

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2006

EIGHTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 30, 2006

The House of Representatives convened at 3:00 p.m. and was called to order by Marty Seifert, Speaker pro tempore.

Prayer was offered by the Reverend Steve Nelson, St. Mark's Lutheran Church, North St. Paul, Minnesota.

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

Speaker pro tempore Seifert called Abrams to the Chair.

The roll was called and the following members were present:

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

A quorum was present.

Emmer, Moe and Severson were excused until 3:25 p.m.

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

REPORTS OF CHIEF CLERK

S. F. No. 2621 and H. F. No. 2731, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Powell moved that S. F. No. 2621 be substituted for H. F. No. 2731 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2749 and H. F. No. 3876, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Finstad moved that S. F. No. 2749 be substituted for H. F. No. 3876 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Dorman from the Committee on Capital Investment to which was referred:

H. F. No. 263, A bill for an act relating to a University of Minnesota football stadium; providing a process for state support of a football stadium at the University of Minnesota; appropriating money; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 473.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **PURPOSE; FINDINGS.**

The legislature finds that construction of a new football stadium by the Board of Regents of the University of Minnesota on the University's east bank campus in the city of Minneapolis serves statewide public purposes. The legislature finds that the public purposes served include, but are not limited to, providing an on-campus outdoor intercollegiate football stadium as a part of the public amenities for Minnesota's citizens, enhancing the enjoyment of its citizens, and enhancing the University experience for students, alumni, faculty, staff, and other supporters of the University. The legislature finds that the University intends to join together with its students, alumni, faculty, staff, and other supporters to raise funds to build a stadium to return college football to the University campus. Further, the legislature finds that construction of a University of Minnesota football stadium should be supported by the state and that the support should not detract from or be a substitute for other operating and capital support by the state for the University; however, state financial support for the stadium should be conditioned upon the University providing for payment of a significant portion of the stadium's cost from nonstate general revenue fund sources. The purpose of this act is to provide a firm 50 percent level of funding for a new University football stadium to be constructed and owned by the Regents of the University of Minnesota.

Sec. 2. **DEFINITIONS.**

Subdivision 1. **Applicability.** The definitions in this section apply to sections 2 to 7.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of finance.

Subd. 3. **Stadium.** "Stadium" means an athletic stadium suitable for intercollegiate National Collegiate Athletic Association (NCAA) Division I football games and related infrastructure improvements constructed on the University of Minnesota's east bank campus in the city of Minneapolis.

Subd. 4. **Board.** "Board" means the Regents of the University of Minnesota.

Subd. 5. **Commission.** "Commission" means the Metropolitan Sports Facilities Commission.

Subd. 6. **University land.** "University land" means approximately 2,840 acres owned by the University of Minnesota and lying within the area legally described as approximately the Southerly $\frac{3}{4}$ of the Southwest $\frac{1}{4}$ of Section 1 (comprising 120 acres), approximately the Southeast $\frac{1}{4}$ of Section 2 (comprising 160 acres), the East $\frac{1}{2}$ of Section 10, Section 11, the West $\frac{1}{2}$ of Section 12, Section 13 and Section 14, all in Twp. 114 North, Range 19 West, Dakota County, Minnesota.

Subd. 7. **Permitted University uses.** "Permitted University uses" means University educational, research, outreach, scientific and agricultural uses including, undiminished, all of the present uses of the University land, all of the present uses of University real property that adjoins the University land, all similar uses made of comparable property by other land grant universities, any uses related to the foregoing uses, and the making of improvements incidental to any such uses.

Subd. 8. **Other permitted uses.** "Other permitted uses" means agricultural, outdoor recreational and open space management uses, and the making of improvements incidental to any such uses, provided such improvements have been agreed to in writing by the University and the commissioner of natural resources.

Subd. 9. **Prohibited uses.** "Prohibited uses" means use of the University land for residential, commercial, or industrial uses, unless those uses are permitted by this act, or are presently being conducted under existing University leases, easements or use agreements or are utility uses within defined corridors.

Sec. 3. **ACTIVITIES; CONTRACTS.**

The legislature recognizes that the board has all powers necessary or convenient for designing, constructing, equipping, improving, controlling, operating, and maintaining the stadium and may enter into contracts that are in its judgment in the best interests of the public for those purposes. Notwithstanding contrary law, the board may adopt the fair and competitive design and construction procurement procedures in connection with the stadium that it considers to be in the public interest.

Sec. 4. **CONDITIONS FOR PAYMENT TO UNIVERSITY.**

Before the commissioner may make the first payment to the board authorized in this section the commissioner must certify that the board has received at least \$124,000,000 in pledges, gifts, sponsorships, and other nonstate general fund revenue support for the construction of the stadium. On July 1 of each year after certification by the commissioner, but no earlier than July 1, 2007, and for so long thereafter as any bonds issued by the board for the construction of the stadium are outstanding, the state must transfer to the board up to \$9,400,000 to reimburse the board for its stadium costs, provided that bonds issued to pay the state's share of such costs shall not exceed \$124,000,000. Up to \$9,400,000 is appropriated annually from the general fund for the purpose of this section. The board must certify to the commissioner the amount of the annual payments of principal and interest required to service bonds issued by the University for the construction of the stadium, and the actual amount of the state's annual payment to the University shall equal the amount required to service the bonds representing the state's share of such costs. Except to the extent of the annual appropriation described in this section, the state is not required to pay any part of the cost of designing or constructing the stadium.

Sec. 5. **NO FULL FAITH AND CREDIT.**

Any bonds or other obligations issued by the board under this act are not public debt of the state, and the full faith and credit and taxing powers of the state are not pledged for their payment, or of any payments that the state agrees to make under this act.

Sec. 6. **LAND PROTECTION AND TRANSFER.**

Subdivision 1. **Land protection.** The obligation of the state of Minnesota to make the payments required under section 4 herein is expressly conditioned upon the University's covenant in perpetuity, subject to subdivision 3, limiting the use of the University land to the permitted University uses and the other permitted uses and proscribing the use of the University land for any of the prohibited uses. A declaration imposing such restrictions and granting to the Minnesota Department of Natural Resources the right to enforce the same which has been executed by the University and filed in the Office of the Dakota County Recorder shall satisfy this condition. In furtherance of the purposes of this subdivision, the University and Department of Natural Resources shall promptly endeavor to enter into a joint powers agreement pursuant to Minnesota Statutes, section 471.59, or a conservation easement held by a qualified conservation organization or by a conservation easement holder as described in applicable Minnesota law embodying such restrictions, which agreement or easement shall provide for cooperative oversight of the use of the University land. Nothing herein or in any declaration, agreement, or easement made or entered into pursuant hereto shall impair the rights of third parties under presently existing leases, easements, or use agreements. Except as limited in any declaration, agreement, or conservation easement made, entered into, or granted as provided above, the rights of University with respect to the University land are not to be affected by this section.

Subd. 2. **Land transfer.** Not later than the date on which the state of Minnesota makes the last of the payments required under section 4, the Regents of the University of Minnesota shall offer to convey the University land to the state of Minnesota in its "as is" condition by quit claim for the sum of \$1. Upon agreement of the University and the state, all or part of the University land may be transferred to another governmental unit of the state. Any conveyance shall be subject to the perpetual right of the University to use the University land for the permitted University uses and to the rights of third parties under presently existing leases, easements, and use agreements. The instruments of transfer shall otherwise limit the use of the University land to the other permitted uses and subject such uses to such restrictions as may be provided in any agreement between the University and state or any conservation easement granted pursuant to subdivision 1, as applicable and proscribe its use for the prohibited purposes. The University of Minnesota shall have the right to enforce such limitations and restrictions.

Subd. 3. **Termination of use restrictions.** In the event the state of Minnesota fails to make any payment required by section 4, the foregoing restrictions on University's use of the University land, any declaration, agreement, or conservation easement containing such restrictions and the University's obligation to offer the University land to the state of Minnesota shall be null and void.

Sec. 7. **[473.5955] TERMINATION OF LEASE.**

The lease between the Regents of the University of Minnesota and the commission dated May 19, 1982, that requires the University of Minnesota football team to play its home football games at the Hubert H. Humphrey Metrodome until July 1, 2012, may be terminated by the board effective on or after the date designated by the board as the date of completion of the stadium on the University of Minnesota's east bank campus in the city of Minneapolis.

Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 7 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to a University of Minnesota football stadium; providing a process for state support of a football stadium at the University of Minnesota; transferring land in Dakota County from the University to the state of Minnesota; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 473."

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

The report was adopted.

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

H. F. No. 2774, A bill for an act relating to health occupations; chiropractors; adding fees; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2004, section 148.06, subdivision 1, is amended to read:

Subdivision 1. **License required; qualifications.** No person shall practice chiropractic in this state without first being licensed by the State Board of Chiropractic Examiners. The applicant shall have earned at least one-half of all academic credits required for awarding of a baccalaureate degree from the University of Minnesota, or other university, college, or community college of equal standing, in subject matter determined by the board, and taken a four-year resident course of at least eight months each in a school or college of chiropractic or in a chiropractic program that is accredited by the Council on Chiropractic Education, holds a recognition agreement with the Council on Chiropractic Education, or is accredited by an agency approved by the United States Office of Education or their successors as of January 1, 1988. The board may issue licenses to practice chiropractic without compliance with prechiropractic or academic requirements listed above if in the opinion of the board the applicant has the qualifications equivalent to those required of other applicants, the applicant satisfactorily passes written and practical examinations as required by the Board of Chiropractic Examiners, and the applicant is a graduate of a college of chiropractic with a ~~reciprocal~~ recognition agreement with the Council on Chiropractic Education ~~as of January 1, 1988~~. The board may recommend a two-year prechiropractic course of instruction to any university, college, or community college which in its judgment would satisfy the academic prerequisite for licensure as established by this section.

An examination for a license shall be in writing and shall include testing in:

(a) The basic sciences including but not limited to anatomy, physiology, bacteriology, pathology, hygiene, and chemistry as related to the human body or mind;

(b) The clinical sciences including but not limited to the science and art of chiropractic, chiropractic physiotherapy, diagnosis, roentgenology, and nutrition; and

(c) Professional ethics and any other subjects that the board may deem advisable.

The board may consider a valid certificate of examination from the National Board of Chiropractic Examiners as evidence of compliance with the examination requirements of this subdivision. The applicant shall be required to give practical demonstration in vertebral palpation, neurology, adjusting and any other subject that the board may deem advisable. A license, countersigned by the members of the board and authenticated by the seal thereof, shall be granted to each applicant who correctly answers 75 percent of the questions propounded in each of the subjects required by this subdivision and meets the standards of practical demonstration established by the board. Each application shall be accompanied by a fee set by the board. The fee shall not be returned but the applicant may, within one year, apply for examination without the payment of an additional fee. The board may grant a license to an applicant who holds a valid license to practice chiropractic issued by the appropriate licensing board of another state, provided the applicant meets the other requirements of this section and satisfactorily passes a practical examination approved by the board. The burden of proof is on the applicant to demonstrate these qualifications or satisfaction of these requirements."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to health occupations; modifying the licensing requirement for chiropractors; amending Minnesota Statutes 2004, section 148.06, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 148."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2805, A bill for an act relating to insurance; modernizing insurance regulation; amending mutual holding company laws; enacting the interstate insurance product regulation compact; making miscellaneous insurance law changes; requiring a report; amending Minnesota Statutes 2004, sections 60A.075, subdivision 1; 60A.077, subdivisions 1, 3, by adding a subdivision; 60A.207; 60D.19, subdivision 1; 60K.56, subdivisions 5, 6; 64B.13; Minnesota Statutes 2005 Supplement, sections 66A.02, subdivisions 2, 3; 66A.07, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 60A.

Reported the same back with the following amendments:

Page 12, line 31, delete the second "is" and insert "in"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2890, A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, article IV, section 4; providing staggered terms of office for senators and staggered four-year terms of office for representatives.

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

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2965, A bill for an act relating to local government; limiting local government requirements for use of certain nonconforming lots; amending Minnesota Statutes 2004, section 394.36, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 462.357, subdivision 1e.

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

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 3057, A bill for an act relating to waters; authorizing the Lower Minnesota River Watershed District to acquire, maintain, operate, improve, and enlarge a site for the deposit of dredge material, issue and sell general obligation bonds or revenue bonds for the acquisition, maintenance, operation, improvement, and enlargement of the dredge material site, and charge fees for permitting private customers to deposit dredge material at the dredge material site.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 3081, A bill for an act relating to natural resources; modifying areas marked as canoe and boating routes; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 2004, section 85.32, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

Westrom from the Committee on Regulated Industries to which was referred:

H. F. No. 3100, A bill for an act relating to gambling; adding definitions; modifying certain provisions related to card clubs; amending Minnesota Statutes 2004, sections 240.01, subdivision 25, by adding a subdivision; 240.30, subdivisions 3, 6, 8.

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. 3123, A bill for an act relating to human services; developing training requirements for postadoption search services; requiring reports; directing the commissioner of human services to promulgate rules relating to postadoption search services; amending Minnesota Statutes 2004, section 259.87; proposing coding for new law in Minnesota Statutes, chapter 259.

Reported the same back with the following amendments:

Page 1, line 17, delete "eight" and insert "six"

Page 1, line 18, delete everything before the period

Page 1, delete lines 19 to 25

Page 2, delete lines 1 to 5

Amend the title as follows:

Page 1, line 3, delete "requiring reports;"

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

The report was adopted.

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

H. F. No. 3124, A bill for an act relating to human services; creating an adoption advisory task force and requiring a report.

Reported the same back with the following amendments:

Page 1, line 8, delete "17" and insert "18"

Page 1, line 21, delete everything after "(9)" and insert "two representatives of county social service agencies;"

Page 2, line 6, delete "15.091" and insert "15.059"

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

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 3185, A bill for an act relating to high pressure piping; classifying data relating to bioprocess piping and equipment as nonpublic; including bioprocess piping in the definition of high pressure piping; amending Minnesota Statutes 2004, sections 16B.61, subdivisions 2, 3; 326.461, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the following amendments:

Page 1, delete section 1 and insert:

"Section 1. **[13.7911] BIOPROCESS PIPING AND EQUIPMENT DATA.**

Schematic drawings, structural design, and layout of a biotechnology process piping system submitted by a business to the Department of Labor and Industry or a municipality in support of a building code permit application are classified as nonpublic data.

For the purpose of this section, "biotechnology process piping system" means piping and equipment utilizing living organisms for medical, research, or pharmaceutical purposes and meeting the most current requirements in the bioprocessing equipment standard adopted by the American Society of Mechanical Engineers and does not include process piping used to make biofood products or treat waste."

Page 3, line 27, delete everything after the period

Page 3, delete lines 28 to 31

Page 3, line 32, delete everything before "No"

Page 3, line 36, after the period, insert "All data regarding the material production processes, including the bioprocess system's structural design and layout, are nonpublic data as provided by section 13.7911."

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.

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

H. F. No. 3217, A bill for an act relating to employment; providing paid organ donation leave for certain public employees; proposing coding for new law in Minnesota Statutes, chapter 181.

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

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 3249, A bill for an act relating to veterans; natural resources; providing certain free hunting and fishing licenses and state park permits to eligible veterans of the current war on terrorism; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 97A; 197.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

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

H. F. No. 3312, A bill for an act relating to drivers' licenses; modifying commercial driver's license revocation provision to conform to federal regulations; modifying definition of "conviction"; modifying content required on driver's license; allowing 60-day cancellation of driver's license when application information inadequate; making clarifying changes; amending Minnesota Statutes 2004, sections 169A.52, subdivision 7; 171.01, subdivision 29; 171.14; Minnesota Statutes 2005 Supplement, section 171.07, subdivision 1.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 3, line 6, strike "or" and insert "and"

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before "modifying"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 3343, A bill for an act relating to natural resources; providing for administration of the forest resource management incentive program; amending Minnesota Statutes 2004, sections 290C.02, subdivisions 7, 8; 290C.04; proposing coding for new law in Minnesota Statutes, chapter 290C.

Reported the same back with the following amendments:

Page 1, before line 7, insert:

"Section 1. Minnesota Statutes 2004, section 290C.02, subdivision 3, is amended to read:

Subd. 3. **Claimant.** (a) "Claimant" means a person, as that term is defined in section 290.01, subdivision 2, who owns forest land in Minnesota and files an application authorized by the Sustainable Forest Incentive Act. Claimant includes a purchaser or grantee if property enrolled in the program was sold or transferred after the original application was filed and prior to the annual incentive payment being made. The purchaser or grantee must notify the commissioner in writing of the sale or transfer of the property. For purposes of section 290C.11, claimant also includes any person bound by the covenant required in section 290C.04.

(b) No more than one claimant is entitled to a payment under this chapter with respect to any tract, parcel, or piece of land enrolled under this chapter that has been assigned the same parcel identification number. When enrolled forest land is owned by two or more persons, the owners, or in the case of property sold or transferred, the former owner and the purchaser or grantee, must determine between them which person may claim is eligible to claim the payments provided under sections 290C.01 to 290C.11. The owners, transferees, or grantees must notify the commissioner in writing which person is eligible to claim the payments."

Page 3, delete section 4

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 3353, A bill for an act relating to game and fish; requiring rulemaking to allow all-terrain vehicle or snowmobile use on privately owned land during legal shooting hours of a deer season.

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

The report was adopted.

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

H. F. No. 3368, A bill for an act relating to child care; changing the requirement for use of child passenger restraint systems; amending Minnesota Statutes 2005 Supplement, section 245A.18, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2005 Supplement, section 245A.18, subdivision 2, is amended to read:

Subd. 2. **Child passenger restraint systems; training requirement.** (a) Family and group family child care, child care centers, child foster care, and other programs licensed by the Department of Human Services that serve a child or children under nine years of age must document training that fulfills the requirements in this subdivision.

(b) Before a license holder, staff person, caregiver, or helper transports a child or children under age nine in a motor vehicle, the person transporting the child must satisfactorily complete training on the proper use and installation of child restraint systems in motor vehicles. Training completed under this section may be used to meet initial or ongoing training under the following:

- (1) Minnesota Rules, part 2960.3070, subparts 1 and 2;
- (2) Minnesota Rules, part 9502.0385, subparts 2 and 3; and
- (3) Minnesota Rules, part 9503.0035, subparts 1 and 4.

(c) Training required under this section must be at least one hour in length, completed at orientation or initial training, and repeated at least once every five years. At a minimum, the training must address the proper use of child restraint systems based on the child's size, weight, and age, and the proper installation of a car seat or booster seat in the motor vehicle used by the license holder to transport the child or children.

(d) Training under paragraph (c) must be provided by individuals who are certified and approved by the Department of Public Safety, Office of Traffic Safety. License holders may obtain a list of certified and approved trainers through the Department of Public Safety Web site or by contacting the agency.

(e) Child care providers that only transport school age children as defined in section 245A.02, subdivision 16, in school buses as defined in section 169.01, subdivision 6, clauses (1) through (4), are exempt from this subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Davids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 3376, A bill for an act relating to agriculture; modifying financial statement requirements for grain buyers; amending Minnesota Statutes 2005 Supplement, section 223.17, subdivision 6.

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. 3378, A bill for an act relating to data practices; proposing classifications of data as private and nonpublic; amending Minnesota Statutes 2004, section 13.3805, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[10A.027] INFORMATION ON WEB SITE.**

The board must not post on its Web site any canceled checks, bank account numbers, credit card account numbers, or Social Security numbers that may be in the board's possession as a result of report or statement filings, complaints, or other proceedings under this chapter.

Sec. 2. Minnesota Statutes 2004, section 13.072, subdivision 1, is amended to read:

Subdivision 1. **Opinion; when required.** (a) Upon request of a government entity, the commissioner may give a written opinion on any question relating to public access to government data, rights of subjects of data, or classification of data under this chapter or other Minnesota statutes governing government data practices. Upon request of any person who disagrees with a determination regarding data practices made by a government entity, the commissioner may give a written opinion regarding the person's rights as a subject of government data or right to have access to government data.

(b) Upon request of a body subject to chapter 13D, the commissioner may give a written opinion on any question relating to the body's duties under chapter 13D. Upon request of a person who disagrees with the manner in which members of a governing body perform their duties under chapter 13D, the commissioner may give a written opinion on compliance with chapter 13D. A governing body or person requesting an opinion under this paragraph must pay the commissioner a fee of \$200. Money received by the commissioner under this paragraph is appropriated to the commissioner for the purposes of this section.

(c) If the commissioner determines that no opinion will be issued, the commissioner shall give the government entity or body subject to chapter 13D or person requesting the opinion notice of the decision not to issue the opinion within five business days of receipt of the request. If this notice is not given, the commissioner shall issue an opinion within 20 days of receipt of the request.

(d) For good cause and upon written notice to the person requesting the opinion, the commissioner may extend this deadline for one additional 30-day period. The notice must state the reason for extending the deadline. The government entity or the members of a body subject to chapter 13D must be provided a reasonable opportunity to explain the reasons for its decision regarding the data or how they perform their duties under chapter 13D. The commissioner or the government entity or body subject to chapter 13D may choose to give notice to the subject of the data concerning the dispute regarding the data or compliance with chapter 13D.

(e) This section does not apply to a determination made by the commissioner of health under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

(f) A written opinion issued by the attorney general shall take precedence over an opinion issued by the commissioner under this section.

Sec. 3. Minnesota Statutes 2005 Supplement, section 13.08, subdivision 1, is amended to read:

Subdivision 1. **Action for damages.** Notwithstanding section 466.03, a responsible authority or government entity which violates any provision of this chapter is liable to a person or representative of a decedent who suffers any damage as a result of the violation, and the person damaged or a representative in the case of private data on decedents or confidential data on decedents may bring an action against the responsible authority or government entity to cover any damages sustained, plus costs and reasonable attorney fees. In the case of a willful violation, the government entity shall, in addition, be liable to exemplary damages of not less than ~~\$100~~ \$5,000, nor more than ~~\$10,000~~ \$100,000 for each violation. The state is deemed to have waived any immunity to a cause of action brought under this chapter.

Sec. 4. Minnesota Statutes 2004, section 13.3805, is amended by adding a subdivision to read:

Subd. 4. **Drinking water testing data.** All data maintained by the Department of Health or community public water systems that identify the address of the testing site and the name, address, and telephone number of residential homeowners of each specific site that is tested for lead and copper as required by the federal Safe Drinking Water Act, the United States Environmental Protection Agency's lead and copper rule, and the department's drinking water protection program are classified as private data on individuals and nonpublic data.

Sec. 5. Minnesota Statutes 2004, section 13.87, is amended by adding a subdivision to read:

Subd. 4. **Name and index service; data classification.** (a) For purposes of this section, "name and event index service" means the data held by the Bureau of Criminal Apprehension that link data about an individual that are stored in one or more databases maintained in criminal justice agencies, as defined in section 299C.46, subdivision 2, and in the judiciary.

(b) Data collected, created, or maintained by the name and event index service are classified as private data, pursuant to section 13.02, subdivision 12, and become confidential data, pursuant to section 13.02, subdivision 3, when the data links private or public data about a specific individual to any confidential data about that individual. The data in the name and event index service revert to the private data classification when no confidential data about a specific individual are maintained in the databases. The classification of data in the name and event index service does not change the classification of the data held in the databases linked by the service.

Sec. 6. Minnesota Statutes 2004, section 136A.162, is amended to read:

136A.162 CLASSIFICATION OF DATA.

All data on applicants for financial assistance collected and used by the Higher Education Services Office for student financial aid programs administered by that office shall be classified as private data on individuals under section 13.02, subdivision 12. Exceptions to this classification are that:

(a) ~~the names and addresses of program recipients or participants are public data;~~

~~(b)~~ data on applicants may be disclosed to the commissioner of human services to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5); and

~~(c)~~ (b) the following data collected in the Minnesota supplemental loan program under section 136A.1701 may be disclosed to a consumer credit reporting agency only if the borrower and the cosigner give informed consent, according to section 13.05, subdivision 4, at the time of application for a loan:

(1) the lender-assigned borrower identification number;

- (2) the name and address of borrower;
- (3) the name and address of cosigner;
- (4) the date the account is opened;
- (5) the outstanding account balance;
- (6) the dollar amount past due;
- (7) the number of payments past due;
- (8) the number of late payments in previous 12 months;
- (9) the type of account;
- (10) the responsibility for the account; and
- (11) the status or remarks code.

Sec. 7. Minnesota Statutes 2005 Supplement, section 270C.03, subdivision 1, is amended to read:

Subdivision 1. **Powers and duties.** The commissioner shall have and exercise the following powers and duties:

- (1) administer and enforce the assessment and collection of taxes;
- (2) make determinations, corrections, and assessments with respect to taxes, including interest, additions to taxes, and assessable penalties;
- (3) use statistical or other sampling techniques consistent with generally accepted auditing standards in examining returns or records and making assessments;
- (4) investigate the tax laws of other states and countries, and formulate and submit to the legislature such legislation as the commissioner may deem expedient to prevent evasions of state revenue laws and to secure just and equal taxation and improvement in the system of state revenue laws;
- (5) consult and confer with the governor upon the subject of taxation, the administration of the laws in regard thereto, and the progress of the work of the department, and furnish the governor, from time to time, such assistance and information as the governor may require relating to tax matters;
- (6) execute and administer any agreement with the secretary of the treasury or the Bureau of Alcohol, Tobacco, Firearms, and Explosives in the Department of Justice of the United States or a representative of another state regarding the exchange of information and administration of the state revenue laws;
- (7) require town, city, county, and other public officers to report information as to the collection of taxes received from licenses and other sources, and such other information as may be needful in the work of the commissioner, in such form as the commissioner may prescribe;
- (8) authorize the use of unmarked motor vehicles to conduct seizures or criminal investigations pursuant to the commissioner's authority; and

(9) exercise other powers and authority and perform other duties required of or imposed upon the commissioner by law.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 8. **[299A.59] NOTICE OF MULTIPLE LAW ENFORCEMENT OPERATIONS CONFLICTS.**

(a) Notwithstanding section 299C.405, the Department of Public Safety may employ a secure subscription service designed to promote and enhance officer safety during tactical operations by and between federal, state, and local law enforcement agencies by notifying law enforcement agencies of conflicts where multiple law enforcement operations may be occurring on the same subject or vehicle or on or near the same location. The notification may include warrant executions, surveillance activities, SWAT activities, undercover operations, and other investigative operations.

(b) Data created, collected, received, maintained, or disseminated by this system is classified as criminal investigative data as defined in section 13.82, subdivision 7.

Sec. 9. Minnesota Statutes 2005 Supplement, section 299C.40, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "CIBRS" means the Comprehensive Incident-Based Reporting System, located in the Department of Public Safety and managed by the Bureau of Criminal Apprehension, Criminal Justice Information Systems Section. A reference in this section to "CIBRS" includes the Bureau of Criminal Apprehension.

(c) "Law enforcement agency" means a Minnesota municipal police department, the Metropolitan Transit Police, the Metropolitan Airports Police, the University of Minnesota Police Department, the Department of Corrections' Fugitive Apprehension Unit, a Minnesota county sheriff's department, the Bureau of Criminal Apprehension, or the Minnesota State Patrol.

Sec. 10. Minnesota Statutes 2005 Supplement, section 299C.40, subdivision 6, is amended to read:

Subd. 6. **Access to CIBRS data by data subject.** (a) Upon request to the Bureau of Criminal Apprehension or to a law enforcement agency participating in CIBRS an individual shall be informed whether the individual is the subject of private or confidential data held by CIBRS. An individual who is the subject of private data held by CIBRS may obtain access to the data by making a request to the Bureau of Criminal Apprehension or to a participating law enforcement agency. Private data provided to the subject under this subdivision must also include the name of the law enforcement agency that submitted the data to CIBRS and the name, telephone number, and address of the responsible authority for the data.

(b) If an individual who is the subject of private data held by CIBRS requests access to the data or release of the data to a third party, the individual must appear in person at the Bureau of Criminal Apprehension or a participating law enforcement agency to give informed consent to the data access or release.

Sec. 11. Minnesota Statutes 2005 Supplement, section 299C.405, is amended to read:

299C.405 SUBSCRIPTION SERVICE.

(a) For the purposes of this section "subscription service" means a process by which law enforcement agency personnel may obtain ongoing, automatic electronic notice of any contacts an individual has with any criminal justice agency.

(b) The Department of Public Safety must not establish a subscription service without prior legislative authorization; except that, the Bureau of Criminal Apprehension may employ a secure subscription service designed to promote and enhance officer safety during tactical operations by and between federal, state, and local law enforcement agencies by notifying law enforcement agencies of conflicts where multiple law enforcement operations may be occurring on the same subject or vehicle or on or near the same location. The notification may include warrant executions, surveillance activities, SWAT activities, undercover operations, and other investigative operations.

Sec. 12. **[325F.675] FRAUD RELATED TO CONSUMER TELEPHONE RECORDS.**

Subdivision 1. **Prohibited acts.** Whoever:

(1) knowingly procures, attempts to procure, solicits, or conspires with another to procure, a telephone record of any resident of this state without the authorization of the customer to whom the record pertains or by fraudulent, deceptive, or false means;

(2) knowingly sells, or attempts to sell, a telephone record of any resident of this state without the authorization of the customer to whom the record pertains; or

(3) receives a telephone record of any resident of this state knowing that such record has been obtained without the authorization of the customer to whom the record pertains or by fraudulent, deceptive, or false means,

is guilty of a violation of this section.

Subd. 2. **Penalties.** (a) A violation of this section is a gross misdemeanor punishable by a sentence of up to one year, a fine of \$3,000, or both.

(b) Each subsequent violation is a felony punishable by a sentence of up to five years, a fine of \$5,000, or both.

(c) A violation of this section is subject to a \$5,000 civil penalty.

Subd. 3. **Definitions.** For purposes of this subdivision:

(1) "Telephone record" means information retained by a telephone company that relates to a telephone number dialed from the customer's telephone, an incoming call directed to a customer's telephone, or other data related to calls typically contained on a customer's telephone bill, including, but not limited to, the time the call started and ended, the duration of the call, the time of day the call was made, charges applied, and information indicating the location from which or to which calls were made. For purposes of this section, any information collected and retrieved by customers using caller ID or other similar technology is not a telephone record.

(2) "Procure" means to obtain by any means, whether electronically, in writing, or in oral form, with or without consideration.

(3) "Telephone company" means any person or other entity that provides commercial telephone service to a customer, irrespective of the communications technology used to provide the service, including, but not limited to, traditional wireline or cable telephone service; cellular, broadband PCS, or other wireless telephone service; microwave, satellite, or other terrestrial telephone service; and voice over Internet telephone service.

Subd. 4. **Unfair or deceptive trade practices; consumer protection.** Except as otherwise provided by this section, a violation of this section constitutes an unfair or deceptive trade practice under section 325D.44.

Subd. 5. **Information security.** (a) Telephone companies that maintain telephone records of a resident of this state shall establish reasonable procedures to protect against unauthorized or fraudulent disclosure of such records which could result in substantial harm or inconvenience to a customer.

(b) No private right of action is authorized under this subdivision.

Subd. 6. **Nonapplicability to telephone companies.** No provisions of this section shall be construed to prohibit a telephone company from obtaining, using, disclosing, or permitting access to any telephone record, either directly or indirectly, through its agents:

(1) unless prohibited by law;

(2) with the lawful consent of the customer or subscriber;

(3) as may be necessarily incident to the rendition of the service or to the protection of the rights or property of the provider of that service, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services;

(4) in connection with the sale or transfer of all or part of a business, or the purchase or acquisition of a portion or all of a business, or the migration of a customer from one carrier to another;

(5) to a governmental entity, if the telephone company reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies disclosure of the information; or

(6) to the National Center for Missing and Exploited Children, in connection with a report submitted under section 227 of the federal Victims of Child Abuse Act of 1990.

Subd. 7. **Enforcement.** Violations of this section are enforced under section 8.31.

Sec. 13. Minnesota Statutes 2004, section 626.557, subdivision 9a, is amended to read:

Subd. 9a. **Evaluation and referral of reports made to a common entry point unit.** The common entry point must screen the reports of alleged or suspected maltreatment for immediate risk and make all necessary referrals as follows:

(1) if the common entry point determines that there is an immediate need for adult protective services, the common entry point agency shall immediately notify the appropriate county agency;

(2) if the report contains suspected criminal activity against a vulnerable adult, the common entry point shall immediately notify the appropriate law enforcement agency;

(3) if the report references alleged or suspected maltreatment and there is no immediate need for adult protective services, the common entry point shall notify the appropriate lead agency as soon as possible, but in any event no longer than two working days;

(4) if the report does not reference alleged or suspected maltreatment, the common entry point may determine whether the information will be referred; and

(5) if the report contains information about a suspicious death, the common entry point shall immediately notify the appropriate law enforcement agencies, the local medical examiner, and the ombudsman established under section 245.92. Law enforcement agencies shall coordinate with the local medical examiner and the ombudsman as provided by law.

Sec. 14. **REPORT TO LEGISLATURE.**

The commissioner of administration must conduct a comprehensive review of Minnesota Statutes, chapter 13. The commissioner must evaluate the current law in terms of its three competing purposes: (1) to protect the privacy of individuals; (2) permit government to function; and (3) promote transparency in government; and make recommendations whether the current balance in these purposes should be changed. In addition, the report must identify any changes to Minnesota Statutes, chapter 13, that are needed to respond to emerging technologies, including new methodologies for data storage, retention, and dissemination and whether any of the recommendations in the 1999 report of the Information Policy Task Force that have not been adopted should be considered. The report must be submitted to the chair of the house Civil Law and Elections Committee and the chair of the senate Judiciary Committee and the ranking minority members of those committees. The report is due by January 15, 2007."

Delete the title and insert:

"A bill for an act relating to data practices; modifying government data practices; classifying certain data; providing for notice of certain multiple law enforcement operations; regulating fraud related to consumer telephone records; requiring a report to the legislature; providing criminal penalties; amending Minnesota Statutes 2004, sections 13.072, subdivision 1; 13.3805, by adding a subdivision; 13.87, by adding a subdivision; 136A.162; 626.557, subdivision 9a; Minnesota Statutes 2005 Supplement, sections 13.08, subdivision 1; 270C.03, subdivision 1; 299C.40, subdivisions 1, 6; 299C.405; proposing coding for new law in Minnesota Statutes, chapters 10A; 299A; 325F."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3385, A bill for an act relating to government operations; making permanent certain Help America Vote Act rules adopted by the Office of the Secretary of State.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Sec. 2. **[171.017] TRIBAL DRIVER'S LICENSE AND IDENTIFICATION CARD.**

(a) Notwithstanding any law to the contrary, wherever in Minnesota Statutes or Minnesota Rules a Minnesota driver's license or identification card is deemed an acceptable form of identification, a tribal driver's license or identification card shall be an equivalent form of identification.

(b) For purposes of this section, "tribal driver's license or identification card" means an unexpired tribal driver's license or identification card issued by the tribal government of a tribe with a reservation located in whole or in part in Minnesota and recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the elements of information required in section 171.07, subdivision 1, clause (a), and subdivision 3, clause (a), respectively, and meeting the standards set forth in section 171.01, subdivision 9, except that the provisions in section 171.01, subdivisions 1 and 3, requiring the description of the applicant in the manner the commissioner deems necessary shall be construed to mean as the tribal government deems necessary."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before the period, insert "; providing that tribal driver's licenses and identification cards are acceptable forms of identification;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3441, A bill for an act relating to agriculture; providing for a checkoff for fertilizer, soil amendment, and plant amendment; establishing a Minnesota Agricultural Fertilizer Research and Education Council and program; exempting on-farm storage from fertilizer facility safeguarding and permitting; appropriating money; amending Minnesota Statutes 2004, section 18C.305, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 18C.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

Olson from the Committee on Local Government to which was referred:

H. F. No. 3452, A bill for an act relating to local government; repealing the authority for Aitkin County regulation of certain public land interests; repealing Laws 1988, chapter 658, section 1.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. **LOCAL PUBLIC LAND ORDINANCES.**

Subdivision 1. **Regulation.** Any town or city within Aitkin County may regulate by ordinance the use of lands within its boundaries that are adjacent to public waters and dedicated to the public or for public use but not owned by the state or held in the corporate name of a home rule charter or statutory city or other political subdivision. The ordinance may regulate the times and types of uses of the lands, including the placement of structures, the parking of vehicles or trailers, and the placement of docks and boats on the lands or in waters adjacent to them. The ordinance may make different provisions for times and types of uses for each separate parcel of land affected by the ordinance. The ordinance may provide penalties permitted by Minnesota Statutes, section 368.01, subdivision 22, or section 412.231. The ordinance is not required to include every parcel of land possibly subject to this section.

The enactment of an ordinance pursuant to this section shall not be construed to be the acquisition of any affected parcel of land by the town. The exercise of regulatory authority under the ordinance shall not be construed as the adoption of any affected parcel for maintenance, supervision, or any other proprietary purpose by the town.

Subd. 2. **Local approval.** This section takes effect as to each town or city the day after the governing body of that town or city complies with Minnesota Statutes, section 645.021, subdivision 3.

Sec. 2. **COUNTY LAND ORDINANCE.**

Subdivision 1. **Regulation.** If a town or city notifies the Aitkin County board of commissioners that the town or city does not intend to adopt ordinances under section 1, or if a town or city has not adopted ordinances under section 1 within two years from the effective date of this act, the Aitkin County board of commissioners may regulate, within the boundaries of the town or city, the lands described in the manner described in section 1.

Subd. 2. **Local approval.** This section takes effect the day after the Aitkin County board of commissioners complies with Minnesota Statutes, section 645.021, subdivision 3."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "authorizing regulation of certain public lands in Aitkin County;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3458, A bill for an act relating to health; requiring the delay of annual mass flu vaccination clinics in the event of a flu vaccine shortage; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 1, line 7, delete everything before "Annual"

Page 1, line 12, after the period, insert "This section does not apply to live attenuated influenza vaccine."

Page 1, delete lines 13 to 15

Amend the title as follows:

Page 1, line 3, delete "imposing penalties;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 3484, A bill for an act relating to boxing; regulation of boxing; establishing a boxing commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 341.

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

The report was adopted.

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

H. F. No. 3534, A bill for an act relating to education; establishing an advisory task force to recommend options for accelerated K-12 technology, science, and mathematics programs throughout Minnesota.

Reported the same back with the following amendments:

Page 2, line 16, delete "an" and insert "a 17-member"

Page 2, line 18, delete "is composed of" and insert "represents"

Page 2, line 28, delete "parent of a" and insert "or more parents of"

Page 2, line 29, delete "student" and insert "students" and delete "from each congressional"

Page 2, line 30, delete "district"

Page 2, line 36, after the period, insert "In appointing members, the commissioner must attempt to ensure geographic balance. Task force members may not receive compensation but may receive reimbursement for expenses related to serving on the task force. The task force may receive, for the benefit of the task force, bequests, donations, or gifts for any proper purpose and apply the bequests, donations, or gifts to the purpose designated."

Page 3, line 10, delete ", fiscal," and after the period, insert "The education commissioner must use funds from the education department's current operating budget to cover any costs the commissioner incurs in providing services to the task force."

Page 3, line 11, delete "February 1" and insert "June 30"

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

The report was adopted.

Davids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 3546, A bill for an act relating to agriculture; establishing a beef cattle diagnostic team pilot project in nine counties; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

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

H. F. No. 3562, A bill for an act relating to taxation; providing an income tax credit for the conversion of vehicles to operate using alternative fuels; amending Minnesota Statutes 2004, section 290.06, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 3563, A bill for an act relating to taxation; allowing a subtraction from federal taxable income for taxpayers who place an alternative fuel vehicle into service; amending Minnesota Statutes 2005 Supplement, section 290.01, subdivision 19b.

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

The report was adopted.

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

H. F. No. 3573, A bill for an act relating to housing; creating a blighted housing rehabilitation program; providing for transfer of possession or ownership of nuisance properties to nonprofit housing organizations; proposing coding for new law in Minnesota Statutes, chapter 463.

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 3637, A bill for an act relating to metropolitan government; governing special transportation service requirements; amending Minnesota Statutes 2004, section 473.386, subdivision 3.

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.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 3641, A bill for an act relating to building officials; requiring competency criteria; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

The report was adopted.

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

H. F. No. 3643, A bill for an act relating to state government; creating a task force to study the feasibility of Minnesota submitting a bid to host the summer Olympics.

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

The report was adopted.

Dauids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 3675, A bill for an act relating to agriculture; creating a farm enhancement loan program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

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

H. F. No. 3707, A bill for an act relating to elections; providing for the certification of election judges by municipalities; amending Minnesota Statutes 2004, section 204B.19, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 22, delete ", under penalty of perjury, through"

Page 1, delete line 23

Page 1, line 24, delete "municipal clerk has access."

With the recommendation that when so amended the bill pass.

The report was adopted.

Westrom from the Committee on Regulated Industries to which was referred:

H. F. No. 3712, A bill for an act relating to the environment; requiring disclosure regarding disposal of fluorescent lamps containing mercury; requiring mercury emissions reductions by public utilities; amending Minnesota Statutes 2004, sections 116.92, by adding a subdivision; 216B.1692, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"Sec. 3. **[216B.105] CUSTOMER SHARE OF MERCURY CONTROL COSTS.**

A utility selling electricity at retail shall report on each customer's monthly bill the amount of the customer's total bill that represents the utility's capital and operating costs to control mercury emissions to the atmosphere as required under sections 216B.681 to 216B.687.

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

Page 2, line 5, delete "500" and insert "750"

Page 2, line 7, delete "100" and insert "300"

Page 4, line 9, delete "must" and insert "may"

Page 4, line 10, delete "and" and insert "or"

Page 4, line 20, after the comma, insert "any project costs incurred prior to plan approval that are demonstrated to the commission's satisfaction to be part of the plan."

Page 5, line 27, delete "attempt to"

Renumber the sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3764, A bill for an act relating to state government; modifying procurement provisions; amending Minnesota Statutes 2004, sections 16C.02, subdivisions 4, 12, 14, by adding subdivisions; 16C.03, subdivisions 3, 4, 8, 13, 16; 16C.05, subdivisions 1, 2; 16C.08, subdivision 2, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 16C.09; 16C.10, subdivision 7.

Reported the same back with the following amendments:

Page 3, lines 4 to 6, delete the new language

Page 3, lines 21 to 22, delete "The commissioner may require that agency staff" and insert "The commissioner must involve agency staff and agency staff must"

Page 7, line 32, after "services" insert "or architectural services,"

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

The report was adopted.

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

H. F. No. 3771, A bill for an act relating to health occupations; modifying Board of Medical Practice examination provision; amending Minnesota Statutes 2004, section 147.02, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 10, after "service" insert ", as defined in section 197.447,"

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

The report was adopted.

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

H. F. No. 3789, A bill for an act relating to state government; authorizing the Minnesota Amateur Sports Commission to renew leases for certain real property; amending Laws 1998, chapter 404, section 15, subdivision 2, as amended.

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

The report was adopted.

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

H. F. No. 3842, A bill for an act relating to human services; modifying the scholarship program for employees of home and community-based service providers; amending Minnesota Statutes 2005 Supplement, section 256B.0918, subdivisions 1, 3, 4; Laws 2005, First Special Session chapter 4, article 9, section 5, subdivision 8.

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

The report was adopted.

Dauids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 3843, A bill for an act relating to agriculture; providing an income tax credit for sales or rentals of agricultural assets to beginning farmers; providing an income tax credit for beginning farmer financial management programs; modifying the beginning farmer program administered by the Rural Finance Authority; amending Minnesota Statutes 2004, section 290.06, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 41B.

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

The report was adopted.

Wilkin from the Committee on Commerce and Financial Institutions to which was referred:

H. F. No. 3890, A bill for an act relating to real estate appraisers; regulating trainees; modifying appraiser education, experience, and examination requirements; amending Minnesota Statutes 2004, section 82B.11, subdivisions 2, 3; Minnesota Statutes 2005 Supplement, sections 82B.095; 82B.13, subdivisions 1, 4, 5, by adding subdivisions; 82B.14.

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

The report was adopted.

Dauids from the Committee on Agriculture and Rural Development to which was referred:

H. F. No. 3923, A bill for an act relating to agriculture; restoring the open appropriation for ethanol producer payments; appropriating money; amending Minnesota Statutes 2004, section 41A.09, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Environment and Natural Resources Finance.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2774, 2805, 2965, 3100, 3217, 3312, 3353, 3368, 3376, 3378, 3385, 3452, 3458, 3707, 3712, 3771, 3842 and 3890 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2621 and 2749 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Erickson introduced:

H. F. No. 4035, A bill for an act relating to education; providing teacher training for qualified professionals; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2004, section 122A.24.

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

Klinzing introduced:

H. F. No. 4036, A bill for an act relating to state government; appropriating money for a study of Minnesota's communications infrastructure.

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

Gunther and Ozment introduced:

H. F. No. 4037, A bill for an act relating to capital improvements; establishing and appropriating money for clean water legacy phosphorus reduction and small community wastewater treatment programs; authorizing the issuance of general obligation bonds; amending Minnesota Statutes 2005 Supplement, section 116.182, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 446A.

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

Erhardt and Peterson, N., introduced:

H. F. No. 4038, A bill for an act relating to property taxation; indexing the valuation limit for the first tier classification rate on residential homestead property; amending Minnesota Statutes 2004, section 273.11, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 273.13, subdivision 22.

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

Nornes introduced:

H. F. No. 4039, A bill for an act relating to higher education; Minnesota State Colleges and Universities; making technical changes; granting authority to control receipts; amending Minnesota Statutes 2004, sections 136F.42, subdivision 1; 136F.71, subdivision 2, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 135A.52, subdivisions 1, 2.

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

Sykora introduced:

H. F. No. 4040, A bill for an act relating to education finance; extending the funding for certain early literacy activities conducted by ServeMinnesota; appropriating money; amending Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision 16.

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

Davids introduced:

H. F. No. 4041, A bill for an act relating to agriculture; limiting water use permitting fees for aquaculture to no more than \$750 per year; amending Minnesota Statutes 2005 Supplement, section 103G.271, subdivision 6.

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

Dempsey introduced:

H. F. No. 4042, A bill for an act relating to animals; specifying criteria for animal cruelty investigations; amending Minnesota Statutes 2004, section 343.22, subdivision 2, by adding a subdivision.

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

Sailer and Liebling introduced:

H. F. No. 4043, A bill for an act relating to energy; changing energy conservation investment loan program into a grant program; amending Minnesota Statutes 2004, section 216C.37.

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

Sykora introduced:

H. F. No. 4044, A bill for an act relating to education finance; providing for an approved special education study and report; appropriating money.

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

Ruud introduced:

H. F. No. 4045, A bill for an act relating to taxes; individual income; modifying alternative minimum taxable income; increasing alternative minimum tax exemption amounts; amending Minnesota Statutes 2004, section 290.091, subdivision 3; Minnesota Statutes 2005 Supplement, section 290.091, subdivision 2.

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

Ruud introduced:

H. F. No. 4046, A bill for an act relating to lobbyists; prohibiting former legislators, constitutional officers, agency heads, and certain legislative employees from lobbying for legislative or administrative action for one year after leaving office; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Ruud introduced:

H. F. No. 4047, A bill for an act relating to the legislature; prohibiting per diem payments to members during certain special sessions; amending Minnesota Statutes 2004, section 3.099, subdivision 1.

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

Murphy introduced:

H. F. No. 4048, A bill for an act relating to the city of Hermantown; modifying the use of its local sales tax revenues; amending Laws 1996, chapter 471, article 2, section 29, subdivisions 1, 4.

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

Johnson, J., introduced:

H. F. No. 4049, A bill for an act relating to civil actions; providing certain remedies for neglect, abuse, and other actions against incapacitated and vulnerable adults; proposing coding for new law in Minnesota Statutes, chapter 524.

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

Clark introduced:

H. F. No. 4050, A bill for an act relating to housing; regulating transactions between certain low-income and moderate-income housing developers and local units of government; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Bernardy introduced:

H. F. No. 4051, A bill for an act relating to capital investment; appropriating money for trunk highway improvements; authorizing sale of trunk highway bonds.

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

Scalze introduced:

H. F. No. 4052, A bill for an act relating to transportation; authorizing cities to impose a transportation utility fee; proposing coding for new law in Minnesota Statutes, chapter 275.

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

Scalze introduced:

H. F. No. 4053, A bill for an act relating to intoxicating liquor; raising the fee for off-sale licenses; amending Minnesota Statutes 2004, section 340A.408, subdivision 3.

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

Lenczewski; Peterson, N., and Larson introduced:

H. F. No. 4054, A bill for an act relating to highways; authorizing sale of trunk highway bonds for interchange at marked Interstate Highways 35W and 494; appropriating money.

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

Krinkie; Lenczewski; Peterson, N.; Zellers and Holberg introduced:

H. F. No. 4055, A bill for an act relating to taxation; abolishing the metropolitan fiscal disparities law; repealing Minnesota Statutes 2004, sections 473F.001; 473F.01; 473F.02, subdivisions 1, 3, 4, 5, 6, 8, 10, 12, 13, 14, 15, 21, 22, 23, 24; 473F.03; 473F.05; 473F.06; 473F.07; 473F.08, subdivisions 1, 2, 3, 3b, 4, 5, 5a, 6, 7a, 8a, 10; 473F.09; 473F.10; 473F.11; 473F.13; Minnesota Statutes 2005 Supplement, sections 473F.02, subdivisions 2, 7; 473F.08, subdivision 3a.

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

Sailer introduced:

H. F. No. 4056, A bill for an act relating to education; establishing a parent-school partnership pilot program to assist children with autism spectrum disorders; appropriating money.

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

Simon, Paymar, Hornstein and Cybart introduced:

H. F. No. 4057, A bill for an act relating to state government; requiring the State Board of Investment to monitor state investments in companies doing business with Sudan and to support shareholder resolutions that require affirmative action to end the crisis in Sudan; proposing coding for new law in Minnesota Statutes, chapter 11A.

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

Juhnke introduced:

H. F. No. 4058, A bill for an act relating to capital improvements; appropriating money for the Minnesota Poultry Testing Laboratory in Willmar; authorizing the sale and issuance of state bonds.

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

Davids introduced:

H. F. No. 4059, A bill for an act relating to arts assistance; requiring the Board of the Arts to establish and administer a revolving loan fund to assist rural Minnesota cultural facilities construction projects; appropriating money; amending Minnesota Statutes 2004, section 129D.04, subdivision 1.

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

Seifert introduced:

H. F. No. 4060, A bill for an act relating to taxes; individual income; providing a health insurance credit; 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.

Olson introduced:

H. F. No. 4061, A bill for an act relating to highways; allowing certain advertising devices to be placed adjacent to roads; amending Minnesota Statutes 2004, section 173.08, by adding a subdivision.

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

Gunther introduced:

H. F. No. 4062, A bill for an act relating to appropriations; appropriating money and supplementing or reducing appropriations for various economic development and human services programs or activities; making forecast adjustments; amending Minnesota Statutes 2004, sections 16B.61, subdivision 1a; 16B.65, subdivisions 1, 5a; 16B.70, subdivision 2; 119B.03, subdivision 4; 256J.021; 256J.626, subdivision 2; 326.105; 326.992; 327.33, subdivisions 2, 6; 327B.04, subdivision 7; 446A.12, subdivision 1; 471.471, subdivision 4; 518.551, subdivision 7; Minnesota Statutes 2005 Supplement, section 446A.073; proposing coding for new law in Minnesota Statutes, chapters 116J; 341; proposing coding for new law as Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2004, sections 16B.747, subdivision 4; 183.375, subdivision 5; 326.241, subdivision 3; 326.44; 326.52; 326.64; Minnesota Statutes 2005 Supplement, section 183.545, subdivision 9.

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

Hamilton introduced:

H. F. No. 4063, A bill for an act relating to the city of Worthington; changing the time for local sales tax referendum; amending Laws 2005, First Special Session chapter 3, article 5, section 44, subdivisions 1, 5.

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

Vandevveer introduced:

H. F. No. 4064, A bill for an act relating to local sales and use taxes; requiring revenue sharing; proposing coding for new law in Minnesota Statutes, chapter 297A.

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

Loeffler, Carlson, Demmer and Greiling introduced:

H. F. No. 4065, A bill for an act relating to education; reporting special education litigation costs; amending Minnesota Statutes 2004, section 125A.75, by adding a subdivision.

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

Krinkie introduced:

H. F. No. 4066, A bill for an act relating to railroads; abolishing regional rail authorities in the seven-county metropolitan area; amending Minnesota Statutes 2004, sections 10A.01, subdivision 24; 174.03, subdivision 6a; 275.065, subdivision 3; 398A.03, subdivision 1; 473.399, subdivision 1; 473.3994, subdivision 2; 473.3997; proposing coding for new law in Minnesota Statutes, chapter 398A.

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

Davids introduced:

H. F. No. 4067, A bill for an act relating to appropriations; appropriating money for reimbursement grants to persons who install E85 pumps.

The bill was read for the first time and referred to the Committee on Agriculture, Environment and Natural Resources 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. 3039, A bill for an act relating to natural resources; providing for extension of timber permits in the event of adverse surface conditions; amending Minnesota Statutes 2004, section 90.041, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2726.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2726, A bill for an act relating to health; extending the essential community provider designation to a mental health provider located in Hennepin County; amending Minnesota Statutes 2004, section 62Q.19, subdivision 2.

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Supplemental Calendar for the Day for Thursday, March 30, 2006:

H. F. Nos. 1948, 3076, 2677, 2872, 3302, 3073 and 2514.

CALENDAR FOR THE DAY

H. F. No. 2677, A bill for an act relating to local government; authorizing towns to contract without competitive bidding in certain circumstances; amending Minnesota Statutes 2004, section 471.345, by adding a subdivision.

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 125 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Goodwin	Krinkie	Smith	Wilkin
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The bill was passed and its title agreed to.

H. F. No. 2872, A bill for an act relating to state government; defining political subdivision for the purposes of the chapter governing the state auditor; applying provisions for the state auditor to all political subdivisions; amending Minnesota Statutes 2004, sections 6.47; 6.51; 6.54; 6.55; 6.551; 6.57; 6.59; 6.60; 6.62, subdivision 2; 6.63; 6.64; 6.65; 6.66; 6.67; 6.68; 6.70; 6.71; 6.76; 103D.355; proposing coding for new law in Minnesota Statutes, chapter 6; repealing Minnesota Statutes 2004, section 6.56, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3302, A bill for an act relating to local government; modifying municipal and county planning and zoning provisions; providing standards for preliminary plat approval in a proposed development; amending Minnesota Statutes 2004, sections 394.25, subdivision 7; 462.358, subdivision 3b.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Cornish	Eastlund	Hackbarth	Howes	Krinkie
Abrams	Cox	Eken	Hamilton	Huntley	Lanning
Anderson, B.	Cybart	Ellison	Hansen	Jaros	Larson
Anderson, I.	Davids	Entenza	Hausman	Johnson, J.	Latz
Atkins	Davnie	Erhardt	Haws	Johnson, R.	Lenczewski
Beard	Dean	Erickson	Heidgerken	Johnson, S.	Lesch
Bernardy	DeLaForest	Finstad	Hilstrom	Juhnke	Liebling
Blaine	Demmer	Fritz	Hilty	Kahn	Lieder
Bradley	Dempsey	Garofalo	Holberg	Kelliher	Lillie
Brod	Dill	Gazelka	Hoppe	Klinzing	Loeffler
Buesgens	Dittrich	Goodwin	Hornstein	Knoblach	Magnus
Carlson	Dorman	Greiling	Hortman	Koenen	Mahoney
Clark	Dorn	Gunther	Hosch	Kohls	Mariani

Marquart	Olson	Peterson, N.	Scalze	Solberg	Wardlow
McNamara	Otremba	Peterson, S.	Seifert	Sykora	Walti
Meslow	Ozment	Poppe	Sertich	Thao	Westerberg
Mullery	Paulsen	Powell	Sieben	Thissen	Westrom
Murphy	Paymar	Rukavina	Simon	Tingelstad	Wilkin
Nelson, M.	Pelowski	Ruth	Simpson	Urdahl	Zellers
Nelson, P.	Penas	Ruud	Slawik	Vandev eer	Spk. Sviggum
Newman	Peppin	Sailer	Smith	Wagenius	
Nornes	Peterson, A.	Samuelson	Soderstrom	Walker	

The bill was passed and its title agreed to.

H. F. No. 2645, A bill for an act relating to Swift County; increasing the size of the board of the rural development finance authority; amending Laws 1995, chapter 264, article 5, section 39, subdivision 4.

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 122 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Holberg	Newman	Wilkin
Charron	Klinzing	Peppin	Zellers

The bill was passed and its title agreed to.

H. F. No. 3073, A bill for an act relating to property; modifying mechanic's lien provisions; modifying certain probate and trust provisions and clarifying the administrative powers of personal representatives to sell, mortgage, or lease property of a decedent; making clarifying, technical, and conforming changes to the Minnesota Common Interest Ownership Act; amending Minnesota Statutes 2004, sections 514.10; 524.3-301; 524.3-715; 524.3-803; Minnesota Statutes 2005 Supplement, sections 253B.23, subdivision 2; 515B.1-102; 515B.2-101; 515B.2-110; 515B.2-112; 515B.2-121; 515B.3-115; 515B.3-117; 515B.4-101; 515B.4-102; 548.27.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The Speaker assumed the Chair.

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

MOTIONS AND RESOLUTIONS

Paymar moved that the name of Tingelstad be added as an author on H. F. No. 147. The motion prevailed.

Rukavina moved that the name of Sieben be added as an author on H. F. No. 169. The motion prevailed.

Abrams moved that the name of Demmer be added as an author on H. F. No. 263. The motion prevailed.

Atkins moved that the name of Olson be added as an author on H. F. No. 471. The motion prevailed.

Ruth moved that the name of Gazelka be added as an author on H. F. No. 1831. The motion prevailed.

McNamara moved that the name of Wardlow be added as an author on H. F. No. 2560. The motion prevailed.

Jaros moved that the name of Sieben be added as an author on H. F. No. 2718. The motion prevailed.

Eastlund moved that the name of Sieben be added as an author on H. F. No. 2857. The motion prevailed.

Seifert moved that the names of Magnus and Simpson be added as authors on H. F. No. 2904. The motion prevailed.

Severson moved that the name of Urdahl be added as an author on H. F. No. 2921. The motion prevailed.

Erickson moved that the name of Dorn be added as an author on H. F. No. 3033. The motion prevailed.

Kelliher moved that the name of Moe be added as an author on H. F. No. 3098. The motion prevailed.

Klinzing moved that the names of Haws and Dittrich be added as authors on H. F. No. 3151. The motion prevailed.

Seifert moved that the name of Cornish be added as an author on H. F. No. 3169. The motion prevailed.

Meslow moved that the name of Moe be added as an author on H. F. No. 3415. The motion prevailed.

Peterson, A., moved that the name of Urdahl be added as an author on H. F. No. 3457. The motion prevailed.

Westerberg moved that the names of Nornes, Dempsey, Simpson, Tingelstad and McNamara be added as authors on H. F. No. 3484. The motion prevailed.

Powell moved that the name of Wilkin be added as an author on H. F. No. 3556. The motion prevailed.

Goodwin moved that the name of Simon be added as an author on H. F. No. 3558. The motion prevailed.

Goodwin moved that the name of Simon be added as an author on H. F. No. 3559. The motion prevailed.

Smith moved that the name of Moe be added as an author on H. F. No. 3586. The motion prevailed.

Penas moved that the name of Westerberg be added as an author on H. F. No. 3614. The motion prevailed.

Holberg moved that the name of Westerberg be added as an author on H. F. No. 3657. The motion prevailed.

Hackbarth moved that the name of Hortman be added as an author on H. F. No. 3712. The motion prevailed.

Otremba moved that the name of Haws be added as an author on H. F. No. 3739. The motion prevailed.

Tingelstad moved that her name be stricken as an author on H. F. No. 3754. The motion prevailed.

Urdahl moved that the names of Peterson, A., and Koenen be added as authors on H. F. No. 3782. The motion prevailed.

Johnson, J., moved that the name of Moe be added as an author on H. F. No. 3863. The motion prevailed.

Vandevener moved that the names of Nelson, P., and Lenczewski be added as authors on H. F. No. 3882. The motion prevailed.

Abeler moved that the name of Haws be added as an author on H. F. No. 3964. The motion prevailed.

Erhardt moved that the name of Simon be added as an author on H. F. No. 3999. The motion prevailed.

Paulsen moved that the names of Vandevener, Dean, Penas and Anderson, B., be added as authors on H. F. No. 4024. The motion prevailed.

Gunther moved that H. F. No. 3419 be recalled from the Committee on Regulated Industries and be re-referred to the Committee on Jobs and Economic Opportunity Policy and Finance. The motion prevailed.

Clark moved that H. F. No. 3449 be recalled from the Committee on Jobs and Economic Opportunity Policy and Finance and be re-referred to the Committee on Civil Law and Elections. The motion prevailed.

Garofalo moved that H. F. No. 3841 be returned to its author. The motion prevailed.

MOTION TO REJECT 2006 BUDGET RESOLUTION

Solberg moved that the House reject the 2006 Budget Resolution as adopted by the Committee on Ways and Means on Wednesday, March 29, 2006.

A roll call was requested and properly seconded.

The question was taken on the Solberg motion and the roll was called. There were 65 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Huntley	Lesch	Nelson, M.	Sertich
Atkins	Fritz	Jaros	Liebling	Otremba	Sieben
Bernardy	Goodwin	Johnson, R.	Lieder	Paymar	Simon
Carlson	Greiling	Johnson, S.	Lillie	Pelowski	Slawik
Clark	Hansen	Juhnke	Loeffler	Peterson, A.	Solberg
Davnie	Haws	Kahn	Mahoney	Peterson, S.	Thao
Dill	Hilstrom	Kelliher	Mariani	Poppe	Thissen
Dittrich	Hilty	Koenen	Marquart	Rukavina	Wagenius
Dorn	Hornstein	Larson	Moe	Ruud	Walker
Eken	Hortman	Latz	Mullery	Sailer	Wolti
Ellison	Hosch	Lenczewski	Murphy	Scalze	

Those who voted in the negative were:

Abeler	Beard	Brod	Cornish	Davids	Demmer
Abrams	Blaine	Buesgens	Cox	Dean	Dempsey
Anderson, B.	Bradley	Charron	Cybart	DeLaForest	Dorman

Eastlund	Hamilton	Kohls	Olson	Seifert	Wardlow
Emmer	Hausman	Krinkie	Ozment	Severson	Westerberg
Erhardt	Heidgerken	Lanning	Paulsen	Simpson	Westrom
Erickson	Holberg	Magnus	Penas	Smith	Wilkin
Finstad	Hoppe	McNamara	Peppin	Soderstrom	Zellers
Garofalo	Howes	Meslow	Peterson, N.	Sykora	Spk. Sviggum
Gazelka	Johnson, J.	Nelson, P.	Powell	Tingelstad	
Gunther	Klinzing	Newman	Ruth	Urdahl	
Hackbarth	Knoblach	Nornes	Samuelson	Vandev eer	

The Solberg motion to reject did not prevail and the 2006 Budget Resolution, as adopted by the Committee on Ways and Means on Wednesday, March 29, 2006, was adopted.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, April 3, 2006. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, April 3, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

