

## STATE OF MINNESOTA

## EIGHTY-THIRD SESSION — 2004

## SEVENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 18, 2004

The House of Representatives convened at 3:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Brian Doten, Discipleship Pastor, Wooddale Church, Eden Prairie, 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	Demmer	Holberg	Lesch	Otto	Stang
Abrams	Dempsey	Hoppe	Lieder	Ozment	Strachan
Adolphson	Dill	Hornstein	Lindgren	Paulsen	Swenson
Anderson, B.	Dorman	Howes	Lindner	Paymar	Sykora
Anderson, I.	Dorn	Huntley	Lipman	Pelowski	Thao
Anderson, J.	Eastlund	Jacobson	Magnus	Penas	Thissen
Atkins	Eken	Jaros	Mahoney	Powell	Tingelstad
Beard	Ellison	Johnson, J.	Mariani	Pugh	Urdahl
Bernardy	Entenza	Johnson, S.	Marquart	Rhodes	Vandever
Biernat	Erhardt	Juhnke	McNamara	Rukavina	Wagenius
Blaine	Erickson	Kahn	Meslow	Ruth	Walker
Borrell	Finstad	Kelliher	Mullery	Samuelson	Walz
Boudreau	Fuller	Klinzing	Murphy	Seagren	Wardlow
Bradley	Gerlach	Knoblach	Nelson, C.	Seifert	Wasiluk
Brod	Goodwin	Koenen	Nelson, M.	Sertich	Westerberg
Buesgens	Greiling	Kohls	Nelson, P.	Severson	Westrom
Carlson	Gunther	Krinkie	Newman	Sieben	Wilkin
Cornish	Haas	Kuisle	Nornes	Simpson	Zellers
Cox	Hackbarth	Lanning	Olsen, S.	Slawik	Spk. Sviggum
Davids	Hausman	Larson	Opatz	Smith	
Davnie	Heidgerken	Latz	Osterman	Soderstrom	
DeLaForest	Hilty	Lenczewski	Otremba	Solberg	

A quorum was present.

Harder, Hilstrom and Peterson were excused.

Clark and Olson, M., were excused until 3:45 p.m.

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

Erhardt from the Committee on Transportation Policy to which was referred:

H. F. No. 1620, A bill for an act relating to public safety; permitting school buses and Head Start buses to be inspected by certified inspectors; amending Minnesota Statutes 2002, section 169.451.

Reported the same back with the following amendments:

Page 2, line 5, after "(2)" insert "the employee of a school district or nonpublic school that owns school buses;  
(3)"

Page 2, line 8, delete "(3)" and insert "(4)"

Page 2, line 9, after the first "buses" insert "as defined in section 169.01, subdivision 6"

Page 2, lines 11, 17, and 33, delete "(3)" and insert "(4)"

Page 2, line 32, delete "(2)" and insert "(3)"

Page 4, line 4, strike "CERTIFICATE" and insert "DECAL"

Page 4, line 7, strike "certificate" and insert "decal"

Page 4, line 16, strike "certificates" and insert "decals"

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

The report was adopted.

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

H. F. No. 2133, A bill for an act relating to education; authorizing Independent School District No. 138, North Branch, to start the 2004-2005 school year before September 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Haas from the Committee on State Government Finance to which was referred:

H. F. No. 2135, A bill for an act relating to gambling; providing for lottery gaming machines; authorizing the director of the state lottery to contract for the placement of gaming machines at a gaming facility; imposing a tax on gaming machine revenue and providing for the use of gaming machine revenue; providing powers and duties to the director; providing for blackjack and other card games at a gaming facility; amending Minnesota Statutes 2002, sections 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; Minnesota Statutes 2003 Supplement, section 297A.94; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A.

Reported the same back with the following amendments:

Page 9, line 15, after the period, insert "The director may not enter into a contract with a person under this section unless the person contractually agrees to reimburse the state for all documented costs incurred by the state in regulating the gaming facility or enforcing laws relating to the facility."

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

The report was adopted.

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

H. F. No. 2136, A bill for an act relating to metropolitan government; changing the composition of the Metropolitan Radio Board; providing for requests to the Metropolitan Council for authorization and issuance of revenue bonds for certain purposes; amending Metropolitan Council bond authorization; repealing the sunset of the Metropolitan Radio Board; amending Minnesota Statutes 2003 Supplement, section 403.21, subdivision 3; 403.22, subdivisions 1, 2; 403.27, subdivisions 1, 3; repealing Laws 1995, chapter 195, article 1, section 18, as amended.

Reported the same back with the following amendments:

Pages 4 and 5, delete sections 5 and 6 and insert:

"Sec. 5. [473.908] [SUNSET.]

Notwithstanding Laws 2001, chapter 176, the Metropolitan Radio Board shall continue in existence through June 30, 2006."

Page 5, delete lines 27 to 29

Amend the title as follows:

Page 1, line 6, delete everything after the semicolon

Page 1, line 7, delete everything before the first "the" and insert "extending"

Page 1, line 10, delete "subdivisions 1, 3" and insert "subdivision 1" and after the second semicolon, insert "proposing coding for new law in Minnesota Statutes, chapter 473"

Page 1, delete line 11

Page 1, line 12, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Haas from the Committee on State Government Finance to which was referred:

H. F. No. 2166, A bill for an act relating to veterans; changing administration and procedures for certain benefit programs; amending Minnesota Statutes 2002, sections 197.03; 197.75, subdivision 3; Minnesota Statutes 2003 Supplement, sections 197.05; 197.75, subdivision 1; 197.78, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 2002, sections 124D.97; 197.23, subdivision 2; 197.236, subdivision 4; 197.59.

Reported the same back with the following amendments:

Page 3, after line 33, insert:

"Sec. 3. Minnesota Statutes 2002, section 197.06, is amended to read:

197.06 [SOLDIERS' ASSISTANCE AGENT.]

The commissioner of veterans affairs shall have charge of activities as provided in this section, and may employ assistants and incur other expenses as may be necessary for the administration of the state soldiers' assistance fund and carrying out the provisions of sections 197.03 to 197.07. No expense shall be incurred under the provisions of sections 197.03 to 197.07 in excess of the moneys available to the state soldiers' assistance fund.

The duties and powers of the commissioner of veterans affairs, in addition to those provided elsewhere by law, shall be to:

- (1) administer the state soldiers' assistance fund;
- (2) cooperate with national, state, county, municipal and private social agencies in securing to former soldiers and their dependents the benefits provided by national, state, and county laws, municipal ordinances, or public and private social agencies;
- (3) establish and provide assistance to former soldiers and their dependents who are in need of assistance with optical, dental, or other emergency medical needs, within the limits of available funding; and
- (4) cooperate with United States government agencies providing compensation, pensions, insurance or other benefits provided by federal law, by supplementing the benefits prescribed by federal law, when exceptional conditions in an individual case make it necessary.

**[EFFECTIVE DATE.]** This section is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "197.06;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Gunther from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 2342, A bill for an act relating to economic development; modifying bonding authority for the Minnesota Public Facilities Authority; amending Minnesota Statutes 2002, sections 446A.12, subdivision 1; 446A.14; 446A.17; 446A.19.

Reported the same back with the following amendments:

Page 2, line 35, after "agreements" insert "authorized by this subdivision"

Page 3, line 8, after "agreements" insert "authorized by this subdivision"

Page 3, line 16, delete the second "the" and insert "such"

Page 3, line 20, delete "contracts" and insert "agreements authorized by this subdivision"

Page 3, lines 23 and 25, after "agreements" insert "authorized by this subdivision"

Page 3, line 31, delete "in this section" and insert "authorized by this subdivision"

Page 4, line 1, after "of" insert "interest rate swap or exchange"

Page 4, lines 10 and 15, delete "section" and insert "subdivision"

Page 4, line 11, delete the second "the" and insert "such"

Page 4, line 23, strike "the" and delete "agreements" and insert "such bonds, loans, interest rate swaps, or other agreements or contracts of the authority"

Page 4, line 29, delete "the agreements" and insert "such bonds, loans, interest rate swaps, or other agreements or contracts of the authority"

Page 4, line 30, strike "The" and delete "agreements" and insert "Such bonds, loans, interest rate swaps, or other agreements or contracts of the authority"

Page 5, line 1, delete "the agreements" and insert "any loans, interest rate swaps, or other agreements or contracts of the authority"

Page 5, line 3, delete "other" and after "to" insert "any loans, interest rate swaps, or other agreements or contracts of"

Page 5, line 4, delete "agreements" and insert "authority"

Page 5, line 9, delete "other agreements, the" and insert "any loans, interest rate swaps, or other agreements or contracts of the authority, such"

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

The report was adopted.

