support by obligees.

Sec. 19. **CORRECTION 8.** Minnesota Statutes 2000, section 297B.09, subdivision 1, as amended by S.F. No. 7, article 2, section 64, if enacted by the First Special Session of the 2001 legislature, is amended to read:

Subdivision 1. **DEPOSIT OF REVENUES.** (a) Money collected and received under this chapter must be deposited as provided in this subdivision.

(b) From July 1, 2001, to June 30, 2002, 30.86 percent of the money collected and received must be deposited in the highway user tax distribution fund, and the remaining money must be deposited in the general fund.

(c) On and after ~~June 30, 2003~~ July 1, 2002, 32 percent of the money collected and received must be deposited in the highway user tax distribution fund, and the remaining money must be deposited in the general fund.

Sec. 20. **EFFECTIVE DATE.**

Unless provided otherwise, each section of this act takes effect at the time the provision being corrected takes effect.

Presented to the governor June 30, 2001

Signed by the governor June 30, 2001, 8:40 p.m.

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