

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2004

 EIGHTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 5, 2004

The House of Representatives convened at 10:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Abrams; Haas; Johnson, S., and Samuelson were excused.

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

Holberg from the Committee on Civil Law 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; 176.136, subdivision 1a; 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 22, line 1, after "proceedings" insert "against the authorized representative of the religious sect who submitted an affidavit described in paragraph (a), clause (3) or (4)."

Page 26, line 36, after "14.389" insert ", including section 14.389, subdivision 5."

With the recommendation that when so amended the bill be re-referred to the Committee on Rules and Legislative Administration without further recommendation.

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Westrom introduced:

H. F. No. 3162, A bill for an act relating to the county aid program; adjusting the formula for the tax base equalization aid; amending Minnesota Statutes 2003 Supplement, section 477A.0124, subdivision 4.

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

Cox and Brod introduced:

H. F. No. 3163, A bill for an act relating to education finance; authorizing a facilities joint powers agreement; authorizing a levy.

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

Urdahl; Seifert; Hoppe; Lipman; Powell; Lindgren; Simpson; Finstad; Paulsen; Adolphson; Pelowski; Davids; Zellers; Eastlund; Dill; Marquart; Biernat; Buesgens; Krinkie; Erickson; Gerlach; Wardlow; Westrom; Anderson, J.; Dorman; Gunther; Cornish; Boudreau; Ruth; Johnson, J.; Penas; Holberg; Harder; Magnus and Blaine introduced:

H. F. No. 3164, A bill for an act relating to civil actions; prohibiting actions against certain persons for weight gain as a result of consuming certain foods; proposing coding for new law in Minnesota Statutes, chapter 604.

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

CERTIFICATION PURSUANT TO RULE 4.03
ON FINANCE AND REVENUE BILLS

April 2, 2004

Edward A. Burdick
Chief Clerk of the House of Representatives
The State of Minnesota

Dear Mr. Burdick:

House Rule 4.03 requires the Chair of the Committee on Ways and Means to certify to the House of Representatives that the Committee has reconciled any finance and revenue bills with the budget resolution and targets.

Please accept this letter as certification that H. F. No. 1867, the Omnibus Environment and Natural Resources Finance bill, H. F. No. 2755, the Omnibus Agriculture and Rural Development Finance bill, H. F. No. 3090, the Omnibus Jobs and Economic Development Finance bill and H. F. No. 3141, the Omnibus Transportation Finance bill reconcile with the budget resolution and targets.

Sincerely,

REPRESENTATIVE JIM KNOBLACH
Chair, House Ways and Means Committee

FISCAL CALENDAR

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 2755.

H. F. No. 2755 was reported to the House.

Otremba moved to amend H. F. No. 2755, the third engrossment, as follows:

Page 34, lines 15 to 25, reinstate the stricken language

Page 34, line 29, delete the new language and reinstate the stricken language

Page 34, line 33, delete "(3)" and insert "(6)"

A roll call was requested and properly seconded.

The question was taken on the Otremba amendment and the roll was called. There were 48 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Eken	Hornstein	Lenczewski	Opatz	Sieben
Atkins	Ellison	Huntley	Lesch	Otremba	Slawik
Bernardy	Entenza	Jaros	Lieder	Otto	Solberg
Biernat	Goodwin	Kahn	Mahoney	Paymar	Thao
Carlson	Greiling	Kelliher	Mariani	Pelowski	Thissen
Clark	Hausman	Koenen	Mullery	Peterson	Wagenius
Davnie	Hilstrom	Larson	Murphy	Pugh	Walker
Dill	Hilty	Latz	Nelson, M.	Sertich	Wasiluk

Those who voted in the negative were:

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

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

Mariani, Peterson and Paymar moved to amend H. F. No. 2755, the third engrossment, as follows:

Page 15, line 35, after the period, insert "No payment shall be made for ethanol produced after June 30, 2005, at an ethanol plant located in a city of the first class."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mariani et al amendment and the roll was called. There were 50 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Eken	Huntley	Lieder	Paymar	Thao
Atkins	Ellison	Jaros	Mariani	Pelowski	Thissen
Bernardy	Entenza	Juhnke	Marquart	Peterson	Wagenius
Biernat	Goodwin	Kahn	Mullery	Pugh	Walker
Carlson	Greiling	Kelliher	Murphy	Rhodes	Wasiluk
Clark	Hausman	Koenen	Olson, M.	Rukavina	
Davnie	Hilstrom	Larson	Opatz	Sertich	
Dill	Hilty	Latz	Osterman	Sieben	
Dorn	Hornstein	Lesch	Otremba	Solberg	

Those who voted in the negative were:

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

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

The Speaker called Boudreau to the Chair.