Gunther from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 2386, A bill for an act relating to state government; merging the Department of Economic Security and the Department of Employment and Economic Development; making corresponding technical and housekeeping changes; amending Minnesota Statutes 2002, sections 3.922, subdivision 10; 15.0591, subdivision 2; 116J.01, subdivisions 4, 5; 116J.035, subdivision 2; 116J.551; 116J.64, subdivisions 4, 5, 7, 8, 9, by adding a subdivision; 116L.01, subdivision 1; 116L.05, subdivision 4; 119A.46, subdivision 8; 144.9503, subdivision 1; 171.321, subdivision 2; 181.73, subdivision 1; 216C.10; 242.39, subdivision 3; 246.56, subdivision 1; 256J.08, subdivision 52; 268.001; 268.0111, subdivision 4; 268.0122, subdivision 1; 268.29; 268.66, as amended; 268.665, as amended; 268.976, subdivision 2; 268A.01, subdivisions 5, 13; Minnesota Statutes 2003 Supplement, sections 15.01; 15.057; 15.06, subdivision 1; 15A.0815, subdivision 2; 16C.05, subdivision 3; 116J.011; 116J.401; 116J.64, subdivision 6; 116J.966, subdivision 1; 116J.980, subdivision 1; 116J.994, subdivisions 9, 10; 116L.03, subdivision 7; 116M.15, subdivision 1; 248.07, subdivision 8; 256.482, subdivision 1; 256C.233, subdivision 1; 268.014; 268.022, subdivision 1; 268.363; Laws 2003, chapter 128, article 10, section 2, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L; 268A; repealing Minnesota Statutes 2002, sections 116J.036; 116J.414; 116L.04, subdivision 4; 268.0111, subdivisions 1, 2, 3a, 4a; 268.0121, subdivisions 1, 2; 268.0122, subdivisions 2, 5, 6; 268.027; 268.028; 268.029; 268.26, subdivisions 2, 3; 268.361, subdivision 3; 268.3661; 268.551; 268.552; 268.56, subdivision 2; 268.561, subdivision 10; 268.61, subdivision 2; 268.65, subdivisions 1, 3, 4, 5; 268.666, subdivision 5; 268.89; 268.918; 268.95; Minnesota Statutes 2003 Supplement, sections 268.0122, subdivision 3; 268.26, subdivision 1; 268.65, subdivision 2; 268.95, subdivision 4; 268.976, subdivision 1; Laws 2001, chapter 175, section 49; Minnesota Rules, parts 3300.0050; 3301.0180; 3301.0190; 3301.0200; 3301.0210; 3301.0220; 3301.0230; 3310.2903; 3310.2904; 3310.2905, subpart 1; 3310.2906; 3310.2907; 3310.2909; 3310.2918; 3315.0100; 3315.0202; 3315.0501, subparts 3, 4, 5; 3315.0510; 3315.0530, subpart 1; 3315.0535; 3315.0545; 3315.0555, subpart 5; 3315.0915; 3315.0920; 3315.1005, subpart 2; 3315.1015; 3315.1301, subparts 3, 6; 3315.1305; 3315.1310; 3315.1650, subpart 1; 3315.2410; 3315.2610; 3315.2750; 3315.2810, subparts 1, 3; 3315.3220, subpart 4; 3320.0010; 3320.0020; 3320.0030; 7380.0200; 7380.0210; 7380.0220; 7380.0230; 7380.0240; 7380.0500; 7380.0510; 7380.0520; 7380.0530; 7380.0540; 7380.0550; 7380.0560; 7380.0570; 7380.0580; 7380.0581; 7380.0582; 7380.0600; 7380.0610; 7380.0620; 7380.0630; 7380.0640; 7380.0650; 7380.0800; 7380.0810; 7380.0820; 7380.0830; 7380.0840.

Reported the same back with the following amendments:

Page 5, line 31, reinstate "commissioner of"

Page 5, line 32, before "Job" insert "employment and economic development in consultation with the"

Page 22, line 15, reinstate the stricken language

Page 22, delete lines 16 to 21 and insert "insurance shall be in accordance with such rules as the commissioner of ~~economic security~~ labor and industry may prescribe by rule for each such recruited migrant laborer who is not a resident of Minnesota and who does not have health care insurance meeting the requirements of the rules promulgated by the commissioner of ~~economic security~~ labor and industry."

Page 32, line 23, before the period, insert "and may include entities that provide job training services, serve youth, serve individuals with disabilities, serve displaced homemakers, union-related organizations, employer-related nonprofit organizations, and organizations serving nonreservation Indians and tribal governments"

Page 38, delete section 53

Page 40, after line 14, insert:

"Sec. 54. Minnesota Statutes 2003 Supplement, section 462A.04, subdivision 1, is amended to read:

Subdivision 1. [CREATION; MEMBERS.] There is created a public body corporate and politic to be known as the "Minnesota Housing Finance Agency," which shall perform the governmental functions and exercise the sovereign powers delegated to it in this chapter in furtherance of the public policies and purposes declared in section 462A.02. The agency shall consist of the ~~commissioner of employment and economic development~~, state auditor, and ~~five~~ six public members appointed by the governor with advice and consent of the senate. No more than ~~two~~ three public members shall reside in the area of jurisdiction of the Metropolitan Council as provided in section 473.123, subdivision 1, and no more than one public member shall reside in any one of the development regions established under the provisions of sections 462.381 to 462.396. Each member shall hold office until a successor has been appointed and has qualified. A certificate of appointment or reappointment of any member shall be conclusive evidence of the due and proper appointment of the member.

Sec. 55. Minnesota Statutes 2003 Supplement, section 462A.04, subdivision 4, is amended to read:

Subd. 4. [CHAIRS.] The chair of the board of directors shall be designated by the governor from among the public members appointed. ~~The vice chair of the board shall be the commissioner of employment and economic development.~~"

Page 44, line 10, delete "58" and insert "59"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 17, delete "subdivisions 5, 13" and insert "subdivision 5"

Page 1, line 26, after the semicolon, insert "462A.04, subdivisions 1, 4;"

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

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2436, A bill for an act relating to health; providing for public health emergencies; amending Minnesota Statutes 2002, sections 12.03, subdivision 4d; 12.39, subdivision 2; 144.419, subdivision 1; 144.4195, subdivisions 1, 2, 3, 5; Minnesota Statutes 2003 Supplement, section 13.37, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 12; 144; repealing Laws 2002, chapter 402, section 21.

Reported the same back with the following amendments:

Page 6, after line 14, insert:

"Sec. 9. Minnesota Statutes 2002, section 43A.318, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) [SCOPE.] For the purposes of this section, the terms defined have the meaning given them.

(b) [ADVISORY COMMITTEE; COMMITTEE.] "Advisory committee" or "committee" means the committee created under subdivision 3.

(c) [COMMITTEE MEMBER; MEMBER.] "Committee member" or "member" means a person serving on the advisory committee created under subdivision 3.

(d) [ELIGIBLE PERSON.] "Eligible person" means:

(1) a person who is eligible for insurance and benefits under section 43A.24, or for insurance and benefits provided to employees of a political subdivision of this state;

(2) a person who at the time of separation from employment was eligible to purchase coverage at personal expense under section 43A.27, subdivision 3, regardless of whether the person elected to purchase this coverage;

(3) a spouse of a person described in clause (1) or (2), regardless of the enrollment status in the program of the person described in clause (1) or (2); ~~or~~

(4) a parent of a person described in clause (1), regardless of the enrollment status in the program of the person described in clause (1); or

(5) a parent of a person described in clause (3).

(e) [PROGRAM.] "Program" means the statewide public employees long-term care insurance program created under subdivision 2.

(f) [QUALIFIED VENDOR.] "Qualified vendor" means an entity licensed or authorized to underwrite, provide, or administer group long-term care insurance benefits in this state.

Sec. 10. Minnesota Statutes 2002, section 43A.318, subdivision 2, is amended to read:

Subd. 2. [PROGRAM CREATION; GENERAL PROVISIONS.] (a) The commissioner may administer a program to make long-term care coverage available to eligible persons. The commissioner may determine the program's funding arrangements, request bids from qualified vendors, and negotiate and enter into contracts with qualified vendors. The commissioner shall request new bids from qualified vendors whenever additional groups of persons are made eligible for coverage. Contracts are not subject to the requirements of section 16C.16 or 16C.19.

Contracts must be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. The program may not be self-insured until the commissioner has completed an actuarial study of the program and reported the results of the study to the legislature and self-insurance has been specifically authorized by law.

(b) The program may provide coverage for home, community, and institutional long-term care and any other benefits as determined by the commissioner. Coverage is optional. The enrolled eligible person must pay the full cost of the coverage.

(c) The commissioner shall promote activities that attempt to raise awareness of the need for long-term care insurance among residents of the state and encourage the increased prevalence of long-term care coverage. These activities must include the sharing of knowledge gained in the development of the program.

(d) The commissioner may employ and contract with persons and other entities to perform the duties under this section and may determine their duties and compensation consistent with this chapter.

(e) The benefits provided under this section are not terms and conditions of employment as defined under section 179A.03, subdivision 19, and are not subject to collective bargaining.

(f) The commissioner shall establish underwriting criteria for entry of all eligible persons into the program. Eligible persons who would be immediately eligible for benefits may not enroll.

(g) Eligible persons who meet underwriting criteria may enroll in the program upon hiring and at other times established by the commissioner. The commissioner must, in any written communication to "eligible persons" about participation in the program, provide the following disclosure: "NOTICE: YOU SHOULD SHOP AND OBTAIN INFORMATION ABOUT OTHER LONG-TERM CARE INSURANCE POLICIES SOLD BY INSURANCE COMPANIES THAT MAY PROVIDE MORE FAVORABLE COVERAGE AND RATES THAN THE PUBLIC EMPLOYEES PROGRAM." The commissioner must also include in the written communication consumer education information about the long-term care insurance marketplace including the names of other private insurers licensed to sell long-term care insurance in Minnesota. The word "Notice" must be in 14-point type and the text of the notice must be in 10-point type.

(h) An eligible person enrolled in the program may continue to participate in the program even if an event, such as termination of employment, changes the person's employment status.

(i) Participating public employee pension plans and public employers may provide automatic pension or payroll deduction for payment of long-term care insurance premiums to qualified vendors contracted with under this section.

