

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2004

 ONE HUNDRED NINTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 14, 2004

The House of Representatives convened at 11:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Father James N. Wilson II, St. Andrews Episcopal Church, Minneapolis, 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:

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

A quorum was present.

Adolphson and Dill were excused.

Slawik was excused until 11:45 a.m. Strachan was excused until 11:55 a.m. Blaine was excused until 12:00 noon. Abeler was excused until 12:10 p.m. Beard was excused until 1:25 p.m. Lesch was excused until 2:00 p.m. Dempsey was excused until 5:10 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Fuller 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 CHIEF CLERK

S. F. No. 653 and H. F. No. 622, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Strachan moved that the rules be so far suspended that S. F. No. 653 be substituted for H. F. No. 622 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1836 and H. F. No. 1798, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kohls moved that the rules be so far suspended that S. F. No. 1836 be substituted for H. F. No. 1798 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1866 and H. F. No. 2034, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Haas moved that the rules be so far suspended that S. F. No. 1866 be substituted for H. F. No. 2034 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2112 and H. F. No. 2581, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bradley moved that the rules be so far suspended that S. F. No. 2112 be substituted for H. F. No. 2581 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2138 and H. F. No. 2214, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Pugh moved that the rules be so far suspended that S. F. No. 2138 be substituted for H. F. No. 2214 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2263 and H. F. No. 2479, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

DeLaForest moved that the rules be so far suspended that S. F. No. 2263 be substituted for H. F. No. 2479 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2428 and H. F. No. 2461, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Swenson moved that the rules be so far suspended that S. F. No. 2428 be substituted for H. F. No. 2461 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

House Resolution No. 29, A House resolution recognizing July 26-30, 2004, as Liberian Week in Minnesota.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

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

House Resolution No. 30, A House resolution honoring Carl Eller on his induction in the National Football League Hall of Fame and contributions to the State of Minnesota.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

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

House Resolution No. 31, A House resolution recognizing the Brown v. Board of Education ruling.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

House Resolution No. 29 was reported to the House.

HOUSE RESOLUTION NO. 29

A House resolution recognizing July 26-30, 2004, as Liberian Week in Minnesota.

Whereas, realizing in the mid 1970s that many Liberians were in Minnesota to pursue academic excellence, the Organization of Liberians in Minnesota (OLM) was established to enable Liberian students to come together and socialize; and

Whereas, demands on OLM increased as the number of students increased and in the 1980s and 1990s, demands increased remarkably when Liberians were no longer mostly students, but immigrants who had experienced one of the most brutal anarchies in human memory; and

Whereas, today the OLM has to formulate policies to address issues facing the 25,000 Liberians in Minnesota including immigration status, underemployment, disunity, and numerous other socio-economic issues; and

Whereas, despite these issues, Liberians are vibrant and resilient partners with the people of Minnesota. Compared to all other immigrant groups, Liberians are the highest providers of health and health-related services and work extremely hard to support themselves and extended family and friends in Liberia and refugee camps; and

Whereas, a Liberian Independence Week will highlight the historical relationship between the United States and Liberia, the vital contributions Liberians made to the United States in the past and are making to the health industry in Minnesota, and the socio-economic issues facing the majority of Liberians; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it recognizes July 26-30, 2004, as Liberian Week in Minnesota.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the Organization of Liberians in Minnesota.

Olsen, S., moved that House Resolution No. 29 be now adopted. The motion prevailed and House Resolution No. 29 was adopted.

The Speaker called Seifert to the Chair.

SECOND READING OF SENATE BILLS

S. F. Nos. 653, 1836, 1866, 2112, 2138, 2263 and 2428 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Johnson, J., introduced:

H. F. No. 3208, A bill for an act relating to civil actions; regulating defamation actions; providing for requests for corrections or clarifications; proposing coding for new law as Minnesota Statutes, chapter 553A.

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

Meslow introduced:

H. F. No. 3209, A bill for an act relating to property; adopting the Uniform Disclaimer of Property Interests Act; proposing coding for new law as Minnesota Statutes, chapter 524A; repealing Minnesota Statutes 2002, sections 501B.86; 525.532.

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

Latz introduced:

H. F. No. 3210, A bill for an act relating to real property; mortgages; enacting the Uniform Nonjudicial Foreclosure Act approved and recommended for enactment in all states by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law as Minnesota Statutes, chapter 584.

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

Johnson, J.; Beard; Kahn; Simpson and Sykora introduced:

H. F. No. 3211, A bill for an act relating to liquor; modifying restrictions on importers of wine; prohibiting certain exclusive agreements in the sale of wine; amending Minnesota Statutes 2002, section 340A.307, subdivision 4, by adding a subdivision.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2864, A bill for an act relating to food law; clarifying the basis on which food can be labeled as kosher; amending Minnesota Statutes 2002, sections 31.651, subdivision 1; 31.661.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1838, A bill for an act relating to traffic regulations; regulating uses of recreational vehicle combinations; authorizing motor carrier of passengers to operate articulated bus up to 61 feet in length without a permit; amending Minnesota Statutes 2002, sections 169.01, subdivision 78; 169.81, subdivision 3c, by adding a subdivision.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cornish moved that the House concur in the Senate amendments to H. F. No. 1838 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1838, A bill for an act relating to traffic regulations; authorizing motor carrier of passengers to operate articulated bus up to 61 feet in length without a permit; amending Minnesota Statutes 2002, section 169.81, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Wagenius

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2383, A bill for an act relating to natural resources; modifying the forest resources Interagency Information Cooperative; modifying the State Timber Act; modifying provisions for timber sales on tax-forfeited land; amending Minnesota Statutes 2002, sections 89A.09, subdivision 1; 90.02; 90.181, subdivision 2; 90.191, subdivision 2, by adding a subdivision; 90.252; 282.04, subdivision 1; Minnesota Statutes 2003 Supplement, sections 90.101, subdivision 1; 90.14; 90.151, subdivision 1; repealing Minnesota Statutes 2003 Supplement, section 90.191, subdivisions 3, 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lindgren moved that the House concur in the Senate amendments to H. F. No. 2383 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2383, A bill for an act relating to natural resources; providing for the disposition of certain timber sales receipts; creating a forest management investment account; modifying the forest resources Interagency Information Cooperative; modifying the State Timber Act; modifying provisions for timber sales on tax-forfeited land; appropriating money; amending Minnesota Statutes 2002, sections 84A.51, subdivision 2; 89.035; 89A.09, subdivision 1; 90.02; 90.181, subdivision 2; 90.191, subdivision 2, by adding a subdivision; 90.252; 282.04, subdivision 1; Minnesota Statutes 2003 Supplement, sections 90.101, subdivision 1; 90.14; 90.151, subdivision 1; Laws 2003, chapter 128, article 1, section 5, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 89; repealing Minnesota Statutes 2003 Supplement, section 90.191, subdivisions 3, 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abrams	Biernat	Clark	Demmer	Entenza	Goodwin
Anderson, B.	Borrell	Cornish	Dorman	Erhardt	Greiling
Anderson, I.	Boudreau	Cox	Dorn	Erickson	Gunther
Anderson, J.	Bradley	Davids	Eastlund	Finstad	Haas
Atkins	Brod	Davnie	Eken	Fuller	Hackbarth
Bernardy	Carlson	DeLaForest	Ellison	Gerlach	Harder

Hausman	Knoblach	Marquart	Otto	Sertich	Vandev eer
Heidgerken	Koenen	McNamara	Ozment	Severson	Wagenius
Hilstrom	Kohls	Meslow	Paulsen	Sieben	Walker
Hilty	Kuisle	Mullery	Paymar	Simpson	Walz
Hoppe	Lanning	Murphy	Pelowski	Slawik	Wardlow
Hornstein	Larson	Nelson, C.	Penas	Smith	Wasiluk
Huntley	Latz	Nelson, M.	Peterson	Soderstrom	Westerberg
Jacobson	Lenczewski	Nelson, P.	Powell	Solberg	Westrom
Jaros	Lieder	Newman	Pugh	Stang	Wilkin
Johnson, J.	Lindgren	Nornes	Rhodes	Swenson	Zellers
Johnson, S.	Lindner	Olsen, S.	Rukavina	Sykora	Spk. Sviggum
Juhnke	Lipman	Olson, M.	Ruth	Thao	
Kahn	Magnus	Opatz	Samuelson	Thissen	
Kelliher	Mahoney	Osterman	Seagren	Tingelstad	
Klinzing	Mariani	Otremba	Seifert	Urdahl	

Those who voted in the negative were:

Buesgens	Holberg	Howes	Krinkie
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The bill was repassed, as amended by the Senate, and its title agreed to.

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2391, A bill for an act relating to health; modifying authority to dispense controlled substances; amending Minnesota Statutes 2002, section 152.11, subdivision 1; Minnesota Statutes 2003 Supplement, section 152.11, subdivision 2.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Bradley moved that the House concur in the Senate amendments to H. F. No. 2391 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2391, A bill for an act relating to health; modifying authority to dispense controlled substances; requiring a proposal for a program for health care professionals prescribing legend drugs; amending Minnesota Statutes 2002, section 152.11, subdivision 1; Minnesota Statutes 2003 Supplement, section 152.11, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2363, A bill for an act relating to natural resources; modifying provisions for the control of invasive and nonnative species; providing criminal penalties; requiring rulemaking; amending Minnesota Statutes 2002, sections 17.4982, subdivision 18a; 84D.01, subdivisions 6, 9, 12, 13, 15, 17, 18, by adding subdivisions; 84D.02, subdivisions 1, 3, 4, 5, 6; 84D.03; 84D.04; 84D.05; 84D.06; 84D.07; 84D.08; 84D.09, subdivision 2; 84D.10, subdivisions 1, 3; 84D.11, subdivisions 1, 2, 2a; 84D.12; 84D.13, subdivision 3; 86B.415, subdivision 7; 97C.821; Minnesota Statutes 2003 Supplement, sections 18.78, subdivision 2; 84.027, subdivision 13; 84D.14; repealing Minnesota Statutes 2002, section 84D.01, subdivisions 5, 7; Minnesota Rules, part 6216.0400, subpart 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McNamara moved that the House concur in the Senate amendments to H. F. No. 2363 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2363, A bill for an act relating to natural resources; modifying provisions for the control of invasive and nonnative species; providing criminal and civil penalties; requiring rulemaking; amending Minnesota Statutes

2002, sections 17.4982, subdivision 18a; 84D.01, subdivisions 6, 9, 12, 13, 15, 17, 18, by adding subdivisions; 84D.02, subdivisions 1, 3, 4, 5, 6; 84D.03; 84D.04; 84D.05; 84D.06; 84D.07; 84D.08; 84D.09, subdivision 2; 84D.10, subdivisions 1, 3; 84D.11, subdivisions 1, 2, 2a; 84D.12; 84D.13, subdivisions 3, 4, 5; 86B.415, subdivision 7; 97C.821; Minnesota Statutes 2003 Supplement, sections 18.78, subdivision 2; 84.027, subdivision 13; 84D.14; repealing Minnesota Statutes 2002, section 84D.01, subdivisions 5, 7; Minnesota Rules, part 6216.0400, subpart 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 119 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Howes	Krinkie	Vandevveer
Buesgens	Jacobson	Rukavina	Walz

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

S. F. No. 2429.

PATRICK E. FLAHAVEN, Secretary of the Senate

Osterman was excused between the hours of 12:05 p.m. and 4:55 p.m.

FIRST READING OF SENATE BILLS

S. F. No. 2429, A bill for an act relating to employment; requiring notice of intent to shift jobs out of the country; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time.

The Speaker resumed the Chair.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Rukavina moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2429 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

POINT OF ORDER

Cornish raised a point of order pursuant to rule 2.31 relating to Offensive Words in Debate. The Speaker ruled the point of order not well taken.

The Speaker called Abrams to the Chair.

The question recurred on the Rukavina motion and the roll was called. There were 61 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Ellison	Huntley	Lindgren	Pelowski	Thissen
Anderson, J.	Entenza	Jaros	Mahoney	Peterson	Urdahl
Atkins	Fuller	Johnson, S.	Mariani	Pugh	Wagenius
Bernardy	Goodwin	Juhnke	Marquart	Rhodes	Walker
Biernat	Greiling	Kahn	Mullery	Rukavina	Walz
Carlson	Hausman	Kelliher	Murphy	Sertich	Wasiluk
Clark	Heidgerken	Koenen	Nelson, M.	Sieben	
Davnie	Hilstrom	Larson	Opatz	Slawik	
Dorman	Hilty	Latz	Otremba	Smith	
Dorn	Hornstein	Lenczewski	Otto	Solberg	
Eken	Howes	Lieder	Paymar	Thao	

Those who voted in the negative were:

Abeler	Blaine	Bradley	Cornish	DeLaForest	Erhardt
Abrams	Borrell	Brod	Cox	Demmer	Erickson
Anderson, B.	Boudreau	Buesgens	Davids	Eastlund	Finstad

Gerlach	Johnson, J.	Lipman	Olsen, S.	Seagren	Tingelstad
Gunther	Klinzing	Magnus	Olson, M.	Seifert	Vandever
Haas	Knoblach	McNamara	Ozment	Simpson	Wardlow
Hackbarth	Kohls	Meslow	Paulsen	Soderstrom	Westerberg
Harder	Krinkie	Nelson, C.	Penas	Stang	Westrom
Holberg	Kuisle	Nelson, P.	Powell	Strachan	Wilkin
Hoppe	Lanning	Newman	Ruth	Swenson	Zellers
Jacobson	Lindner	Nornes	Samuelson	Sykora	Spk. Sviggum

The motion did not prevail.

S. F. No. 2429 was referred to the Committee on Commerce, Jobs and Economic Development.

Paulsen moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

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 Supplemental Calendar for the Day for Friday, May 14, 2004:

H. F. Nos. 2437, 2462 and 2564; S. F. Nos. 1373, 676, 2112 and 1697; H. F. No. 2339; S. F. No. 653; and H. F. No. 2153.

CALENDAR FOR THE DAY

H. F. No. 2762 was reported to the House.

Wilkin, Haas, Huntley and Solberg moved to amend H. F. No. 2762, the first engrossment, as follows:

Pages 1 to 5, delete sections 1 and 2 and insert:

"Section 1. Minnesota Statutes 2002, section 62A.65, subdivision 5, is amended to read:

Subd. 5. [PORTABILITY AND CONVERSION OF COVERAGE.] (a) No individual health plan may be offered, sold, issued, or with respect to children age 18 or under renewed, to a Minnesota resident that contains a preexisting condition limitation, preexisting condition exclusion, or exclusionary rider, unless the limitation or exclusion is permitted under this subdivision and under chapter 62L, provided that, except for children age 18 or under, underwriting restrictions may be retained on individual contracts that are issued without evidence of

insurability as a replacement for prior individual coverage that was sold before May 17, 1993. The individual may be subjected to an 18-month preexisting condition limitation, unless the individual has maintained continuous coverage as defined in section 62L.02. The individual must not be subjected to an exclusionary rider. An individual who has maintained continuous coverage may be subjected to a onetime preexisting condition limitation of up to 12 months, with credit for time covered under qualifying coverage as defined in section 62L.02, at the time that the individual first is covered under an individual health plan by any health carrier. Credit must be given for all qualifying coverage with respect to all preexisting conditions, regardless of whether the conditions were preexisting with respect to any previous qualifying coverage. The individual must not be subjected to an exclusionary rider. Thereafter, the individual must not be subject to any preexisting condition limitation, preexisting condition exclusion, or exclusionary rider under an individual health plan by any health carrier, except an unexpired portion of a limitation under prior coverage, so long as the individual maintains continuous coverage as defined in section 62L.02.

(b) A health carrier must offer an individual health plan to any individual previously covered under a group health plan issued by that health carrier, regardless of the size of the group, so long as the individual maintained continuous coverage as defined in section 62L.02. If the individual has available any continuation coverage provided under sections 62A.146; 62A.148; 62A.17, subdivisions 1 and 2; 62A.20; 62A.21; 62C.142; 62D.101; or 62D.105, or continuation coverage provided under federal law, the health carrier need not offer coverage under this paragraph until the individual has exhausted the continuation coverage. The offer must not be subject to underwriting, except as permitted under this paragraph. A health plan issued under this paragraph must be a qualified plan as defined in section 62E.02 and must not contain any preexisting condition limitation, preexisting condition exclusion, or exclusionary rider, except for any unexpired limitation or exclusion under the previous coverage. The individual health plan must cover pregnancy on the same basis as any other covered illness under the individual health plan. The offer of coverage by the health carrier must inform the individual that the coverage, including what is covered and the health care providers from whom covered care may be obtained, may not be the same as the individual's coverage under the group health plan. The offer of coverage by the health carrier must also inform the individual that the individual, if a Minnesota resident, may be eligible to obtain coverage from (i) other private sources of health coverage, or (ii) the Minnesota Comprehensive Health Association, without a preexisting condition limitation, and must provide the telephone number used by that association for enrollment purposes. The initial premium rate for the individual health plan must comply with subdivision 3. The premium rate upon renewal must comply with subdivision 2. In no event shall the premium rate exceed 100 percent of the premium charged for comparable individual coverage by the Minnesota Comprehensive Health Association, and the premium rate must be less than that amount if necessary to otherwise comply with this section. An individual health plan offered under this paragraph to a person satisfies the health carrier's obligation to offer conversion coverage under section 62E.16, with respect to that person. Coverage issued under this paragraph must provide that it cannot be canceled or nonrenewed as a result of the health carrier's subsequent decision to leave the individual, small employer, or other group market. Section 72A.20, subdivision 28, applies to this paragraph.

[EFFECTIVE DATE.] This section is effective January 1, 2005, and applies to conversion coverage offered on or after that date.

Sec. 2. Minnesota Statutes 2002, section 62E.10, subdivision 2, is amended to read:

Subd. 2. [BOARD OF DIRECTORS; ORGANIZATION.] The board of directors of the association shall be made up of ~~nine~~ eleven members as follows: ~~five~~ six directors selected by contributing members, subject to approval by the commissioner, one of which must be a health actuary; ~~four~~ five public directors selected by the commissioner, at least two of whom must be plan enrollees, two of whom must be representatives of employers whose accident and health insurance premiums are part of the association's assessment base, and one of whom must be a licensed insurance agent. At least two of the public directors must reside outside of the seven-county metropolitan area. ~~Public members may include licensed insurance agents.~~ In determining voting rights at members' meetings, each member shall be entitled to vote in person or proxy. The vote shall be a weighted vote

based upon the member's cost of self-insurance, accident and health insurance premium, subscriber contract charges, health maintenance contract payment, or community integrated service network payment derived from or on behalf of Minnesota residents in the previous calendar year, as determined by the commissioner. In approving directors of the board, the commissioner shall consider, among other things, whether all types of members are fairly represented. Directors selected by contributing members may be reimbursed from the money of the association for expenses incurred by them as directors, but shall not otherwise be compensated by the association for their services. The costs of conducting meetings of the association and its board of directors shall be borne by members of the association."

Pages 7 to 8, delete sections 5 and 6 and insert:

"Sec. 5. Minnesota Statutes 2002, section 62L.12, subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] (a) A health carrier may sell, issue, or renew individual conversion policies to eligible employees otherwise eligible for conversion coverage under section 62D.104 as a result of leaving a health maintenance organization's service area.

(b) A health carrier may sell, issue, or renew individual conversion policies to eligible employees otherwise eligible for conversion coverage as a result of the expiration of any continuation of group coverage required under sections 62A.146, 62A.17, 62A.21, 62C.142, 62D.101, and 62D.105.

(c) A health carrier may sell, issue, or renew conversion policies under section 62E.16 to eligible employees.

(d) A health carrier may sell, issue, or renew individual continuation policies to eligible employees as required.

(e) A health carrier may sell, issue, or renew individual health plans if the coverage is appropriate due to an unexpired preexisting condition limitation or exclusion applicable to the person under the employer's group health plan or due to the person's need for health care services not covered under the employer's group health plan.

(f) A health carrier may sell, issue, or renew an individual health plan, if the individual has elected to buy the individual health plan not as part of a general plan to substitute individual health plans for a group health plan nor as a result of any violation of subdivision 3 or 4.

(g) Nothing in this subdivision relieves a health carrier of any obligation to provide continuation or conversion coverage otherwise required under federal or state law.

(h) Nothing in this chapter restricts the offer, sale, issuance, or renewal of coverage issued as a supplement to Medicare under sections 62A.31 to 62A.44, or policies or contracts that supplement Medicare issued by health maintenance organizations, or those contracts governed by section 1833 or 1876 of the federal Social Security Act, United States Code, title 42, section 1395 et seq., as amended.

(i) Nothing in this chapter restricts the offer, sale, issuance, or renewal of individual health plans necessary to comply with a court order.

(j) A health carrier may offer, issue, sell, or renew an individual health plan to persons eligible for an employer group health plan, if the individual health plan is a high deductible health plan for use in connection with an existing health savings account, in compliance with the Internal Revenue Code, section 223. In that situation, the same or a different health carrier may offer, issue, sell, or renew a group health plan to cover the other eligible employees in the group.

[EFFECTIVE DATE.] This section is effective January 1, 2004.

Sec. 6. Minnesota Statutes 2002, section 62L.12, subdivision 3, is amended to read:

Subd. 3. [AGENT'S LICENSURE.] An agent licensed under chapter 60K or section 62C.17 who knowingly and willfully breaks apart a small group for the purpose of selling individual health plans to eligible employees and dependents of a small employer that meets the participation and contribution requirements of section 62L.03, subdivision 3, is guilty of an unfair trade practice and subject to disciplinary action, including the revocation or suspension of license, under section 60K.43 or 62C.17. The action must be by order and subject to the notice, hearing, and appeal procedures specified in section 60K.43. The action of the commissioner is subject to judicial review as provided under chapter 14. This section does not apply to any action performed by an agent that would be permitted for a health carrier under subdivision 2.

[EFFECTIVE DATE.] This section is effective January 1, 2004.

Sec. 7. Minnesota Statutes 2002, section 62Q.01, is amended by adding a subdivision to read:

Subd. 4a. [HIGH DEDUCTIBLE HEALTH PLANS.] "High deductible health plans" means those health coverage plans issued by a health plan company as defined under the provisions of sections 220 and 223 of the Internal Revenue Code of 1986, and implementing regulations.

[EFFECTIVE DATE.] This section is effective January 1, 2004.

Sec. 8. [62Q.025] [PRODUCT APPROVALS.]

Subdivision 1. [QUALIFIED PLAN.] A high deductible health plan shall be deemed a qualified plan under sections 62E.06 and 62E.12. The plan must meet all other requirements of state law except those that are inconsistent with a high deductible health plan as defined in sections 220 and 223 of the Internal Revenue Code and supporting regulations.

Subd. 2. [AUTHORIZATION.] Notwithstanding any other law of this state, any health plan company defined in section 62Q.01, subdivision 4, is permitted to offer high deductible health plans.

[EFFECTIVE DATE.] This section is effective January 1, 2004.

Sec. 9. [62Q.182] [SHORT-TERM COVERAGE; APPLICABILITY.]

Notwithstanding section 62A.65, subdivision 3, paragraph (g), and subdivision 7, paragraph (c), short-term coverage is not subject to section 62A.021.

Sec. 10. Minnesota Statutes 2002, section 62T.02, is amended by adding a subdivision to read:

Subd. 3. [SEASONAL EMPLOYEES.] A purchasing alliance may define eligible employees to include seasonal employees. For purposes of this chapter, "seasonal employee" means an employee who is employed on a full-time basis for at least six months during the calendar year and is unemployed for no longer than four months during the calendar year. If seasonal employees are included:

(1) the alliance must not show bias in the selection of members based on the percentage of seasonal employees employed by an employer member;

(2) prior to issuance or renewal, the employer must inform the alliance that it will include seasonal employees;

(3) the employer must cover seasonal employees for the entire term of its plan year; and

(4) the purchasing alliance may require an employer-member contribution of at least 50 percent of the cost of employee coverage during the months the seasonal employee is unemployed.

Sec. 11. Minnesota Statutes 2002, section 72A.20, is amended by adding a subdivision to read:

Subd. 37. [ELECTRONIC TRANSMISSION OF REQUIRED INFORMATION.] A health carrier, as defined in section 62A.011, subdivision 2, is not in violation of this chapter for electronically transmitting or electronically making available information otherwise required to be delivered in writing under chapters 62A to 62Q and 72A to an enrollee as defined in section 62Q.01, subdivision 2a, and with the requirements of those chapters if the following conditions are met:

(1) the health carrier informs the enrollee that electronic transmission or access is available and, at the discretion of the health carrier, the enrollee is given one of the following options:

(i) electronic transmission or access will occur only if the enrollee affirmatively requests to the health carrier that the required information be electronically transmitted or available and a record of that request is retained by the health carrier; or

(ii) electronic transmission or access will automatically occur if the enrollee has not opted out of that manner of transmission by request to the health carrier and requested that the information be provided in writing. If the enrollee opts out of electronic transmission, a record of that request must be retained by the health carrier;

(2) the enrollee is allowed to withdraw the request at any time;

(3) if the information transmitted electronically contains individually identifiable data, it must be transmitted to a secured mailbox. If the information made available electronically contains individually identifiable data, it must be made available at a password-protected secured Web site;

(4) the enrollee is provided a customer service number on the enrollee's member card that may be called to request a written copy of the document; and

(5) the electronic transmission or electronic availability meets all other requirements of this chapter including, but not limited to, size of the typeface and any required time frames for distribution.

Sec. 12. Minnesota Statutes 2002, section 147.03, subdivision 1, is amended to read:

Subdivision 1. [ENDORSEMENT; RECIPROCITY.] (a) The board may issue a license to practice medicine to any person who satisfies the requirements in paragraphs (b) to (f).

(b) The applicant shall satisfy all the requirements established in section 147.02, subdivision 1, paragraphs (a), (b), (d), (e), and (f).

(c) The applicant shall:

(1) have passed an examination prepared and graded by the Federation of State Medical Boards, the National Board of Medical Examiners, or the United States Medical Licensing Examination program in accordance with section 147.02, subdivision 1, paragraph (c), clause (2); the National Board of Osteopathic Examiners; or the Medical Council of Canada; and

(2) have a current license from the equivalent licensing agency in another state or Canada and, if the examination in clause (1) was passed more than ten years ago, either:

(i) pass the Special Purpose Examination of the Federation of State Medical Boards with a score of 75 or better within three attempts; or

(ii) have a current certification by a specialty board of the American Board of Medical Specialties, of the American Osteopathic Association Bureau of Professional Education, or of the Royal College of Physicians and Surgeons of Canada.

(d) The applicant shall pay a fee established by the board by rule. The fee may not be refunded.

(e) The applicant must not be under license suspension or revocation by the licensing board of the state or jurisdiction in which the conduct that caused the suspension or revocation occurred.

(f) The applicant must not have engaged in conduct warranting disciplinary action against a licensee, or have been subject to disciplinary action other than as specified in paragraph (e). If an applicant does not satisfy the requirements stated in this paragraph, the board may issue a license only on the applicant's showing that the public will be protected through issuance of a license with conditions or limitations the board considers appropriate.

(g) Upon the request of an applicant, the board may conduct the final interview of the applicant by teleconference.

Sec. 13. [151.214] [PAYMENT DISCLOSURE.]

Subdivision 1. [EXPLANATION OF PHARMACY BENEFITS.] A pharmacist licensed under this chapter must provide to a patient, for each prescription dispensed where part or all of the cost of the prescription is being paid or reimbursed by an employer-sponsored plan or health plan company, or its contracted pharmacy benefit manager, the patient's co-payment amount and the usual and customary price of the prescription or the amount the pharmacy will be paid for the prescription drug by the patient's employer-sponsored plan or health plan company, or its contracted pharmacy benefit manager.

Subd. 2. [NO PROHIBITION ON DISCLOSURE.] No contracting agreement between an employer-sponsored health plan or health plan company, or its contracted pharmacy benefit manager, and a resident or nonresident pharmacy registered under this chapter, may prohibit the pharmacy from disclosing to patients information a pharmacy is required or given the option to provide under subdivision 1.

Sec. 14. Minnesota Statutes 2003 Supplement, section 256B.69, subdivision 4, is amended to read:

Subd. 4. [LIMITATION OF CHOICE.] (a) The commissioner shall develop criteria to determine when limitation of choice may be implemented in the experimental counties. The criteria shall ensure that all eligible individuals in the county have continuing access to the full range of medical assistance services as specified in subdivision 6.

(b) The commissioner shall exempt the following persons from participation in the project, in addition to those who do not meet the criteria for limitation of choice:

(1) persons eligible for medical assistance according to section 256B.055, subdivision 1;

(2) persons eligible for medical assistance due to blindness or disability as determined by the Social Security Administration or the state medical review team, unless:

(i) they are 65 years of age or older; or

(ii) they reside in Itasca County or they reside in a county in which the commissioner conducts a pilot project under a waiver granted pursuant to section 1115 of the Social Security Act;

(3) recipients who currently have private coverage through a health maintenance organization;

(4) recipients who are eligible for medical assistance by spending down excess income for medical expenses other than the nursing facility per diem expense;

(5) recipients who receive benefits under the Refugee Assistance Program, established under United States Code, title 8, section 1522(e);

(6) children who are both determined to be severely emotionally disturbed and receiving case management services according to section 256B.0625, subdivision 20;

(7) adults who are both determined to be seriously and persistently mentally ill and received case management services according to section 256B.0625, subdivision 20;

(8) persons eligible for medical assistance according to section 256B.057, subdivision 10; and

(9) persons with access to cost-effective employer-sponsored private health insurance or persons enrolled in an individual health plan determined to be cost-effective according to section 256B.0625, subdivision 15.

Children under age 21 who are in foster placement may enroll in the project on an elective basis. Individuals excluded under clauses (1), (6), and (7) may choose to enroll on an elective basis. The commissioner may enroll recipients in the prepaid medical assistance program for seniors who are (1) age 65 and over, and (2) eligible for medical assistance by spending down excess income.

(c) The commissioner may allow persons with a one-month spenddown who are otherwise eligible to enroll to voluntarily enroll or remain enrolled, if they elect to prepay their monthly spenddown to the state.

(d) The commissioner may require those individuals to enroll in the prepaid medical assistance program who otherwise would have been excluded under paragraph (b), clauses (1), (3), and (8), and under Minnesota Rules, part 9500.1452, subpart 2, items H, K, and L.

(e) Before limitation of choice is implemented, eligible individuals shall be notified and after notification, shall be allowed to choose only among demonstration providers. The commissioner may assign an individual with private coverage through a health maintenance organization, to the same health maintenance organization for medical assistance coverage, if the health maintenance organization is under contract for medical assistance in the individual's county of residence. After initially choosing a provider, the recipient is allowed to change that choice only at specified times as allowed by the commissioner. If a demonstration provider ends participation in the project for any reason, a recipient enrolled with that provider must select a new provider but may change providers without cause once more within the first 60 days after enrollment with the second provider.

(f) An infant born to a woman who is eligible for and receiving medical assistance and who is enrolled in the prepaid medical assistance program shall be retroactively enrolled to the month of birth in the same managed care plan as the mother once the child is enrolled in medical assistance unless the child is determined to be excluded from enrollment in a prepaid plan under this section.

[EFFECTIVE DATE.] This section is effective July 1, 2004, or upon federal approval, whichever is later.

Sec. 15. [HOSPITAL CONSTRUCTION MORATORIUM EXEMPTION; EFFECTIVE DATE.]

Laws 2004, chapter 187, is effective July 1, 2004.

[EFFECTIVE DATE.] This section is effective July 1, 2004."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 2762, A bill for an act relating to health; regulating coverages; regulating the Minnesota Comprehensive Health Association; providing for the composition of the board; authorizing an enrollee incentive for participation in a disease management program; phasing out Medicare-extended basic supplement plans; providing for high deductible plans; authorizing purchasing alliances to include seasonal employees; regulating trade practices; regulating certain health occupations and professions; requiring certain pharmacy benefit disclosures; providing an effective date for a certain hospital construction moratorium exemption; requiring a study; amending Minnesota Statutes 2002, sections 62A.65, subdivision 5; 62E.10, subdivisions 2, 10; 62L.12, subdivisions 2, 3; 62Q.01, by adding a subdivision; 62T.02, by adding a subdivision; 72A.20, by adding a subdivision; 147.03, subdivision 1; Minnesota Statutes 2003 Supplement, sections 62E.12; 256B.69, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 62Q; 151.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Finstad	Hornstein	Kuisle	Meslow
Abrams	Clark	Fuller	Howes	Lanning	Mullery
Anderson, B.	Cornish	Gerlach	Huntley	Larson	Murphy
Anderson, I.	Cox	Goodwin	Jacobson	Latz	Nelson, C.
Anderson, J.	Dauids	Greiling	Jaros	Lenczewski	Nelson, M.
Atkins	Davnie	Gunther	Johnson, J.	Lesch	Nelson, P.
Beard	DeLaForest	Haas	Johnson, S.	Lieder	Newman
Bernardy	Demmer	Hackbarth	Juhnke	Lindgren	Nornes
Biernat	Dorman	Harder	Kahn	Lindner	Olsen, S.
Blaine	Dorn	Hausman	Kelliher	Lipman	Olson, M.
Borrell	Eastlund	Heidgerken	Klinzing	Magnus	Opatz
Boudreau	Eken	Hilstrom	Knoblach	Mahoney	Otremba
Bradley	Ellison	Hilty	Koenen	Mariani	Otto
Brod	Erhardt	Holberg	Kohls	Marquart	Ozment
Buesgens	Erickson	Hoppe	Krinkie	McNamara	Paulsen

Paymar	Rukavina	Simpson	Swenson	Wagenius	Zellers
Pelowski	Ruth	Slawik	Sykora	Walker	Spk. Sviggum
Penas	Samuelson	Smith	Thao	Walz	
Peterson	Seagren	Soderstrom	Thissen	Wardlow	
Powell	Seifert	Solberg	Tingelstad	Westerberg	
Pugh	Sertich	Stang	Urdahl	Westrom	
Rhodes	Sieben	Strachan	Vandevveer	Wilkin	

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

H. F. No. 2678 was reported to the House.

Hackbarth moved to amend H. F. No. 2678, the third engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2003 Supplement, section 84.788, subdivision 3, is amended to read:

Subd. 3. [APPLICATION; ISSUANCE; REPORTS.] (a) Application for registration or continued registration must be made to the commissioner or an authorized deputy registrar of motor vehicles in a form prescribed by the commissioner. The form must state the name and address of every owner of the off-highway motorcycle.

(b) A person who purchases from a retail dealer an off-highway motorcycle shall make application for registration to the dealer at the point of sale. The dealer shall issue a temporary ten-day registration permit to each purchaser who applies to the dealer for registration. The dealer shall submit the completed registration applications and fees to the deputy registrar at least once each week. No fee may be charged by a dealer to a purchaser for providing the temporary permit.

(c) Upon receipt of the application and the appropriate fee, the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer, a 60-day temporary receipt and shall assign a registration number that must be affixed to the motorcycle ~~in a manner prescribed by the commissioner~~ according to paragraph (f). A dealer subject to paragraph (b) shall provide the registration materials and temporary receipt to the purchaser within the ten-day temporary permit period.

(d) The commissioner shall develop a registration system to register vehicles under this section. A deputy registrar of motor vehicles acting under section 168.33, is also a deputy registrar of off-highway motorcycles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to ensure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with the accounting and procedural requirements.

(e) In addition to other fees prescribed by law, a filing fee of \$4.50 is charged for each off-highway motorcycle registration renewal, duplicate or replacement registration card, and replacement decal and a filing fee of \$7 is charged for each off-highway motorcycle registration and registration transfer issued by:

(1) a deputy registrar and must be deposited in the treasury of the jurisdiction where the deputy is appointed, or kept if the deputy is not a public official; or

(2) the commissioner and must be deposited in the state treasury and credited to the off-highway motorcycle account.

(f) Unless exempted in paragraph (g), the owner of an off-highway motorcycle must display a registration decal issued by the commissioner. If the motorcycle is licensed as a motor vehicle, a registration decal must be affixed on the upper left corner of the rear license plate. If the motorcycle is not licensed as a motor vehicle, the decal must be

attached on the side of the motorcycle and may be attached to the fork tube. The decal must be attached in a manner so that it is visible while a rider is on the motorcycle. The issued decals must be of a size to work within the constraints of the electronic licensing system, not to exceed three inches high and three inches wide.

(g) Display of a registration decal is not required for an off-highway motorcycle:

(1) while being operated on private property; or

(2) while competing in a closed-course competition event.

Sec. 2. Minnesota Statutes 2002, section 84.798, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS.] Unless exempted under subdivision 2, after January 1, 1995, a person may not operate and an owner may not give permission for another to operate ~~a vehicle off road, nor may a person have an off-road vehicle not registered under chapter 168 in possession at an off road vehicle staging area, or on lands administered by the commissioner on off-road vehicle~~ designated trail trails or area areas, or on off-road vehicle grant-in-aid trails and areas funded under section 84.803, unless the vehicle has been registered under this section.

Sec. 3. Minnesota Statutes 2002, section 84.925, subdivision 1, is amended to read:

Subdivision 1. [PROGRAM ESTABLISHED.] (a) The commissioner shall establish a comprehensive all-terrain vehicle environmental and safety education and training program, including the preparation and dissemination of vehicle information and safety advice to the public, the training of all-terrain vehicle operators, and the issuance of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who successfully complete the all-terrain vehicle environmental and safety education and training course.

(b) For the purpose of administering the program and to defray a portion of the expenses of training and certifying vehicle operators, the commissioner shall collect a fee of \$15 from each person who receives the training. Fee proceeds shall be deposited in the all-terrain vehicle account in the natural resources fund. In addition to the fee established by the commissioner, instructors may charge each person up to \$5 for class material and expenses.

(c) The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this section. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of vehicle operators. By June 30, 2003, the commissioner shall incorporate a riding component in the safety education and training program.

Sec. 4. Minnesota Statutes 2002, section 84.9256, subdivision 1, is amended to read:

Subdivision 1. [PROHIBITIONS ON YOUTHFUL OPERATORS.] (a) Except for operation on public road rights-of-way that is permitted under section 84.928, a driver's license issued by the state or another state is required to operate an all-terrain vehicle along or on a public road right-of-way.

(b) A person under 12 years of age shall not:

(1) make a direct crossing of a public road right-of-way;

(2) operate an all-terrain vehicle on a public road right-of-way in the state; or

(3) operate an all-terrain vehicle on public lands or waters.

(c) Except for public road rights-of-way of interstate highways, a person 12 years of age but less than 16 years may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate on public lands and waters, only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner and is accompanied on another all-terrain vehicle by a person 18 years of age or older who holds a valid driver's license.

(d) All-terrain vehicle safety certificates issued by the commissioner to persons 12 years old, but less than 16 years old, are not valid for machines in excess of 90cc engine capacity unless:

(1) the person successfully completed the safety education and training program under section 84.925, subdivision 1, including a riding component; and

(2) ~~the riding component of the training was conducted using an all terrain vehicle with over 90cc engine capacity; and~~

~~(3) the person is able to properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle.~~

Sec. 5. Minnesota Statutes 2002, section 84.928, subdivision 6, is amended to read:

Subd. 6. [REGULATIONS BY POLITICAL SUBDIVISIONS.] (a) Notwithstanding any law to the contrary, a city or town, acting through its governing body, may by resolution or ordinance prohibit the operation of all-terrain vehicles on city streets or town roads in its jurisdiction provided the regulations are otherwise consistent with sections 84.92 to 84.929.

(b) A county or city, or a town acting by its town board, may regulate the operation of all-terrain vehicles on public lands, waters, and property under its jurisdiction other than public road rights-of-way within its boundaries, by resolution or ordinance of the governing body and by giving appropriate notice, provided:

(1) the regulations must be consistent with sections 84.92 to 84.929 and rules adopted under section 84.924;

(2) an ordinance may not impose a fee for the use of public land or water under the jurisdiction of either the Department of Natural Resources or other agency of the state, or for the use of an access to it owned by the state or a county or a city; and

(3) an ordinance may not require an all-terrain vehicle operator to possess a motor vehicle driver's license while operating an all-terrain vehicle.

(c) Notwithstanding any law to the contrary, a county board by ordinance may allow the operation of all-terrain vehicles on the road right-of-way shoulder, or inside bank or slope of a county highway or county state-aid highway, if:

(1) the highway is in the agricultural zone; ~~or~~

(2) safe operation in the ditch or outside slope is impossible, and the county posts the appropriate notice; or

(3) the road is designated as a minimum-maintenance road under section 160.095.

Sec. 6. Laws 2003, chapter 128, article 1, section 167, subdivision 1, is amended to read:

Subdivision 1. [FOREST CLASSIFICATION STATUS REVIEW.] (a) By December 31, 2006, the commissioner of natural resources shall complete a review of the forest classification status of all state forests classified as managed or limited, all forest lands under the authority of the commissioner as defined in Minnesota Statutes, section 89.001, subdivision 13, and lands managed by the commissioner under Minnesota Statutes, section 282.011. The review must be conducted on a forest-by-forest and area-by-area basis in accordance with the process and criteria under Minnesota Rules, part 6100.1950. After each forest is reviewed, the commissioner must change its status to limited or closed, and must provide a similar status for each of the other areas subject to review under this section after each individual review is completed.

(b) If the commissioner determines on January 1, 2005, that the review required under this section cannot be completed by December 31, 2006, the completion date for the review shall be extended to December 31, 2008. By January 15, 2005, the commissioner shall report to the chairs of the legislative committees with jurisdiction over natural resources policy and finance regarding the status of the process required by this section.

(c) Until December 31, 2010, the state forests and areas subject to review under this section are exempt from Minnesota Statutes, section 84.777, unless an individual forest or area has been classified as limited or closed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Fuller moved to amend the Hackbarth amendment to H. F. No. 2678, the third engrossment, as follows:

Page 6, line 1, after "is" insert "unpaved or"

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

The question recurred on the Hackbarth amendment, as amended, to H. F. No. 2678, the third engrossment. The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 2678, A bill for an act relating to natural resources; modifying certain provisions for the operation of off-highway vehicles; modifying decal requirements for off-highway motorcycles; modifying all-terrain vehicle provisions; providing for certain class fees; modifying provisions for reviewing forest classification status; amending Minnesota Statutes 2002, sections 84.798, subdivision 1; 84.925, subdivision 1; 84.9256, subdivision 1; 84.928, subdivision 6; Minnesota Statutes 2003 Supplement, section 84.788, subdivision 3; Laws 2003, chapter 128, article 1, section 167, subdivision 1.

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 100 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Holberg	Lindner	Ozment	Solberg
Abrams	Demmer	Howes	Lipman	Paulsen	Stang
Anderson, B.	Dorman	Huntley	Magnus	Pelowski	Strachan
Anderson, I.	Dorn	Jacobson	Mahoney	Penas	Swenson
Anderson, J.	Eastlund	Jaros	Marquart	Peterson	Sykora
Atkins	Eken	Johnson, J.	McNamara	Powell	Tingelstad
Beard	Erhardt	Juhnke	Meslow	Pugh	Urdahl
Blaine	Erickson	Klinzing	Murphy	Rhodes	Vandever
Borrell	Finstad	Knoblach	Nelson, C.	Rukavina	Walz
Boudreau	Fuller	Koenen	Nelson, M.	Ruth	Wardlow
Bradley	Gerlach	Kohls	Nelson, P.	Samuelson	Westerberg
Brod	Gunther	Krinkie	Newman	Seagren	Westrom
Buesgens	Haas	Kuisle	Nornes	Seifert	Wilkin
Carlson	Hackbarth	Lanning	Olsen, S.	Sertich	Zellers
Cornish	Harder	Lesch	Olson, M.	Simpson	Spk. Sviggum
Cox	Hilstrom	Lieder	Opatz	Smith	
Davids	Hilty	Lindgren	Otremba	Soderstrom	

Those who voted in the negative were:

Bernardy	Entenza	Hoppe	Larson	Otto	Thissen
Biernat	Goodwin	Hornstein	Latz	Paymar	Wagenius
Clark	Greiling	Johnson, S.	Lenczewski	Sieben	Walker
Davnie	Hausman	Kahn	Mariani	Slawik	
Ellison	Heidgerken	Kelliher	Mullery	Thao	

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

S. F. No. 1373 was reported to the House.

Cornish moved to amend S. F. No. 1373 as follows:

Page 1, delete lines 7 to 17 and insert:

"A person or organization that conducts a poll by telephone which references a candidate for elective office must, upon request from the person being polled, disclose:

(1) the person or entity that commissioned the poll; and

(2) whether the candidate or candidates referenced in the poll, authorized the poll."

Mariani moved to amend the Cornish amendment to S. F. No. 1373 as follows:

Page 1, line 5, after the comma, delete ", upon"

Page 1, line 6, delete everything before "disclose"

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 71 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dorn	Jacobson	Mahoney	Opatz	Slawik
Anderson, I.	Eken	Jaros	Mariani	Otremba	Solberg
Anderson, J.	Ellison	Johnson, S.	Marquart	Otto	Thao
Atkins	Entenza	Juhnke	Meslow	Paymar	Thissen
Bernardy	Goodwin	Kelliher	Mullery	Pelowski	Vandever
Biernat	Greiling	Koenen	Murphy	Peterson	Wagenius
Borrell	Hausman	Kuisle	Nelson, C.	Pugh	Walker
Brod	Hilstrom	Larson	Nelson, M.	Rhodes	Walz
Carlson	Hilty	Latz	Nelson, P.	Rukavina	Wardlow
Clark	Holberg	Lenczewski	Newman	Seagren	Wasiluk
Davnie	Hornstein	Lesch	Olsen, S.	Sertich	Wilkin
Dorman	Huntley	Lieder	Olson, M.	Sieben	

Those who voted in the negative were:

Abeler	DeLaForest	Hackbarth	Lanning	Powell	Sykora
Abrams	Demmer	Harder	Lindgren	Ruth	Tingelstad
Beard	Eastlund	Heidgerken	Lindner	Samuelson	Urdahl
Blaine	Erhardt	Hoppe	Lipman	Seifert	Westerberg
Boudreau	Erickson	Howes	Magnus	Simpson	Westrom
Bradley	Finstad	Johnson, J.	McNamara	Smith	Zellers
Buesgens	Fuller	Klinzing	Nornes	Soderstrom	Spk. Sviggum
Cornish	Gerlach	Knobloch	Ozment	Stang	
Cox	Gunther	Kohls	Paulsen	Strachan	
Davids	Haas	Krinkie	Penas	Swenson	

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

The question recurred on the Cornish amendment, as amended, to S. F. No. 1373. The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 1373, as amended, was read for the third time.

Cornish moved that S. F. No. 1373, as amended, be continued on the Calendar for the Day. The motion prevailed.

The Speaker called Abrams to the Chair.

S. F. No. 1790 was reported to the House.

Lanning, Meslow, Brod and Nelson, P., moved to amend S. F. No. 1790 as follows:

Page 1, delete section 1

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 Lanning et al amendment and the roll was called. There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Harder	Lindner	Penas	Sykora
Abrams	Demmer	Holberg	Magnus	Powell	Thissen
Anderson, J.	Dempsey	Hoppe	Meslow	Ruth	Tingelstad
Beard	Dorman	Howes	Nelson, P.	Samuelson	Urdahl
Blaine	Eastlund	Johnson, J.	Newman	Seagren	Walz
Borrell	Erickson	Klinzing	Nornes	Seifert	Wardlow
Boudreau	Finstad	Knoblach	Olsen, S.	Simpson	Westerberg
Bradley	Gerlach	Kohls	Olson, M.	Soderstrom	Westrom
Brod	Gunther	Krinkie	Osterman	Stang	Wilkin
Buesgens	Haas	Kuisle	Ozment	Strachan	Zellers
Cornish	Hackbarth	Lanning	Paulsen	Swenson	Spk. Sviggum

Those who voted in the negative were:

Anderson, B.	Eken	Hornstein	Lenczewski	Nelson, C.	Sertich
Anderson, I.	Ellison	Huntley	Lesch	Nelson, M.	Sieben
Atkins	Entenza	Jacobson	Lieder	Opatz	Slawik
Bernardy	Erhardt	Jaros	Lindgren	Otremba	Smith
Biernat	Fuller	Johnson, S.	Lipman	Otto	Solberg
Carlson	Goodwin	Juhnke	Mahoney	Paymar	Thao
Clark	Greiling	Kahn	Mariani	Pelowski	Vandevver
Cox	Hausman	Kelliher	Marquart	Peterson	Wagenius
Davnie	Heidgerken	Koenen	McNamara	Pugh	Walker
DeLaForest	Hilstrom	Larson	Mullery	Rhodes	Wasiluk
Dorn	Hilty	Latz	Murphy	Rukavina	

The motion prevailed and the amendment was adopted.

S. F. No. 1790, A bill for an act relating to local government; increasing the flexibility of local government contracting; increasing the purchasing authority of city managers in plan B cities; increasing the competitive bidding threshold for small cities; authorizing the use of reverse auction and electronic bidding and selling; amending Minnesota Statutes 2002, sections 373.01, subdivision 1; 412.691; 429.041, subdivisions 1, 2; 469.015, subdivisions 1, 3; 471.345, subdivisions 3, 4, by adding subdivisions; Minnesota Statutes 2003 Supplement, section 16C.10, subdivision 7.

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 90 yeas and 41 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	DeLaForest	Hilstrom	Kelliher	Otremba	Slawik
Atkins	Eken	Hornstein	Koenen	Paymar	Solberg
Bernardy	Ellison	Huntley	Lesch	Peterson	Thao
Biernat	Entenza	Jaros	Lieder	Pugh	Wagenius
Carlson	Goodwin	Johnson, S.	McNamara	Rukavina	Walker
Clark	Greiling	Juhnke	Mullery	Sertich	Wasiluk
Davnie	Heidgerken	Kahn	Murphy	Sieben	

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

Hornstein was excused between the hours of 5:20 p.m. and 10:30 p.m.

H. F. No. 2462 was reported to the House.

Entenza and Pugh moved to amend H. F. No. 2462 as follows:

Page 1, after line 7, insert:

"Section 1. [62A.662] [SCHOOL EMPLOYEE INSURANCE PLAN.]

Subdivision 1. [DEFINITIONS.] For purposes of this section:

(1) "eligible employee" means a person who is insurance eligible under a collective bargaining agreement or under the personnel policy of an eligible employer; and

(2) "eligible employer" means a school district as defined in section 120A.05; a service cooperative as defined in section 123A.21; an intermediate district as defined in section 136D.01; a cooperative center for vocational education as defined in section 123A.22; a regional management information center as defined in section 123A.23; an education unit organized under section 471.59; or a charter school organized under section 124D.10.

Subd. 2. [CREATION OF BOARD.] (a) The Minnesota School Employee Insurance Board is created as a public corporation subject to the provisions of chapter 317A except as otherwise provided in this section. As provided in section 15.082, the state is not liable for obligations of this public corporation.

(b) The board shall create and administer the Minnesota School Employee Insurance Pool as described in this section.

(c) If the board does not offer coverage by December 15, 2008, the board expires and this section expires on that date.

Subd. 3. [BOARD OF DIRECTORS.] (a) The School Employee Insurance Board consists of:

(1) seven members representing exclusive representatives of eligible employees, appointed by exclusive representatives, as provided in paragraph (b); and

(2) seven members representing eligible employers, appointed by the Minnesota School Boards Association.

(b) The seven members of the board who represent statewide affiliates of exclusive representatives of eligible employees are appointed as follows: four members appointed by Education Minnesota and one member each appointed by the Service Employees International Union, the Minnesota School Employees Association, and American Federation of State, County, and Municipal Employees.

(c) Appointing authorities must make their initial appointments no later than August 1, 2004, by filing a notice of the appointment with the commissioner of commerce. Notices of subsequent appointments must be filed with the board. An entity entitled to appoint a board member may replace the board member at any time.

(d) Board members are eligible for compensation and expense reimbursement under section 15.0575, subdivision 3, to the extent of funds available.

(e) The board must arrange for one or more methods of dispute resolution so as to minimize the possibility of deadlocks.

(f) The board shall establish governance requirements, including staggered terms, term limits, quorum, a plan of operation, and audit provisions.

Subd. 4. [NATURE OF THE PLAN.] (a) Health coverage offered through the Minnesota School Employee Insurance Pool shall be made available by the board to all eligible employees of eligible employers, as defined in subdivision 1.

(b) If an eligible employer provides health coverage or money to purchase health coverage to eligible employees, the coverage must be provided or purchased only through the health plans offered by the board.

(c) The board must offer more than one health plan and may establish more than one tier of premium rates for any specific plan. Plans and premium rates may vary across geographic regions established by the board. The health plans must comply with chapters 62A, 62J, 62M, and 62Q, and must provide the optimal combination of coverage, cost, choice, and stability, in the judgment of the board.

(d) The board must include claims reserves, stabilization reserves, reinsurance, and other features that in the judgment of the board will result in long-term stability and solvency of the health plans offered.

(e) The board may determine whether the health plans should be fully insured through a health carrier licensed in this state, self insured, or a combination of those two alternatives.

(f) The health plans must include disease management and consumer education, including wellness programs and measures encouraging the wise use of health coverage, to the extent determined to be appropriate by the board.

(g) The board may provide one or more separate health plans for retirees, which may be coordinated with Medicare. Those plans may be Medicare supplement plans described in section 62A.316, 62A.317, or 62A.318.

Subd. 5. [MCHA MEMBERSHIP AND ASSESSMENTS.] (a) The board is a contributing member of the Minnesota Comprehensive Health Association and must pay assessments made by the association on its premium revenues, as provided in section 62E.11, subdivision 5, paragraph (b).

(b) In making the allocation of losses provided in paragraph (a), the association's assessment against the Minnesota School Employee Insurance Board must equal the product of (1) the percentage of premiums assessed against other association members; (2) .3885; and (3) premiums received by the Minnesota School Employee Insurance Board. For purposes of this calculation, premiums of the board used must be net of rate credits and retroactive rate refunds on the same basis as the premiums of other association members.

Subd. 6. [REPORT.] The board shall report to the legislature by January 15, 2006, on a final design for the pool that complies with subdivision 4 and on governance requirements for the board, including staggered terms, term limits, quorum, and a plan of operation and audit provisions. The report must include any legislative changes necessary to ensure conformance with chapters 62A, 62J, 62M, and 62Q.

Subd. 7. [PERIODIC EVALUATION.] (a) Beginning January 15, 2007, and for the next two years, the board must submit an annual report to the commissioner of commerce and the legislature, in compliance with sections 3.195 and 3.197, summarizing and evaluating the performance of the pool during the previous year of operation.

(b) Beginning in 2010 and in each even-numbered year thereafter, the board must submit to the legislature a biennial report summarizing and evaluating the performance of the pool during the preceding two fiscal years.

Subd. 8. [BOARD ACTIVITY DEPENDENT ON FUNDING.] The board shall perform its responsibilities to the extent permitted by available appropriations, donations, loans, and other sources of funding available to the board."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Haas moved that H. F. No. 2462 be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 2339 was reported to the House.

Smith moved that H. F. No. 2339 be temporarily laid over on the Calendar for the Day. The motion prevailed.

S. F. No. 1697 was reported to the House.

Rukavina moved that S. F. No. 1697 be temporarily laid over on the Calendar for the Day. The motion prevailed.

Tingelstad was excused between the hours of 5:35 p.m. and 8:30 p.m.

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

Paulsen moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2177, A bill for an act relating to metropolitan government; clarifying the authority of municipalities' subdivision regulations; modifying the method for determining each municipality's affordable and life-cycle housing opportunities amount; modifying the basis on which nonparticipating municipalities may elect to participate; making conforming changes; amending Minnesota Statutes 2002, sections 462.358, subdivision 11; 473.254, subdivisions 2, 3, 4, 6, 7, 8, by adding a subdivision.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Higgins, Dibble and Senjem.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Abrams moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2177. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 1790, A bill for an act relating to local government; increasing the flexibility of local government contracting; increasing the purchasing authority of city managers in plan B cities; increasing the competitive bidding threshold for small cities; authorizing the use of reverse auction and electronic bidding and selling; amending Minnesota Statutes 2002, sections 373.01, subdivision 1; 412.691; 429.041, subdivisions 1, 2; 469.015, subdivisions 1, 3; 471.345, subdivisions 3, 4, by adding subdivisions; Minnesota Statutes 2003 Supplement, section 16C.10, subdivision 7.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Dibble, Wiger and Frederickson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Lanning moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1790. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2274, A bill for an act relating to zoning; providing certain limitations on municipal interim ordinances; amending Minnesota Statutes 2002, section 462.355, subdivision 4.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Vickerman, Scheid and Tomassoni.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Buesgens moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2274. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 532, A bill for an act relating to highways; modifying provisions governing use of highway right-of-way by snowmobiles; amending Minnesota Statutes 2002, section 84.87, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Howes moved that the House concur in the Senate amendments to H. F. No. 532 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 532, A bill for an act relating to highways; allowing two-way operation of snowmobiles on either side of highway right-of-way when authorized by commissioner of transportation; amending Minnesota Statutes 2002, section 84.87, subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2078, A bill for an act relating to public transit; clarifying railroad grade crossing requirements; clarifying crimes involving public transit; providing penalties; amending Minnesota Statutes 2002, section 609.855, subdivision 1, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 169.28, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Holberg moved that the House concur in the Senate amendments to H. F. No. 2078 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2078, A bill for an act relating to public transit; clarifying railroad grade crossing requirements; authorizing regulation of light rail transit warning signals; clarifying crimes involving public transit; providing penalties; amending Minnesota Statutes 2002, section 609.855, subdivision 1, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 169.28, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 124 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B. Buesgens Erickson Krinkie

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 606, A bill for an act relating to health; modifying prior authorization requirements for health care services; establishing requirements for provider contracting; modifying provisions for payment of claims; amending Minnesota Statutes 2002, sections 62M.07; 62Q.74; 62Q.75, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2002, section 62Q.745.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Smith moved that the House concur in the Senate amendments to H. F. No. 606 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 606, A bill for an act relating to health; modifying prior authorization requirements for health care services; establishing requirements for provider contracting; modifying provisions for payment of claims; amending Minnesota Statutes 2002, sections 62M.07; 62Q.74; 62Q.75, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2002, section 62Q.745.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark	Entenza	Heidgerken	Kahn	Lindner
Abrams	Cornish	Erhardt	Hilstrom	Klinzing	Lipman
Anderson, B.	Cox	Erickson	Hilty	Knoblach	Magnus
Anderson, I.	Dauids	Finstad	Holberg	Koenen	Mahoney
Anderson, J.	Davnie	Fuller	Hoppe	Kohls	Mariani
Beard	DeLaForest	Gerlach	Hornstein	Kuisle	Marquart
Bernardy	Demmer	Goodwin	Howes	Lanning	McNamara
Blaine	Dempsey	Greiling	Huntley	Larson	Meslow
Borrell	Dorman	Gunther	Jacobson	Latz	Mullery
Boudreau	Dorn	Haas	Jaros	Lenczewski	Murphy
Bradley	Eastlund	Hackbarth	Johnson, J.	Lesch	Nelson, C.
Brod	Eken	Harder	Johnson, S.	Lieder	Nelson, M.
Carlson	Ellison	Hausman	Juhnke	Lindgren	Nelson, P.

Newman	Ozment	Rhodes	Simpson	Sykora	Walz
Nornes	Paulsen	Rukavina	Slawik	Thao	Wardlow
Olsen, S.	Paymar	Ruth	Smith	Thissen	Wasiluk
Olson, M.	Pelowski	Samuelson	Soderstrom	Tingelstad	Westerberg
Opatz	Penas	Seagren	Solberg	Urdahl	Westrom
Osterman	Peterson	Seifert	Stang	Vandever	Zellers
Otremba	Powell	Sertich	Strachan	Wagenius	Spk. Sviggum
Otto	Pugh	Sieben	Swenson	Walker	

Those who voted in the negative were:

Buesgens	Krinkie	Wilkin
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2246, A bill for an act relating to health; modifying the nursing facility survey process; establishing a quality improvement program; requiring annual quality improvement reports; requiring the commissioner of health to seek federal waivers and approvals; amending Minnesota Statutes 2002, sections 144A.10, subdivision 1a, by adding a subdivision; 256.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Samuelson moved that the House concur in the Senate amendments to H. F. No. 2246 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2246, A bill for an act relating to health; modifying the nursing facility survey process; establishing a quality improvement program; requiring annual quality improvement reports; requiring the commissioner of health to seek federal waivers and approvals; amending Minnesota Statutes 2002, sections 144A.10, subdivision 1a, by adding a subdivision; 256.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144A.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bernardy	Boudreau	Buesgens	Cornish
Abrams	Anderson, J.	Blaine	Bradley	Carlson	Cox
Anderson, B.	Beard	Borrell	Brod	Clark	Dauids

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2040, A bill for an act relating to water; modifying provisions relating to warrantied sewage treatment systems; creating a certification program for new wastewater treatment technology; appropriating money; amending Minnesota Statutes 2002, section 115.55, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 115; repealing Minnesota Statutes 2002, section 115.55, subdivision 10.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Olson, M., moved that the House concur in the Senate amendments to H. F. No. 2040 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2040, A bill for an act relating to water; modifying provisions relating to warrantied sewage treatment systems; creating a certification program for new wastewater treatment technology; appropriating money; amending Minnesota Statutes 2002, section 115.55, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 115.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Hornstein	Lindner	Paulsen	Swenson
Abrams	Eastlund	Howes	Lipman	Paymar	Sykora
Anderson, B.	Eken	Huntley	Magnus	Pelowski	Thao
Anderson, I.	Ellison	Jacobson	Mahoney	Penas	Thissen
Anderson, J.	Entenza	Jaros	Mariani	Peterson	Tingelstad
Beard	Erhardt	Johnson, J.	Marquart	Powell	Urdahl
Bernardy	Erickson	Johnson, S.	McNamara	Pugh	Vandever
Blaine	Finstad	Juhnke	Meslow	Rhodes	Wagenius
Borrell	Fuller	Kahn	Mullery	Rukavina	Walker
Boudreau	Gerlach	Kelliher	Murphy	Ruth	Walz
Bradley	Goodwin	Klinzing	Nelson, C.	Samuelson	Wardlow
Brod	Greiling	Knoblach	Nelson, M.	Seagren	Wasiluk
Carlson	Gunther	Koenen	Nelson, P.	Seifert	Westerberg
Clark	Haas	Kohls	Newman	Sertich	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	
Demmer	Hilty	Lesch	Otremba	Solberg	
Dempsey	Holberg	Lieder	Otto	Stang	
Dorman	Hoppe	Lindgren	Ozment	Strachan	

Those who voted in the negative were:

Buesgens Krinkie

The bill was repassed, as amended by the Senate, and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1790:

Lanning, Meslow and Thissen.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2177:

Abrams, Buesgens and Vandever.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2274:

Buesgens, Abrams and Kuisle.

CALENDAR FOR THE DAY

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

MOTIONS AND RESOLUTIONS

Nelson, P., moved that the name of Kohls be added as an author on H. F. No. 2819. The motion prevailed.

Seifert moved that the name of Peterson be added as an author on H. F. No. 3202. The motion prevailed.

Anderson, I., moved that S. F. No. 2429 be recalled from the Committee on Commerce, Jobs and Economic Development.

A roll call was requested and properly seconded.

The question was taken on the Anderson, I., motion and the roll was called. There were 54 yeas and 75 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Jaros and Thissen were excused for the remainder of today's session.

Paulsen moved that the complaint relating to Representative Gregory Davids of District 31B, which was referred to the Committee on Ethics by the Speaker pursuant to rule 6.10, be recalled for immediate consideration by the House.

A roll call was requested and properly seconded.

POINT OF ORDER

Entenza raised a point of order pursuant to rule 6.10 relating to the Committee on Ethics. The Speaker ruled the point of order not well taken.

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.

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

Pursuant to rule 2.05, the Speaker excused Davids from voting on the Seifert motion.

There were 77 yeas and 48 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Lindgren and Zellers were excused for the remainder of today's session.

CALL OF THE HOUSE

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

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

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

Lesch and Hausman withdrew the complaint relating to Representative Gregory Davids of District 31B which had been referred by the Speaker to the Committee on Ethics.

CALL OF THE HOUSE LIFTED

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

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 11:30 a.m., Saturday, May 15, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Saturday, May 15, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