Eken, Otremba and Peterson moved to amend H. F. No. 2755, the third engrossment, as follows:

Page 33, line 28, after "those" insert "best management" and after "practices" insert "for that type of agriculture operation"

A roll call was requested and properly seconded.

The question was taken on the Eken et al amendment and the roll was called. There were 48 yeas and 82 nays as follows:

Those who voted in the affirmative were:

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

Jaros	Latz	Mariani	Otremba	Rukavina	Thao
Kahn	Lenczewski	Mullery	Otto	Sertich	Thissen
Kelliher	Lesch	Murphy	Paymar	Sieben	Wagenius
Koenen	Lieder	Nelson, M.	Peterson	Slawik	Walker
Larson	Mahoney	Opatz	Pugh	Solberg	Wasiluk

Those who voted in the negative were:

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

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

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

Otremba offered an amendment to H. F. No. 2755, the third engrossment.

POINT OF ORDER

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

POINT OF ORDER

Knoblach raised a point of order pursuant to rule 4.03 relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Otremba amendment was not in order.

Pursuant to section 245 of "Mason's Manual of Legislative Procedure," Speaker pro tempore Boudreau submitted the following question to the House: "Is it the judgment of the House that the Knoblach point of order is well taken?"

A roll call was requested and properly seconded.

The question was taken on the Knoblach point of order and the roll was called.

Pursuant to rule 2.05, Speaker pro tempore Boudreau excused McNamara from voting on the Knoblach point of order relating to the Otremba amendment to H. F. No. 2755.

There were 70 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Adolphson	Dauids	Hackbarth	Lindgren	Ozment	Swenson
Anderson, B.	DeLaForest	Harder	Lindner	Paulsen	Sykora
Anderson, J.	Demmer	Holberg	Lipman	Penas	Tingelstad
Beard	Dempsey	Howes	Magnus	Powell	Urdahl
Blaine	Dorman	Jacobson	Meslow	Rhodes	Walz
Borrell	Eastlund	Johnson, J.	Nelson, C.	Ruth	Wardlow
Boudreau	Erhardt	Klinzing	Nelson, P.	Seagren	Westerberg
Bradley	Erickson	Knoblach	Newman	Seifert	Wilkin
Brod	Finstad	Kohls	Nornes	Severson	Zellers
Buesgens	Fuller	Krinkie	Olsen, S.	Simpson	Spk. Sviggum
Cornish	Gerlach	Kuisle	Olson, M.	Soderstrom	
Cox	Gunther	Lanning	Osterman	Stang	

Those who voted in the negative were:

Abeler	Eken	Hornstein	Lesch	Otto	Solberg
Anderson, I.	Ellison	Huntley	Lieder	Paymar	Thao
Atkins	Entenza	Jaros	Mahoney	Pelowski	Thissen
Bernardy	Goodwin	Juhnke	Mariani	Peterson	Vandever
Biernat	Greiling	Kahn	Marquart	Pugh	Wagenius
Carlson	Hausman	Kelliher	Mullery	Rukavina	Walker
Clark	Heidgerken	Koenen	Murphy	Sertich	Wasiluk
Davnie	Hilstrom	Larson	Nelson, M.	Sieben	Westrom
Dill	Hilty	Latz	Opatz	Slawik	
Dorn	Hoppe	Lenczewski	Otremba	Smith	

So it was the judgment of the House that the Knoblach point of order was well taken and the Otremba amendment was out of order.

H. F. No. 2755 was read for the third time.

POINT OF ORDER

Paulsen raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. Speaker pro tempore Boudreau ruled the point of order not well taken.

The Speaker resumed the Chair.