(j) The premium charged to program enrollees must include an administrative fee to cover all program expenses incurred in addition to the cost of coverage. All fees collected are appropriated to the commissioner for the purpose of administering the program."

Page 13, line 25, delete "14" and insert "16"

Page 13, line 32, delete "16" and insert "18"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "regulating public employees group long-term care insurance;"

Page 1, line 4, after "2;" insert "43A.318, subdivisions 1, 2;"

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

The report was adopted.

Haas from the Committee on State Government Finance to which was referred:

H. F. No. 2442, A bill for an act relating to farm products; regulating liens and financing statements; establishing filing requirements; setting fees; amending Minnesota Statutes 2002, sections 336A.01; 336A.02; 336A.03; 336A.04; 336A.05; 336A.06; 336A.07; 336A.08; 336A.09; 336A.10; 336A.11, subdivisions 1, 2; 336A.12; 336A.13; proposing coding for new law in Minnesota Statutes, chapter 336A; repealing Minnesota Rules, parts 8265.0100; 8265.0200; 8265.0300; 8265.0400; 8265.0500; 8265.0600.

Reported the same back with the following amendments:

Page 23, after line 32, insert:

"Sec. 16. [TEMPORARY SURCHARGE.]

A \$10 surcharge on every effective financing statement and lien notice filed on or after July 1, 2004, shall be collected and remitted to the secretary of state for deposit in the general fund. An amount equal to the surcharges deposited pursuant to this section is appropriated to the secretary of state for the purpose of implementing this act. This is a onetime appropriation.

This section expires June 30, 2005."

Page 23, line 36, delete "17" and insert "18"

Page 24, line 11, delete "16" and insert "17" and after the period insert:

"(c) Section 16 is effective July 1, 2004."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, before "amending" insert "appropriating money;"

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

The report was adopted.

Erhardt from the Committee on Transportation Policy to which was referred:

H. F. No. 2561, A bill for an act relating to education; modifying certain training and transportation requirements; amending Minnesota Statutes 2002, sections 168.012, subdivision 10; 169.01, subdivisions 6, 75; 169.442, subdivisions 1, 5; 169.443, subdivisions 1, 2; 169.4501, subdivisions 1, 2; 169.4502, subdivision 11; 169.4503, subdivisions 5, 14, 16, 20, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 123B.90, subdivision 2; 171.321, subdivision 5; repealing Minnesota Statutes 2002, sections 169.447, subdivision 6; 169.4502, subdivisions 7, 9, 13, 14; 169.4503, subdivisions 10, 10a, 21, 25.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kuisle from the Committee on Transportation Finance to which was referred:

H. F. No. 2627, A bill for an act relating to transportation; modifying provisions regulating highway safety rest areas and travel information centers; appropriating money; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 160.08, subdivision 7; 160.276; 160.277; 160.278; 160.28; 161.23, subdivision 3; 161.433, subdivision 2; 161.434; proposing coding for new law in Minnesota Statutes, chapter 160.

Reported the same back with the following amendments:

Page 2, after line 13, insert:

"For purposes of this section, "private entity" means a chamber of commerce, a tourist and visitors bureau, or other organization that exists to promote tourism and economic development."

Page 2, delete lines 21 and 22 and insert "under section 160.2725; and"

Page 2, line 33, after the period, insert "Acknowledgement on the mainline may consist of placement of up to one sign for each direction of traffic served. The placement of signs shall only be allowed (1) as approved through the Manual on Uniform Traffic Control Devices process for experimentation, (2) in accordance with federal standards and policies, and (3) so that no sign exceeds 100 square feet. No more than three acknowledgment signs or displays may be placed at any one rest area, in addition to the mainline signs."

Page 4, line 6, after the period, insert "Acknowledgement on the mainline may consist of placement of up to one sign for each direction of traffic served. The placement of signs shall only be allowed (1) as approved through the Manual on Uniform Traffic Control Devices process for experimentation, (2) in accordance with federal standards and policies, and (3) so that no sign exceeds 100 square feet. No more than three acknowledgment signs or displays may be placed at any one rest area, in addition to the mainline signs."

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

The report was adopted.

Haas from the Committee on State Government Finance to which was referred:

H. F. No. 2629, A bill for an act relating to state government; codifying transfer of planning office to Department of Administration; authorizing forward pricing for energy purchases; reinstating Small Business Procurement Advisory Council; amending Minnesota Statutes 2002, sections 4A.03; 4A.04; 4A.05, subdivisions 1, 1a, 2; 4A.07,

subdivisions 2, 3, 4, 5; 16B.87, subdivision 1; 16C.17, subdivision 2; 116.182, subdivision 3a; 116C.03, subdivisions 4, 5; 116C.712, subdivisions 3, 5; 124D.23, subdivision 9; 299C.65, subdivision 2; 414.01, subdivisions 1, 16; 414.011, subdivision 11; 414.031, subdivision 4a; 414.12, subdivision 3; 572A.02, subdivisions 2, 5; Minnesota Statutes 2003 Supplement, sections 4.045; 4A.02; 14.3691, subdivision 2; 15A.0815, subdivision 2; 16E.01, subdivision 3; 40A.121, subdivision 1; 43A.08, subdivision 1; 103F.211, subdivision 2; 116C.03, subdivision 2; 145.9255, subdivision 1; 145.9266, subdivision 6; 145.951; 245.697, subdivision 2a; 272.67, subdivision 1; 276A.09; 299A.293, subdivision 1; 365.46, subdivision 2; 379.05; 412.021, subdivision 1; 412.091; 469.334, subdivision 1; 473F.13, subdivision 1; 473H.14; 477A.014, subdivision 4; 572A.015, subdivision 2; 572A.02, subdivision 6; 611A.78, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16C; repealing Minnesota Statutes 2002, sections 4A.01; 394.232, subdivisions 1, 3, 4, 5, 6, 7, 8; 414.01, subdivision 7a; 462.3535; 473.1455; 572A.01; 572A.03, subdivision 2; Minnesota Statutes 2003 Supplement, sections 119A.04, subdivision 3; 394.232, subdivision 2; Minnesota Rules, part 4410.0200, subpart 1a.

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

The report was adopted.

Gunther from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 2640, A bill for an act relating to insurance; creating a law enforcement agency to deal with insurance fraud; prescribing its powers and duties; establishing insurance assessments to fund the insurance fraud prevention account; transferring duties; amending Minnesota Statutes 2002, sections 45.0135, subdivision 6, by adding subdivisions; 299A.75, subdivision 1; 626.84, subdivision 1; repealing Minnesota Statutes 2002, section 45.0135, subdivisions 1, 2.

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

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2737, A bill for an act relating to municipal airports; requiring notice to commissioner of transportation and public notice and hearing before final closure of municipal airport; proposing coding for new law in Minnesota Statutes, chapter 360.

Reported the same back with the following amendments:

Page 1, line 22, delete "120" and insert "180"

Page 1, line 24, before "A" insert "The commissioner must assess"

Page 1, line 25, after "municipality" insert "that is" and delete "must be assessed"

Page 1, line 26, delete "120-day" and insert "180-day"

Page 2, line 5, delete "60" and insert "90"

Page 2, line 8, delete "21" and insert "30"

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

The report was adopted.

Paulsen from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2798, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage only a union between one man and one woman.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2915, A bill for an act relating to workers' compensation; making technical changes; modifying the definition of "personal injury" to include injury or disease resulting from certain vaccines; authorizing qualifying employees to opt to receive alternative workers' compensation benefits; amending Minnesota Statutes 2002, sections 176.011, subdivisions 15, 16; 176.081, subdivision 1; 176.092, subdivision 1a; 176.102, subdivision 3a; 176.129, subdivisions 1b, 2a, 13; 176.135, subdivisions 1, 7; 176.1351, subdivisions 3, 5, by adding a subdivision; 176.181, by adding a subdivision; 176.1812, subdivision 6; 176.185, subdivision 1; 176.231, subdivision 5; 176.238, subdivision 10; 176.391, subdivision 2; 176.83, subdivision 5.

Reported the same back with the following amendments:

Page 13, after line 16, insert:

"(h) Use or purchase of a class II or class III medical device is not compensable under this chapter unless approved by the federal Food and Drug Administration and authorized in treatment parameters adopted under section 176.83. The limitation of compensability in this paragraph applies only to categories of medical devices identified in specific Food and Drug Administration regulations designated by the commissioner in consultation with the Medical Services Review Board, using the process in section 14.389."

Page 17, after line 13, insert:

"Sec. 14. Minnesota Statutes 2002, section 176.136, subdivision 1a, is amended to read:

Subd. 1a. [RELATIVE VALUE FEE SCHEDULE.] The liability of an employer for services included in the medical fee schedule is limited to the maximum fee allowed by the schedule in effect on the date of the medical service, or the provider's actual fee, whichever is lower. The medical fee schedule effective on October 1, 1991, remains in effect until the commissioner adopts a new schedule by permanent rule. The commissioner shall adopt permanent rules regulating fees allowable for medical, chiropractic, podiatric, surgical, and other health care provider treatment or service, including those provided to hospital outpatients, by implementing a relative value fee

schedule to be effective on October 1, 1993. The commissioner may adopt by reference the relative value fee schedule adopted for the federal Medicare program or a relative value fee schedule adopted by other federal or state agencies. The relative value fee schedule must contain reasonable service-based classifications including, but not limited to, classifications that differentiate among health care provider disciplines. The conversion factors for the original relative value fee schedule must reasonably reflect a 15 percent overall reduction from the medical fee schedule most recently in effect. The reduction need not be applied equally to all treatment or services, but must represent a gross 15 percent reduction.

