

## STATE OF MINNESOTA

## EIGHTY-FOURTH SESSION — 2005

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 TWENTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 7, 2005

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

Prayer was offered by Father Mark Moriarty, Mary Queen of Peace Church, Rogers, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

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

## ANNOUNCEMENT BY THE SPEAKER

Due to the resignation of Chief Sergeant at Arms Shawn M. Peterson, the Speaker announced the appointment of Troy Olsen as Chief Sergeant at Arms.

## OATH OF OFFICE

The Speaker administered the oath of office to the Chief Sergeant at Arms.

## REPORTS OF STANDING COMMITTEES

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 105, A bill for an act relating to motor vehicles; directing commissioner of public safety to issue special motorcycle license plate for Persian Gulf War veterans; making technical and clarifying changes; amending Minnesota Statutes 2004, section 168.123, subdivision 1.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 118, A bill for an act relating to civil actions; prohibiting actions against certain persons for weight gain as a result of consuming certain foods; proposing coding for new law in Minnesota Statutes, chapter 604.

Reported the same back with the following amendments:

Page 2, after line 4, insert:

"Subd. 4. [ACTIONS PERMITTED.] Subdivision 3 does not apply to a claim of weight gain or obesity that is based on:

(1) a material violation of an adulteration or misbranding requirement prescribed by state or federal statute, rule, or regulation and the claimed injury was proximately caused by the violation; or

(2) any other material violation of federal or state law applicable to the manufacturing, marketing, distribution, advertising, labeling, or sale of food, if the violation is knowing and willful, and the claimed injury was proximately caused by the violation."

With the recommendation that when so amended the bill pass.

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 171, A bill for an act relating to veterans; authorizing license plates for veterans of global war on terrorism; amending Minnesota Statutes 2004, section 168.123, subdivisions 1, 2.

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

The report was adopted.

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

H. F. No. 307, A bill for an act relating to animal health; providing for regulation of certain cervidae by the Board of Animal Health; amending Minnesota Statutes 2004, sections 17.452, by adding a subdivision; 35.155; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 2004, sections 17.451; 17.452, subdivisions 6, 6a, 7, 10, 11, 12, 13, 13a, 14, 15, 16.

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 350, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4; providing staggered four-year terms for senators.

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 472, A bill for an act relating to veterans; repealing the limit on the number of vehicles for which the registrar may issue to a veteran certain special veterans license plates; amending Minnesota Statutes 2004, section 168.123, subdivision 1.

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

The report was adopted.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 487, A bill for an act relating to state government; changing terminology for mentally retarded, mental retardation, physically handicapped, and similar terms.

Reported the same back with the following amendments:

Page 2, line 9, before the comma, insert "and the Department of Human Services"

Page 2, line 20, after the period, insert "Language changes made according to sections 1 and 2 shall not expand or exclude eligibility to services."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 604, A bill for an act relating to health; authorizing the limited use of zero-depth public swimming pools without a lifeguard; amending Minnesota Statutes 2004, section 144.1222, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 144.1222, is amended by adding a subdivision to read:

Subd. 2c. [POOLS USED FOR ADULT-ONLY RECREATION.] Notwithstanding Minnesota Rules, part 4717.1850, a pool with a zero-depth area may be used without a lifeguard present if access to the pool area is prohibited to individuals under the age of 18 years during the time a lifeguard is not present.

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

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

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 680, A bill for an act relating to landlord and tenant; clarifying provisions relating to utility metering and billing; amending Minnesota Statutes 2004, section 504B.215, subdivisions 1, 2, 2a.

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

The report was adopted.

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

H. F. No. 826, A bill for an act relating to the environment; creating the Clean Water Legacy Act; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters in accordance with section 303(d) of the federal Clean Water Act; appropriating money; proposing coding for new law in Minnesota Statutes chapter 446A; proposing coding for new law as Minnesota Statutes, chapter 114D.

Reported the same back with the following amendments:

Page 7, line 3, before "The" insert "(a)"

Page 7, after line 11, insert:

"(b) A TMDL must include a statement of the facts and scientific data supporting the TMDL and a list of potential implementation options, including a range of estimates of the cost of implementation and individual wasteload data for any point sources addressed by the TMDL.

(c) The implementation information need not be sent to the United States Environmental Protection Agency for review and approval."

Page 7, line 14, delete "must be considered" and insert "is" and after "agency" insert "for purposes of section 115.05"

Page 7, line 16, delete ", and to judicial review under sections 14.63 to 14.69" and insert "in accordance with agency procedural rules" and after the period, insert "The agency shall not submit an approved TMDL to the United States Environmental Protection Agency until the time for commencing judicial review has run or the judicial review process has been completed."

Page 7, after line 18, insert:

"Subd. 3. [TMDL SUBMITTAL REQUIREMENT.] Before submitting a TMDL to the United States Environmental Protection Agency, the Pollution Control Agency shall comply with the notice and procedure requirements of this section. If a contested case proceeding is not required for a proposed TMDL, the agency may submit the TMDL to the United States Environmental Protection Agency no earlier than 30 days after the notice required in subdivision 4. If a contested case proceeding is required for a TMDL, the TMDL may be submitted to the United States Environmental Protection Agency after the contested case proceeding and appeal process is completed.

Subd. 4. [TMDL NOTICE; CONTENTS.] The Pollution Control Agency shall give notice of its intention to submit a TMDL to the United States Environmental Protection Agency. The notice must be given by publication in the State Register and by United States mail to persons who have registered their names with the agency. The notice must include either a copy of the proposed TMDL or an easily readable and understandable description of its nature and effect and an announcement of how free access to the proposed TMDL can be obtained. In addition, the agency shall make reasonable efforts to notify persons or classes of persons who may be significantly affected by the TMDL by giving notice of its intention in newsletters, newspapers, or other publications, or through other means of communication. The notice must include a statement informing the public:

(1) that the public has 30 days in which to submit comment in support of or in opposition to the proposed TMDL and that comment is encouraged;

(2) that each comment should identify the portion of the proposed TMDL addressed, the reason for the comment, and any change proposed;

(3) of the manner in which persons must request a contested case proceeding on the proposed TMDL;

(4) that the proposed TMDL may be modified if the modifications are supported by the data and views submitted; and

(5) the date on which the 30-day comment period ends."

Page 7, line 19, delete "3" and insert "5"

Page 7, line 22, after the period, insert "Before entering into an agreement with an entity to develop a third-party TMDL, the Pollution Control Agency must make reasonable efforts to notify cities, counties, townships, soil and water conservation districts, and watershed districts in the area that would be affected by the TMDL."

Page 7, line 31, after the period, insert "Before submitting a third-party TMDL to the Environmental Protection Agency, the Pollution Control Agency must comply with the notice and procedure requirements of subdivision 3. Approval of a third-party TMDL by the Pollution Control Agency is subject to judicial review and contested case procedures in the same manner as approval of any other TMDL by the Pollution Control Agency."

Page 8, line 10, delete "The commissioners of"

Page 8, delete lines 11 to 16 and insert "The governor must appoint the members of the council. The governor must appoint one person from each of the following agencies: the Department of Natural Resources, the Department of Agriculture, the Pollution Control Agency, and the Board of Water and Soil Resources. The governor must appoint 13"

Page 8, after line 31, insert:

"In making appointments, the governor must attempt to provide for geographic balance."

Page 9, line 29, after the period, insert "The council must recommend methods of ensuring that awards of grants, loans, or other funds from the clean water legacy account specify the outcomes to be achieved as a result of the funding, and specify standards to hold the recipient accountable for achieving the desired outcomes."

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 883, A bill for an act relating to motor vehicles; specifying that members of Disabled American Veterans are eligible for special veterans service group license plates; amending Minnesota Statutes 2004, section 168.1235, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [168.1251] [DISABLED VETERANS OF AMERICA PLATES.]

Subdivision 1. [ISSUANCE AND DESIGN.] The registrar of motor vehicles shall issue special license plates bearing the inscription "DISABLED AMERICAN VETERAN" to an applicant who is a member of Disabled American Veterans, who complies with all laws relating to the registration and licensing of motor vehicles and drivers, and who pays a fee of \$10 for each set of license plates applied for. The special license plates must be of a design and size determined by the registrar.

Subd. 2. [APPLICATION.] Application for issuance of these plates may be made only at the time of renewal or first application for registration.

Subd. 3. [TRANSFER.] On payment of a fee of \$5, special plates issued under this section may be transferred to another personal motor vehicle owned or jointly owned by the Disabled American Veterans member upon notification to the registrar of motor vehicles.

Subd. 4. [MOTOR VEHICLE; SPECIAL DEFINITION.] For purposes of this section, "motor vehicle" means a vehicle for personal use, not used for commercial purposes, and may include a passenger automobile, van, pickup truck, motorcycle, or recreational vehicle.

Subd. 5. [FEES CREDITED.] Fees paid under this section must be credited to the highway user tax distribution fund.

Sec. 2. Minnesota Statutes 2004, section 168.1293, subdivision 5, is amended to read:

Subd. 5. [DISCONTINUANCE OF PLATE.] (a) The department shall discontinue the issuance or renewal of any special license plate if (1) fewer than 1,000 sets of those plates are currently registered at the end of the first six years during which the plates are available, or (2) fewer than 1,000 sets of those plates are currently registered at the end of any subsequent two-year period following the first six years of availability.

(b) The department may discontinue the issuance or renewal of any special license plate, and distribution of any contributions resulting from that plate, if the department determines that (1) the fund or requester receiving the contributions no longer exists, (2) the requester has stopped providing services that are authorized to be funded from the contribution proceeds, (3) the requester has requested discontinuance, or (4) contributions have been used in violation of subdivision 6.

(c) Nothing in this subdivision applies to license plates issued under section 168.123, 168.124, 168.125, 168.1251, or 168.1255."

Delete the title and insert:

"A bill for an act relating to motor vehicles; authorizing special license plates for disabled American veterans; amending Minnesota Statutes 2004, section 168.1293, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 168."