H. F. No. 2755, A bill for an act relating to agriculture; changing certain duties, loan requirements, procedures, inspection requirements, and fees; regulating certain veterinary treatments; modifying provisions governing county and regional fairs; eliminating an ownership disclosure requirement; changing certain grain buyers' bond and financial reporting requirements; changing certain limits; establishing loan and grant programs; providing for faculty

veterinary licensure; limiting certain nuisance claims; prohibiting intentional introduction of disease to domestic animals; prohibiting certain trespass on agricultural land; providing a civil remedy; providing criminal penalties; transferring certain funds; appropriating money; changing certain appropriations; amending Minnesota Statutes 2002, sections 16C.135, by adding subdivisions; 17.115, subdivisions 2, 3, 4, 5; 17B.03, subdivision 1; 17B.15, subdivision 1; 27.10; 35.243; 38.04; 38.12; 38.14; 38.15; 38.16; 41B.036; 41B.046, subdivision 5; 41B.049, subdivision 2; 41C.02, subdivision 12; 156.12, subdivision 2, by adding a subdivision; 223.17, subdivisions 3, 6; 231.16; 232.22, subdivision 3; 236.02, subdivision 4; 561.19, subdivision 2; 609.605, subdivision 1, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 18G.10, subdivisions 5, 7; 38.02, subdivisions 1, 3; 41A.09, subdivision 3a; 223.17, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 41B; 116J; 609; repealing Minnesota Statutes 2002, sections 18C.433; 38.02, subdivision 2; 38.13; 41B.046, subdivision 3.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 81 yeas and 48 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Dorn	Hilty	Lesch	Opatz	Sieben
Atkins	Eken	Hornstein	Lieder	Otremba	Slawik
Bernardy	Ellison	Huntley	Mahoney	Otto	Solberg
Biernat	Entenza	Jaros	Mariani	Paymar	Thao
Carlson	Goodwin	Kahn	Marquart	Peterson	Thissen
Clark	Greiling	Kelliher	Mullery	Pugh	Wagenius
Davnie	Hausman	Latz	Murphy	Rukavina	Walker
Dill	Hilstrom	Lenczewski	Nelson, M.	Sertich	Wasiluk

The bill was passed and its title agreed to.

FISCAL CALENDAR

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 3141.

H. F. No. 3141 was reported to the House.

Kuisle moved to amend H. F. No. 3141, the first engrossment, as follows:

Page 5, line 9, delete everything after the period, and insert "Under the pilot project the user must pay a base fare of \$7, the council must pay the remainder of the fare up to a maximum subsidy of \$13, and the user must pay that portion of the fare that exceeds \$20."

Page 5, delete lines 10 to 13

Page 5, line 14, delete everything through the period

The motion prevailed and the amendment was adopted.

DeLaForest moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 5, lines 28 to 33, delete the new language

Page 8, line 2, delete "(a)"

Page 8, delete lines 8 to 11

The motion prevailed and the amendment was adopted.

Dempsey and Huntley moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 3, after line 34, insert:

"Sec. 8. [PORT DEVELOPMENT GRANT.]

Notwithstanding Minnesota Statutes, section 457A.092, the commissioner of transportation may grant up to \$100,000 of the funds available in the port development assistance program to the Duluth Port Authority to determine the cause of fresh water corrosion of harbor sheet piling, provided state funds are matched on a dollar-for-dollar basis by nonstate funds."

The motion prevailed and the amendment was adopted.

Erhardt and Kuisle moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 8, after line 22, insert:

"Sec. 11. Minnesota Statutes 2002, section 161.125, subdivision 3, is amended to read:

Subd. 3. [SOUND ABATEMENT MEASURES.] (a) For the purpose of this section, sound abatement measures include but are not limited to the following:

(1) traffic management measures, including reduced speed limits or exclusion and rerouting of excessively noisy vehicles;

(2) design and construction measures, including use of sound absorbing road surface materials, landscaping and planning, acquisition of buffer zones or noise insulation of buildings on abutting property;

(3) enforcement of the motor vehicle source noise limits of the Pollution Control Agency and of the federal Bureau of Motor Carrier Safety; and

(4) other measures designed for the purpose of reducing motor vehicle source noise or reducing the effects of that noise.

(b) The commissioner of public safety shall cooperate with the commissioner of transportation in implementing any sound abatement measures that include law enforcement activities.

(c) In addition to all criteria for the installation or implementation of sound abatement measures under this section, the commissioner shall consider the presence of bus shoulder lanes in residential areas."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kahn and Kelliher moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 26, after line 10, insert:

"Sec. 29. Minnesota Statutes 2002, section 174.03, is amended by adding a subdivision to read:

Subd. 10. [PROMOTION OF BICYCLE COMMUTING.] To conserve energy, alleviate traffic congestion, improve employee health through increased physical activity, decrease demand for motor vehicle parking, and minimize the environmental impact of commuting by singly occupied motor vehicles, the commissioner of transportation must promote bicycle commuting. As part of promoting bicycle commuting, the commissioner must:

(1) consider the effect on bicycle commuting in the design of transportation facilities throughout the state;

(2) encourage employers who are making capital improvements to their facilities to incorporate design elements that will facilitate bicycle commuting, such as bike racks, indoor or outdoor sheltered bicycle parking, high-security bicycle parking, showers, and dressing areas for bikers; and

(3) encourage employers that provide parking or other subsidies for drivers to provide subsidies for bicycle commuters."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Lipman offered an amendment to H. F. No. 3141, the first engrossment, as amended.