After permanent rules have been adopted to implement this section, the conversion factors must be adjusted annually on October 1 by no more than the percentage change computed under section 176.645, but without the annual cap provided by that section. The commissioner shall annually give notice in the State Register of the adjusted conversion factors and may also give annual notice of any additions, deletions, or changes to the relative value units or service codes adopted by the federal Medicare program. The relative value units may be statistically adjusted in the same manner as for the original workers' compensation relative value fee schedule. The notices of the adjusted conversion factors and additions, deletions, or changes to the relative value units and service codes is in lieu of the requirements of chapter 14. The commissioner shall follow the requirements of section 14.386, paragraph (a). The annual adjustments to the conversion factors and the medical fee schedules adopted under this section, including all previous fee schedules, are not subject to expiration under section 14.386, paragraph (b).

**[EFFECTIVE DATE.]** This section is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon, insert "176.136, subdivision 1a;"

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

The report was adopted.

Erhardt from the Committee on Transportation Policy to which was referred:

H. F. No. 2921, A bill for an act relating to traffic regulations; safety of emergency workers on highways; defining "appropriate reduced speed" when approaching or passing stopped emergency vehicle in certain circumstances; increasing surcharge on failure to drive at appropriate reduced speed when approaching or passing stopped emergency vehicle; authorizing citation within four hours of offense; proscribing a penalty on owner or lessee of vehicle when driver fails to drive at appropriate reduced speed at the scene of an emergency; requiring certain information to be included in driver education curriculum and driver's manual; amending Minnesota Statutes 2002, sections 169.14, subdivision 3, by adding subdivisions; 171.13, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2936, A bill for an act relating to local government; authorizing the city of St. Paul to participate in the creation of, and to contract with, a nonprofit organization for management and operation of the RiverCentre complex.

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

The report was adopted.

Haas from the Committee on State Government Finance to which was referred:

H. F. No. 2985, A bill for an act relating to capital improvements; clarifying the purposes of an earlier appropriation; amending Laws 2000, chapter 492, article 1, section 15, subdivision 4, as amended.

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

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 2136, 2166, 2561 and 2798 were read for the second time.

## **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Abrams, Kuisle, Lanning, Jacobson, Ruth, Simpson, Pugh, Atkins, Hausman, Lenczewski and Larson introduced:

H. F. No. 3081, A bill for an act relating to public finance; modifying the authority of cities and counties to finance purchases of computers and related items; clarifying the financing of conservation easements; extending sunsets on establishment of special service districts and housing improvement areas; extending the maximum maturity of bonds for qualified housing development projects; revising time for certain notices of issues; modifying the authority to finance street reconstruction; modifying limits on city capital improvement bonds; amending Minnesota Statutes 2002, sections 428A.101; 428A.21; 469.034, subdivision 2; 474A.131, subdivision 1; 475.52, subdivisions 1, 3, 4; Minnesota Statutes 2003 Supplement, sections 373.01, subdivision 3; 373.40, subdivision 1; 410.32; 412.301; 475.521, subdivision 4; 475.58, subdivision 3b.

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

Kuisle introduced:

H. F. No. 3082, A bill for an act relating to public safety; modifying provision for handling state mail; allowing vehicle lessors to choose where renewal notices are sent; modifying and clarifying provisions regulating parking privileges for persons with disabilities; clarifying authorization of collector plates for self-propelled vehicles; establishing system of permanent registration for fleet vehicles; clarifying provisions for refunds of vehicle registration taxes; authorizing commissioner to prohibit operation by motor carrier prohibited by federal government to operate in interstate commerce under performance and registration information system; modifying provisions governing fees for and access to driver's license, identification card, and vehicle registration information; classifying certain driver and vehicle service data; reducing amount of information required on vehicle title documents; modifying notice procedures for vehicle transfers; authorizing fees; regulating applications for certificates of title to vehicles; requiring vehicle dealers to flag vehicles being held for resale; requiring notice by dealers of vehicles removed from the state; authorizing removal of certain old liens from department records; providing for electronic filing of motor carrier fuel tax; providing for two-year learner permits; increasing disqualification offenses for commercial driver to include serious offenses committed in noncommercial vehicle; modifying provision governing issuance of limited drivers' licenses; adding offense of using forged document to obtain driver's license as a crime subjecting offender's property to forfeiture; abolishing provision allowing distribution of abstract of driver's record; abolishing provision making commissioner the agent for certain persons for purpose of receiving service of process relating to an action to recover damages from traffic accident; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 16B.49; 168.011, subdivision 5a; 168.021, subdivisions 1, 1a, 2a, 2b, 3; 168.10, subdivisions 1a, 1c, 1d; 168.127, subdivision 3; 168.15, subdivision 1; 168.16; 168.187, by adding a subdivision; 168.31, subdivision 5; 168.325, by adding subdivisions; 168.346; 168A.04, subdivision 1; 168A.05, subdivisions 3, 5; 168A.10, subdivision 1; 168A.11, subdivisions 1, 2; 168A.20, by adding a subdivision; 168D.08; 169.345, subdivisions 2, 3, 4; 169.346; 171.05, subdivisions 1, 2; 171.12, subdivision 7; 171.165, subdivisions 1, 4, by adding a subdivision; 171.26; 171.30, subdivision 1; 609.531, subdivision 1; repealing Minnesota Statutes 2002, sections 168.345, subdivisions 3, 4; 170.23; 170.55; 171.12, subdivision 8.

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

Magnus introduced:

H. F. No. 3083, A bill for an act relating to the environment; providing for issuance of pipeline routing permits by the Environmental Quality Board; ratifying the authority of the board to impose conditions, to suspend permits, and to pursue enforcement of permits; amending Minnesota Statutes 2002, section 116I.015, subdivision 3, by adding subdivisions.

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

Abeler and Otremba introduced:

H. F. No. 3084, A bill for an act relating to the environment; modifying groundwater protection provisions; amending Minnesota Statutes 2002, sections 103H.005, subdivision 11; 103H.201, subdivision 1.

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

Otremba introduced:

H. F. No. 3085, A bill for an act relating to public health and the health of livestock; protecting the right of Minnesota citizens to protect their health and the health of their children and livestock through access to pesticides application information; amending Minnesota Statutes 2002, section 18B.37, subdivisions 2, 5.

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

Sieben introduced:

H. F. No. 3086, A bill for an act relating to human services; modifying treatment of sponsor income for purposes of determining MinnesotaCare eligibility; amending Minnesota Statutes 2003 Supplement, section 256L.04, subdivision 10a.

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

Kuisle introduced:

H. F. No. 3087, A bill for an act relating to taxation; property; establishing an aggregate resource preservation property tax program; requiring a restrictive covenant on certain land; providing a classification for property containing certain unmined aggregate; providing definitions; amending Minnesota Statutes 2003 Supplement, section 273.13, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Erickson introduced:

H. F. No. 3088, A bill for an act relating to elections; prohibiting certain business entities from making campaign contributions; amending Minnesota Statutes 2002, section 211B.15, subdivision 1.

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

Stang, Abeler, Kelliher, Sviggum and Finstad introduced:

H. F. No. 3089, A bill for an act relating to state and local government operations; establishing a metropolitan stadium authority; providing for the membership and powers of the authority; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Gunther, Cornish, Hackbarth and Simpson introduced:

H. F. No. 3090, A bill for an act relating to economic development; creating a program to retain and create jobs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Abrams, Mullery, Dempsey, Erhardt, Kuisle, Hausman, Lenczewski and Larson introduced:

H. F. No. 3091, A bill for an act relating to metropolitan government; providing for the financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2002, section 473.39, by adding a subdivision.

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

Abrams, Kuisle, Lanning, Jacobson, Ruth, Brod, Magnus, Atkins, Pugh, Lenczewski and Larson introduced:

H. F. No. 3092, A bill for an act relating to taxation; increasing the duration limit for tax abatement; amending Minnesota Statutes 2002, section 469.1813, subdivision 6.

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

Rukavina and Sertich introduced:

H. F. No. 3093, A bill for an act relating to local government; providing a ceiling in cities of the first class for percentage net tax capacity in TIF districts above which a TIF moratorium applies.

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

Kelliher introduced:

H. F. No. 3094, A bill for an act relating to the environment; mandating certain project environmental review; amending Minnesota Statutes 2003 Supplement, section 116D.04, subdivision 2a.

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

Murphy introduced:

H. F. No. 3095, A bill for an act relating to local government aid; clarifying that railroad property is included in measures of commercial industrial property; amending Minnesota Statutes 2002, section 477A.011, subdivision 32.

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

Abeler and Hackbarth introduced:

H. F. No. 3096, A bill for an act relating to game and fish; modifying decoy restrictions; amending Minnesota Statutes 2002, section 97B.811, subdivision 3; repealing Minnesota Statutes 2002, section 97B.811, subdivision 4.

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

Lenczewski introduced:

H. F. No. 3097, A bill for an act relating to taxation; abolishing the metropolitan fiscal disparities law; repealing Minnesota Statutes 2002, sections 473F.001; 473F.01; 473F.02; 473F.03; 473F.05; 473F.06; 473F.07, subdivisions 1, 2, 3, 5; 473F.08; 473F.09; 473F.10; 473F.11; Minnesota Statutes 2003 Supplement, sections 473F.07, subdivision 4; 473F.13.

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

Zellers; Olsen, S., and Severson introduced:

H. F. No. 3098, A bill for an act relating to employment; requiring locks or other security devices to ensure privacy for nursing mothers in the workplace; amending Minnesota Statutes 2002, section 181.939.

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

Zellers, Brod and Stang introduced:

H. F. No. 3099, A bill for an act relating to crime; increasing certain penalties associated with malicious punishment of children; directing the Sentencing Guidelines Commission to rank offenses at specified severity levels; amending Minnesota Statutes 2002, section 609.377, subdivisions 5, 6.

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

Zellers, Severson, Simpson and Brod introduced:

H. F. No. 3100, A bill for an act relating to taxation; providing a checkoff on the income tax return for donations to the veterans of the global war on terrorism fund; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Zellers, Severson, Simpson and Stang introduced:

H. F. No. 3101, A bill for an act relating to veterans; proposing an amendment to the Minnesota Constitution, article XIII, section 8, to authorize general obligation bonding proceeds to be used to pay a bonus to Minnesota residents who served as members of the United States military during the Global War on Terrorism.

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

Gunther; Dorman; Sykora; Osterman; Severson; Westerberg; Rhodes; Nornes; Simpson; Smith; Davids; Walz; Lanning; Anderson, J.; Fuller; Hackbarth; Nelson, C.; Mullery; Solberg; Thao; Juhnke; Otremba; Clark; Kelliher; Hilstrom; Pugh; Paymar; Finstad; Brod; Mahoney; Nelson, M.; Dorn; Hausman; Haas and Sertich introduced:

H. F. No. 3102, A bill for an act relating to occupations and professions; merging regulation of cosmetology and barbering under one board; adjusting fees; amending Minnesota Statutes 2002, sections 154.01; 154.02; 154.03; 154.04; 154.06; 154.07, as amended; 154.08; 154.11; 154.12; 154.161, subdivisions 2, 4, 5, 7; 154.18; 154.19;

154.21; 154.22; 154.23; 154.24; 154.25; 155A.01; 155A.02; 155A.03, subdivisions 1, 2, 7, by adding subdivisions; 155A.045, subdivision 1; 155A.05; 155A.07, subdivisions 2, 8, by adding a subdivision; 155A.08, subdivisions 1, 2, 3; 155A.09; 155A.095; 155A.10; 155A.135; 155A.14; 155A.15; 155A.16; 214.01, subdivision 3; Minnesota Statutes 2003 Supplement, sections 116J.70, subdivision 2a; 214.04, subdivision 3; repealing Minnesota Statutes 2002, sections 155A.03, subdivisions 11, 13; 155A.04; 155A.06; Minnesota Rules, part 2100.9300, subpart 1.

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

Gerlach introduced:

H. F. No. 3103, A bill for an act relating to lawful gambling; repealing combined receipts tax; repealing Minnesota Statutes 2002, section 297E.02, subdivision 6.

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

Cornish, Ozment, Hackbarth, Dill and Otto introduced:

H. F. No. 3104, A bill for an act relating to natural resources; repealing certain criminal penalties related to captive wildlife; repealing Minnesota Rules, part 6244.2000, subpart 1.

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

Knoblach and Opatz introduced:

H. F. No. 3105, A bill for an act relating to capital investment; modifying the grant recipient of an appropriation for St. Cloud Paramount Theater to provide for the city to own the facility; amending Laws 1998, chapter 404, section 23, subdivision 17, as amended.

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

## **CONSENT CALENDAR**

Seifert moved that the Consent Calendar be continued. The motion prevailed.

### **REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION**

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Thursday, March 18, 2004:

H. F. No. 2558; S. F. No. 1745; H. F. Nos. 2521, 1978, 2270 and 532; S. F. No. 1903; and H. F. Nos. 1961 and 1836.

The Speaker called Boudreau to the Chair.

### CALENDAR FOR THE DAY

H. F. No. 2558 was reported to the House.

#### POINT OF ORDER

Greiling raised a point of order pursuant to rule 7.01 relating to Duties and Privileges of the Speaker. Speaker pro tempore Boudreau ruled the point of order well taken.

Otremba moved to amend H. F. No. 2558, the second engrossment, as follows:

Page 3, after line 34, insert:

"Page 17, Grade 9-12, Strand II, Sub-Strand A, after Benchmarks 9, insert:

"10. The student will be able to explain how scientific and technological innovations as well as new evidence can challenge portions of or entire accepted theories and models including, but not limited to, atomic theory."

Page 19, Grade 9-12, Strand III, Sub-Strand A, after Benchmarks 7, insert:

"The student will be able to explain how scientific and technological innovations as well as new evidence can challenge portions of or entire accepted theories and models including, but not limited to, plate tectonic theory and big bang theory."

Page 22, Grade 9-12, Strand IV, Sub-Strand E, Benchmarks 1, after the period insert:

"The student will be able to explain how scientific and technological innovations as well as new evidence can challenge portions of or entire accepted theories and models including, but not limited to, cell theory, theory of evolution and germ theory of disease."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Otremba amendment and the roll was called. There were 86 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abeler	Beard	Brod	DeLaForest	Eken	Gerlach
Adolphson	Blaine	Buesgens	Demmer	Ellison	Gunther
Anderson, B.	Borrell	Cornish	Dempsey	Erickson	Haas
Anderson, I.	Boudreau	Cox	Dill	Finstad	Hackbarth
Anderson, J.	Bradley	Davids	Eastlund	Fuller	Heidgerken

Holberg	Krinkie	Meslow	Ozment	Smith	Wardlow
Hoppe	Kuisle	Murphy	Paulsen	Soderstrom	Westerberg
Howes	Lanning	Nelson, C.	Penas	Stang	Westrom
Jacobson	Lieder	Nelson, P.	Powell	Strachan	Wilkin
Johnson, J.	Lindgren	Newman	Ruth	Swenson	Zellers
Juhnke	Lindner	Nornes	Samuelson	Sykora	Spk. Sviggum
Klinzing	Lipman	Olsen, S.	Seagren	Tingelstad	
Knoblach	Magnus	Olson, M.	Seifert	Urdahl	
Koenen	Marquart	Osterman	Severson	Vandev eer	
Kohls	McNamara	Otremba	Simpson	Walz	

Those who voted in the negative were:

Abrams	Dorn	Huntley	Lesch	Pelowski	Thao
Atkins	Entenza	Jaros	Mahoney	Pugh	Thissen
Bernardy	Erhardt	Johnson, S.	Mariani	Rhodes	Wagenius
Biernat	Goodwin	Kahn	Mullery	Rukavina	Walker
Carlson	Greiling	Kelliher	Nelson, M.	Sertich	Wasiluk
Clark	Hausman	Larson	Opatz	Sieben	
Davnie	Hilty	Latz	Otto	Slawik	
Dorman	Hornstein	Lenczewski	Paymar	Solberg	

The motion prevailed and the amendment was adopted.

Sykora moved to amend H. F. No. 2558, the second engrossment, as amended, as follows:

Page 2, line 27, before "Beginning" insert "(a)"

Page 2, line 28, delete "amend" and insert "adopt"

Page 2, line 30, after the period, insert:

"(b)"

Page 2, line 32, after "the" insert "revisor shall modify the"

Page 2, line 33, delete "shall be modified"

Page 3, line 22, before "Beginning" insert "(a)"

Page 3, line 23, delete "amend" and insert "adopt"

Page 3, line 25, after the period, insert:

"(b)"

Page 3, line 27, after "the" insert "revisor shall modify the" and delete "shall be"

Page 3, line 28, delete "modified"

The motion prevailed and the amendment was adopted.

Nelson, C., moved to amend H. F. No. 2558, the second engrossment, as amended, as follows:

Page 3, after line 5, insert:

"Page 13, line 4, delete "place the 4-6 standards at grade levels that accommodate their particular curriculum, provided that all standards have been mastered by the end of grade 6." and insert "organize the grades 4-8 standards in one of two ways: (1) banding grades 4-5 together and grades 6-7-8 together; or (2) banding grades 4-5-6 together and grades 7-8 together. The standards should be mastered by the end of the highest grade in the band.""

Page 3, after line 20, insert:

"Page 26, line 4, delete "place the 7-8 standards at grade levels that accommodate their particular curriculum, provided that all standards have been mastered by the end of grade 8." and insert "organize the grades 4-8 standards in one of two ways: (1) banding grades 4-5 together and grades 6-7-8 together; or (2) banding grades 4-5-6 together and grades 7-8 together. The standards should be mastered by the end of the highest grade in the band.""

Page 32, line 4, delete "place the 7-8 standards at grade levels that accommodate their particular curriculum, provided that all standards have been mastered by the end of grade 8." and insert "organize the grades 4-8 standards in one of two ways: (1) banding grades 4-5 together and grades 6-7-8 together; or (2) banding grades 4-5-6 together and grades 7-8 together. The standards should be mastered by the end of the highest grade in the band.""

The motion prevailed and the amendment was adopted.

Buesgens moved to amend H. F. No. 2558, the second engrossment, as amended, as follows:

Page 3, after line 20, insert:

"Page 1, Kindergarten, Strand IV, Sub-Strand B, Benchmarks 2, delete the new language

Page 2, Grade 1, Strand III, Sub-Strand A, Benchmarks 1, delete "related to their own lives and to topics studied"

Page 4, Strand I, Sub-Strand A, Benchmarks 1, delete the new language

Page 7, Grade 3, Strand I, Sub-Strand Pre-history through 1607, Standard (The student will understand that large and diverse American Indian Nations were the original inhabitants of North America.), Benchmarks 1, delete the new language and reinstate the stricken language

Page 8, Grade 3, Strand IV, Sub-Strand A, Benchmarks 2, reinstate the stricken language

Page 10, Grade 4, Strand II, Sub-Strand World Civilizations, 500-1000 A.D., Examples 1, delete "land use,"

Page 13, Grade 5, Strand I, Sub-Strand Political Unrest and the American Revolution 1763-mid-1791, Standards (The student will demonstrate knowledge of how the principles of the American Revolution became the foundation of a new nation), Benchmarks 2, delete the new language

Page 15, Grade 5, Strand IV, Sub-Strand B, in the Standard delete the new language and reinstate the stricken language and in Benchmarks 2, reinstate stricken language

Page 18, Grade 6, Strand I, Sub-Strand A, in Benchmark 1 and 2, delete the new language and reinstate the stricken language

Page 21, Grade 6, Strand I, Sub-Strand F, Benchmark 2, delete the new language and Examples 3, delete the new language

Page 22, Grade 6, Strand I, Sub-Strand G, Benchmark 1, delete the new language and reinstate the stricken language and Benchmark 2, delete the new language and Benchmark 4, delete "issues related to land use."

Page 23, Grade 6, Strand II, Sub-Strand A, Standard (The student will demonstrate knowledge of the age of exploration.), Benchmark 1, delete the new language and reinstate the stricken language, and Strand II, Sub-Strand B, Standard (The student will demonstrate knowledge of scientific, political, economic and social changes during the 17th, 18th, and 19th Centuries.), Benchmark 4, reinstate the stricken language

Page 28, Grade 7, Strand I, Sub-Strand Post WWII Era, 1945-1980, Benchmark 5, delete the new language

Page 31, Grade 7, Strand VI, Sub-Strand C, Standard (The student will understand business organizations, market structures, and financial institutions that operate within our economy.), Benchmarks 2, delete the new language

Page 36, Grades 9-12, Strand I, Sub-Strand Colonization and Conflict, 1607-1780s, under Benchmark 2, delete the new language

Page 42, Grades 9-12, Sub-Strand Post WWII Era, Benchmark 4, delete the new language

Page 52, Grades 9-12, Strand II, Sub-Strand The Post-war Period, 1945-present, Benchmark 4, delete the new language

Page 57, Grades 9-12, Strand IV, Sub-Strand B, Benchmark 1, delete the new language

Page 59, Grades 9-12, Strand IV, Sub-Strand D, Benchmark 1, delete "ideals and practices of the"

Page 61, Grades 9-12, Strand V, Sub-Strand F, Standard (The student will explain how the regionalization of space into political units affects human behavior.), Benchmark 3, delete the new language and reinstate the stricken language

Page 63, Grades 9-12, Strand V, Sub-Strand F, Benchmark 8, delete the new language"

A roll call was requested and properly seconded.

The question was taken on the Buesgens amendment and the roll was called. There were 32 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Adolphson	Cornish	Heidgerken	Lindner	Severson	Wilkin
Anderson, B.	DeLaForest	Holberg	Lipman	Smith	Zellers
Beard	Eastlund	Jacobson	Olson, M.	Soderstrom	
Borrell	Erickson	Kohls	Paulsen	Swenson	
Brod	Finstad	Krinkie	Powell	Vandever	
Buesgens	Gerlach	Lindgren	Seifert	Westerberg	

Those who voted in the negative were:

Abeler	Dill	Huntley	Magnus	Otto	Strachan
Abrams	Dorman	Jaros	Mahoney	Ozment	Sykora
Anderson, I.	Dorn	Johnson, J.	Mariani	Paymar	Thao
Anderson, J.	Eken	Johnson, S.	Marquart	Pelowski	Thissen
Atkins	Ellison	Juhnke	McNamara	Penas	Tingelstad
Bernardy	Entenza	Kahn	Meslow	Pugh	Urdahl
Biernat	Erhardt	Kelliher	Mullery	Rhodes	Wagenius
Blaine	Fuller	Klinzing	Murphy	Rukavina	Walker
Boudreau	Greiling	Knoblach	Nelson, C.	Ruth	Walz
Bradley	Gunther	Koenen	Nelson, M.	Samuelson	Wardlow
Carlson	Haas	Kuisle	Nelson, P.	Seagren	Wasiluk
Clark	Hackbarth	Lanning	Newman	Sertich	Westrom
Cox	Hausman	Larson	Nornes	Sieben	Spk. Sviggum
Davids	Hilty	Latz	Olsen, S.	Simpson	
Davnie	Hoppe	Lenczewski	Opatz	Slawik	
Demmer	Hornstein	Lesch	Osterman	Solberg	
Dempsey	Howes	Lieder	Otremba	Stang	

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

Latz, Carlson, Pelowski and Eken moved to amend H. F. No. 2558, the second engrossment, as amended, as follows:

Page 1, line 21, delete "beginning in"

Page 1, line 22, delete "the 2004-2005 school year"

Page 1, line 23, delete "beginning in the"

Page 1, line 24, delete "2005-2006 school year" and insert ", consistent with paragraph (c)"

Page 1, after line 26, insert:

"(c) The commissioner must implement the academic standards for science and social studies for all students only after:

(1) the commissioner of finance under section 3.987 determines and makes public a local impact note estimating the local fiscal impact on school districts that results from implementing the K-12 academic standards for science and social studies under this act; and

(2) public funds are appropriated to fully reimburse school districts for the costs of implementing the science and social studies standards that are included in the finance commissioner's estimate of the local fiscal impact under clause (1)."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Latz et al amendment and the roll was called. There were 59 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Dill	Hornstein	Lenczewski	Opatz	Sieben
Anderson, I.	Dorman	Huntley	Lesch	Osterman	Slawik
Atkins	Dorn	Jaros	Lieder	Otremba	Smith
Bernardy	Eken	Johnson, S.	Mahoney	Otto	Solberg
Biernat	Ellison	Juhnke	Mariani	Paymar	Thao
Brod	Entenza	Kahn	Marquart	Pelowski	Thissen
Carlson	Goodwin	Kelliher	Mullery	Pugh	Wagenius
Clark	Greiling	Koenen	Murphy	Rhodes	Walker
Davnie	Hausman	Larson	Nelson, M.	Rukavina	Wasiluk
Dempsey	Hilty	Latz	Olson, M.	Sertich	

Those who voted in the negative were:

Abeler	Davids	Heidgerken	Lindgren	Paulsen	Swenson
Adolphson	DeLaForest	Holberg	Lindner	Penas	Sykora
Anderson, B.	Demmer	Hoppe	Lipman	Powell	Tingelstad
Anderson, J.	Eastlund	Howes	Magnus	Ruth	Urdahl
Beard	Erhardt	Jacobson	McNamara	Samuelson	Vandever
Blaine	Erickson	Johnson, J.	Meslow	Seagren	Walz
Borrell	Finstad	Klinzing	Nelson, C.	Seifert	Wardlow
Boudreau	Fuller	Knoblach	Nelson, P.	Severson	Westerberg
Bradley	Gerlach	Kohls	Newman	Simpson	Westrom
Buesgens	Gunther	Krinkie	Nornes	Soderstrom	Wilkin
Cornish	Haas	Kuisle	Olsen, S.	Stang	Zellers
Cox	Hackbarth	Lanning	Ozment	Strachan	Spk. Sviggum

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

Davnie, Carlson, Goodwin, Slawik, Greiling, Bernardy and Biernat moved to amend H. F. No. 2558, the second engrossment, as amended, as follows:

Page 1, line 24, delete "2005-2006" and insert "2006-2007"

Page 2, line 2, delete "and social studies"

Page 2, line 4, delete the colon

Page 2, line 5, delete "(1)"

Page 2, line 8, delete "; and" and insert a period

Page 2, delete lines 9 to 12

Page 2, line 13, delete "documents" and insert "document"

Page 2, line 18, delete "and social studies"

Page 2, line 20, delete "documents" and insert "document"

Page 2, after line 25, insert:

"Sec. 3. [SOCIAL STUDIES STANDARDS DEVELOPMENT.]

(a) An advisory task force composed of the following member stakeholders is established under Minnesota Statutes, section 15.059, subdivision 6, to make recommendations to the education commissioner on developing statewide rigorous core K-12 academic standards in social studies that count toward the three and one-half credits of social studies under Minnesota Statutes 2003 Supplement, section 120B.024, and that are required under Minnesota Statutes 2003 Supplement, section 120B.021, subdivision 1:

- (1) one representative designated by the Minnesota School Boards Association;
- (2) one representative designated by the Association of Metropolitan School Districts;
- (3) one representative designated by the Minnesota Rural Education Association;
- (4) one representative designated by Education Minnesota;
- (5) one representative designated by the Minnesota Association of School Administrators;
- (6) one representative designated by the Parent Teachers Association;
- (7) two representatives designated by the University of Minnesota;
- (8) two representatives designated by the Minnesota System of Colleges and Universities;
- (9) one representative designated by the Minnesota Private Colleges Council;
- (10) three members of the public appointed by the speaker of the house;
- (11) three members of the public appointed by the senate majority leader; and
- (12) 12 representatives designated by the Minnesota Council on Social Studies, with two representatives designated to represent each of six social studies subject areas - psychology, sociology, geography, history, government and economics.

(b) The commissioner shall convene the advisory task force no later than June 15, 2004. Task force members shall select a chair and other officers from among the task force members. The task force must consider advice from at least the following sources and stakeholders in developing its recommendations:

- (1) parents and parent groups;
- (2) public educators and relevant professional education organizations or associations;
- (3) school boards;
- (4) higher education subject area specialists;
- (5) curriculum specialists;
- (6) Minnesota's diverse cultural communities;
- (7) representatives of the business community;

(8) national standards in various social studies subject areas; and

(9) standards from any state ranking in the top ten of student achievement on social studies assessments.

(c) The task force must develop two drafts of its recommendations. The education department must assist the task force in disseminating the preliminary draft on the education department web site and by other effective means by September 1, 2004, and invite public comment on the draft via the education department web site, from legislators and local school board members and from interested members of the community at least 14 public meetings held throughout the state by October 15, 2004. The task force must consider all comments it receives when preparing the second draft, which the department must make available to the public by December 1, 2004. The department must post all public comments the task force receives on the department web site. The department must continue to invite public comment via the education department web site through January 31, 2005.

(d) The social studies standards must be consistent with Minnesota Laws 2003, chapter 302. The standards must:

(1) be clear, concise, objective, and age appropriate;

(2) be consistent with the federal and state constitutions;

(3) not require students to acquire certain values, attitudes, or beliefs;

(4) evidence consideration of local school district autonomy;

(5) not require a specific teaching methodology or curriculum;

(6) expect that elementary, middle school and high school students learn about important people, events and periods in United States history;

(7) expect that students understand the immediate and lasting significance of ideas within important documents including the Declaration of Independence and the U.S. Constitution, including the Bill of Rights and other Amendments;

(8) expect students to become familiar with and analyze current issues facing their communities, our state, our nation, and the world;

(9) expect students to acquire (i) foundational academic knowledge based on facts appropriate to students' age level, (ii) higher-order thinking abilities (e.g., compare and contrast or analyze and evaluate) appropriate to students' age level, and (iii) important skills for active and effective citizenship, historical inquiry, and applied geographic understanding appropriate to students' age level;

(10) be balanced and expect students to understand and analyze different points of view about people, events and time periods of the past and present;

(11) begin with a statement of purpose and guiding framework for social studies education in Minnesota that is similar to the format of introductory statements provided in other state and national social studies standards;

(12) include only the standards themselves and not required benchmarks, and while the task force and the commissioner may recommend examples of specific content related to the standards, local districts must determine specific content to be taught so students can reach each standard;

(13) be rigorous but represent a set of bottom-line expectations of all students and allow local districts to set higher standards;

(14) be realistic for teachers to implement within the time available during any given school year, provide local districts the flexibility to add more content and ensure that the standards do not exceed the number of core academic science standards approved by the legislature; and

(15) not present significant unreimbursed implementation costs to local districts.

(e) The commissioner must submit the second draft of task force recommendations and a written compilation of the public comments submitted to the department web site to the education policy committees of the legislature by February 1, 2005.

(f) The task force expires on February 1, 2005.

(g) An entity selected by the chairs of the house and senate education committees for its expertise in developing curriculum and academic content must assist the task force upon request. The commissioner must reimburse the entity for eligible expenses.

**[EFFECTIVE DATE.] This section is effective the day following final enactment."**

Page 2, delete lines 26 to 36

Page 3, delete lines 1 to 20

Page 3, after line 34, insert:

"Sec. 4. [REPEALER.]

Minnesota Statutes 2003 Supplement, section 120B.021, subdivision 2, is repealed.

**[EFFECTIVE DATE.] This section is effective the day following final enactment."**

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Davnie et al amendment and the roll was called. There were 50 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Biernat	Davnie	Eken	Goodwin	Hilty
Atkins	Carlson	Dill	Ellison	Greiling	Hornstein
Bernardy	Clark	Dorn	Entenza	Hausman	Huntley

Jaros	Latz	Murphy	Paymar	Sieben	Walker
Johnson, S.	Lesch	Nelson, M.	Pelowski	Slawik	Wasiluk
Juhnke	Lieder	Opatz	Pugh	Solberg	
Kahn	Mahoney	Osterman	Rhodes	Thao	
Kelliher	Mariani	Otremba	Rukavina	Thissen	
Koenen	Mullery	Otto	Sertich	Wagenius	

Those who voted in the negative were:

Abeler	Davids	Heidgerken	Lindgren	Paulsen	Sykora
Abrams	DeLaForest	Holberg	Lindner	Penas	Tingelstad
Adolphson	Demmer	Hoppe	Lipman	Powell	Urdahl
Anderson, B.	Dempsey	Howes	Magnus	Ruth	Vandever
Anderson, J.	Dorman	Jacobson	Marquart	Samuelson	Walz
Beard	Eastlund	Johnson, J.	McNamara	Seagren	Wardlow
Blaine	Erhardt	Klinzing	Meslow	Seifert	Westerberg
Borrell	Erickson	Knoblach	Nelson, C.	Severson	Westrom
Boudreau	Finstad	Kohls	Nelson, P.	Simpson	Wilkin
Bradley	Fuller	Krinkie	Newman	Smith	Zellers
Brod	Gerlach	Kuisle	Nornes	Soderstrom	Spk. Sviggum
Buesgens	Gunther	Lanning	Olsen, S.	Stang	
Cornish	Haas	Larson	Olson, M.	Strachan	
Cox	Hackbarth	Lenczewski	Ozment	Swenson	

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

Greiling, Carlson, Goodwin, Davnier, Pelowski, Slawik, Bernardy, Entenza, Biernat and Eken moved to amend H. F. No. 2558, the second engrossment, as amended, as follows:

Page 1, after line 26, insert:

"Sec. 2. Minnesota Statutes 2003 Supplement, section 120B.021, is amended by adding a subdivision to read:

Subd. 4. [STATE MUST AFFIRM NO CHILD LEFT BEHIND ACT.] The Commissioner of the Minnesota Department of Education by February 15, 2005, must nullify and revoke the consolidated state plan submitted to the federal Department of Education for implementing the federal No Child Left Behind Act of 2001 and must not renew any existing contract or agreement and must not enter into any new contract or agreement related to implementing the federal act if the state does not enact legislation before that date specifically affirming Minnesota's intent to implement the federal act.

[EFFECTIVE DATE.] This section is effective the day following final enactment and applies to all contracts and agreements renewed or entered into after February 15, 2005."

Re-number the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

## POINT OF ORDER

Seifert raised a point of order pursuant to rule 3.21 that the Greiling et al amendment was not in order. Speaker pro tempore Boudreau ruled the point of order not well taken and the Greiling et al amendment in order.

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

## CALL OF THE HOUSE

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

Abeler	Demmer	Holberg	Lesch	Otremba	Solberg
Abrams	Dempsey	Hoppe	Lieder	Otto	Stang
Adolphson	Dill	Hornstein	Lindgren	Ozment	Strachan
Anderson, B.	Dorman	Howes	Lindner	Paulsen	Swenson
Anderson, I.	Dorn	Huntley	Lipman	Paymar	Sykora
Anderson, J.	Eastlund	Jacobson	Magnus	Pelowski	Thao
Atkins	Eken	Jaros	Mahoney	Penas	Thissen
Beard	Ellison	Johnson, J.	Mariani	Powell	Tingelstad
Bernardy	Entenza	Johnson, S.	Marquart	Pugh	Urdahl
Biernat	Erhardt	Juhnke	McNamara	Rhodes	Vandever
Blaine	Erickson	Kahn	Meslow	Rukavina	Wagenius
Borrell	Finstad	Kelliher	Mullery	Ruth	Walker
Boudreau	Fuller	Klinzing	Murphy	Samuelson	Walz
Bradley	Gerlach	Knoblach	Nelson, C.	Seagren	Wardlow
Brod	Goodwin	Koenen	Nelson, M.	Seifert	Wasiluk
Buesgens	Greiling	Kohls	Nelson, P.	Sertich	Westerberg
Carlson	Gunther	Krinkie	Newman	Severson	Westrom
Cornish	Haas	Kuisle	Nornes	Sieben	Wilkin
Cox	Hackbarth	Lanning	Olsen, S.	Simpson	Zellers
Davids	Hausman	Larson	Olson, M.	Slawik	Spk. Sviggum
Davnie	Heidgerken	Latz	Opatz	Smith	
DeLaForest	Hilty	Lenczewski	Osterman	Soderstrom	

Entenza 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 did not prevail.

The Speaker resumed the Chair.

Entenza 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 did not prevail.

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

Seagren moved to amend the Greiling et al amendment to H. F. No. 2558, the second engrossment, as amended, as follows:

Page 1, line 13 of the Greiling et al amendment, after "if" insert ":

(1)"

Page 1, line 15 of the Greiling et al amendment, after "act" insert " and

(2) the federal government enacts a law that abolishes the federal Department of Education before that date"

A roll call was requested and properly seconded.

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

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

There were 80 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Abeler	Cox	Heidgerken	Lipman	Penas	Tingelstad
Abrams	Davids	Holberg	Magnus	Powell	Urdahl
Adolphson	DeLaForest	Hoppe	Marquart	Ruth	Vandever
Anderson, B.	Demmer	Howes	McNamara	Samuelson	Walz
Anderson, J.	Dempsey	Jacobson	Meslow	Seagren	Wardlow
Beard	Eastlund	Johnson, J.	Nelson, C.	Seifert	Westerberg
Biernat	Erhardt	Klinzing	Nelson, P.	Severson	Westrom
Blaine	Erickson	Kohls	Newman	Simpson	Wilkin
Borrell	Finstad	Krinkie	Nornes	Smith	Zellers
Boudreau	Fuller	Lanning	Olsen, S.	Soderstrom	Spk. Sviggum
Bradley	Gerlach	Larson	Olson, M.	Stang	
Brod	Gunther	Lenczewski	Opatz	Strachan	
Buesgens	Haas	Lindgren	Ozment	Swenson	
Cornish	Hackbarth	Lindner	Paulsen	Sykora	

Those who voted in the negative were:

Anderson, I.	Ellison	Johnson, S.	Mahoney	Pelowski	Thissen
Atkins	Entenza	Juhnke	Mariani	Pugh	Wagenius
Bernardy	Goodwin	Kahn	Mullery	Rhodes	Walker
Carlson	Greiling	Kelliher	Murphy	Rukavina	Wasiluk
Davnie	Hausman	Knoblach	Nelson, M.	Sertich	
Dill	Hilty	Koenen	Osterman	Sieben	
Dorman	Hornstein	Latz	Otremba	Slawik	
Dorn	Huntley	Lesch	Otto	Solberg	
Eken	Jaros	Lieder	Paymar	Thao	

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

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

Greiling moved to amend the Greiling et al amendment, as amended, to H. F. No. 2558, the second engrossment, as amended, as follows:

Page 1, line 5 of the Seagren amendment to the Greiling et al amendment, delete "and" and insert "or"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called.

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

There were 56 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorn	Jaros	Lesch	Otremba	Thao
Atkins	Eken	Johnson, S.	Lieder	Otto	Thissen
Bernardy	Ellison	Juhnke	Mahoney	Paymar	Vanderveer
Biernat	Entenza	Kahn	Mariani	Pelowski	Wagenius
Borrell	Goodwin	Kelliher	Marquart	Pugh	Walker
Buesgens	Greiling	Knoblach	Mullery	Rukavina	Wasiluk
Carlson	Hausman	Koenen	Murphy	Sertich	
Davnie	Hilty	Krinkie	Nelson, M.	Sieben	
Dill	Hornstein	Larson	Olson, M.	Slawik	
Dorman	Huntley	Latz	Opatz	Solberg	

Those who voted in the negative were:

Abeler	Davids	Hackbarth	Lipman	Penas	Strachan
Abrams	DeLaForest	Heidgerken	Magnus	Powell	Swenson
Adolphson	Demmer	Holberg	McNamara	Rhodes	Sykora
Anderson, B.	Dempsey	Hoppe	Meslow	Ruth	Tingelstad
Anderson, J.	Eastlund	Howes	Nelson, C.	Samuelson	Urdahl
Beard	Erhardt	Jacobson	Nelson, P.	Seagren	Walz
Blaine	Erickson	Johnson, J.	Newman	Seifert	Wardlow
Boudreau	Finstad	Klinzing	Nornes	Severson	Westerberg
Bradley	Fuller	Kohls	Olsen, S.	Simpson	Westrom
Brod	Gerlach	Lanning	Osterman	Smith	Wilkin
Cornish	Gunther	Lindgren	Ozment	Soderstrom	Zellers
Cox	Haas	Lindner	Paulsen	Stang	Spk. Sviggum

The motion did not prevail and the amendment to the amendment, as amended, was not adopted.

The question recurred on the Greiling et al amendment, as amended, and the roll was called. There were 74 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Abrams	Bernardy	Davids	Dorn	Gerlach	Hilty
Anderson, B.	Biernat	Davnie	Eken	Goodwin	Hornstein
Anderson, I.	Borrell	DeLaForest	Entenza	Greiling	Huntley
Atkins	Buesgens	Dill	Erhardt	Hausman	Jacobson
Beard	Carlson	Dorman	Fuller	Heidgerken	Jaros

Johnson, J.	Krinkie	Mullery	Ozment	Sertich	Wagenius
Johnson, S.	Larson	Murphy	Paymar	Severson	Walker
Juhnke	Latz	Nelson, M.	Pelowski	Sieben	Wasiluk
Kahn	Lesch	Olson, M.	Pugh	Slawik	Westrom
Kelliher	Lieder	Opatz	Rhodes	Solberg	
Knoblach	Mahoney	Osterman	Rukavina	Thao	
Koenen	Marquart	Otremba	Samuelson	Thissen	
Kohls	Meslow	Otto	Seifert	Vandevveer	

Those who voted in the negative were:

Abeler	Demmer	Holberg	Mariani	Powell	Sykora
Adolphson	Dempsey	Hoppe	McNamara	Ruth	Tingelstad
Anderson, J.	Eastlund	Howes	Nelson, C.	Seagren	Urdahl
Blaine	Ellison	Klinzing	Nelson, P.	Simpson	Walz
Boudreau	Erickson	Lanning	Newman	Smith	Wardlow
Bradley	Finstad	Lindgren	Nornes	Soderstrom	Westerberg
Brod	Gunther	Lindner	Olsen, S.	Stang	Wilkin
Cornish	Haas	Lipman	Paulsen	Strachan	Zellers
Cox	Hackbarth	Magnus	Penas	Swenson	Spk. Sviggum

The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 2558, A bill for an act relating to education; providing for the state to affirm No Child Left Behind Act of 2001; authorizing rulemaking and implementing the rigorous core academic standards in social studies and science; amending Minnesota Statutes 2003 Supplement, section 120B.021, subdivision 3, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeler	Cox	Holberg	Magnus	Samuelson	Vandevveer
Abrams	DeLaForest	Hoppe	McNamara	Seagren	Walz
Adolphson	Demmer	Howes	Meslow	Seifert	Wardlow
Anderson, B.	Eastlund	Jacobson	Nelson, C.	Severson	Westerberg
Anderson, J.	Erhardt	Johnson, J.	Nelson, P.	Simpson	Westrom
Beard	Erickson	Klinzing	Newman	Smith	Wilkin
Blaine	Finstad	Knoblach	Nornes	Soderstrom	Zellers
Borrell	Fuller	Kohls	Olsen, S.	Stang	Spk. Sviggum
Boudreau	Gerlach	Krinkie	Ozment	Strachan	
Bradley	Gunther	Lanning	Paulsen	Swenson	
Brod	Haas	Lindgren	Penas	Sykora	
Buesgens	Hackbarth	Lindner	Powell	Tingelstad	
Cornish	Heidgerken	Lipman	Ruth	Urdahl	

Those who voted in the negative were:

Anderson, I.	Biernat	Davnie	Dorman	Ellison	Greiling
Atkins	Carlson	Dempsey	Dorn	Entenza	Hausman
Bernardy	Davids	Dill	Eken	Goodwin	Hilty

Hornstein	Koenen	Marquart	Otremba	Sertich	Walker
Huntley	Larson	Mullery	Otto	Sieben	Wasiluk
Jaros	Latz	Murphy	Paymar	Slawik	
Johnson, S.	Lesch	Nelson, M.	Pelowski	Solberg	
Juhnke	Lieder	Olson, M.	Pugh	Thao	
Kahn	Mahoney	Opatz	Rhodes	Thissen	
Kelliher	Mariani	Osterman	Rukavina	Wagenius	

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

#### CALL OF THE HOUSE LIFTED

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

Paulsen moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

#### MOTIONS AND RESOLUTIONS

Harder moved that the name of Demmer be added as an author on H. F. No. 1732. The motion prevailed.

Sykora moved that the name of Lanning be added as an author on H. F. No. 1982. The motion prevailed.

Boudreau moved that the name of Peterson be added as an author on H. F. No. 2127. The motion prevailed.

Urdahl moved that the name of Peterson be added as an author on H. F. No. 2209. The motion prevailed.

Samuelson moved that the name of Urdahl be added as an author on H. F. No. 2243. The motion prevailed.

Huntley moved that the name of Sieben be added as an author on H. F. No. 2280. The motion prevailed.

Vandever moved that the name of Gerlach be added as an author on H. F. No. 2335. The motion prevailed.

Abeler moved that the name of Peterson be added as an author on H. F. No. 2349. The motion prevailed.

Davids moved that the name of Hornstein be added as an author on H. F. No. 2384. The motion prevailed.

Jacobson moved that the name of Vandever be added as an author on H. F. No. 2519. The motion prevailed.

Gerlach moved that the name of Vandever be added as an author on H. F. No. 2557. The motion prevailed.

Boudreau moved that the name of Dorman be added as an author on H. F. No. 2571. The motion prevailed.

Swenson moved that the name of Demmer be added as an author on H. F. No. 2658. The motion prevailed.

Koenen moved that the name of Peterson be added as an author on H. F. No. 2675. The motion prevailed.

Anderson, J., moved that the name of Urdahl be added as an author on H. F. No. 2683. The motion prevailed.

Clark moved that the names of Westrom, Ruth, Lenczewski, Mullery and Wagenius be added as authors on H. F. No. 2839. The motion prevailed.

Sykora moved that the name of Lanning be added as an author on H. F. No. 2958. The motion prevailed.

Strachan moved that the name of Latz be added as an author on H. F. No. 2976. The motion prevailed.

Lenczewski moved that the name of Otto be added as an author on H. F. No. 3059. The motion prevailed.

Bradley moved that H. F. No. 2256, now on the General Register, be re-referred to the Committee on Taxes. The motion prevailed.

Gerlach moved that H. F. No. 2557 be recalled from the Committee on Governmental Operations and Veterans Affairs Policy and be re-referred to the Committee on Judiciary Policy and Finance. The motion prevailed.

Solberg moved that H. F. No. 2994 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Taxes. The motion prevailed.

Abrams moved that H. F. No. 3091 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Taxes. The motion prevailed.

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, March 22, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, March 22, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives