

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2005

 NINETEENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 22, 2005

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

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

The roll was called and the following members were present:

Abeler	Dill	Hilty	Lenczewski	Paulsen	Smith
Abrams	Dittrich	Holberg	Lesch	Paymar	Soderstrom
Anderson, B.	Dorman	Hoppe	Liebling	Pelowski	Solberg
Anderson, I.	Dorn	Hornstein	Lieder	Penas	Sykora
Atkins	Eastlund	Hortman	Lillie	Peppin	Thao
Beard	Eken	Hosch	Loeffler	Peterson, A.	Thissen
Bernardy	Ellison	Howes	Magnus	Peterson, N.	Tingelstad
Blaine	Emmer	Huntley	Mahoney	Peterson, S.	Urdahl
Bradley	Entenza	Jaros	Mariani	Poppe	Vandever
Brod	Erickson	Johnson, J.	Marquart	Powell	Wagenius
Buesgens	Finstad	Johnson, R.	McNamara	Rukavina	Walker
Carlson	Fritz	Johnson, S.	Meslow	Ruth	Wardlow
Charron	Garofalo	Juhnke	Moe	Ruud	Walti
Clark	Gazelka	Kahn	Mullery	Sailer	Westerberg
Cornish	Goodwin	Kelliher	Murphy	Samuelson	Westrom
Cox	Greiling	Klinzing	Nelson, M.	Scalze	Wilkin
Cybart	Gunther	Knoblach	Nelson, P.	Seifert	Zellers
Davids	Hackbarth	Koenen	Newman	Sertich	Spk. Sviggum
Davnie	Hamilton	Kohls	Nornes	Severson	
Dean	Hansen	Krinkie	Olson	Sieben	
DeLaForest	Hausman	Lanning	Opatz	Simon	
Demmer	Heidgerken	Larson	Otremba	Simpson	
Dempsey	Hilstrom	Latz	Ozment	Slawik	

A quorum was present.

Erhardt was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Fritz moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 248, A bill for an act relating to education finance; modifying a school district's percentage of students attending nonpublic school necessary to qualify for an exemption; creating a process to resolve a tuition obligation; converting referendum revenue authority for Common School District No. 815, Prinsburg; authorizing the school district to recertify its school levy for taxes payable in 2005; amending Minnesota Statutes 2004, section 123A.70.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 248 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Gunther and Cornish introduced:

H. F. No. 1213, A bill for an act relating to economic development abatement; granting special abatement authority for a property in a tax increment financing district in the city of Fairmont.

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

Knoblach, Rukavina, Jaros, Wilkin and Gunther introduced:

H. F. No. 1214, A bill for an act relating to telecommunications; establishing an accessible electronic information service for blind and disabled persons; appropriating money; amending Minnesota Statutes 2004, section 237.52, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapter 248.

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

Clark, Slawik, Mahoney and Gunther introduced:

H. F. No. 1215, A bill for an act relating to housing; appropriating money for the bridges rental housing assistance program.

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

Abeler and Greiling introduced:

H. F. No. 1216, A bill for an act relating to education; providing state facilities aid to charter schools to lease, purchase, renovate, or construct school buildings or rent, lease, or purchase land; amending Minnesota Statutes 2004, section 124D.11, subdivisions 4, 7, by adding a subdivision.

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

Loeffler, Kahn, Liebling, Wardlow, Tingelstad, Hosch, Lillie and Lesch introduced:

H. F. No. 1217, A bill for an act relating to natural resources; modifying terms of local parks grant program; amending Minnesota Statutes 2004, section 85.019, subdivision 2.

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

Powell introduced:

H. F. No. 1218, A bill for an act relating to public safety; allowing installation of vehicle-monitoring device in authorized emergency vehicle; making clarifying changes; amending Minnesota Statutes 2004, section 169.71, subdivision 1.

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

Wilkin, Holberg, Erhardt, Sykora, Wardlow, Westrom and Emmer introduced:

H. F. No. 1219, A bill for an act relating to traffic regulations; providing for the speed limit on marked Interstate Highway 35E; amending Minnesota Statutes 2004, section 169.14, by adding a subdivision.

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

Brod, Cox, Demmer, Abeler, Finstad, Bradley and Gunther introduced:

H. F. No. 1220, A bill for an act relating to unemployment insurance; authorizing the use of certain data by local and state welfare agencies; amending Minnesota Statutes 2004, section 268.19, subdivision 1.

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

Erickson introduced:

H. F. No. 1221, A bill for an act relating to education; allowing a school district to apply general provisions of the Pupil Fair Dismissal Act to a child whose parent refuses to consent to an initial evaluation; amending Minnesota Statutes 2004, section 125A.091, subdivision 5.

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

Powell introduced:

H. F. No. 1222, A bill for an act relating to public safety; authorizing merger of two metropolitan boards.

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

Howes introduced:

H. F. No. 1223, A bill for an act relating to taxation; property; clarifying the classification of certain noncommercial aircraft storage hangers abutting public airports located outside the seven-county metropolitan area; amending Minnesota Statutes 2004, section 273.13, subdivision 25.

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

Wagenius, Mariani and Ellison introduced:

H. F. No. 1224, A bill for an act relating to groundwater protection; providing restrictions on the use of chloro-s-triazine herbicides under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 18B.

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

Sieben, Greiling, Hansen and Atkins introduced:

H. F. No. 1225, A bill for an act relating to education; providing for an elementary and middle school years international baccalaureate pilot program; appropriating money.

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

Lanning, Marquart and Lieder introduced:

H. F. No. 1226, A bill for an act relating to liquor; increasing restrictions on the use of alcohol by a person under the age of 21 years; amending Minnesota Statutes 2004, section 340A.503, by adding a subdivision.

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

Carlson, Nornes, Latz and Urdahl introduced:

H. F. No. 1227, A bill for an act relating to health; expanding the criteria for participants of the loan forgiveness program; appropriating money; amending Minnesota Statutes 2004, section 144.1501, subdivisions 2, 4.

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

Smith; Meslow; Murphy; Johnson, J., and Ellison introduced:

H. F. No. 1228, A bill for an act relating to legal services funding; increasing a surcharge on certain recording and registration fees; appropriating money; amending Minnesota Statutes 2004, sections 357.18, subdivision 3; 508.82, subdivision 1; 508A.82, subdivision 1.

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

Buesgens, Krinkie, Olson, Eastlund and Erickson introduced:

H. F. No. 1229, A bill for an act relating to education; providing for an election to determine whether to detach land from an existing school district for a new independent school district; proposing coding for new law in Minnesota Statutes, chapter 123A.

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

Holberg, Wilkin and Westrom introduced:

H. F. No. 1230, A bill for an act relating to consumer protection; regulating wireless telephone directories; protecting consumer privacy; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Holberg and Wilkin introduced:

H. F. No. 1231, A bill for an act relating to commerce; coordinating Minnesota and federal law in regard to consumer access to their own credit information; amending Minnesota Statutes 2004, section 13C.01, subdivision 1.

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

Beard; Larson; Nelson, P.; Lieder and Thissen introduced:

H. F. No. 1232, A bill for an act relating to transportation; prohibiting Metropolitan Airports Commission from authorizing facility demolition or further consideration of Northwest Airlines 20/20 vision until Northwest Airlines demonstrates compliance with financing agreement covenants and reporting requirements.

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

Urdahl, Smith, Juhnke, Heidgerken and Marquart introduced:

H. F. No. 1233, A bill for an act relating to drivers' licenses; requiring greater proof of identity for driver's license applicant; amending Minnesota Statutes 2004, section 171.06, subdivision 3.

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

Thissen, Walker, Mariani, Abrams and Brod introduced:

H. F. No. 1234, A bill for an act relating to taxes; regulating tax preparers; amending Minnesota Statutes 2004, sections 270.30, subdivisions 1, 5, 6, 8, by adding subdivisions; 289A.08, subdivision 16; 289A.60, subdivision 13; proposing coding for new law in Minnesota Statutes 2004, chapter 270.

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

Thissen introduced:

H. F. No. 1235, A bill for an act relating to human services; consolidating the MFIP and basic sliding fee child care programs; appropriating money; amending Minnesota Statutes 2004, sections 119B.02, subdivisions 1, 2; 119B.03, subdivisions 3, 9, 10; 119B.035, subdivisions 1, 2, 4, 5; 119B.05, subdivision 5; 119B.08; 119B.09, subdivisions 1, 4a, 7; 119B.10; 119B.11, subdivision 1; 119B.12, subdivision 2; 119B.13, by adding subdivisions; 119B.15; 119B.24; repealing Minnesota Statutes 2004, sections 119B.011, subdivisions 20, 20a; 119B.03, subdivisions 1, 2, 4, 5, 6, 6a, 6b, 8; 119B.05, subdivision 1; 119B.07; 119B.09, subdivision 3; 119B.11, subdivision 4.

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

Solberg, Moe and Anderson, I., introduced:

H. F. No. 1236, A bill for an act relating to state lands; authorizing the public sale of tax-forfeited land bordering public waters in Itasca County.

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

Solberg, Moe and Anderson, I., introduced:

H. F. No. 1237, A bill for an act relating to state lands; authorizing the private sale of tax-forfeited land bordering public waters in Itasca County.

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

Seifert introduced:

H. F. No. 1238, A bill for an act relating to education; authorizing a fund transfer for Independent School District No. 418, Russell.

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

Severson, Klinzing, Opatz, Marquart, Hosch and Sykora introduced:

H. F. No. 1239, A bill for an act relating to education; allowing 10th grade students to participate in the postsecondary enrollment options program; amending Minnesota Statutes 2004, section 124D.09, subdivisions 4, 5, 7, 8, 9.

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

Severson; Anderson, B., and Wardlow introduced:

H. F. No. 1240, A bill for an act relating to veterans; designating the month of May each year as "Hire a Veteran Month" in Minnesota; proposing coding for new law in Minnesota Statutes, chapter 10.

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

Kahn introduced:

H. F. No. 1241, A bill for an act relating to local government; requiring the state auditor to study and report on the feasibility of consolidating counties along natural physical or alternative political boundaries and on the usefulness of establishing county service districts as an alternative to consolidation; appropriating money.

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

Westrom, Sykora, Abeler, Brod, Rukavina and Nornes introduced:

H. F. No. 1242, A bill for an act relating to education finance; providing for telecommunications/Internet access equity aid; appropriating money; amending Minnesota Statutes 2004, section 127A.45, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 125B.

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

Brod, Hornstein and Ozment introduced:

H. F. No. 1243, A bill for an act relating to transportation; allowing hybrid vehicles to be used on high-occupancy vehicle lanes; amending Minnesota Statutes 2004, sections 160.02, by adding a subdivision; 160.93, by adding a subdivision.

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

Paulsen; Smith; Murphy; Meslow; Lesch; Mahoney; Johnson, J., and Sykora introduced:

H. F. No. 1244, A bill for an act relating to crime prevention; requiring all persons arrested for or convicted of committing a felony to submit a DNA sample to law enforcement at the time of booking; appropriating money; amending Minnesota Statutes 2004, sections 299C.03; 299C.08; 299C.11; 299C.155; 299C.21; 609.117; 609A.02, subdivision 3; 609A.03, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 299C; repealing Minnesota Statutes 2004, section 609.119.

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

Davids introduced:

H. F. No. 1245, A bill for an act relating to natural resources; requiring dike repair on certain state lands; amending Minnesota Statutes 2004, section 103G.505, by adding a subdivision.

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

Ellison, Hornstein, Walker and Clark introduced:

H. F. No. 1246, A bill for an act relating to restricted pesticides; prohibiting the sale or use of Chloro-s-Triazine herbicides (atrazine) after a certain date; proposing coding for new law in Minnesota Statutes, chapter 18B.

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

Larson and Thissen introduced:

H. F. No. 1247, A bill for an act relating to the city of Richfield; authorizing the creation of a redevelopment tax increment financing district.

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

Ellison, Wagenius, Slawik, Mariani and Sieben introduced:

H. F. No. 1248, A bill for an act relating to health, environment and natural resources, and agriculture; restricting the use of atrazine; proposing coding for new law in Minnesota Statutes, chapter 18B.

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

Hansen; Goodwin; Otremba; Atkins; Scalze; Nelson, M., and Peterson, S., introduced:

H. F. No. 1249, A bill for an act relating to health; requiring a study on the use of sick leave.

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

Smith, Thissen and Wardlow introduced:

H. F. No. 1250, A bill for an act relating to retirement; providing that a certain limit on covered salary for public pension purposes does not apply to an elected official of a political subdivision; amending Minnesota Statutes 2004, section 356.611, subdivision 1.

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

Smith, Meslow, Hilstrom and Johnson, J., introduced:

H. F. No. 1251, A bill for an act relating to child protection; providing for a background check of an individual being considered as a custodian; modifying requirements for adoption consents and placement resources for children who are in the legal custody of a social services agency; amending Minnesota Statutes 2004, sections 259.24, subdivisions 1, 2a, 5, 6a; 260C.201, subdivision 11; 260C.212, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 260C.

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

Smith, Eastlund, Lesch, Meslow and Johnson, J., introduced:

H. F. No. 1252, A bill for an act relating to courts; limiting postconviction relief; providing that certain government appeals do not require payment of defendant attorney fees and costs; amending Minnesota Statutes 2004, section 590.01, subdivision 1, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 545A.

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

Lesch; Meslow; Smith; Johnson, S.; Nelson, M., and Brod introduced:

H. F. No. 1253, A bill for an act relating to courts; limiting postconviction relief; providing that local governments do not have to pay expenses incurred by defendants in certain appeals; amending Minnesota Statutes 2004, section 590.01, subdivision 1, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 545A.

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

FISCAL CALENDAR

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 3.

H. F. No. 3 was reported to the House.

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.

H. F. No. 3 was again reported to the House.

Vandever; Klinzing; Holberg; Buesgens; Erickson; Anderson, B., and DeLaForest offered an amendment to H. F. No. 3, the second engrossment.

Kelliher requested a division of the Vandever et al amendment to H. F. No. 3, the second engrossment.

Kelliher further requested that the second portion of the divided Vandever et al amendment be voted on first.

The second portion of the Vandever et al amendment to H. F. No. 3, the second engrossment, reads as follows:

Delete page 17, line 45, to page 18, line 36, and renumber the remaining subdivisions

Adjust fund totals accordingly

A roll call was requested and properly seconded.

The question was taken on the second portion of the Vandever et al amendment and the roll was called. There were 29 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Brod	Eastlund	Hoppe	Marquart	Peppin	Vandever
Buesgens	Erickson	Johnson, J.	Nelson, P.	Powell	Wardlow
Charron	Finstad	Klinzing	Nornes	Seifert	Westrom
Dean	Hamilton	Kohls	Olson	Smith	Wilkin
DeLaForest	Holberg	Krinkie	Paulsen	Soderstrom	

Those who voted in the negative were:

Abeler	Dill	Hilstrom	Lenczewski	Ozment	Simpson
Abrams	Dittrich	Hilty	Lesch	Paymar	Slawik
Anderson, B.	Dorman	Hornstein	Liebling	Pelowski	Solberg
Anderson, I.	Dorn	Hortman	Lieder	Penas	Sykora
Atkins	Eken	Hosch	Lillie	Peterson, A.	Thao
Beard	Ellison	Howes	Loeffler	Peterson, N.	Thissen
Bernardy	Emmer	Huntley	Magnus	Peterson, S.	Tingelstad
Blaine	Entenza	Jaros	Mahoney	Poppe	Urdahl
Bradley	Fritz	Johnson, R.	Mariani	Rukavina	Wagenius
Carlson	Garofalo	Johnson, S.	McNamara	Ruth	Walker
Clark	Gazelka	Juhnke	Meslow	Ruud	Welti
Cornish	Goodwin	Kahn	Moe	Sailer	Westerberg
Cox	Greiling	Kelliher	Mullery	Samuelson	Zellers
Cybart	Gunther	Knobloch	Murphy	Scalze	Spk. Sviggum
Davids	Hackbarth	Koenen	Nelson, M.	Sertich	
Davnie	Hansen	Lanning	Newman	Severson	
Demmer	Hausman	Larson	Opatz	Sieben	
Dempsey	Heidgerken	Latz	Otremba	Simon	

The motion did not prevail and the second portion of the Vandever et al amendment was not adopted.

Vandever withdrew the first portion of the Vandever et al amendment to H. F. No. 3, the second engrossment.

The Speaker called Abrams to the Chair.

Olson moved to amend H. F. No. 3, the second engrossment, as follows:

Page 43, after line 10, insert:

"Sec. 52. [NORTHSTAR COMMUTER RAIL LINE; REQUEST FOR WAIVER.]

The commissioner of transportation shall take all necessary steps to seek a waiver, exemption, or other agreement from the Federal Transit Administration that would allow federal section 5309 funds otherwise allocated by that agency for the Northstar commuter rail line to instead be used for development and construction of express bus service in the marked Trunk Highway No. 10 corridor without requirement for a new environmental impact statement or alternatives analysis.

Sec. 53. [NORTHSTAR CORRIDOR; RESTRICTION.]

Subdivision 1. [FINDING.] The legislature finds that because criteria used by the Federal Transit Administration in evaluating costs and benefits under the federal section 5309 program do not provide for a sufficient evaluation of the effects of different modes in a particular corridor on traffic congestion in that and other corridors, it is necessary to require that a study be performed on transitway alternatives in the Trunk Highway No. 10 corridor in order to make an informed choice among modes.

Subd. 2. [STUDY; REPORT.] Before expending any further state funds on planning, design, engineering, or construction on the Northstar commuter rail line, the commissioner of transportation shall conduct a study of the total costs of commuter rail and express bus service in the Trunk Highway No. 10 corridor and the relative effectiveness of each mode in alleviating highway congestion in the corridor and other freeway and expressway corridors that parallel that corridor. Before preparing and submitting the final version of the report the commissioner must hold at least two public hearings within reasonable proximity to the Trunk Highway No. 10 corridor. The commissioner shall complete the study and report on its results to the legislative committees having jurisdiction over transportation policy and finance by January 15, 2006.

Subd. 3. [RESTRICTION.] The commissioner shall not expend any state funds on commuter rail or express bus service within the Trunk Highway No. 10 corridor unless:

(1) the study conducted under this section has shown that one or both modes included in the study have benefits that exceed costs in alleviating congestion in the Trunk Highway No. 10 corridor and other freeway and expressway corridors that parallel that corridor that exceed its costs; and

(2) the mode selected for the corridor has the higher ratio of such benefits to total costs."

Renumber the sections in sequence

A roll call was requested and properly seconded.

The question was taken on the Olson amendment and the roll was called. There were 31 yeas and 102 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eastlund	Holberg	Marquart	Smith	Zellers
Buesgens	Emmer	Hoppe	Nelson, P.	Soderstrom	
Charron	Erickson	Johnson, J.	Olson	Urdahl	
Cybart	Finstad	Klinzing	Paulsen	Vandever	
Dean	Hamilton	Kohls	Peppin	Wardlow	
DeLaForest	Heidgerken	Krinkie	Seifert	Wilkin	

Those who voted in the negative were:

Abeler	Blaine	Cox	Dittrich	Fritz	Hackbarth
Abrams	Bradley	Davids	Dorman	Garofalo	Hansen
Anderson, I.	Brod	Davnie	Dorn	Gazelka	Hausman
Atkins	Carlson	Demmer	Eken	Goodwin	Hilstrom
Beard	Clark	Dempsey	Ellison	Greiling	Hilty
Bernardy	Cornish	Dill	Entenza	Gunther	Hornstein

Hortman	Koenen	Mahoney	Otremba	Ruth	Solberg
Hosch	Lanning	Mariani	Ozment	Ruud	Sykora
Howes	Larson	McNamara	Paymar	Sailer	Thao
Huntley	Latz	Meslow	Pelowski	Samuelson	Thissen
Jaros	Lenczewski	Moe	Penas	Scalze	Tingelstad
Johnson, R.	Lesch	Mullery	Peterson, A.	Sertich	Wagenius
Johnson, S.	Liebling	Murphy	Peterson, N.	Severson	Walker
Juhnke	Lieder	Nelson, M.	Peterson, S.	Sieben	Walti
Kahn	Lillie	Newman	Poppe	Simon	Westerberg
Kelliher	Loeffler	Nornes	Powell	Simpson	Westrom
Knoblach	Magnus	Opatz	Rukavina	Slawik	Spk. Sviggum

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

Olson moved to amend H. F. No. 3, the second engrossment, as follows:

Page 18, after line 36, insert:

"The commissioner may not spend any part of this appropriation until:

(1) each city in which the Northstar commuter rail project will be located has held a public hearing before July 30, 2005, at which proponents and opponents of constructing the rail line have been given equal time to testify, to the maximum possible and reasonable extent; and

(2) a referendum has been held in each such city in August 2005, and the following question has been voted on affirmatively by a majority of all the voters in all cities voting on the question. The question submitted must be:

"Shall the city of be permitted to spend city funds toward the local share of the Northstar commuter rail project?"

Yes
No"

A roll call was requested and properly seconded.

The question was taken on the Olson amendment and the roll was called. There were 32 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eastlund	Holberg	Krinkie	Peppin	Wardlow
Brod	Emmer	Hoppe	Lenczewski	Seifert	Wilkin
Buesgens	Erickson	Hosch	Marquart	Smith	
Charron	Finstad	Johnson, J.	Nelson, P.	Soderstrom	
Cybart	Hamilton	Klinzing	Olson	Urdahl	
DeLaForest	Heidgerken	Kohls	Paulsen	Vandevveer	

Those who voted in the negative were:

Abeler	Dill	Hilty	Liebling	Ozment	Sieben
Abrams	Dittrich	Hornstein	Lieder	Paymar	Simon
Anderson, I.	Dorman	Hortman	Lillie	Pelowski	Simpson
Atkins	Dorn	Howes	Loeffler	Penas	Slawik
Beard	Eken	Huntley	Magnus	Peterson, A.	Solberg
Bernardy	Ellison	Jaros	Mahoney	Peterson, N.	Sykora
Blaine	Entenza	Johnson, R.	Mariani	Peterson, S.	Thao
Bradley	Fritz	Johnson, S.	McNamara	Poppe	Thissen
Carlson	Garofalo	Juhnke	Meslow	Powell	Tingelstad
Clark	Gazelka	Kahn	Moe	Rukavina	Wagenius
Cornish	Goodwin	Kelliher	Mullery	Ruth	Walker
Cox	Greiling	Knoblach	Murphy	Ruud	Welti
Davids	Gunther	Koenen	Nelson, M.	Sailer	Westerberg
Davnie	Hackbarth	Lanning	Newman	Samuelson	Westrom
Dean	Hansen	Larson	Nornes	Scalze	Zellers
Demmer	Hausman	Latz	Opatz	Sertich	Spk. Sviggum
Dempsey	Hilstrom	Lesch	Otremba	Severson	

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

The Speaker resumed the Chair.

Olson moved to amend H. F. No. 3, the second engrossment, as follows:

Page 19, after line 8, insert:

"To the extent permitted by federal law, as part of the final environmental impact statement for the central corridor project the council, in consultation with the commissioner of transportation and representatives of Ramsey and Hennepin Counties and Minneapolis and St. Paul, must evaluate the feasibility of the personal rapid transit option in the corridor. The evaluation must include a comparison of personal rapid transit with other options studied for the corridor in regard to:

- (1) congestion and access problems caused by construction;
- (2) congestion and access once construction is completed and service is being provided;
- (3) average travel speeds for transit and other traffic;
- (4) safety for vehicles, passengers, pedestrians, and transit users;
- (5) cost-effectiveness for construction;
- (6) cost-effectiveness for operations, including cost per daily rider, fare box recovery, and non-user subsidies;

(7) environmental impact including energy efficiency and pollution;

(8) service levels and reliability; and

(9) ability to be implemented within a reasonable period of time, including whether a dual-track public-private design and engineering process is feasible. For purposes of this clause a "dual-track public-private design and engineering process" is a process under which design and engineering for bus and light rail alternatives for the corridor are performed by public agencies and design and engineering for personal rapid transit is performed without public funds by one or more private entities."

A roll call was requested and properly seconded.

The question was taken on the Olson amendment and the roll was called. There were 25 yeas and 106 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Emmer	Juhnke	Rukavina	Vandev eer
Buesgens	Erickson	Knoblach	Soderstrom	Wardlow
DeLaForest	Heidgerken	Krinkie	Sykora	Westerberg
Eastlund	Holberg	Nelson, P.	Thissen	Westrom
Ellison	Johnson, J.	Olson	Urdahl	Wilkin

Those who voted in the negative were:

Abeler	Demmer	Hausman	Latz	Opatz	Seifert
Abrams	Dempsey	Hilstrom	Lenczewski	Otremba	Sertich
Anderson, I.	Dill	Hilty	Lesch	Ozment	Severson
Atkins	Dittrich	Hoppe	Liebling	Paulsen	Sieben
Beard	Dorman	Hornstein	Lieder	Paymar	Simon
Bernardy	Dorn	Hortman	Lillie	Pelowski	Simpson
Blaine	Eken	Hosch	Loeffler	Penas	Slawik
Bradley	Entenza	Howes	Magnus	Peppin	Smith
Brod	Finstad	Huntley	Mahoney	Peterson, A.	Solberg
Carlson	Fritz	Jaros	Mariani	Peterson, N.	Thao
Charron	Garofalo	Johnson, R.	Marquart	Peterson, S.	Tingelstad
Clark	Gazelka	Johnson, S.	McNamara	Poppe	Wagenius
Cornish	Goodwin	Kahn	Meslow	Powell	Walker
Cox	Greiling	Kelliher	Moe	Ruth	Welti
Cybart	Gunther	Klinzing	Mullery	Ruud	Zellers
Davids	Hackbarth	Koenen	Nelson, M.	Sailer	Spk. Sviggum
Davnie	Hamilton	Kohls	Newman	Samuelson	
Dean	Hansen	Lanning	Nornes	Scalze	

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

The Speaker called Abrams to the Chair.

H. F. No. 3, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; making adjustments to previous bond authorizations; establishing new programs and modifying existing programs; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2004, sections 16A.671, subdivision 3; 85.019, subdivision 2; 116.182, subdivision 2; 116J.571; 116J.572, subdivision 2; 116J.573, subdivisions 1, 2, 5; 116J.575, subdivision 1; 134.45; 136F.60, by adding a subdivision; 174.52, by adding a subdivision; Laws 1998, chapter 404, section 23, subdivision 17, as amended; Laws 2003, First Special Session chapter 20, article 1, section 11; proposing coding for new law in Minnesota Statutes, chapters 16A; 446A.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hilstrom	Latz	Ozment	Soderstrom
Abrams	Dorman	Hilty	Lenczewski	Paulsen	Solberg
Anderson, I.	Dorn	Hoppe	Lesch	Paymar	Sykora
Atkins	Eastlund	Hornstein	Liebling	Pelowski	Thao
Beard	Eken	Hortman	Lieder	Penas	Thissen
Bernardy	Ellison	Hosch	Lillie	Peterson, A.	Tingelstad
Blaine	Emmer	Howes	Loeffler	Peterson, N.	Urdahl
Bradley	Entenza	Huntley	Magnus	Peterson, S.	Wagenius
Brod	Erickson	Jaros	Mahoney	Poppe	Walker
Carlson	Finstad	Johnson, J.	Mariani	Powell	Wardlow
Charron	Fritz	Johnson, R.	Marquart	Ruth	Welti
Clark	Garofalo	Johnson, S.	McNamara	Ruud	Westerberg
Cornish	Gazelka	Juhnke	Meslow	Samuelson	Westrom
Cox	Goodwin	Kahn	Mullery	Scalze	Wilkin
Cybart	Greiling	Kelliher	Murphy	Seifert	Zellers
Davids	Gunther	Klinzing	Nelson, M.	Severson	Spk. Sviggum
Davnie	Hackbarth	Knoblach	Nelson, P.	Sieben	
Dean	Hamilton	Koenen	Newman	Simon	
Demmer	Hansen	Kohls	Nornes	Simpson	
Dempsey	Hausman	Lanning	Opatz	Slawik	
Dill	Heidgerken	Larson	Otremba	Smith	

Those who voted in the negative were:

Anderson, B.	DeLaForest	Krinkie	Olson	Rukavina	Sertich
Buesgens	Holberg	Moe	Peppin	Sailer	Vandever

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

MOTIONS AND RESOLUTIONS

Latz moved that the name of Lillie be added as an author on H. F. No. 294. The motion prevailed.

Gunther moved that the name of Lillie be added as an author on H. F. No. 442. The motion prevailed.

Opatz moved that the name of Hortman be added as an author on H. F. No. 487. The motion prevailed.

Hilty moved that his name be stricken as an author on H. F. No. 529. The motion prevailed.

Ozment moved that the name of Wilkin be added as an author on H. F. No. 538. The motion prevailed.

Johnson, J., moved that the name of Lanning be added as an author on H. F. No. 572. The motion prevailed.

Latz moved that the name of Carlson be added as an author on H. F. No. 688. The motion prevailed.

Urdahl moved that the name of Lanning be added as an author on H. F. No. 724. The motion prevailed.

Seifert moved that the name of Erickson be added as an author on H. F. No. 871. The motion prevailed.

Brod moved that the name of Hilty be added as an author on H. F. No. 874. The motion prevailed.

Clark moved that the name of Davids be added as an author on H. F. No. 949. The motion prevailed.

Wilkin moved that the name of Penas be added as an author on H. F. No. 980. The motion prevailed.

Vandever moved that the name of Greiling be added as an author on H. F. No. 992. The motion prevailed.

Erickson moved that the name of Soderstrom be added as an author on H. F. No. 1071. The motion prevailed.

Greiling moved that the name of Peterson, S., be added as an author on H. F. No. 1079. The motion prevailed.

Powell moved that the name of Peterson, S., be added as an author on H. F. No. 1086. The motion prevailed.

Blaine moved that the name of Gazelka be added as chief author on H. F. No. 1097. The motion prevailed.

Hornstein moved that the name of Abeler be added as an author on H. F. No. 1115. The motion prevailed.

Dorman moved that the name of Abeler be added as an author on H. F. No. 1136. The motion prevailed.

Bradley moved that the names of Latz and Davids be added as authors on H. F. No. 1169. The motion prevailed.

Olson moved that the name of Pelowski be added as an author on H. F. No. 1172. The motion prevailed.

Zellers moved that the name of Magnus be added as an author on H. F. No. 1175. The motion prevailed.

Eastlund moved that the names of Erickson and Sviggum be added as authors on H. F. No. 1191. The motion prevailed.

Davnie moved that the name of Slawik be added as an author on H. F. No. 1192. The motion prevailed.

Lanning moved that the name of Magnus be added as an author on H. F. No. 1195. The motion prevailed.

Lanning moved that the name of Magnus be added as an author on H. F. No. 1196. The motion prevailed.

Cybart moved that the name of Severson be added as an author on H. F. No. 1201. The motion prevailed.

Anderson, B., moved that H. F. No. 171 be recalled from the Committee on Transportation and be re-referred to the Committee on Governmental Operations and Veterans Affairs. The motion prevailed.

Krinkie moved that H. F. No. 1127 be recalled from the Committee on Taxes and be re-referred to the Committee on Commerce and Financial Institutions. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Knobloch announced his intention to place H. F. No. 248 on the Fiscal Calendar for Thursday, February 24, 2005.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, February 24, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, February 24, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