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

The report was adopted.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 925, A bill for an act relating to insurance; making federally conforming changes in Medicare-related coverage; providing financial solvency regulation for stand-alone Medicare Part D prescription drug plans; making related technical changes; amending Minnesota Statutes 2004, sections 62A.31, subdivisions 1f, 1k, 1n, 1s, 1t, 1u, 3, 4, 7; 62A.315; 62A.316; 62A.318; 62A.36, subdivision 1; 62L.12, subdivision 2; 62Q.01, subdivision 6; 256.9657, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, J., from the Committee on Civil Law and Elections to which was referred:

H. F. No. 1043, A bill for an act relating to corporations; recodifying and modernizing the law regulating the formation, structure, and operation of certain corporations; making miscellaneous technical and clarifying changes; amending Minnesota Statutes 2004, sections 47.12; 47.15; 47.16; 48.02; 48.03; 48.033; 48.04; 48.06; 48.07; 48A.01, subdivision 1; 48A.04, subdivisions 1, 3; 49.41; 50.001; 50.06; 50.085, subdivision 1; 51A.03, subdivision 2b; 51A.131; 51A.17; 51A.21, subdivision 1; 117.232, subdivision 1; 161.433, subdivision 3; 181.970, subdivision 2; 237.81; 301.75; 302A.011, subdivision 4; 302A.021, subdivision 10, by adding a subdivision; 302A.031, by adding a subdivision; 303.02, subdivision 2; 317A.021, subdivision 9; 322B.02; 398A.04, subdivision 6; 453.55, subdivision 11; 453A.05, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 47; 48; 50; repealing Minnesota Statutes 2004, sections 48.056, subdivision 3; 300.01; 300.02; 300.025; 300.05; 300.06; 300.08; 300.081; 300.083; 300.09; 300.12; 300.13; 300.131; 300.14; 300.16; 300.17; 300.18; 300.19; 300.20; 300.21; 300.22; 300.23; 300.24; 300.25; 300.26; 300.27; 300.28; 300.29; 300.30; 300.31; 300.32; 300.33; 300.34; 300.35; 300.36; 300.37; 300.38; 300.39; 300.40; 300.41; 300.42; 300.43; 300.44; 300.45; 300.451; 300.46; 300.49; 300.51; 300.52; 300.53; 300.54; 300.55; 300.57; 300.58; 300.59; 300.60; 300.61; 300.62; 300.63.

Reported the same back with the following amendments:

Page 15, after line 20, insert:

"ARTICLE 2  
INSURANCE CORPORATIONS

Section 1. Minnesota Statutes 2004, section 60A.07, subdivision 1, is amended to read:

Subdivision 1. ~~[INCORPORATION.] Except when the manner of organization is specifically otherwise provided in sections dealing with these insurers, domestic insurance corporations shall be organized under and governed by chapter 300. The articles or certificate of incorporation must meet the requirements of section 300.025, other than~~ Three or more persons may form a domestic insurance corporation for any of the purposes specified in subdivision 2 by applying to the Department of Commerce and complying with all applicable organizational requirements and the conditions set out in clauses (1) to (6). The incorporators must subscribe a certificate specifying:

~~(1) the requirement that a majority of board members shall always be residents of this state~~ the corporation's name, which must distinguish it from all other corporations authorized to do business in this state, and must contain the word "company," "corporation," or "incorporated"; and

~~(2) the requirements of section 300.025, clause (7).~~ the general nature of the corporation's business and its principal place of business;

(3) the period of its duration, if limited;

(4) the names and places of residence of the incorporators;

(5) the board in which the management of the corporation will be vested, the date of the initial annual meeting at which it will be elected, and the names and addresses of the board members until the first election; and

(6) whether the corporation is organized on the stock plan, mutual plan, or otherwise; and, if organized as a stock company, the amount of capital stock, how the capital stock is to be paid in, the number of shares into which it is to be divided, and the par value of each share; and, if there is to be more than one class, a description and the terms of issue of each class and the method of voting on each class.



The certificate may contain any other lawful provision defining and regulating the powers and business of the insurance corporation, its officers, directors, trustees, members, or stockholders.

A person doing business in this state may contest the subsequent registration of a name with the Office of the Secretary of State as provided in section 5.22.

Domestic insurance corporations established in this manner are organized under and governed by chapter 302A, except as otherwise provided in subdivision 1d and chapter 66A.

Sec. 2. Minnesota Statutes 2004, section 60A.07, is amended by adding a subdivision to read:

Subd. 1a. [FILING.] The certificate of an insurance corporation must be filed for record with the secretary of state. If the secretary of state finds that it conforms to law and that the required fee has been paid, the secretary of state must record it and certify that fact on it. The secretary of state may not accept a certificate for filing unless the certificate also contains the endorsement of the commissioner of commerce.

Sec. 3. Minnesota Statutes 2004, section 60A.07, is amended by adding a subdivision to read:

Subd. 1b. [CERTIFICATE OF AUTHORITY.] If the commissioner of commerce is satisfied that the corporation has been organized for legitimate purposes, and under such conditions as to merit and have public confidence, and that all provisions of law applicable to every branch of business in which, by the terms of its certificate, it is authorized to engage, have been complied with, the commissioner shall so certify. When the original certificate and the certificate of incorporation from the secretary of state are filed with the commissioner of commerce, the commissioner shall, within 60 days thereafter, execute and deliver to it a certificate of authority.

Sec. 4. Minnesota Statutes 2004, section 60A.07, is amended by adding a subdivision to read:

Subd. 1c. [BYLAWS.] Bylaws may be adopted by the insurance corporation in the manner set forth in section 302A.181. Within 90 days after the adoption of the bylaws or any amendment thereof, a certified copy of the same must be filed with the commissioner of commerce.

Sec. 5. Minnesota Statutes 2004, section 60A.07, is amended by adding a subdivision to read:

Subd. 1d. [CERTIFICATE OF INCORPORATION; AMENDMENTS.] The certificate of incorporation of an insurance corporation organized and existing under the laws of this state may be amended in the manner set forth in section 302A.135. Amendments must be filed with the secretary of state in the manner set forth in section 302A.151, except the secretary of state may not accept a certificate of filing unless the certificate also contains the endorsement of the commissioner of commerce.

Sec. 6. Minnesota Statutes 2004, section 60A.07, is amended by adding a subdivision to read:

Subd. 1e. [APPLICATION OF BUSINESS CORPORATION ACT.] The provisions of chapter 302A apply to domestic stock corporations formed to carry on the business of insurance, except to the extent those provisions are inconsistent with any provisions contained in this chapter or to the extent in conflict with any provisions contained in chapters 60A to 79A. The provisions of chapter 302A apply to domestic mutual corporations formed to carry on the business of insurance only to the extent provided for in chapter 66A.

Sec. 7. Minnesota Statutes 2004, section 60A.075, subdivision 6, is amended to read:

Subd. 6. [CONVERSION.] ~~(a) [FILING.]~~ Following approval by the eligible members, the converting mutual company shall file a copy of the company's amended or restated articles of incorporation with the commissioner,

together with a certified copy of the minutes of the meeting at which the plan was adopted and a certified copy of the plan. The commissioner shall review and, if appropriate, approve the amended or restated articles. After approval by the commissioner, a converting mutual ~~insurer company~~ shall file the articles with the secretary of state as provided by section 60A.07, subdivision 1d, and chapter 300, ~~or a converting mutual holding company shall file the articles with the secretary of state as provided by chapter 302A.~~

~~(b) [EFFECTIVE DATE.] The reorganization of a converting mutual company is effective on the date of filing an amendment or restatement of the articles of incorporation with the secretary of state, or on a later date if the plan so specifies.~~

Sec. 8. Minnesota Statutes 2004, section 60A.077, subdivision 6, is amended to read:

Subd. 6. [INCORPORATION.] A mutual insurance holding company shall be incorporated pursuant to section 60A.07, subdivision 1, and this chapter 300. The articles of incorporation and any amendments to the articles of the mutual insurance holding company are subject to approval of the commissioner in the same manner as those of an insurance company. Members of a mutual insurance holding company shall be entitled to vote on all matters required to be submitted to domestic mutual insurance company members under chapter 300 and shall additionally be treated as shareholders for purposes of the voting approval requirements of section 300.09 in accordance with the requirements of this chapter and chapter 302A.

Sec. 9. Minnesota Statutes 2004, section 60B.23, is amended to read:

60B.23 [DISSOLUTION OF INSURER.]

The commissioner may petition for an order dissolving the corporate existence of a domestic insurer or the United States branch of an alien insurer domiciled in this state at the time the commissioner applies for a liquidation order. If the court issues a liquidation order, it also shall order dissolution if the commissioner has petitioned for it. The court shall order dissolution of the corporation upon petition by the commissioner at any time after a liquidation order has been granted. If the dissolution has not previously occurred, it shall be effected by operation of law upon the discharge of the liquidator. The commissioner shall file a dissolution with the secretary of state pursuant to section 302A.711, subdivision 2, paragraphs (a), clauses (1), (2), and (5), and (b); and subdivisions 3 and 4.

Sec. 10. Minnesota Statutes 2004, section 61A.14, is amended by adding a subdivision to read:

Subd. 9. [LIFE INSURANCE COMPANIES.] A domestic life insurance company having a separate account or accounts pursuant to this section in connection with variable contracts or other separate account products may indemnify a person who is serving or has served as a member of the managing committee of that separate account, and may purchase and maintain insurance for that purpose, in accordance with section 302A.521.

Sec. 11. Minnesota Statutes 2004, section 66A.01, is amended to read:

66A.01 [SCOPE OF CHAPTER.]

This chapter shall apply to mutual insurance companies other than: ~~life insurance companies~~, assessment benefit associations, fraternal benefit societies, township mutual insurance companies and title insurance companies. Sections 66A.08 to 66A.31 and 66A.20 do not apply to mutual life insurance companies.

Sections 60A.07, subdivision 1, clauses (1) and (2); 61A.26; 61A.321; 61A.33; 61A.34; 61A.35; and 61A.36, do not apply to mutual property and casualty insurance companies.

Sec. 12. Minnesota Statutes 2004, section 66A.02, is amended to read:

66A.02 [APPLICABILITY OF ~~GENERAL~~ BUSINESS CORPORATION STATUTES.]

Subdivision 1. [GENERAL.] Chapter ~~300~~ 302A shall apply to domestic mutual insurance companies except where to the extent inconsistent with any provisions in this chapter or section 60A.07, or otherwise in conflict with the express provisions of this chapter and the reasonable implication of such provisions any provisions in chapters 60A to 79A. Provisions of chapter 302A relating to share certificates, classes of shares, share values, or any other provisions relevant only to stock companies do not apply to mutual insurance companies.

Subd. 2. [MUTUAL HOLDING COMPANIES.] For purposes of sections 66A.01 to 66A.07 and 66A.21, the term "domestic mutual insurance company" is deemed to include domestic mutual insurance holding companies organized under section 60A.077 and the term "member" is deemed to include members of a domestic mutual insurance holding company as specified in section 60A.077, subdivision 1, paragraph (b). For purposes of section 60A.07, subdivisions 1, 1a, 1b, 1c, 1d, and 1e, a domestic mutual insurance holding company is deemed to be an insurance corporation.

Subd. 3. [TERMS.] For purposes of applying chapter 302A to domestic mutual insurance companies, members of a domestic mutual insurance company must be treated in the same manner as shareholders of a stock corporation, except as otherwise provided in this chapter. Every member of the mutual insurance company shall be deemed to hold one share of the company for purposes of applying provisions of chapter 302A relating to voting. Mutual insurance companies are not included in the definitions of "closely held corporation," "publicly held corporation," or "issuing public corporation." The term "distribution" does not include dividends paid on participating policies issued by the mutual insurance company or any insurance company subsidiary in the case of a mutual insurance holding company.

Subd. 4. [EXCEPTIONS.] The following provisions of chapter 302A do not apply to domestic mutual insurance companies: sections 302A.011, subdivisions 2, 6, 6a, 7, 10, 20, 21, 25, 26, 27, 28, 29, 31, 32, and 37 to 59; 302A.105; 302A.137; 302A.161, subdivision 19; 302A.201, subdivision 2; 302A.401 to 302A.429; 302A.433, subdivisions 1, paragraphs (a), (b), (c), and (e), and 2; 302A.437, subdivision 2; 302A.445, subdivisions 3 to 6; 302A.449, subdivision 7; 302A.453 to 302A.457; 302A.461; 302A.463; 302A.471 to 302A.473; 302A.553; 302A.601 to 302A.651; 302A.671 to 302A.675; 302A.681 to 302A.691; and 302A.701 to 302A.791. Those clauses of section 302A.111 that refer to any of the sections previously referenced in this subdivision do not apply to domestic mutual insurance companies. The following sections of chapter 302A are modified in their application to domestic mutual insurance companies in the manner indicated:

(1) with regard to section 302A.133, the articles may be amended pursuant to section 302A.171 by the incorporators or by the board before the issuance of any policies by the company;

(2) with regard to section 302A.135, subdivision 2, a resolution proposing an amendment to the certificate of authority must be filed with the corporate secretary no less than 30 days before the meeting to consider the proposed amendment;

(3) with regard to section 302A.161, subdivision 19 of that section does not apply, except this must not be construed to limit the power of a mutual insurance company from issuing securities other than stock;

(4) with regard to section 302A.201, the references in subdivision 1 of that section to "subdivision 2" and "section 302A.457" do not apply;

(5) with regard to section 302A.203, the board shall consist of no less than five directors;

(6) with regard to section 302A.215, subdivisions 2 and 3 of that section only apply if the corporation's certificate of incorporation provides cumulative voting;

(7) with regard to section 302A.433, subdivision 1 of that section, special meetings of the shareholders may be called for any purpose or purposes at any time by a person or persons authorized in the articles or bylaws to call special meetings, and with regard to subdivision 3 of that section, special meetings must be held on the date and at the time and place fixed by a person or persons authorized by the articles or bylaws to call a meeting; and

(8) with regard to section 302A.435, if the company complies substantially and in good faith with the notice requirements of section 302A.435, the company's failure to give any member or members the required notice does not impair the validity of any action taken at the members' meeting.

Sec. 13. Minnesota Statutes 2004, section 66A.03, is amended to read:

66A.03 [INCORPORATION.]

Domestic mutual insurance companies ~~are~~ must be incorporated ~~under~~ in accordance with the provisions of ~~chapter 300 section 60A.07, subdivision 1. Except as otherwise provided in this chapter, the certificate or articles of incorporation shall comply with section 300.025, other than:~~

~~(1) the requirement that a majority of board members must always be residents of this state; and~~

~~(2) the requirements of section 300.025, paragraph (a), clause (7).~~

Sec. 14. Minnesota Statutes 2004, section 66A.06, is amended to read:

66A.06 [RENEWAL OF CORPORATE EXISTENCE.]

~~The procedure for renewal of corporate existence for mutual companies having a limited period of existence is governed by section 60A.07, subdivision 8, clause (2). Any domestic mutual insurance company, heretofore or hereafter organized and existing under the laws of this state, whose period of duration has expired or is about to expire, may, on or before the date of the expiration, or within six months after the date of expiration, renew its corporate existence from the date of the expiration for any period permitted by the laws of this state, by the adoption of a resolution to that effect by the affirmative vote of three-fourths of the members present, in person or by proxy, at a regular meeting of the members, or at any special meeting called for that expressly stated purpose, and by causing the resolution to be embraced in a certificate duly executed by its president and secretary or other presiding and recording officers, under its corporate seal, and approved, filed, recorded, and published in the manner prescribed by law for the execution, approval, filing, recording, and publishing of an original certificate of incorporation or articles of association.~~

Sec. 15. Minnesota Statutes 2004, section 66A.07, is amended to read:

66A.07 [MEMBERSHIP; MEETINGS; NOTICES; VOTING.]

Subdivision 1. [PROPERTY/CASUALTY COMPANIES.] Every policyholder in a mutual insurance company, other than a life insurance company, shall be a member thereof while the policy is in force, entitled to one vote for each policy held, and notified of the time and place of holding its meetings either personally or by imprint upon the front or back of every policy, or in the premium notice, receipt or certificate of renewal, substantially as follows:

"NOTICE OF ANNUAL MEETING

The policyholder named herein is hereby notified: while this policy is in force you are by virtue thereof a member of the (name of company) and that the annual meeting of said company is held at its home office at (address) on the ..... day of ..... each year at ..... o'clock ..... m."

Notice given in this manner is deemed to comply with the requirements of section 302A.435.

Subd. 2. [LIFE INSURANCE COMPANIES.] (a) Unless otherwise approved by the commissioner of commerce, a domestic mutual life insurance company member is any person who is listed on the records of the company as the owner of an in-force policy, and each member is entitled to one vote regardless of the number of policies owned by the member or the amounts of coverage provided to the member. "Policy" means a policy or contract of insurance, including an annuity contract issued by the company. Except as otherwise provided in the company's certificate or bylaws, a person insured under a group policy is not a member by virtue of such coverage, unless (1) the person is insured or covered under a group life policy or group annuity contract under which funds are accumulated and allocated to the respective covered persons; (2) the person has the right to direct the application of the funds so allocated; (3) the group policyholder makes no contribution to the premiums or deposits for the policy or contract; and (4) the company has the names and addresses of the persons covered under the group life policy or group annuity contract.

(b) Every member must be notified of its annual meetings by a written notice mailed to the member's address, or by an imprint on the front or back of the policy, premium notice, receipt, or certificate of renewal, substantially as follows:

"The policy owner is hereby notified that by virtue of his or her ownership of this policy, the policy owner is a member of the ..... Insurance Company, and that the annual meetings of said company are held at its home office on the .... day of .... in each year, at .... o'clock."

For mutual insurance holding companies, the notice of the annual meeting may be modified to reflect that the policy owner, by virtue of his or her ownership of a policy issued by a subsidiary insurance company reorganized under section 60A.077, is a member of the mutual insurance holding company. Notice given in this manner is deemed to comply with the requirements of section 302A.435.

Subd. 3. [PROXIES.] (a) Except as otherwise provided in paragraphs (b) and (c), proxies for voting at meetings of members of domestic mutual insurance companies are governed by the provisions of section 302A.449, subdivisions 1 to 6 and 8.

(b) A member may vote by proxy at any regular or special meeting of the members by filing a written proxy appointment with the secretary of the company at its home office at least five days before the first meeting at which it is to be used, unless a different time period is specified in the company's bylaws.

(c) A member may cast or authorize the casting of a vote by telephonic transmission or authenticated electronic communication, in accordance with section 302A.449, if permitted by the bylaws of the company.

Subd. 4. [MEMBERSHIP INTEREST.] A domestic mutual insurance company must keep a list of members as part of its books and records. Membership interest in a domestic mutual insurance company must be uncertificated. A membership interest in a domestic mutual insurance company does not constitute a security as defined in section 80A.14, subdivision 18. No member of a mutual insurance company may transfer or pledge membership in the mutual insurance company or any right arising from the membership except as attendant to the valid transfer or assignment of the member's policy issued by the mutual insurance company. A member of a mutual insurance

company is not, as a member, personally liable for the acts, debts, liabilities, or obligations of the company. No assessments of any kind may be imposed upon the members of a mutual insurance company by the directors or members, or because of any liability of any company owned or controlled by the mutual insurance company or because of any act, debt, or liability of the mutual insurance company, except as may otherwise be provided in the company's articles or bylaws. A member's interest in the mutual insurance company shall automatically terminate upon cancellation, nonrenewal, expiration, or termination of the member's policy with the insurance company that gave rise to the member's membership interest.

Sec. 16. Minnesota Statutes 2004, section 66A.08, subdivision 1, is amended to read:

Subdivision 1. [CASUALTY LINES.] No mutual insurance company hereafter organized shall be licensed to transact any of the kinds of business specified in section 60A.06, subdivision 1, clause (3), (5), (6), (8), (9), (10), (12), (13), (14), or (15), except upon compliance with the following conditions:

(1) It shall have not less than 300 bona fide applications for policies of insurance of each kind sought to be written, signed by at least 300 members, covering at least 300 separate risks, each risk, within the maximum net single risk described in clause (2) and one year's premiums thereon paid in cash, and admitted assets of not less than \$100,000, which admitted assets shall not be less than five times the maximum net single risk, and shall have on deposit with the commissioner in accordance with section 60A.10, subdivision 4, as security for all of its policyholders, stock or bonds of this state or of the United States or bonds of any of the municipalities of this state, or personal obligations secured by first mortgage on real estate within this state worth, exclusive of buildings, the amount of the lien, and bearing interest of not less than three percent per annum, to an amount the actual market value of which, exclusive of interest, shall never be less than \$100,000-

~~No such company shall be authorized to insure against loss or damage by the bodily injury or death by accident of any person employed by the insured, for which the insured is liable under the workers' compensation law, unless and until the company complies with the provisions of subdivision 4;~~

(2) It shall not expose itself to any loss on any one risk or hazard, except as provided in this clause, in an amount exceeding ten percent of its net assets, actual and contingent. For the purposes of this section contingent assets mean the aggregate amount of the contingent liability of its members for the payment of loss and expenses not provided for by its cash funds. Contingent liability, for the purposes of this section, means an amount not to exceed one annual premium as stated in the policy. No portion of any risk or hazard which has been reinsured, as authorized by the laws of this state, shall be included in determining the limitation of risk prescribed by this section. For the purpose of transacting employers' liability and workers' compensation insurance, each employee shall be considered a separate risk for determining the maximum single risk;

(3) It shall maintain unearned premiums and other reserves, separately for each kind of business, upon the same basis as that required of domestic stock insurance companies transacting the same kind of business;

(4) Except as expressly provided in this chapter, it shall comply with all the provisions of the laws of this state relating to the organization and internal management of mutual fire insurance companies in so far as the same may be applicable and not inconsistent with chapter 66A.

Sec. 17. [66A.215] [SPECIAL PROVISIONS RELATING TO HAIL, TORNADO, AND CYCLONE COMPANIES.]

Sections 66A.22 to 66A.31 apply only to hail, tornado, and cyclone companies.

## Sec. 18. [REVISOR'S INSTRUCTION.]

The revisor of statutes shall renumber the provisions of Minnesota Statutes listed in column A to the references in column B. The revisor shall also make the necessary cross-reference changes in Minnesota Statutes and Minnesota Rules consistent with the renumbering. The revisor shall also change the reference to section 61A.03(6) in Minnesota Statutes, section 61A.26, subdivision 5, to section 61A.03, subdivision 1, paragraph (f).

<u>Column A</u>	<u>Column B</u>
<u>60A.07, subd. 10, clause (1)</u>	<u>66A.32</u>
<u>60A.07, subd. 10, clause (2)</u>	<u>66A.33</u>
<u>60A.075</u>	<u>66A.41</u>
<u>60A.077</u>	<u>66A.40</u>
<u>61A.26</u>	<u>66A.34</u>
<u>61A.321</u>	<u>66A.35</u>
<u>61A.33</u>	<u>66A.36</u>
<u>61A.34</u>	<u>66A.37</u>
<u>61A.35</u>	<u>66A.38</u>
<u>61A.36</u>	<u>66A.39</u>
<u>61A.37</u>	<u>66A.42</u>
<u>61A.38</u>	<u>66A.43</u>
<u>66A.20</u>	<u>66A.311</u>
<u>66A.22</u>	<u>66A.221</u>

## Sec. 19. [REPEALER.]

Minnesota Statutes 2004, sections 60A.07, subdivision 8; 61A.32; 66A.04; 66A.05; and 66A.075, are repealed."

Page 15, line 21, delete "2" and insert "3"

Page 19, after line 20, insert:

"Sec. 11. Minnesota Statutes 2004, section 61A.35, is amended to read:

## 61A.35 [VOTING RIGHTS.]

Unless otherwise provided in the certificate of incorporation or an amendment thereto adopted as provided by section ~~300.45~~ 60A.07, subdivision 1d, or 61A.36, each stockholder of a stock and mutual life insurance company shall, at all meetings, be entitled to one vote for each share of stock held and, except as otherwise provided by law, each holder of a policy entitled to participate in profits or savings shall be a member and, as such, shall be entitled to the number of votes to which that person would be entitled in a mutual company.

Sec. 12. Minnesota Statutes 2004, section 61A.36, is amended to read:

## 61A.36 [CONVERSION OF EXISTING COMPANIES; AMENDMENT OF CERTIFICATES OF INCORPORATION.]

Any existing stock or mutual insurance company authorized to do the kinds of business referred to in section 61A.33 may amend its certificate of incorporation so as to become a stock and mutual company; provided, that no such amendment shall deprive any stockholder or member or policyholder of the right, at any and all meetings of stockholders and members or policyholders held thereafter, to cast as many votes for directors as are provided by the

certificate of incorporation in force at the time of the adoption of such amendment, or by the law in force at such time. No such amendment shall be construed to change the identity of the corporation and it shall thereafter continue to be governed by the laws applicable thereto at the time of such amendment and as amended hereafter and not inconsistent with sections 61A.33 to 61A.36, as well as those relating to the added characteristic of capital stock or mutuality which it shall have acquired by such amendment.

The certificate of incorporation of a stock and mutual life insurance company may be amended in any respect therein provided by section ~~300.45~~ 60A.07, subdivision 1d, in the manner therein provided. The certificate of incorporation of a stock and mutual life insurance company may also be amended in respect to any matter which an original certificate of incorporation of a stock and mutual life insurance company might lawfully have contained, or so as to vest in its board of directors authority to make and alter bylaws subject to the power of the stockholders and members to change or repeal such bylaws, by the affirmative vote, at a regular meeting of stockholders and members or at a special meeting of stockholders and members called for that expressly stated purpose by the board of directors which shall first have proposed the amendment and declared it to be advisable, of (1) a majority of the total number of votes to which all stockholders are entitled, and (2) at least one-fifth of the total number of votes to which all participating policyholder members are entitled, provided the proposed amendment does not receive the negative vote of more than five percent of the total number of votes to which all participating policyholder members are entitled. The certificate of incorporation of a stock and mutual life insurance company may also be amended so as to increase or decrease its capital stock, or so as to change the number and par value of the shares of its capital stock, or so as to limit or deny to stockholders the preemptive right to subscribe to any or all shares of stock which may be authorized to be thereafter issued, by a majority vote of all its shares but without the vote of its members, at a regular meeting or at a special meeting of stockholders called for that expressly stated purpose by the board of directors which shall first have proposed the amendment and declared it to be advisable and not adverse to or in conflict with the rights and interests of the members, provided that if the proposed amendment is to increase or decrease the capital stock or to change the number of the shares of the capital stock, the resolution specifying the proposed amendment and the certificate of amendment shall expressly provide (1) that the stockholders holding all its shares shall, at all meetings, be entitled to the same number of total votes after the amendment is adopted as they were entitled to before the amendment, and (2) that each stockholder shall, at all meetings, be entitled to a fraction of one vote for each share of stock held, the numerator of which fraction shall be the number of shares outstanding before the first such amendment is adopted and the denominator of which fraction shall be the number of shares outstanding. The resolution specifying the amendment shall be embraced in a certificate duly executed by its president and secretary, or other presiding and recording officers, under its corporate seal, and approved, filed, recorded, and published in the manner prescribed for the execution, approval, filing, recording, and publishing of an original certificate of incorporation.

Sec. 13. Minnesota Statutes 2004, section 61B.31, is amended to read:

61B.31 [INDEMNIFICATION.]

The association has authority to indemnify certain persons against certain expenses and liabilities as provided in section ~~300.083~~ 302A.521, including the power to purchase and maintain insurance on behalf of these persons as provided by section ~~300.083~~ 302A.521, subdivision 7. In applying section ~~300.083~~ 302A.521 for this purpose, the term "member insurers" shall be substituted for the terms "shareholders" and "stockholders" and the term "association" shall be substituted for the term "corporation."

Sec. 14. Minnesota Statutes 2004, section 67A.06, is amended to read:

67A.06 [POWERS OF CORPORATION.]

Every corporation formed under the provisions of sections 67A.01 to 67A.26, shall have power:

(1) to have succession by its corporate name for the time stated in its certificate of incorporation;



(2) to sue and be sued in any court;

(3) to have and use a common seal and alter the same at pleasure;

(4) to acquire, by purchase or otherwise, and to hold, enjoy, improve, lease, encumber, and convey all real and personal property necessary for the purpose of its organization, subject to such limitations as may be imposed by law or by its articles of incorporation;

(5) to elect or appoint in such manner as it may determine all necessary or proper officers, agents, boards, and committees, fix their compensation, and define their powers and duties;

(6) to make and amend consistently with law bylaws providing for the management of its property and the regulation and government of its affairs;

(7) to wind up and liquidate its business in the manner provided by chapter 60B; and

(8) to indemnify certain persons against expenses and liabilities as provided in section ~~300.083~~ 302A.521. In applying section ~~300.083~~ 302A.521 for this purpose, the term "members" shall be substituted for the terms "shareholders" and "stockholders."

Sec. 15. Minnesota Statutes 2004, section 67A.40, subdivision 3, is amended to read:

Subd. 3. [CORPORATE POWERS.] In addition to the powers conferred by sections 67A.40 to 67A.44, every such association shall have the power to reinsure any part or all of any risk or risks assumed by it, and every such association shall have the corporate powers which are granted to corporations under the general corporation laws of this state. Any such association having a surplus of at least \$300,000 may, at any regular meeting or at a special meeting called for that purpose, transform itself into a mutual insurance company by amending its articles of incorporation to provide for the doing of one or more of the kinds of business specified in section 60A.06, subdivision 1, clauses (1) to (14). Such transformed company shall be subject to the general corporation laws contained in chapter ~~300~~ 302A, and subject to the conditions and restrictions as to the kinds of insurance which may be combined by a like stock insurance company and to all restrictions contained in the laws of this state with reference to general mutual insurance companies transacting the same kinds of business. The bylaws may also provide for voting rights to be based on one vote for each policyholder, plus one vote for each \$100 of premium paid within 12 months prior to the meeting at which the votes are cast."

Page 25, line 9, delete "3" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the first semicolon, insert "60A.07, subdivision 1, by adding subdivisions; 60A.075, subdivision 6; 60A.077, subdivision 6; 60B.23; 61A.14, by adding a subdivision; 61A.35; 61A.36; 61B.31; 66A.01; 66A.02; 66A.03; 66A.06; 66A.07; 66A.08, subdivision 1; 67A.06; 67A.40, subdivision 3;"

Page 1, line 19, after "50;" insert "66A;"

Page 1, line 20, after the first semicolon, insert "60A.07, subdivision 8; 61A.32; 66A.04; 66A.05; 66A.075;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 1095, A bill for an act relating to motor vehicles; allowing special veterans license plates to be displayed on certain one-ton trucks; making clarifying changes; amending Minnesota Statutes 2004, section 168.123, subdivisions 1, 4.

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

The report was adopted.

Bradley from the Committee on Health Policy and Finance to which was referred:

H. F. No. 1104, A bill for an act relating to health; providing an exception to recreational camping area regulations for the State Fair; proposing coding for new law in Minnesota Statutes, chapter 327.

Reported the same back with the following amendments:

Page 1, line 22, after "LIVESTOCK" insert "AND MIDWAY"

Page 1, line 24, delete "has" and insert "displays"

Page 1, line 25, delete "livestock" and insert "exhibitor"

With the recommendation that when so amended the bill pass.

The report was adopted.

Smith from the Committee on Public Safety Policy and Finance to which was referred:

H. F. No. 1109, A bill for an act relating to public safety; reviving and reenacting the board of firefighting training and education.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs.

The report was adopted.

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

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.

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

The report was adopted.

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

H. F. No. 1406, A bill for an act relating to public safety; requiring life without release sentences for certain egregious first degree criminal sexual conduct offenses; requiring indeterminate life sentences for certain sex offenses; increasing statutory maximum sentences for sex offenses; establishing the Minnesota Sex Offender Review Board and providing its responsibilities, including release decisions, access to data, expedited rulemaking, and the applicability to it of contested case proceedings and the Open Meeting Law; directing the Sentencing Guidelines Commission to modify the sentencing guidelines; providing criminal penalties; modifying predatory offender registration and community notification requirements; requiring victim notification for commitment of persons with sexual psychopathic personalities and sexually dangerous persons under certain circumstances; providing registration requirements for persons without a primary address under the registry; providing for registration of offenders from other states and offenders released from federal facilities under the registry; expanding Department of Human Services access to the predatory offender registry; modifying the predatory offender registry law to require registered offenders to disclose to health care facilities, upon admittance, their status as a registered predatory offender, and to require local law enforcement to disclose a registrant's status to the administration of a health care facility if a registered offender is receiving inpatient care; removing the commissioner of human services' discretion to grant variances/set-asides for persons convicted of certain violent crimes; modifying the human services criminal background check law; establishing an ongoing Sex Offender Policy Board to develop uniform supervision and professional standards; requiring the committing court to review special review board recommendations with respect to discharge of psychopathic personalities, sexual psychopathic personalities, and sexually dangerous persons; amending Minnesota Statutes 2004, sections 13.851, by adding a subdivision; 13D.01, subdivision 2; 144.335, by adding a subdivision; 144A.135; 241.67, subdivision 3; 242.195, subdivision 1; 243.166; 243.167; 244.05, subdivisions 4, 5, 6, 7; 244.052, subdivisions 3, 4, by adding subdivisions; 245C.03, subdivision 1; 245C.15, subdivisions 1, 2, 3, 4; 245C.17, subdivisions 2, 3; 245C.21, subdivisions 3, 4; 245C.22, by adding a subdivision; 245C.23, subdivision 1; 245C.24, subdivisions 2, 3, 4, by adding a subdivision; 245C.30, subdivisions 1, 2; 246.13; 253B.02, subdivision 4a, by adding subdivisions; 253B.08, subdivision 2; 253B.18, subdivisions 4a, 5, by adding a subdivision; 299C.093; 609.108, subdivisions 3, 4, 7; 609.109, subdivisions 2, 5, 7; 609.117, subdivisions 1, 2; 609.1351; 609.2231, subdivision 3; 609.341, by adding subdivisions; 609.342, subdivisions 2, 3; 609.343, subdivisions 2, 3; 609.344, subdivisions 2, 3; 609.345, subdivisions 2, 3; 609.347; 609.3471; 609.348; 609.353; 609.485, subdivisions 2, 4; 617.23, subdivisions 2, 3; 626.556, subdivision 3; 626.557, subdivisions 12b, 14; 631.045; proposing coding for new law in Minnesota Statutes, chapters 243; 244; 609; repealing Minnesota Statutes 2004, sections 243.166, subdivisions 1, 8; 246.017, subdivision 1; 609.108, subdivision 2.

Reported the same back with the following amendments:

Page 17, line 8, delete "sections" and insert "section" and delete "and 244.0515 when proceeding under" and insert "to implement"

Page 17, line 14, delete "board" and insert "commissioner"

Page 17, line 32, delete "January 15, 2006" and insert "December 15, 2005"

Page 42, line 5, delete "February 1, 2006" and insert "December 15, 2005"

Page 58, line 6, after "facility" insert "for in-patient treatment"

Page 89, after line 7, insert:

"Sec. 2. Minnesota Statutes 2004, section 245C.13, subdivision 2, is amended to read:

Subd. 2. [DIRECT CONTACT PENDING COMPLETION OF BACKGROUND STUDY.] ~~Unless otherwise specified, the subject of a background study may have direct contact with persons served by a program after the background study form is mailed or submitted to the commissioner pending notification of the study results under section 245C.17. Prior to the commissioner's authorization of a notice of the study results under section 245C.17, or notice that a disqualification has been set aside under section 245C.23, or notice that a variance has been granted related to the individual under section 245C.30, the subject of a background study may not:~~

(1) be issued a license;

(2) live in the household where the licensed program will be provided;

(3) provide direct contact services to persons served by a program; or

(4) have access to persons receiving services if the background study was completed under section 245C.03, subdivision 1, paragraph (a), clause (2), (5), or (6), or 144.057, subdivision 1."

Page 96, delete lines 9 to 12, and insert:

"(c) If the commissioner determines under section 245C.16 that an individual studied does not pose a risk of harm that requires ~~continuous, direct supervision, the commissioner shall only notify the individual of the disqualification immediate removal, the individual shall be informed of the conditions under which the agency that initiated the background study may allow the individual to provide direct contact services as provided under subdivision 3."~~

Page 97, line 1, after "(2)" insert "before allowing the disqualified individual to provide direct contact services, the applicant, license holder, or other entity as provided in this chapter must: (i) obtain from the disqualified individual a copy of the individual's notice of disqualification from the commissioner that explains the reason for disqualification; (ii)"

Page 97, line 4, before the period, insert "; and (iii) assure that the disqualified individual requests reconsideration within 30 days of receipt of the notice of disqualification"

Page 97, delete lines 5 to 17, and insert:

"(d) If the commissioner determines under section 245C.16 that an individual studied does not pose a risk of harm that requires continuous, direct supervision, the commissioner shall ~~send the license holder a notice that more time is needed to complete the individual's background study~~ order the applicant, license holder, or other entities as provided in this chapter to: (1) immediately remove the individual studied from direct contact services; or (2) before allowing the disqualified individual to provide direct contact services, the applicant, license holder, or other entity as provided in this chapter must: (i) obtain from the disqualified individual a copy of the individual's notice of disqualification from the commissioner that explains the reason for disqualification; and (ii) assure that the disqualified individual requests reconsideration within 15 days of receipt of the notice of disqualification."

Page 101, line 36, after "individual's" insert "aiding and abetting," and after "attempt" insert a comma

Page 103, line 5, after "disqualifications" insert "as provided under this chapter and section 13.46"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 2, line 2, after the first semicolon, insert "245C.13, subdivision 2;"

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

The report was adopted.

Smith from the Committee on Public Safety Policy and Finance to which was referred:

S. F. No. 379, A bill for an act relating to courts; authorizing a retired court commissioner to be appointed to perform judicial duties in Ramsey County.

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

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 118, 307, 472, 487, 925, 1043, 1104 and 1240 were read for the second time.

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

The following House Files were introduced:

Ruth; Anderson, B.; Larson and Severson introduced:

H. F. No. 1549, A bill for an act relating to drivers' licenses; clarifying authority of commissioner of public safety to deny limited driver's license; amending Minnesota Statutes 2004, section 171.30, subdivision 1.

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

Ruth; Anderson, B.; Larson and Severson introduced:

H. F. No. 1550, A bill for an act relating to motor vehicles; abolishing provisions regulating motor bicycle rental businesses; repealing Minnesota Statutes 2004, sections 168.831, 168.832, 168.833, 168.834, 168.835, 168.836, and 168.837.

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

Holberg; Klinzing; Buesgens; Erickson; Emmer; Powell; DeLaForest; Seifert; Anderson, B.; Severson; Samuelson; Johnson, J.; Krinkie; Vandever; Gazelka; Kohls; Charron; Zellers; Blaine and Dean introduced:

H. F. No. 1551, A bill for an act relating to education; establishing notice requirements for student surveys and similar instruments; proposing coding for new law in Minnesota Statutes, chapter 121A.

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

Magnus, Dill, Urdahl, Simpson, Heidgerken, Marquart, Gunther and Nornes introduced:

H. F. No. 1552, A bill for an act relating to education finance; modifying the transportation sparsity formula; appropriating money; amending Minnesota Statutes 2004, section 126C.10, subdivision 18.

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

Sykora, Erickson, Charron, Demmer, Wardlow and Severson introduced:

H. F. No. 1553, A bill for an act relating to taxation; income; allowing a credit for contributions to scholarship granting organizations; amending Minnesota Statutes 2004, sections 13.32, by adding a subdivision; 290.01, subdivisions 19a, 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Opatz, Nornes, Ruud and Fritz introduced:

H. F. No. 1554, A bill for an act relating to higher education; providing assistance to expand the supply of trained nurses; creating a nursing education loan program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Powell, Tingelstad, Abeler and Huntley introduced:

H. F. No. 1555, A bill for an act relating to health; modifying the Minnesota Emergency Health Powers Act; modifying authority of out-of-state license holders; amending Minnesota Statutes 2004, sections 12.03, subdivision 4d, by adding a subdivision; 12.22, subdivision 2a, by adding a subdivision; 12.31, subdivision 1; 12.32; 12.34, subdivision 1; 12.381; 12.39; 12.42; 13.3806, subdivision 1a; Laws 2002, chapter 402, section 21, as amended; proposing coding for new law in Minnesota Statutes, chapter 12.

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

Huntley introduced:

H. F. No. 1556, A bill for an act relating to health; modifying medical education funding provisions; amending Minnesota Statutes 2004, section 62J.692, subdivisions 3, 4, 7.

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

Hilty and Murphy introduced:

H. F. No. 1557, A bill for an act relating to human services; providing a rate increase for a nursing facility in Carlton County having completed an approved total replacement; appropriating money; amending Minnesota Statutes 2004, section 256B.431, subdivision 17f.

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

Hilty introduced:

H. F. No. 1558, A bill for an act relating to retirement; authorizing purchase of service credit in the Minnesota State Retirement System.

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

Urdahl, Newman and Hosch introduced:

H. F. No. 1559, A bill for an act relating to human services; placing nursing facilities in the county of Meeker into a different geographic group; amending Minnesota Statutes 2004, section 256B.431, subdivision 2b.

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

Heidgerken; Davids; Urdahl; Marquart; Peterson, A.; Blaine; Westrom; Dorman; Penas; Moe; Dill; Lieder; Eken; Solberg; Juhnke; Koenen; Welti; Simpson; Nornes; Cornish; Demmer; Lanning; Newman; Magnus; Hamilton; Erickson and Hosch introduced:

H. F. No. 1560, A bill for an act relating to agriculture; defining terms; requiring certain payments; establishing a base funding level for rural economic development including ethanol producer payments; amending Minnesota Statutes 2004, section 41A.09, subdivisions 2a, 3a.

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

Peterson, A.; Koenen; Sailer; Thissen; Wagenius; Hornstein; Johnson, R.; Kelliher; Murphy; Johnson, S.; Lieder; Hausman; Hilty; Loeffler; Marquart; Dittrich; Moe; Mariani; Lenczewski and Scalze introduced:

H. F. No. 1561, A bill for an act relating to energy; establishing goal of wind power usage at 20 percent by 2020; establishing wind energy conversion system loan guarantee program; amending Minnesota Statutes 2004, section 216B.1691, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Ellison and Meslow introduced:

H. F. No. 1562, A bill for an act relating to public safety; requiring the commissioner of public safety to determine whether hunting licensees are ineligible to possess a firearm and, if so, to notify specified governmental officials; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Vandever; Westerberg; Dean; Krinkie; Abeler; Nelson, P., and Goodwin introduced:

H. F. No. 1563, A bill for an act relating to education finance; proposing a uniform increase in the basic general education revenue amounts; authorizing a uniform school levy; amending Minnesota Statutes 2004, sections 126C.10, subdivision 2; 126C.13, by adding subdivisions.

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

Erhardt; Hausman; Tingelstad; Loeffler; Howes; Dill; Abeler; Ellison; Mahoney; Kahn; Kelliher; Powell; Koenen; Zellers; Brod; Otremba; Solberg; Simon; Thissen; Johnson, S.; Juhnke; Magnus; Davids; Gunther and Peterson, A., introduced:

H. F. No. 1564, A bill for an act relating to capital improvements; appropriating money for identification, removal, and replacement of diseased shade trees; authorizing the sale and issuance of state bonds.

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

Paymar; Hornstein; Johnson, S., and Liebling introduced:

H. F. No. 1565, A bill for an act relating to energy; granting the legislature authority to approve expenditures from the renewable development account; granting the legislature authority to approve nuclear fuel storage facilities; amending Minnesota Statutes 2004, sections 116C.779, subdivision 1; 116C.83, subdivision 2; 216B.243, subdivisions 3b, 8; repealing Minnesota Statutes 2004, section 116C.83, subdivision 3.

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

Ellison introduced:

H. F. No. 1566, A bill for an act relating to elections; allowing campaign workers access to multiple unit dwellings unaccompanied by a candidate; amending Minnesota Statutes 2004, section 211B.20, subdivision 1.

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



Ellison introduced:

H. F. No. 1567, A bill for an act relating to elections; moving the state primary from September to June and making conforming changes; amending Minnesota Statutes 2004, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 204B.33; 204D.03, subdivision 1; 205.065, subdivision 1; 205A.03, subdivision 2.

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

Meslow; Abrams; Sieben; Gunther; Hilstrom; Lieder; Zellers; Eastlund; Soderstrom; Johnson, J.; Ruth; Paymar; Ellison; Nelson, M.; Cornish; Larson; Cox; Nelson, P., and Cybart introduced:

H. F. No. 1568, A bill for an act relating to crimes; authorizing a \$1 assessment fee on state identification cards and drivers' licenses to fund the Minnesota Financial Crimes Task Force; providing for the organization of regional districts; amending Minnesota Statutes 2004, section 299A.68, subdivisions 4, 6a, by adding subdivisions.

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

Sertich; Mahoney; Abeler; Cox; Westerberg; Nornes; Nelson, M.; Fritz and Hilty introduced:

H. F. No. 1569, A bill for an act relating to human services; appropriating money for community action grants.

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

Huntley introduced:

H. F. No. 1570, A bill for an act relating to gambling; providing revenue to hospitals from the operation of gaming machines in licensed hospitals under contracts with the state lottery; amending Minnesota Statutes 2004, sections 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A.

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

Emmer, Newman, DeLaForest, Kohls and Thissen introduced:

H. F. No. 1571, A bill for an act relating to civil actions; providing for the effect of a settlement offer on the recovery of costs and disbursements; proposing coding for new law in Minnesota Statutes, chapter 548.

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

Meslow, Latz, Simon, Erickson and Demmer introduced:

H. F. No. 1572, A bill for an act relating to education; authorizing a task force to study the delivery and funding of special education.

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

Krinkie; Cybart; Westerberg; Anderson, B.; Holberg and Soderstrom introduced:

H. F. No. 1573, A bill for an act relating to transportation; requiring deactivation of 100 access ramp meters in metropolitan area.

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

Samuelson, Abeler, Powell, Eken and Thissen introduced:

H. F. No. 1574, A bill for an act relating to health; increasing reimbursement rates for certain home care services; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Brod; Eastlund; Nelson, P.; Anderson, B., and Severson introduced:

H. F. No. 1575, A bill for an act relating to the military; clarifying statutes pertaining to the accumulation of vacation and sick leave by public officers and employees while on military leave and upon reinstatement in public office or employment; authorizing payment for some or all of the accumulated leave; amending Minnesota Statutes 2004, sections 192.261, subdivision 2; 471.975.

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

Erickson introduced:

H. F. No. 1576, A bill for an act relating to education; establishing an alternative teacher training program for qualified professionals; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Erickson introduced:

H. F. No. 1577, A bill for an act relating to education finance; modifying the tax base used to calculate debt service levies; amending Minnesota Statutes 2004, sections 123B.53, subdivision 5; 126C.01, by adding a subdivision; 127A.48, by adding a subdivision; 273.11, subdivision 1a.

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

Liebling; Tingelstad; Poppe; Hilstrom; Otremba; Fritz; Loeffler; Johnson, R.; Wagenius; Welti; Murphy and Clark introduced:

H. F. No. 1578, A bill for an act relating to spousal maintenance; authorizing the Department of Human Services to collect spousal maintenance; amending Minnesota Statutes 2004, sections 518.54, subdivision 4a; 518.551, subdivision 1.

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

Westrom, Gunther and Atkins introduced:

H. F. No. 1579, A bill for an act relating to telecommunications; providing for standardized provider contracts; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Westrom, Thissen, Hoppe and Simpson introduced:

H. F. No. 1580, A bill for an act relating to telecommunications; providing for a combined per number fee; amending Minnesota Statutes 2004, section 403.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 2004, sections 237.295, subdivisions 1, 2, 3, 4; 237.49; 237.52, subdivisions 2, 3; 237.70, subdivision 6; 403.113, subdivision 1.

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

Smith introduced:

H. F. No. 1581, A bill for an act relating to state lands; authorizing the conveyance of certain tax-forfeited land that borders public water in Hennepin County; authorizing the sale or conveyance to governmental subdivisions for authorized public use of certain state lands pursuant to Minnesota Statutes, section 282.01.

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

Meslow introduced:

H. F. No. 1582, A bill for an act relating to taxation; requiring a payment to the city of White Bear Lake; appropriating money.

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

Meslow introduced:

H. F. No. 1583, A bill for an act relating to consumer protection; regulating membership travel contracts; amending Minnesota Statutes 2004, sections 325G.50; 325G.505, subdivision 3; 325G.51; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Mullery, Clark and Walker introduced:

H. F. No. 1584, A bill for an act relating to taxation; property; extending the limited market value provisions for five additional years for certain property; providing different limited market value maximum increases based on a property's market value; excluding certain property from the limitation; amending Minnesota Statutes 2004, section 273.11, subdivision 1a.

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

Olson and Mariani introduced:

H. F. No. 1585, A bill for an act relating to housing; providing certain manufactured home park exclusions; amending Minnesota Statutes 2004, section 327.23, by adding a subdivision.

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

Lanning, Mariani, Cox, Paulsen and Johnson, R., introduced:

H. F. No. 1586, A bill for an act relating to higher education; regulating the state grant program; amending Minnesota Statutes 2004, section 136A.121, subdivisions 5, 6, 9.

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

Buesgens and Erickson introduced:

H. F. No. 1587, A bill for an act relating to education; providing for assessment of student growth in academic achievement over time; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

Scalze, Goodwin and Johnson, S., introduced:

H. F. No. 1588, A bill for an act relating to taxation; increasing cigarette and tobacco taxes; repealing health care provider tax; dedicating a portion of the tax increases to health care access fund; amending Minnesota Statutes 2004, sections 13.4963, subdivision 2; 62J.041, subdivision 1; 62Q.095, subdivision 6; 214.16, subdivisions 2, 3; 270B.14, subdivision 1; 297F.05, subdivisions 1, 3, 4; 297F.10; repealing Minnesota Statutes 2004, sections 13.4967, subdivision 3; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.581; 295.582; 295.59.

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

Scalze; Dittrich; Simon; Slawik; Paymar; Johnson, S.; Ruud and Clark introduced:

H. F. No. 1589, A bill for an act relating to health; establishing a prescription drug bulk purchasing program; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Magnus, Larson, Lenczewski, Gunther, Simpson, Seifert, Hamilton, Tingelstad, Hortman and Westerberg introduced:

H. F. No. 1590, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 7; article XIV, section 10, by adding a section; imposing certain requirements on future bonding bills, allocating revenue from motor vehicle sales tax, and increasing and modifying use of motor fuel tax; imposing requirements on expenditure of certain federal funds; authorizing issuance of \$750,000,000 in state trunk highway bonds; dedicating

bond proceeds and state share of motor fuel tax increase to designated major transportation projects; creating right-of-way advance acquisition loan account in transportation revolving loan fund; requiring pilot projects, studies, and reports on municipal consent, wetland mitigation, environmental involvement, environmental permitting, performance-based highway contract specification, commodity corridors, transit efficiencies, and highway jurisdiction; authorizing state agencies to be designated as charter agencies; appropriating money; amending Minnesota Statutes 2004, sections 161.04, by adding a subdivision; 161.23, subdivision 5; 297B.09, subdivision 1; 446A.085, subdivisions 3, 8, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; 161; 174.

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

Larson introduced:

H. F. No. 1591, A bill for an act relating to metropolitan government; providing for the elimination of the Metropolitan Airports Commission; requiring the Department of Transportation to propose a process for assumption of the commission's responsibilities.

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

Westrom introduced:

H. F. No. 1592, A bill for an act relating to energy; allowing Public Utilities Commission to develop financial incentives for utilities to encourage community-based generation projects; providing price incentives to encourage purchase of renewable energy; requiring utilities to consider using community-based generation projects to address transmission inadequacies; requiring reliability administrator to conduct interconnection studies at request of community-based generation projects; amending Minnesota Statutes 2004, sections 216B.1611, subdivision 2; 216B.169, subdivision 2; 216B.2411, subdivision 1; 216B.2425, subdivision 2; 216C.052, subdivision 1.

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

Emmer, Wardlow and Severson introduced:

H. F. No. 1593, A bill for an act relating to elections; campaign finance; imposing a certain payment on a candidate who does not agree to be bound by spending limits; providing for deposit of the payment in the state elections campaign fund; amending Minnesota Statutes, section 10A.25, subdivision 10.

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

Eken, Abeler, Lanning, Samuelson, Marquart, Lieder, Huntley, Moe, Sailer and Penas introduced:

H. F. No. 1594, A bill for an act relating to respiratory therapists; providing recognition for the practice of respiratory therapy in emergency situations; amending Minnesota Statutes 2004, section 147C.05.

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

Emmer introduced:

H. F. No. 1595, A bill for an act relating to Hennepin and Wright Counties; authorizing the Hennepin County Board and the Wright County Board to initiate a process for the change of county boundaries by resolution.

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

Emmer, Urdahl and Dean introduced:

H. F. No. 1596, A bill for an act relating to elections; changing provisions governing certain conduct in or near polling places; changing certain election day prohibitions; amending Minnesota Statutes 2004, sections 204C.06, subdivision 1; 211B.11, subdivision 1.

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

Sertich; Dill; Solberg; Anderson, I., and Rukavina introduced:

H. F. No. 1597, A bill for an act relating to education finance; allowing school districts to levy for all-day kindergarten; proposing coding for new law in Minnesota Statutes, chapter 126C.

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

Sertich; Anderson, I.; Solberg; Dill and Rukavina introduced:

H. F. No. 1598, A bill for an act relating to education finance; modifying the qualifications for the alternative facilities bonding program; amending Minnesota Statutes 2004, section 123B.59, subdivision 1.

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

Rukavina, Sertich, Solberg, Dill and Anderson, I., introduced:

H. F. No. 1599, A bill for an act relating to education finance; allowing school districts to levy for health care costs; amending Minnesota Statutes 2004, section 126C.41, by adding a subdivision.

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

Solberg; Anderson, I.; Dill; Rukavina and Sertich introduced:

H. F. No. 1600, A bill for an act relating to education; allowing school districts to levy for school bus purchases; proposing coding for new law in Minnesota Statutes, chapter 126C.

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

Ozment; Anderson, I.; Abrams; Murphy and Huntley introduced:

H. F. No. 1601, A bill for an act relating to economic development; appropriating money to promote foreign trade.

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

Smith introduced:

H. F. No. 1602, A bill for an act relating to sentencing; establishing procedures to determine if an upward durational departure sentence is warranted; providing a Blakely hearing to determine if a departure sentence should be decided at the guilt phase of a jury by special interrogatory or in a separate hearing; requiring notice, jury determinations beyond a reasonable doubt on the departure issue, and court findings; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Slawik introduced:

H. F. No. 1603, A bill for an act relating to retirement; authorizing the Maplewood Firefighters Relief Association to transfer assets to the Oakdale Firefighters Relief Association to cover service credits earned by certain individuals.

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

Hoppe introduced:

H. F. No. 1604, A bill for an act relating to motor vehicles; directing commissioner of public safety to appoint the Carver County auditor as a deputy motor vehicle registrar.

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

Hackbarth, Howes and Dill introduced:

H. F. No. 1605, A bill for an act relating to natural resources; modifying snowmobile state trail sticker provisions; providing for payment of trail maintenance costs; providing for trail easement acquisition; appropriating money; amending Minnesota Statutes 2004, sections 84.8205, subdivision 1; 84.83, by adding subdivisions.

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

Smith introduced:

H. F. No. 1606, A bill for an act relating to corrections; repealing the law requiring collection of data on interstate offenders; repealing Minnesota Statutes 2004, section 243.162.

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

Smith introduced:

H. F. No. 1607, A bill for an act relating to corrections; authorizing the commissioner of corrections to appoint individuals to the Advisory Council on Interstate Adult Offender Supervision; amending Minnesota Statutes 2004, section 243.1606, subdivision 1.

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

Cox introduced:

H. F. No. 1608, A bill for an act relating to public utilities; authorizing district court to hear appeals of lesser utility fines; amending Minnesota Statutes 2004, section 216D.08, subdivision 1.

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

Lesch, Eastlund, Soderstrom, Ellison, Krinkie and Howes introduced:

H. F. No. 1609, A bill for an act relating to public safety; changing criminal sentencing for certain controlled substance possessors; authorizing expungement of conviction records for certain controlled substance possessors; adjusting the terms of imprisonment for certain controlled substance offenders; appropriating money; amending Minnesota Statutes 2004, sections 609A.02, by adding a subdivision; 609A.03, subdivision 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 152; 244.

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

Goodwin, Abeler, Otremba, Thissen and Huntley introduced:

H. F. No. 1610, A bill for an act relating to health; requiring patients' consent to transmit medical records out of the country; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Lanning, Dorman, Marquart, Lenczewski, Simpson and Moe introduced:

H. F. No. 1611, A bill for an act relating to taxation; providing a tax credit for qualifying affordable housing contributions; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Hamilton; Blaine; Magnus; Penas; Johnson, R.; Koenen; Heidgerken; Welti; Juhnke; Urdahl and Cornish introduced:

H. F. No. 1612, A bill for an act relating to highways; requiring Department of Transportation to indicate on specific service signs those businesses that sell E85 at retail; amending Minnesota Statutes 2004, section 160.294, subdivision 1a.

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



Lesch, Hausman, Paymar, Mahoney, Mariani, Thao and Johnson, S., introduced:

H. F. No. 1613, A bill for an act relating to the city of St. Paul; authorizing the Housing and Redevelopment Authority to establish tax increment financing subdistricts.

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

Olson and Erickson introduced:

H. F. No. 1614, A bill for an act relating to certain small electric generators; extending net energy billing provisions to electricity generated from livestock manure; amending Minnesota Statutes 2004, section 216B.164, subdivisions 3, 4.

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

Smith, Thissen, Ozment, Murphy and Wardlow introduced:

H. F. No. 1615, A bill for an act relating to retirement; consolidating the Minneapolis Teachers Retirement Fund Association coordinated program with the Teachers Retirement Association; authorizing the issuance of revenue bonds; appropriating money; amending Minnesota Statutes 2004, sections 354.05, subdivisions 2, 13; 354.42, subdivisions 2, 3; 354A.12, subdivision 3b; 354A.23, by adding a subdivision; 423A.02, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapters 128D; 354; repealing Minnesota Statutes 2004, section 354A.28.

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

DeLaForest introduced:

H. F. No. 1616, A bill for an act relating to family law; marriage dissolution; modifying the grounds for dissolution; providing a waiting period for certain dissolutions; amending Minnesota Statutes 2004, sections 518.06, subdivision 1; 518.145, subdivision 1.

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

Finstad introduced:

H. F. No. 1617, A bill for an act relating to capital improvements; appropriating money for a waste-to-energy and material recycling facility in the county of Redwood; authorizing the sale and issuance of state bonds.

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

Thissen, Paulsen, Holberg, Urdahl and Heidgerken introduced:

H. F. No. 1618, A bill for an act relating to eminent domain; changing certain attorney fee requirements and provisions for taking for public purposes; amending Minnesota Statutes 2004, sections 117.036, by adding a subdivision; 117.075.

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

Dean introduced:

H. F. No. 1619, A bill for an act relating to health; modifying the Health Care Administrative Simplification Act of 1994; modifying requirements of federal Drug Enforcement Administration registration numbers; modifying provisions for wells, borings, and underground uses; modifying requirements for filing and issuing death records; modifying provisions for disposition of dead bodies; eliminating authority to designate certain morticians; amending Minnesota Statutes 2004, sections 62J.51, subdivisions 17, 18; 62J.52, subdivisions 1, 2, 5; 62J.54, subdivisions 1, 2; 62J.581, subdivision 5; 103I.005, subdivisions 4a, 6, 7, 10, 12, by adding subdivisions; 103I.101, subdivisions 2, 5; 103I.105; 103I.111, subdivisions 1, 3; 103I.115; 103I.205, subdivisions 4, 9; 103I.208, subdivisions 1, 2; 103I.231; 103I.325, subdivision 2; 103I.345, subdivision 2; 103I.401; 103I.501; 103I.505; 103I.525, subdivisions 1, 2, 4, 5, 8, by adding a subdivision; 103I.531, subdivisions 1, 2, 4, 5, 8, by adding a subdivision; 103I.535, subdivisions 1, 2, 4, 5, 7, 8, 9, by adding a subdivision; 103I.541; 103I.545, subdivision 2; 103I.601, subdivisions 4, 9; 144.221, subdivision 1; 144.225, subdivision 7; 149A.93, subdivisions 1, 2, 3, 4, 5; 149A.94, subdivision 3; 149A.96, subdivisions 1, 4, 7; Laws 1998, chapter 316, section 4; repealing Minnesota Statutes 2004, sections 103I.005, subdivision 13; 103I.222; 144.214, subdivision 4.

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

Koenen, Heidgerken, Welti, Magnus, Penas, Blaine, Juhnke, Otremba, Finstad, Hamilton, Moe and Davids introduced:

H. F. No. 1620, A bill for an act relating to agriculture; excluding noninvasive floating of horses' teeth from the definition of veterinary medicine practice; amending Minnesota Statutes 2004, section 156.12, subdivision 1.

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

Koenen, Heidgerken, Welti, Magnus, Penas, Blaine, Juhnke, Otremba, Finstad, Hamilton, Moe and Davids introduced:

H. F. No. 1621, A bill for an act relating to auctioneers; modifying auctioneer license numbering requirements for county auditors; amending Minnesota Statutes 2004, sections 330.01, subdivision 1; 330.08.

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

Davids introduced:

H. F. No. 1622, A bill for an act relating to game and fish; requiring a special hunt in Beaver Creek Valley State Park; amending Minnesota Statutes 2004, section 97A.401, subdivision 4.

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

Davids introduced:

H. F. No. 1623, A bill for an act relating to tourism; requiring increased hours for the Dresbach Visitor Information Center.

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

Davids introduced:

H. F. No. 1624, A bill for an act relating to taxation; tax increment financing; allowing a tax increment financing district in the city of Preston to capture the state general tax.

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

Davids introduced:

H. F. No. 1625, A bill for an act relating to insurance; directing the commissioner of commerce to communicate to federal authorities this state's desire for federal law changes to facilitate the use of long-term care insurance in conjunction with a long-term care partnership program.

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

Davids introduced:

H. F. No. 1626, A bill for an act relating to natural resources; requiring availability of camping facilities in Beaver Creek Valley State Park; amending Minnesota Statutes 2004, section 85.052, by adding a subdivision.

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

Atkins introduced:

H. F. No. 1627, A bill for an act relating to human services; authorizing a project to downsize an existing 14-bed facility for persons with developmental disabilities; amending Minnesota Statutes 2004, section 252.28, by adding a subdivision.

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

### **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. 378, A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2004, sections 4.077, subdivision 1;

10A.04, subdivision 6; 13.32, subdivision 3; 13.321, by adding a subdivision; 13.381, by adding a subdivision; 13.46, subdivision 2; 13.47, subdivision 1; 13.4963, subdivision 2; 15.0591, subdivision 2; 15.39, subdivision 2; 16B.31, subdivision 1; 17.43; 18C.60, subdivision 1; 28.15; 32.645; 47.59, subdivision 2; 62I.13, subdivision 3; 62L.17, subdivision 2a; 64B.37, subdivision 2; 82.33, subdivision 4; 84.8712, subdivisions 2, 3, 4, 6; 85.22, subdivision 2a; 89.01, subdivision 5a; 115B.20, subdivision 2; 116J.871, subdivision 3; 119B.25, subdivision 2; 124D.68, subdivision 2; 127A.10; 137.09; 144.6501, subdivision 1; 145B.04; 152.027, subdivision 4; 155A.03, subdivision 1; 155A.16; 161.1419, subdivision 8; 168.275; 168.33, subdivision 2a; 169.21, subdivision 2; 169.50, subdivision 1; 169.59, subdivision 4; 169A.55, subdivision 3; 171.181, subdivision 1; 177.23, subdivision 7; 181.30; 201.014, subdivision 2; 201.071, subdivision 1; 201.15, subdivision 1; 204B.10, subdivision 6; 216B.61; 219.57, subdivision 6; 234.23; 235.10; 235.13; 237.763; 238.37; 238.38; 238.42; 239.791, subdivision 15; 244.05, subdivisions 4, 5; 245.466, subdivision 1; 245.4875, subdivision 1; 245.75; 246.01; 246B.04, subdivision 2; 252.24, subdivision 5; 252A.03, subdivisions 1, 4; 252A.101, subdivisions 1, 5; 253B.23, subdivision 2; 256.93, subdivision 1; 256B.055, subdivision 12; 256B.0625, subdivision 6a; 256B.0627, subdivisions 1, 5; 256B.0917, subdivisions 4, 5; 256B.0951, subdivision 8; 256B.431, subdivision 14; 256G.01, subdivision 3; 256L.07, subdivision 1; 256L.15, subdivision 2; 256M.10, subdivision 5; 257B.08; 259.21, subdivision 4; 260B.007, subdivision 16; 260C.101, subdivision 2; 276.04, subdivision 2; 290.095, subdivision 1; 299D.07; 299F.051, subdivision 4; 299F.093, subdivision 1; 302A.011, subdivision 16; 303.03; 303.25, subdivision 1; 321.0210; 321.1114; 322B.03, subdivision 27; 325F.40; 325N.15; 329.17; 333.135; 336.4A-105; 343.40, subdivision 3; 345.14; 346.05; 353.01, subdivision 2; 353.34, subdivision 3a; 356.431, subdivision 1; 395.22; 458D.02, subdivision 2; 469.104; 473.845, subdivision 1; 481.05; 501B.18; 501B.19; 514.996, subdivision 3; 515B.4-102; 524.2-114; 525.9212; 525.95, subdivision 1; 527.38; 527.39; 529.12; 540.18, subdivision 1; 580.041, subdivision 2; 624.64; 624.67; 626.84, subdivision 1; 629.11; 631.04; Laws 2003, First Special Session chapter 11, article 2, section 21; Laws 2004, chapter 199, article 12, section 108; Laws 2004, chapter 261, article 6, section 5; repealing Minnesota Statutes 2004, sections 115B.49, subdivision 4a; 306.13; 315.43; 317A.909, subdivision 4; 357.12; 367.40, subdivisions 3, 4; 367.401, subdivision 4; 367.42; 398.35, subdivision 2; Laws 2001, First Special Session chapter 10, article 10, section 1; Laws 2003, chapter 8, section 2; Laws 2004, chapter 219, section 1; Laws 2004, chapter 288, article 3, section 5; Minnesota Rules, parts 6700.0100, subpart 14; 6700.1300; 9055.0125; 9055.0500; 9055.0510; 9055.0520; 9055.0530; 9055.0540; 9055.0550; 9055.0560; 9055.0570; 9055.0580; 9055.0590; 9055.0600; 9055.0610.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 871, A bill for an act relating to state government; authorizing participation of day training and habilitation services providers in state cooperative purchasing agreements; including certain rehabilitation facilities, extended employment providers, and day training and habilitation services providers in the state agency acquisition process; amending Minnesota Statutes 2004, sections 16C.10, subdivision 5; 471.59, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 51, 1116, 244, 271, 367, 607, 718, 735, 879 and 1031.

PATRICK E. FLAHAVEN, Secretary of the Senate

The Speaker called Abrams to the Chair.

### **FIRST READING OF SENATE BILLS**

S. F. No. 51, A bill for an act relating to public safety; scheduling ephedrine and pseudoephedrine products as Schedule V controlled substances; regulating the sale of methamphetamine precursor drugs; requiring prescriptions from veterinarians for products for animals containing ephedrine or pseudoephedrine; requiring the commissioner of public safety to develop a plan for implementation of a centralized computer to enable pharmacies to carry out imposed duties; providing criminal penalties; amending Minnesota Statutes 2004, sections 152.02, subdivision 6; 152.027, subdivisions 1, 2; 152.135, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 35.

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

S. F. No. 1116, A bill for an act relating to natural resources; requiring lifejackets for children aboard watercraft; amending Minnesota Statutes 2004, section 86B.501, by adding a subdivision.

The bill was read for the first time.

Samuelson moved that S. F. No. 1116 and H. F. No. 590, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 244, A bill for an act relating to education; providing for consecutive teaching experience for a teacher whose probationary employment is interrupted by military service; amending Minnesota Statutes 2004, section 122A.40, subdivision 5.

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

S. F. No. 271, A bill for an act relating to health; modifying access to certified death records; amending Minnesota Statutes 2004, section 144.225, subdivision 7.

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

S. F. No. 367, A bill for an act relating to education; requiring notice when a school or district uses certain pools for competitive high school diving; amending Minnesota Statutes 2004, section 123B.492.

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

S. F. No. 607, A bill for an act relating to criminal justice; defining collateral sanctions; requiring the revisor of statutes to create a new statutory chapter containing cross-references to collateral sanction laws located throughout Minnesota Statutes.

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

S. F. No. 718, A bill for an act relating to health; authorizing an additional hospital accrediting organization for presumptive licensure purposes; amending Minnesota Statutes 2004, sections 144.122; 144.55, subdivisions 2, 4, 5.

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

S. F. No. 735, A bill for an act relating to highways; designating the "Bradley Waage Memorial Bridge"; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

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

S. F. No. 879, A bill for an act relating to elections; providing for elimination of the state primary in a municipality or county if no nominee must be selected at the state primary for any partisan or nonpartisan office in that municipality or county; amending Minnesota Statutes 2004, section 204D.03, subdivision 1.

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

S. F. No. 1031, A bill for an act relating to health; providing an exception to recreational camping area regulations for the State Fair; proposing coding for new law in Minnesota Statutes, chapter 327.

The bill was read for the first time.

Seifert moved that S. F. No. 1031 and H. F. No. 1104, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSENT CALENDAR

H. F. No. 426, A bill for an act relating to agriculture; extending and codifying the expiration date of the farmer-lender mediation program; proposing coding for new law in Minnesota Statutes, chapter 583; repealing Laws 1986, chapter 398, article 1, section 18, as amended.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Buesgens	DeLaForest	Emmer	Gunther	Hornstein
Abrams	Carlson	Demmer	Entenza	Hackbarth	Hortman
Anderson, B.	Charron	Dempsey	Erhardt	Hamilton	Hosch
Anderson, I.	Clark	Dill	Erickson	Hansen	Howes
Atkins	Cornish	Dittrich	Finstad	Hausman	Huntley
Beard	Cox	Dorman	Fritz	Heidgerken	Jaros
Bernardy	Cybart	Dorn	Garofalo	Hilstrom	Johnson, J.
Blaine	Davids	Eastlund	Gazelka	Hilty	Johnson, R.
Bradley	Davnie	Eken	Goodwin	Holberg	Johnson, S.
Brod	Dean	Ellison	Greiling	Hoppe	Juhnke

Kahn	Lieder	Nelson, P.	Peterson, N.	Sieben	Wagenius
Kelliher	Lillie	Newman	Peterson, S.	Simon	Walker
Klinzing	Loeffler	Nornes	Poppe	Simpson	Wardlow
Knoblach	Magnus	Olson	Powell	Slawik	Welti
Koenen	Mahoney	Opatz	Rukavina	Smith	Westerberg
Kohls	Mariani	Otremba	Ruth	Soderstrom	Westrom
Krinkie	Marquart	Ozment	Ruud	Solberg	Wilkin
Lanning	McNamara	Paulsen	Sailer	Sykora	Zellers
Larson	Meslow	Paymar	Samuelson	Thao	Spk. Sviggum
Latz	Moe	Pelowski	Scalze	Thissen	
Lenczewski	Mullery	Penas	Seifert	Tingelstad	
Lesch	Murphy	Peppin	Sertich	Urdahl	
Liebling	Nelson, M.	Peterson, A.	Severson	Vandevээр	

The bill was passed and its title agreed to.

H. F. No. 933, A bill for an act relating to motor vehicles; recodifying the Motor Vehicle Retail Installment Sales Act.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 518, A bill for an act relating to Hennepin County; eliminating duplicate campaign finance filings; making other technical changes to the county campaign finance provisions; amending Minnesota Statutes 2004, sections 383B.042, subdivisions 13, 14, 16; 383B.046; 383B.047; 383B.048; 383B.049; 383B.05; 383B.053, subdivision 1.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

## MOTIONS AND RESOLUTIONS

Greiling moved that the name of Sieben be added as an author on H. F. No. 148. The motion prevailed.

Slawik moved that the name of Sieben be added as an author on H. F. No. 264. The motion prevailed.

Westerberg moved that the name of Hortman be added as an author on H. F. No. 372. The motion prevailed.

Demmer moved that his name be stricken as an author on H. F. No. 564. The motion prevailed.

Sykora moved that the name of Dittrich be added as an author on H. F. No. 710. The motion prevailed.



Bradley moved that the names of Demmer and Ruth be added as authors on H. F. No. 775. The motion prevailed.

Mahoney moved that the name of Sieben be added as an author on H. F. No. 779. The motion prevailed.

Greiling moved that the name of Sieben be added as an author on H. F. No. 827. The motion prevailed.

Beard moved that the name of Carlson be added as an author on H. F. No. 914. The motion prevailed.

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

Hansen moved that the name of Sieben be added as an author on H. F. No. 1019. The motion prevailed.

Smith moved that the names of Scalze and Hortman be added as authors on H. F. No. 1109. The motion prevailed.

Dill moved that his name be stricken as an author on H. F. No. 1172. The motion prevailed.

Eken moved that his name be stricken as an author on H. F. No. 1172. The motion prevailed.

Meslow moved that the names of Sieben, Magnus and Ruud be added as authors on H. F. No. 1183. The motion prevailed.

Abeler moved that the name of Hortman be added as an author on H. F. No. 1283. The motion prevailed.

Huntley moved that the name of Magnus be added as an author on H. F. No. 1336. The motion prevailed.

Cox moved that the names of Scalze and Ruud be added as authors on H. F. No. 1391. The motion prevailed.

Davnie moved that the name of Hortman be added as an author on H. F. No. 1410. The motion prevailed.

Sykora moved that the name of Slawik be added as an author on H. F. No. 1419. The motion prevailed.

Smith moved that the name of Blaine be added as an author on H. F. No. 1423. The motion prevailed.

Mariani moved that the name of Mahoney be added as an author on H. F. No. 1426. The motion prevailed.

Dittrich moved that the names of Westerberg and Sieben be added as authors on H. F. No. 1429. The motion prevailed.

Dittrich moved that the name of Westerberg be added as an author on H. F. No. 1432. The motion prevailed.

Dittrich moved that the name of Westerberg be added as an author on H. F. No. 1434. The motion prevailed.

Smith moved that the name of Mahoney be added as an author on H. F. No. 1437. The motion prevailed.

Emmer moved that the names of Brod and Erickson be added as authors on H. F. No. 1443. The motion prevailed.

Emmer moved that the name of Erickson be added as an author on H. F. No. 1444. The motion prevailed.

Dean moved that the name of Cybart be added as an author on H. F. No. 1464. The motion prevailed.

Finstad moved that the name of Magnus be added as an author on H. F. No. 1465. The motion prevailed.

Hackbarth moved that the name of Erickson be added as an author on H. F. No. 1467. The motion prevailed.

Davnie moved that the name of Mahoney be added as an author on H. F. No. 1472. The motion prevailed.

Hilty moved that the name of Moe be added as an author on H. F. No. 1478. The motion prevailed.

Greiling moved that the name of Solberg be added as an author on H. F. No. 1489. The motion prevailed.

Greiling moved that the name of Solberg be added as an author on H. F. No. 1490. The motion prevailed.

Greiling moved that the name of Sieben be added as an author on H. F. No. 1491. The motion prevailed.

Brod moved that the name of Slawik be added as an author on H. F. No. 1500. The motion prevailed.

Brod moved that the names of Davnie, Moe and Ruud be added as authors on H. F. No. 1505. The motion prevailed.

Mariani moved that the name of Mahoney be added as an author on H. F. No. 1506. The motion prevailed.

Howes moved that the name of Dill be added as an author on H. F. No. 1508. The motion prevailed.

Moe moved that the name of Solberg be added as an author on H. F. No. 1509. The motion prevailed.

Greiling moved that the name of Slawik be added as an author on H. F. No. 1513. The motion prevailed.

Gunther moved that the name of Meslow be added as an author on H. F. No. 1517. The motion prevailed.

Howes moved that the name of Dill be added as an author on H. F. No. 1518. The motion prevailed.

Anderson, I., moved that the name of Dill be added as an author on H. F. No. 1520. The motion prevailed.

Lesch moved that the name of Mahoney be added as an author on H. F. No. 1533. The motion prevailed.

Gazelka moved that the name of Moe be added as an author on H. F. No. 1536. The motion prevailed.

Hackbarth moved that the name of Simon be added as an author on H. F. No. 1547. The motion prevailed.

Blaine moved that H. F. No. 210 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Taxes. The motion prevailed.

Abeler moved that H. F. No. 1216 be recalled from the Committee on Education Finance and be re-referred to the Committee on Education Policy and Reform. The motion prevailed.

Thissen moved that H. F. No. 1365 be recalled from the Committee on Local Government and be re-referred to the Committee on Civil Law and Elections. The motion prevailed.

Hackbarth moved that H. F. No. 1470 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance. The motion prevailed.

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, March 9, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 12:00 noon, Wednesday, March 9, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