POINT OF ORDER

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

Holberg, Sykora, Seagren, Huntley, Kuisle, Lieder and Biernat moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 14, after line 17, insert:

"Sec. 16. [169.2212] [BUS DRIVER DUTY OF CARE.]

The duty of care owed by a driver of a regular route transit bus to a passenger on that bus, including a passenger who is an elementary or secondary pupil, applies only when the passenger is on the bus or boarding or disembarking. The duty of care owed by a driver of a paratransit vehicle to a passenger on that vehicle, including a passenger who is an elementary or secondary pupil, applies only when the passenger is on the vehicle or boarding or disembarking, and as provided in the local passenger assistance policy. At all other times the passenger is a pedestrian and a driver's duty is limited to the duty of care owed by an operator of a motor vehicle to a pedestrian. For purposes of this section, "regular route transit" has the meaning given it in section 174.22, subdivision 8, and "paratransit" has the meaning given it in section 174.22, subdivision 6."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Boudreau to the Chair.

Rukavina moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 20, after line 28, insert:

"Sec. 20. Minnesota Statutes 2002, section 169.87, is amended by adding a subdivision to read:

Subd. 7. [VEHICLE TRANSPORTING PROPANE.] A weight restriction imposed under subdivision 1 or 2 by the commissioner of transportation or a local road authority does not apply to a vehicle primarily designed and used for transporting propane for delivery in bulk, while the vehicle is engaged in that activity. This subdivision does not authorize a vehicle described in this subdivision to exceed a weight allowed for a utility vehicle under subdivision 5, paragraph (a)."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Cornish moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 15, after line 9, insert:

"Sec. 17. Minnesota Statutes 2002, section 169.81, is amended by adding a subdivision to read:

Subd. 3e. [ARTICULATED BUSES.] Notwithstanding subdivision 2, a motor carrier of passengers registered under section 221.0252 may operate without a permit an articulated bus of up to 61 feet in length."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Fuller moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 14, after line 5, insert:

"Sec. 15. Minnesota Statutes 2002, section 169.01, subdivision 78, is amended to read:

Subd. 78. [RECREATIONAL VEHICLE COMBINATION.] "Recreational vehicle combination" means a combination of vehicles consisting of a pickup truck as defined in section 168.011, subdivision 29, attached by means of a fifth-wheel coupling to a camper-semitrailer which has hitched to it a trailer carrying a watercraft as defined in section 86B.005, subdivision 18; off-highway motorcycle as defined in section 84.787, subdivision 7; motorcycle; motorized bicycle; snowmobile as defined in section 84.81, subdivision 3; ~~or~~ all-terrain vehicle as defined in section 84.92, subdivision 8; or equestrian equipment and supplies. For purposes of this subdivision:

(a) A "fifth-wheel coupling" is a coupling between a camper-semitrailer and a towing pickup truck in which a portion of the weight of the camper-semitrailer is carried over or forward of the rear axle of the towing pickup.

(b) A "camper-semitrailer" is a trailer, other than a manufactured home as defined in section 327B.01, subdivision 13, designed for human habitation and used for vacation or recreational purposes for limited periods."

Page 15, after line 9, insert:

"Sec. 18. Minnesota Statutes 2002, section 169.81, subdivision 3c, is amended to read:

Subd. 3c. [RECREATIONAL VEHICLE COMBINATION.] Notwithstanding subdivision 3, a recreational vehicle combination may be operated without a permit if:

(1) the combination does not consist of more than three vehicles, and the towing rating of the pickup truck is equal to or greater than the total weight of all vehicles being towed;

(2) the combination does not exceed 60 feet in length;

(3) the camper-semitrailer in the combination does not exceed 28 feet in length;

(4) the operator of the combination is at least 18 years of age;

(5) the trailer carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, ~~or~~ all-terrain vehicle, or equestrian equipment and supplies meets all requirements of law;

(6) the trailers in the combination are connected to the pickup truck and each other in conformity with section 169.82; and

(7) the combination is not operated within the seven-county metropolitan area, as defined in section 473.121, subdivision 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kohls; Fuller; Biernat; Strachan; Hoppe; Krinkie; Lipman; Lindgren; Zellers; DeLaForest; Buesgens; Wardlow; Gerlach; Kahn; Nelson, C.; Wilkin; Holberg; Opatz; Brod; Powell; Borrell; Kuisle; Paulsen; Tingelstad; Bradley; Walz; Lenczewski; Meslow; Thissen; Adolphson; Johnson, J.; Stang and Finstad moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 31, after line 13, insert:

"Sec. 38. [REPEALER.]

Minnesota Statutes 2002, section 169.685, subdivision 4, is repealed.

[EFFECTIVE DATE.] This section is effective July 1, 2005, and applies to actions commenced on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Atkins raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Kohls et al amendment was not in order. Speaker pro tempore Boudreau ruled the point of order not well taken and the Kohls et al amendment in order.

Latz moved to amend the Kohls et al amendment to H. F. No. 3141, the first engrossment, as amended, as follows:

Page 1, after line 8, insert:

"Sec. 39. Minnesota Statutes 2002, section 169.686, subdivision 1, is amended to read:

Subdivision 1. [SEAT BELT REQUIREMENT.] (a) A properly adjusted and fastened seat belt, including both the shoulder and lap belt when the vehicle is so equipped, shall be worn by:

- (1) the driver of a passenger vehicle or commercial motor vehicle;
- (2) a passenger riding in the front seat of a passenger vehicle or commercial motor vehicle; and
- (3) a passenger riding in any seat of a passenger vehicle who is older than three but younger than 11 years of age.

(b) A person who is 15 years of age or older and who violates paragraph (a), clause (1) or (2), is subject to a fine of \$25. The driver of the passenger vehicle or commercial motor vehicle in which the violation occurred is subject to a \$25 fine for a violation of paragraph (a), clause (2) or (3), by a child of the driver under the age of 15 or any child under the age of 11. ~~A peace officer may not issue a citation for a violation of this section unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation other than a violation involving motor vehicle equipment.~~ The Department of Public Safety shall not record a violation of this subdivision on a person's driving record.

Sec. 40. Minnesota Statutes 2002, section 171.05, subdivision 2b, is amended to read:

Subd. 2b. [INSTRUCTION PERMIT USE BY PERSON UNDER AGE 18.] (a) This subdivision applies to persons who have applied for and received an instruction permit under subdivision 2.

(b) The permit holder may, with the permit in possession, operate a motor vehicle, but must be accompanied by and be under the supervision of a certified driver education instructor, the permit holder's parent or guardian, or another licensed driver age 21 or older. The supervisor must occupy the seat beside the permit holder.

(c) The permit holder may operate a motor vehicle only when every occupant under the age of 18 has a seat belt or child passenger restraint system properly fastened. A person who violates this paragraph is subject to a fine of \$25. ~~A peace officer may not issue a citation for a violation of this paragraph unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation as defined in section 171.04, subdivision 1.~~ The commissioner shall not record a violation of this paragraph on a person's driving record.

(d) The permit holder must maintain a driving record free of convictions for moving violations, as defined in section 171.04, subdivision 1, and free of convictions for violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53. If the permit holder drives a motor vehicle in violation of the law, the commissioner shall suspend, cancel, or revoke the permit in accordance with the statutory section violated.

Sec. 41. Minnesota Statutes 2002, section 171.055, subdivision 2, is amended to read:

Subd. 2. [USE OF PROVISIONAL LICENSE.] (a) A provisional license holder may operate a motor vehicle only when every occupant under the age of 18 has a seat belt or child passenger restraint system properly fastened. A person who violates this paragraph is subject to a fine of \$25. ~~A peace officer may not issue a citation for a violation of this paragraph unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation as defined in section 171.04.~~ The commissioner shall not record a violation of this paragraph on a person's driving record.

(b) If the holder of a provisional license during the period of provisional licensing incurs (1) a conviction for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) a conviction for a crash-related moving violation, or (3) more than one conviction for a moving violation that is not crash related, the person may not be issued a driver's license until 12 consecutive months have expired since the date of the conviction or until the person reaches the age of 18 years, whichever occurs first.

Sec. 42. [EFFECTIVE DATE.]

Sections 39 to 42 are effective August 1, 2004, and apply to violations committed on and after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 19 yeas and 110 nays as follows:

Those who voted in the affirmative were:

Biernat	Greiling	Jaros	Lenczewski	Rhodes
Clark	Hausman	Juhnke	Murphy	Sieben
Cornish	Hornstein	Kahn	Paymar	Wagenius
Entenza	Huntley	Latz	Pugh	

Those who voted in the negative were:

Abeler	Carlson	Erickson	Jacobson	Lindner	Olsen, S.
Adolphson	Cox	Finstad	Johnson, J.	Lipman	Olson, M.
Anderson, B.	Davids	Fuller	Kelliher	Magnus	Opatz
Anderson, I.	Davnie	Gerlach	Klinzing	Mahoney	Osterman
Anderson, J.	DeLaForest	Goodwin	Knoblach	Mariani	Otremba
Atkins	Demmer	Gunther	Koenen	Marquart	Otto
Beard	Dempsey	Hackbarth	Kohls	McNamara	Ozment
Bernardy	Dill	Harder	Krinkie	Meslow	Paulsen
Blaine	Dorman	Heidgerken	Kuisle	Mullery	Pelowski
Borrell	Dorn	Hilstrom	Lanning	Nelson, C.	Penas
Boudreau	Eastlund	Hilty	Larson	Nelson, M.	Peterson
Bradley	Eken	Holberg	Lesch	Nelson, P.	Powell
Brod	Ellison	Hoppe	Lieder	Newman	Rukavina
Buesgens	Erhardt	Howes	Lindgren	Nornes	Ruth

Seagren	Slawik	Swenson	Urdahl	Wasiluk	Spk. Sviggum
Seifert	Smith	Sykora	Vandever	Westerberg	
Sertich	Soderstrom	Thao	Walker	Westrom	
Severson	Solberg	Thissen	Walz	Wilkin	
Simpson	Stang	Tingelstad	Wardlow	Zellers	

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

Mahoney offered an amendment to the Kohls et al amendment to H. F. No. 3141, the first engrossment, as amended.

POINT OF ORDER

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

POINT OF ORDER

Seifert raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. Speaker pro tempore Boudreau ruled the point of order well taken.

The Speaker resumed the Chair.

POINT OF ORDER

Solberg raised a point of order pursuant to rule 3.21 that the Kohls et al amendment was not in order. The Speaker ruled the point of order not well taken and the Kohls et al amendment in order.

The question recurred on the Kohls et al amendment and the roll was called. There were 70 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Adolphson	Davids	Gunther	Krinkie	Newman	Soderstrom
Anderson, B.	Davnie	Harder	Kuisle	Nornes	Swenson
Anderson, J.	DeLaForest	Heidgerken	Lanning	Olsen, S.	Thissen
Beard	Demmer	Holberg	Lenczewski	Olson, M.	Tingelstad
Biernat	Dempsey	Hoppe	Lindgren	Opatz	Walz
Blaine	Dorman	Howes	Lindner	Ozment	Wardlow
Borrell	Eastlund	Jacobson	Lipman	Paulsen	Westerberg
Boudreau	Erhardt	Johnson, J.	Magnus	Penas	Wilkin
Bradley	Erickson	Kahn	McNamara	Powell	Zellers
Brod	Finstad	Klinzing	Meslow	Ruth	Spk. Sviggum
Buesgens	Fuller	Knoblach	Nelson, C.	Severson	
Cox	Gerlach	Kohls	Nelson, P.	Simpson	

Those who voted in the negative were:

Abeler	Ellison	Jaros	Marquart	Pugh	Stang
Anderson, I.	Entenza	Juhnke	Mullery	Rhodes	Sykora
Atkins	Goodwin	Kelliher	Murphy	Rukavina	Thao
Bernardy	Greiling	Koenen	Nelson, M.	Seagren	Urdahl
Carlson	Hackbarth	Larson	Osterman	Seifert	Vanderveer
Clark	Hausman	Latz	Otremba	Sertich	Wagenius
Cornish	Hilstrom	Lesch	Otto	Sieben	Walker
Dill	Hilty	Lieder	Paymar	Slawik	Wasiluk
Dorn	Hornstein	Mahoney	Pelowski	Smith	Westrom
Eken	Huntley	Mariani	Peterson	Solberg	

The motion prevailed and the amendment was adopted.

Paymar, Mariani and Entenza moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 14, delete section 15

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Paymar et al amendment and the roll was called. There were 42 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Carlson	Hausman	Kahn	Lesch	Nelson, M.	Peterson
Clark	Hilstrom	Kelliher	Lipman	Opatz	Seagren
Davnie	Hilty	Knobloch	Mahoney	Osterman	Solberg
Dorn	Hornstein	Koenen	Mariani	Otremba	Thissen
Eken	Huntley	Larson	Marquart	Otto	Wagenius
Entenza	Jaros	Latz	Meslow	Paymar	Walker
Greiling	Juhnke	Lenczewski	Mullery	Pelowski	Wasiluk

Those who voted in the negative were:

Abeler	Borrell	Demmer	Goodwin	Johnson, J.	McNamara
Adolphson	Boudreau	Dempsey	Gunther	Kohls	Nelson, C.
Anderson, I.	Bradley	Dorman	Hackbarth	Krinkie	Nelson, P.
Anderson, J.	Brod	Eastlund	Harder	Kuisle	Newman
Atkins	Buesgens	Erhardt	Heidgerken	Lanning	Nornes
Beard	Cornish	Erickson	Holberg	Lieder	Olsen, S.
Bernardy	Cox	Finstad	Hoppe	Lindgren	Olson, M.
Biernat	Dauids	Fuller	Howes	Lindner	Ozment
Blaine	DeLaForest	Gerlach	Jacobson	Magnus	Paulsen

Penas	Ruth	Simpson	Sykora	Walz	Zellers
Powell	Seifert	Smith	Thao	Wardlow	Spk. Sviggum
Pugh	Sertich	Soderstrom	Tingelstad	Westerberg	
Rhodes	Severson	Stang	Urdahl	Westrom	
Rukavina	Sieben	Swenson	Vandev eer	Wilkin	

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

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

Westrom moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 12, after line 22, insert:

"Sec. 13. Minnesota Statutes 2002, section 168.27, subdivision 24, is amended to read:

Subd. 24. [BONDS.] (a) Except as otherwise provided in this subdivision, all persons licensed according to this section shall keep in full force and effect a bond with a corporate surety to be approved by the registrar of motor vehicles in the following amounts; in the case of boat trailer, snowmobile trailer, horse trailer or motorized bicycle dealers, or dealers in trailers with a manufacturer's rated carrying capacity under 15,000 pounds designed to transport small construction or farm equipment, in the amount of \$5,000; and as to all other persons in the amount of \$50,000. The bond must be conditioned on the faithful performance by the licensee of the obligations imposed on persons engaged in motor vehicle transactions by the laws of this state, including the conduct required of a licensee by this section and other sections governing the sale or transfer of motor vehicles, and the payment of all taxes, license fees, and penalties. The bond must be for the benefit of the state of Minnesota and any transferor, seller, or purchaser of a motor vehicle for any monetary loss caused by failure of the licensee to meet the obligations enumerated above. Proceedings on the forfeiture of the bonds must be commenced in the district court of the county wherein the business of the licensed person was carried on, or if in more than one county, the county in which the offense occurred. This subdivision does not apply to a used vehicle parts dealer or a scrap metal processor.

(b) This subdivision does not apply to:

(1) a dealer in new trailers designed to transport small construction or farm equipment in any year following a year in which the dealer had less than \$500,000 in gross receipts from the sale of such trailers; or

(2) a dealer in new trailers designed to transport small construction or farm equipment who has been a dealer in such trailers for less than one year and who the department reasonably determines will have gross receipts of less than \$500,000 during the first year of business."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Boudreau to the Chair.

Seifert moved to amend H. F. No. 3141, the first engrossment, as amended, as follows:

Page 23, after line 19, insert:

"Sec. 24. Minnesota Statutes 2002, section 171.13, subdivision 1, is amended to read:

Subdivision 1. [SUBJECTS TESTED.] Except as otherwise provided in this section, the commissioner shall examine each applicant for a driver's license by such agency as the commissioner directs. The commissioner may not give the examination in any language other than English. This examination must include a test of applicant's eyesight; ability to read and understand highway signs regulating, warning, and directing traffic; knowledge of traffic laws; knowledge of the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally, and of the legal penalties and financial consequences resulting from violations of laws prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs; knowledge of railroad grade crossing safety; knowledge of slow-moving vehicle safety; knowledge of traffic laws related to bicycles; an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and other physical and mental examinations as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways, provided, further however, no driver's license shall be denied an applicant on the exclusive grounds that the applicant's eyesight is deficient in color perception. Provided, however, that war veterans operating motor vehicles especially equipped for handicapped persons, shall, if otherwise entitled to a license, be granted such license. The commissioner shall make provision for giving these examinations either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant."

Page 31, after line 13, insert:

"Sec. 39. [REPEALER.]

Minnesota Rules, part 7410.4740, subpart A, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

POINT OF ORDER

Ellison raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Seifert amendment was not in order. The Speaker ruled the point of order not well taken and the Seifert amendment in order.

Entenza appealed the decision of the Speaker.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Seifert moved to lay the Entenza appeal of the decision of the Speaker on the table.

A roll call was requested and properly seconded.

MOTION TO FIX TIME TO CONVENE

Juhnke moved that when the House adjourns today it adjourn until 10:00 a.m., Wednesday, April 7, 2004.

A roll call was requested and properly seconded.

The question was taken on the Juhnke motion and the roll was called. There were 52 yeas and 74 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

The question recurred on the Seifert motion to lay the Entenza appeal of the decision of the Speaker on the table and the roll was called. There were 75 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Adolphson	Bradley	Demmer	Fuller	Hoppe	Kuisle
Anderson, B.	Brod	Dempsey	Gerlach	Howes	Lanning
Anderson, J.	Buesgens	Dorman	Gunther	Jacobson	Lindgren
Beard	Cornish	Eastlund	Hackbarth	Johnson, J.	Lindner
Blaine	Cox	Erhardt	Harder	Knoblach	Lipman
Borrell	Dauids	Erickson	Heidgerken	Kohls	Magnus
Boudreau	DeLaForest	Finstad	Holberg	Krinkie	McNamara

Meslow	Olson, M.	Rhodes	Smith	Urdahl	Wilkin
Nelson, C.	Osterman	Ruth	Soderstrom	Vandever	Zellers
Nelson, P.	Ozment	Seagren	Stang	Walz	Spk. Sviggum
Newman	Paulsen	Seifert	Swenson	Wardlow	
Nornes	Penas	Severson	Sykora	Westerberg	
Olsen, S.	Powell	Simpson	Tingelstad	Westrom	

Those who voted in the negative were:

Abeler	Dorn	Hornstein	Lesch	Otremba	Slawik
Anderson, I.	Eken	Huntley	Lieder	Otto	Solberg
Atkins	Ellison	Juhnke	Mahoney	Paymar	Thao
Bernardy	Entenza	Kahn	Mariani	Pelowski	Thissen
Biernat	Goodwin	Kelliher	Marquart	Peterson	Wagenius
Carlson	Greiling	Koenen	Mullery	Pugh	Walker
Clark	Hausman	Larson	Murphy	Rukavina	
Davnie	Hilstrom	Latz	Nelson, M.	Sertich	
Dill	Hilty	Lenczewski	Opatz	Sieben	

The motion prevailed and the appeal of the decision of the Speaker was laid on the table.

MOTION TO FIX TIME TO CONVENE

Entenza moved that when the House adjourns today it adjourn until 8:30 a.m., Wednesday, April 7, 2004.

A roll call was requested and properly seconded.

The question was taken on the Entenza motion and the roll was called. There were 51 yeas and 72 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Blaine	Buesgens	Demmer	Erickson	Hackbarth
Adolphson	Borrell	Cornish	Dempsey	Finstad	Harder
Anderson, B.	Boudreau	Cox	Dorman	Fuller	Heidgerken
Anderson, J.	Bradley	Davids	Eastlund	Gerlach	Holberg
Beard	Brod	DeLaForest	Erhardt	Gunther	Hoppe

Howes	Lanning	Newman	Powell	Soderstrom	Walz
Jacobson	Lindgren	Nornes	Ruth	Stang	Wardlow
Johnson, J.	Lindner	Olsen, S.	Seagren	Swenson	Westerberg
Klinzing	Lipman	Olson, M.	Seifert	Sykora	Westrom
Knoblach	McNamara	Ozment	Severson	Tingelstad	Wilkin
Kohls	Meslow	Paulsen	Simpson	Urdahl	Zellers
Krinkie	Nelson, C.	Penas	Smith	Vandever	Spk. Sviggum

The motion did not prevail.

Pursuant to rule 1.22, Knoblach withdrew his request for immediate consideration of H. F. No. 3141, as amended.

FISCAL CALENDAR ANNOUNCEMENTS

Pursuant to rule 1.22, Knoblach announced his intention to place H. F. No. 3141, as amended, and H. F. Nos. 1867, 3090 and 2684 on the Fiscal Calendar for Wednesday, April 7, 2004.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 8:00 a.m., Wednesday, April 7, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 8:00 a.m., Wednesday, April 7, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives