

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2006

EIGHTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 6, 2006

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

Prayer was offered by the Reverend Cindy Bullock, St. Stephen's Lutheran Church, West St. Paul, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Zellers was excused until 3:50 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Pelowski 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. 2832 and H. F. No. 2788, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rukavina moved that S. F. No. 2832 be substituted for H. F. No. 2788 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3465 and H. F. No. 3780, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

McNamara moved that S. F. No. 3465 be substituted for H. F. No. 3780 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Seifert from the Committee on State Government Finance 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 Ways and Means.

The report was adopted.

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

H. F. No. 2944, A bill for an act relating to governmental operations; creating a task force to study the use of credit and debit cards for payment of taxes, licenses, permits, and other statutory fees.

Reported the same back with the following amendments:

Page 1, lines 7, 19, and 22, delete "in-person"

Page 1, line 14, delete "and"

Page 1, line 15, delete the period and insert a semicolon

Page 1, after line 15, insert:

"(7) a representative designated by the Minnesota Association of County Auditors, Treasurers and Finance Officers; and

(8) a representative of the Consumer Division of the Office of the Attorney General."

Page 2, line 1, after "legislature" insert "by February 1, 2007,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3002, A bill for an act relating to human services; modifying provisions for general assistance and MFIP programs; amending Minnesota Statutes 2004, sections 256D.06, by adding a subdivision; 256J.12, subdivision 1, by adding a subdivision; 256J.95, by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 9, delete "2005" and insert "2006"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3241, A bill for an act relating to legislative procedure; prohibiting final passage of a bill or conference report on the day it is received by a body, with certain exceptions; proposing coding for new law in Minnesota Statutes, chapter 3.

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 3276, A bill for an act relating to transportation; governing contents of impounded vehicles; amending Minnesota Statutes 2004, sections 168B.06, subdivision 1; 168B.07, by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 9, after "the" insert "registered"

Page 1, line 9, after "owner" insert "and any lienholders"

Page 1, line 21, delete "car" and insert "vehicle"

Page 1, line 22, delete "car" and insert "vehicle" and delete everything after the period

Page 1, delete line 23

Page 2, delete line 1

Page 2, line 2, delete "impound lot operator or the city."

Page 2, line 5, delete "liability" and delete "(a)"

Page 2, line 6, delete "shall" and insert "may"

Page 2, delete lines 10 to 15 and insert "means all personal belongings and does not include any permanently affixed mechanical or nonmechanical: (i) automobile parts; (ii) automobile body parts; or (iii) automobile accessories, including audio or video players."

Page 2, delete section 3

Page 2, after line 21, insert:

"Sec. 3. Minnesota Statutes 2004, section 169.829, subdivision 2, is amended to read:

Subd. 2. **Tow truck.** Sections 169.822 to 169.828 do not apply to a tow truck or towing vehicle when towing a disabled or damaged vehicle ~~damaged in such manner that the towed vehicle cannot be towed from the rear and~~ when the movement is temporary urgent, and when the movement is for the purpose of taking removing the disabled vehicle from the roadway to a place of safekeeping or to a place of repair.

Sec. 4. Minnesota Statutes 2004, section 169.86, is amended by adding a subdivision to read:

Subd. 8. **Tow truck.** A tow truck or towing vehicle, when towing a disabled or damaged vehicle to a place of repair or to a place of safekeeping, may exceed the length and weight limitations of this chapter, subject to a \$300 annual permit fee and such conditions as the commissioner may prescribe.

Amend the title as follows:

Page 1, line 2, delete "governing" and insert "modifying provisions relating to tow trucks and"

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 3380, A bill for an act relating to local government; authorizing political subdivisions to establish accounts to pay for postemployment benefits owed to officers and employees; proposing coding for new law in Minnesota Statutes, chapter 353.

Reported the same back with the following amendments:

Page 1, delete lines 18 and 19, and insert:

"(2) "postemployment benefit" means a benefit giving rise to a liability under Statement 45 of the Government Accounting Standards Board, thereby excluding benefits to be paid by a Minnesota public pension plan listed in section 356.20, subdivision 2, or 356.30, subdivision 3, and benefits provided on a defined contribution, individual account basis; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3383, A bill for an act relating to the city of Grand Rapids; authorizing issuance of certain capital improvement bonds.

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

The report was adopted.

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

H. F. No. 3390, A bill for an act relating to employee relations; changing eligibility criteria for the salary differential program for state employees ordered to active military service; amending Minnesota Statutes 2005 Supplement, section 43A.183.

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

The report was adopted.

Ozment from the Committee on Agriculture, Environment and Natural Resources Finance to which was referred:

H. F. No. 3394, A bill for an act relating to natural resources; appropriating money for a study by the University of Minnesota Department of Forest Resources.

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 3503, A bill for an act relating to transportation; requiring bicycle operators and passengers under the age of 18 to wear helmets; updating standard for helmets worn by operators of motorized bicycles and electric-assisted bicycles; amending Minnesota Statutes 2004, sections 169.222, by adding a subdivision; 169.223, subdivision 1.

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

The report was adopted.

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

H. F. No. 3716, A bill for an act relating to elections; providing that the secretary of state shall distribute application for ballots to be cast pursuant to sections 203B.15 to 203B.31 in conformity with the Uniformed and Overseas Citizens Voter Act; appropriating money; amending Minnesota Statutes 2004, sections 203B.17; 203B.18; 203B.19.

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 3886, A bill for an act relating to drivers' licenses; providing for use of tribal documents; amending Minnesota Statutes 2004, section 171.06, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2005 Supplement, section 171.02, subdivision 1, is amended to read:

Subdivision 1. **License required.** Except when expressly exempted, a person shall not drive a motor vehicle upon a street or highway in this state unless the person has a license valid under this chapter for the type or class of vehicle being driven. The department shall not issue a driver's license to a person unless and until the person's license from any jurisdiction has been invalidated. The department shall provide to the issuing department of any jurisdiction, information that the licensee is now licensed in Minnesota. A person is not permitted to have more than one valid driver's license at any time. The department shall not issue to a person to whom a current Minnesota identification card has been issued a driver's license, other than a limited license, unless the person's Minnesota identification card has been invalidated. This subdivision does not require invalidation of a tribal identification card as a condition of receiving a driver's license.

Sec. 2. **[171.072] TRIBAL IDENTIFICATION CARD.**

(a) For purposes of this subdivision, "tribal identification card" means an unexpired identification card issued by the tribal government of a Minnesota tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the legal name, date of birth, signature, and picture of the enrolled tribal member.

(b) Notwithstanding any law to the contrary, if a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Minnesota Rules, a tribal identification card is also an acceptable form of identification. A tribal identification card shall be recognized as a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules.

(c) The tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must utilize materials that are not readily available to the general public. The tribal identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering. The requirements of this paragraph do not apply to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3."

Delete the title and insert:

"A bill for an act relating to drivers' licenses; providing for use of tribal identification cards; amending Minnesota Statutes 2005 Supplement, section 171.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 171."

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

The report was adopted.

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

H. F. No. 3915, A bill for an act relating to agriculture; providing a two-year moratorium on genetically engineered wild rice in the event of an application for a test plot; requiring assessment and reports during the moratorium; proposing coding for new law in Minnesota Statutes, chapter 18F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **WILD RICE STUDY.**

Subdivision 1. **Study.** The commissioner of agriculture, in cooperation with the commissioner of natural resources, shall review the need for a study on strains of wild rice that are indigenous to Minnesota, sacred to the Ojibwe people, and important both historically and economically to this state. These specific strains are *Zizania aquatica* and *Zizania palustris*. The proposed study would include:

(1) evidence of population decline in these strains in Minnesota lakes, rivers, and streams and, if such a decline is found, an explanation of possible contributing factors;

(2) arguments for and against the economic, agronomic, cultural, and historical importance of maintaining the integrity of these strains;

(3) evaluation of methods available for maintaining the integrity of these strains in Minnesota lakes, rivers, and streams, including scientific, regulatory, and any other reasonable methods the commissioners may identify; and

(4) recommendations that address the findings in clauses (1) to (3).

Subd. 2. **Deadlines.** No later than November 15, 2007, the commissioners shall report on the need for the study described in subdivision 1 to the chairs of the house and senate committees with jurisdiction over agriculture, environment, and natural resource policy and finance and representatives of the seven sovereign Ojibwe tribes of Minnesota. No later than January 15, 2008, the commissioners shall report on the need for the study to the house and senate committees with jurisdiction over agriculture, environment, and natural resource policy and finance. In their report to the committees, the commissioners must include the official, written response of the Ojibwe representatives and other interested parties who received the initial report from the commissioners."

Delete the title and insert:

"A bill for an act relating to agriculture; providing for a wild rice study."

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

The report was adopted.

Erhardt from the Committee on Transportation to which was referred:

H. F. No. 3991, A bill for an act relating to transportation; extending life of Mississippi River Parkway Commission to 2016; amending Minnesota Statutes 2005 Supplement, section 161.1419, subdivision 8.

Reported the same back with the following amendments:

Page 1, line 8, delete "2016" and insert "2012"

Amend the title as follows:

Page 1, line 3, delete "2016" and insert "2012"

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

The report was adopted.

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

S. F. No. 2734, A bill for an act relating to natural and cultural resources; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts for natural and cultural resource purposes; creating an arts, humanities, museum, and public broadcasting

fund; creating a heritage enhancement fund; creating a parks and trails fund; creating a clean water fund; establishing a Heritage Enhancement Council; establishing a Clean Water Council; amending Minnesota Statutes 2004, sections 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; Minnesota Statutes 2005 Supplement, section 10A.01, subdivision 35; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103F; 129D.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

CONSTITUTIONAL AMENDMENT

Section 1. **CONSTITUTIONAL AMENDMENT.**

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a section will be added to article XI, to read:

Sec. 15. Beginning July 1, 2009, the sales and use tax receipts equal to the state sales and use tax of one-eighth of one percent on sales and uses taxable under the general state sales and use tax law, plus penalties and interest and reduced by any refunds, are dedicated to provide hunter and angler access and to improve, enhance, or protect game and fish habitat. The money dedicated under this section shall not be used as a substitute for traditional funding sources for the purposes specified, but the dedicated money shall supplement traditional sources of funding for those purposes. Easements in land acquired with money deposited in the game and fish preservation fund under this section must be open to public taking of game and fish during the open season.

Sec. 2. **SUBMISSION TO VOTERS.**

The proposed amendment shall be submitted to the people at the 2006 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to provide funding beginning July 1, 2009, to provide hunter and angler access and to improve, enhance, or protect game and fish habitat by dedicating the sales and use tax receipts equal to the state sales and use tax of one-eighth of one percent on taxable sales?"

Yes

No"

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 apply to sales and uses occurring after June 30, 2009.

ARTICLE 2

CONFORMING CHANGES

Section 1. **[84.946] GAME AND FISH PRESERVATION FUND.**

The commissioner of finance shall create a game and fish preservation fund upon the effective date of article 1, section 3. The fund shall consist of revenue deposited under the Minnesota Constitution, article XI, section 15.

Sec. 2. **[84.947] GAME AND FISH PRESERVATION FUND; EXPENDITURE ALLOCATION.**

The commissioner of natural resources Budgetary Oversight Committee, under Minnesota Statutes, section 97A.055, subdivision 4b, shall allocate expenditures from the game and fish preservation fund. The recommendations must be for projects that provide hunter and angler access and to improve, enhance, or protect game and fish habitat.

Sec. 3. **[84.992] ACCESS TO MINNESOTA OUTDOORS.**

Subdivision 1. **Walk-in access plan.** (a) The commissioner shall create a walk-in public access plan under which the commissioner may encourage owners and operators of privately held land to voluntarily make that land available for walk-in access by the public for hunting and fishing under programs administered by the commissioner and funded by revenue created under the Minnesota Constitution, article XI, section 15.

(b) As part of the plan, the commissioner shall explore entering into contracts with the owners or lessees of land for the establishment of voluntary walk-in public access for the purposes of hunting, fishing, or other wildlife-dependent recreational activities.

(c) In the plan, the commissioner must describe:

(1) the benefits that private land will provide the public, such as hunting, fishing, bird watching, and related outdoor activities; and

(2) the types of fish and wildlife habitat improvements made to the land that will enhance public uses.

(d) The commissioner shall explore walk-in access programs in other states and to develop a walk-in program for public access to private lands for hunting, fishing, and related recreational activities.

Subd. 2. **Preemption.** Nothing in this section is intended to preempt other state laws, including trespass and liability laws.

Subd. 3. **Report.** Before implementation, the commissioner must present the walk-in plan to the house and senate committees with jurisdiction over natural resources policy and finance, with recommendations on program implementation, by December 31, 2008.

Sec. 4. Minnesota Statutes 2005 Supplement, section 97A.055, subdivision 4b, is amended to read:

Subd. 4b. **Citizen oversight subcommittees.** (a) The commissioner shall appoint subcommittees of affected persons to review the reports prepared under subdivision 4; review the proposed work plans and budgets for the coming year; propose changes in policies, activities, and revenue enhancements or reductions; review other relevant information; and make recommendations to the legislature and the commissioner for improvements in the management and use of money in the game and fish fund.

(b) The commissioner shall appoint the following subcommittees, each comprised of at least three affected persons:

(1) a Fisheries Operations Subcommittee to review fisheries funding, excluding activities related to trout and salmon stamp funding;

(2) a Wildlife Operations Subcommittee to review wildlife funding, excluding activities related to migratory waterfowl, pheasant, and turkey stamp funding and excluding review of the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c);

(3) a Big Game Subcommittee to review the report required in subdivision 4, paragraph (a), clause (2);

(4) an Ecological Services Operations Subcommittee to review ecological services funding;

(5) a subcommittee to review game and fish fund funding of enforcement, support services, and Department of Natural Resources administration;

(6) a subcommittee to review the trout and salmon stamp report and address funding issues related to trout and salmon;

(7) a subcommittee to review the report on the migratory waterfowl stamp and address funding issues related to migratory waterfowl;

(8) a subcommittee to review the report on the pheasant stamp and address funding issues related to pheasants; and

(9) a subcommittee to review the report on the turkey stamp and address funding issues related to wild turkeys.

(c) The chairs of each of the subcommittees shall form a Budgetary Oversight Committee to coordinate the integration of the subcommittee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; provide a forum to address issues that transcend the subcommittees; and submit a report for any subcommittee that fails to submit its report in a timely manner.

(d) The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance. In addition, the committee must review and decide on recommended expenditures from the game and fish preservation fund under section 84.946.

(e) Each subcommittee shall choose its own chair, except that the chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of any of the subcommittees.

(f) The Budgetary Oversight Committee must make recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance for outcome goals from expenditures.

(g) Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the Budgetary Oversight Committee and subcommittees do not expire until June 30, 2010. Expenses for performing their duties under this section are governed by section 15.059, subdivision 6.

Sec. 5. Minnesota Statutes 2004, section 297A.94, is amended to read:

297A.94 DEPOSIT OF REVENUES.

(a) Except as provided in this section and the Minnesota Constitution, article XI, section 15, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(e) For fiscal year 2001, 97 percent; for fiscal years 2002 and 2003, 87 percent; and for fiscal year 2004 and thereafter, 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

(f) The revenue dedicated under paragraph (e) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (e) must be open to

public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (e) must be allocated for field operations.

Sec. 6. **EFFECTIVE DATE.**

Sections 1, 2, 4, and 5 are effective July 1, 2009, if the constitutional amendment proposed in article 1 is adopted by the voters. Section 3 is effective the day following final enactment.

ARTICLE 3

MOTOR VEHICLE SALES TAX CONSTITUTIONAL AMENDMENT

Section 1. Laws 2005, chapter 88, article 3, section 9, is amended to read:

Sec. 9. **CONSTITUTIONAL AMENDMENT PROPOSED.**

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, two sections will be added to article XIV to read:

Sec. 12. Beginning with the fiscal year starting July 1, 2007, 63.75 percent of the revenue from a tax imposed by the state on the sale of a new or used motor vehicle must be apportioned for the transportation purposes described in section 13, then the revenue apportioned for transportation purposes must be increased by ten percent for each subsequent fiscal year through June 30, 2011, and then the revenue must be apportioned 100 percent for transportation purposes after June 30, 2011.

Sec. 13. The revenue apportioned in section 12 must be allocated for the following transportation purposes: ~~not more than 60~~ 80 percent must be deposited in the highway user tax distribution fund, and ~~not less than 40~~ 20 percent must be deposited in a fund dedicated solely to public transit assistance as defined by law.

Sec. 2. Laws 2005, chapter 88, article 3, section 10, is amended to read:

Sec. 10. **SUBMISSION TO VOTERS.**

The constitutional amendment proposed in section 12 must be presented to the people at the 2006 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to dedicate revenue from a tax on the sale of new and used motor vehicles over a five-year period, so that after June 30, 2011, all of the revenue is dedicated ~~at least 40~~ 20 percent for public transit assistance and ~~not more than 60~~ 80 percent for highway purposes?"

Yes

No"

ARTICLE 4

MARRIAGE CONSTITUTIONAL AMENDMENT

Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a section shall be added to article XIII, to read:

Sec. 13. Only a union of one man and one woman shall be valid and recognized as a marriage in Minnesota. Any other relationship shall not be recognized as a marriage or its legal equivalent by the state or any of its political subdivisions.

Sec. 2. **SUBMISSION TO VOTERS.**

The proposed amendment must be submitted to the people at the 2006 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to provide that the state and its political subdivisions shall recognize marriage and its legal equivalent as limited to only the union of one man and one woman?"

Yes

No"

Delete the title and insert:

"A bill for an act relating to proposing constitutional amendments; proposing an amendment to the Minnesota Constitution by adding a section to article XI; dedicating sales and use tax receipts equal to a rate of one-eighth of one percent on taxable sales and uses to provide angler and hunter access and to improve, enhance, or protect game and fish habitat; creating a game and fish preservation fund; providing for an outdoor walk-in public access plan; amending a proposed amendment to the Minnesota Constitution, article XIV, sections 12 and 13; dedicating motor vehicle sales tax revenues to transportation and allocating them between public transit assistance and the highway user tax distribution fund; proposing an amendment to the Minnesota Constitution by adding a section to article XIII; providing that only a union of one man and one woman is valid and recognized as a marriage; amending Minnesota Statutes 2004, section 297A.94; Minnesota Statutes 2005 Supplement, section 97A.055, subdivision 4b; Laws 2005, chapter 88, article 3, sections 9; 10; proposing coding for new law in Minnesota Statutes, chapter 84."

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.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2944, 3002, 3380, 3383 and 3503 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2832 and 3465 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Abrams introduced:

H. F. No. 4110, A bill for an act relating to taxation; providing a sales tax exemption for motor vehicles purchased by lessees who donate the leased vehicle to a charitable organization within 30 days of the date of purchase; amending Minnesota Statutes 2004, section 297B.03.

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

Hackbarth introduced:

H. F. No. 4111, A bill for an act relating to stadiums; providing for the financing, construction, operation, and maintenance of a baseball stadium and related facilities; establishing the Minnesota Ballpark Authority; defining members of the authority as public officials; providing powers and duties of the authority; providing a community ownership option upon sale of the team; authorizing Hennepin County to issue bonds and to contribute to ballpark costs and to engage in ballpark and related activities; authorizing local sales and use taxes and revenues; requiring voter approval for local sales tax increases used to finance the stadiums; requiring actions by the state, the city of Minneapolis, and the Hennepin County Regional Railroad Authority; providing for the financing of a football stadium in Anoka County; creating a football stadium authority; authorizing the county to levy and collect certain taxes; amending Minnesota Statutes 2004, sections 297A.68, by adding a subdivision; 297A.71, by adding subdivisions; Minnesota Statutes 2005 Supplement, section 10A.01, subdivision 35; proposing coding for new law as Minnesota Statutes, chapter 473J; repealing Minnesota Statutes 2004, sections 473I.01; 473I.02; 473I.03; 473I.04; 473I.05; 473I.06; 473I.07; 473I.08; 473I.09; 473I.10; 473I.11; 473I.12; 473I.13.

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

Eastlund; Ellison; Walker; Anderson, B.; Erickson; Wilkin; Johnson, J.; Sviggum; Sailer; Entenza; Moe; DeLaForest; Blaine; Peppin; Hilty; Kahn; Paymar; Emmer and Thao introduced:

H. F. No. 4112, A bill for an act relating to public safety; establishing an address confidentiality program for victims of domestic violence, sexual assault, or stalking; providing program participants with a method of voting; establishing a mail forwarding system for program participants; prescribing criminal penalties; providing rulemaking; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 5B.

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

Peterson, A., and Severson introduced:

H. F. No. 4113, A bill for an act relating to highways; allowing certain national guard-related signs to be placed on highways; amending Minnesota Statutes 2004, section 169.06, subdivision 2.

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

Krinkie introduced:

H. F. No. 4114, A bill for an act relating to public finance; providing terms and conditions related to the issuance of obligations; defining terms; providing for authorization of interfund loans; amending Minnesota Statutes 2004, sections 103E.635, subdivision 7; 162.18, subdivision 1; 162.181, subdivision 1; 273.032; 365A.08; 365A.095; 373.45, subdivision 1; 469.035; 469.103, subdivision 2; Minnesota Statutes 2005 Supplement, sections 469.178, subdivision 7; 475.521, subdivision 4.

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

Brod, Lanning, Vandever, Magnus, Hamilton, Simpson, Finstad and Sviggum introduced:

H. F. No. 4115, A bill for an act relating to estate taxation; conforming to the increase in the federal exemption amount; amending Minnesota Statutes 2005 Supplement, section 291.03, subdivision 1.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 10, A Senate concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Paulsen moved that the rules be so far suspended that Senate Concurrent Resolution No. 10 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 10

A Senate concurrent resolution relating to adjournment for more than three days.

Be It Resolved by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon their adjournments on Wednesday, April 12, 2006, the Senate and House of Representatives may each set its next day of meeting for Tuesday, April 18, 2006.

2. Each house consents to adjournment of the other house for more than three days.

Paulsen moved that Senate Concurrent Resolution No. 10 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 10 was adopted.

Mr. Speaker:

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

S. F. Nos. 2634, 1039 and 2793.

PATRICK E. FLAHAVERN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2634, A bill for an act relating to state employment; ratifying certain labor agreements and compensation plans.

The bill was read for the first time.

MOTION TO SUSPEND RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Hilty moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2634 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Hilty motion and the roll was called. There were 72 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Dill	Ellison	Greiling	Hilstrom
Anderson, I.	Clark	Dittrich	Entenza	Hansen	Hilty
Atkins	Cox	Dorn	Fritz	Hausman	Hornstein
Bernardy	Davnie	Eken	Goodwin	Haws	Hortman

Hosch	Kelliher	Lieder	Murphy	Rukavina	Smith
Howes	Koenen	Lillie	Nelson, M.	Ruud	Solberg
Huntley	Lanning	Loeffler	Otremba	Sailer	Thao
Jaros	Larson	Mahoney	Paymar	Scalze	Thissen
Johnson, R.	Latz	Mariani	Pelowski	Sertich	Vandever
Johnson, S.	Lenczewski	Marquart	Peterson, A.	Sieben	Wagenius
Juhnke	Lesch	Moe	Peterson, S.	Simon	Walker
Kahn	Liebling	Mullery	Poppe	Slawik	Wolti

Those who voted in the negative were:

Abrams	Dauids	Finstad	Klinzing	Olson	Simpson
Anderson, B.	Dean	Garofalo	Knoblach	Paulsen	Soderstrom
Beard	DeLaForest	Gazelka	Kohls	Penas	Sykora
Blaine	Demmer	Gunther	Krinkie	Peppin	Tingelstad
Bradley	Dempsey	Hackbarth	Magnus	Peterson, N.	Urdahl
Brod	Dorman	Hamilton	McNamara	Powell	Wardlow
Buesgens	Eastlund	Heidgerken	Meslow	Ruth	Westerberg
Charron	Emmer	Holberg	Nelson, P.	Samuelson	Westrom
Cornish	Erhardt	Hoppe	Newman	Seifert	Wilkin
Cybart	Erickson	Johnson, J.	Nornes	Severson	Spk. Sviggum

Not having received the constitutionally required two-thirds vote, the motion did not prevail.

S. F. No. 2634 was referred to the Committee on State Government Finance.

FIRST READING OF SENATE BILLS, Continued

S. F. No. 1039, A bill for an act relating to commerce; prohibiting tampering with clock-hour meters on farm tractors; prescribing a civil penalty and a private right of action; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time.

Koenen moved that S. F. No. 1039 and H. F. No. 1466, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2793, A bill for an act relating to health; modifying essential community provider designation; 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.

CONSENT CALENDAR

H. F. No. 680, A bill for an act relating to landlord and tenant; providing a clarification relating to certain utility metering and billing; amending Minnesota Statutes 2004, section 504B.215, 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 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Emmer	Mahoney	Paymar	Thao
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The bill was passed and its title agreed to.

H. F. No. 2876, A bill for an act relating to town mutual insurance companies; modifying the exception to the restriction on insuring property in certain cities; amending Minnesota Statutes 2004, section 67A.14, subdivision 5.

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 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Bradley	Cybart	Dittrich	Erhardt	Hackbarth
Abrams	Brod	Davids	Dorman	Erickson	Hamilton
Anderson, B.	Buesgens	Davnie	Dorn	Finstad	Hansen
Anderson, I.	Carlson	Dean	Eastlund	Fritz	Hausman
Atkins	Charron	DeLaForest	Eken	Garofalo	Haws
Beard	Clark	Demmer	Ellison	Goodwin	Heidgerken
Bernardy	Cornish	Dempsey	Emmer	Greiling	Hilstrom
Blaine	Cox	Dill	Entenza	Gunther	Hilty

Holberg	Klinzing	Magnus	Paulsen	Sailer	Sykora
Hoppe	Knoblach	Mahoney	Paymar	Samuelson	Thao
Hornstein	Kohls	Marquart	Pelowski	Scalze	Thissen
Hortman	Krinkie	McNamara	Penas	Seifert	Tingelstad
Hosch	Lanning	Meslow	Peppin	Sertich	Urdahl
Howes	Larson	Moe	Peterson, A.	Severson	Vandev eer
Huntley	Latz	Mullery	Peterson, N.	Sieben	Wagenius
Jaros	Lenczewski	Murphy	Peterson, S.	Simon	Walker
Johnson, J.	Lesch	Nelson, M.	Poppe	Simpson	Wardlow
Johnson, R.	Liebling	Nelson, P.	Powell	Slawik	Welti
Johnson, S.	Lieder	Nornes	Rukavina	Smith	Westrom
Juhnke	Lillie	Otremba	Ruth	Soderstrom	Wilkin
Kelliher	Loeffler	Ozment	Ruud	Solberg	Spk. Sviggum

Those who voted in the negative were:

Newman Westerberg

The bill was passed and its title agreed to.

H. F. No. 3743, A bill for an act relating to state government; establishing an expiration date for the State Designer Selection Board; requiring a report.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3237 was reported to the House.

Peppin moved that H. F. No. 3237 be stricken from the Consent Calendar and be placed on the General Register. The motion prevailed.

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, April 6, 2006:

S. F. No. 2750; and H. F. Nos. 263, 1838, 1375, 3161, 3374 and 3185.

The Speaker called Abrams to the Chair.

CALENDAR FOR THE DAY

H. F. No. 1838, A bill for an act relating to traffic regulations; authorizing operation of neighborhood electric vehicles on streets and highways; amending Minnesota Statutes 2004, sections 168.011, by adding a subdivision; 168A.05, by adding a subdivision; 169.01, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 168.011, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 169.

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

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Simpson	Solberg	Tingelstad	Walker	Westrom
Slawik	Sykora	Urdahl	Wardlow	Wilkin
Smith	Thao	Vandever	Walti	Zellers
Soderstrom	Thissen	Wagenius	Westerberg	Spk. Sviggum

The bill was passed and its title agreed to.

S. F. No. 2750 was reported to the House.

Simon moved to amend S. F. No. 2750, the unofficial engrossment, as follows:

Page 5, delete section 6

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Simon amendment and the roll was called. There were 28 yeas and 105 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Hilstrom	Kahn	Lillie	Nelson, M.	Thao
Clark	Hilty	Kelliher	Loeffler	Otremba	Wagenius
Ellison	Hornstein	Koenen	Mahoney	Paymar	Walker
Greiling	Hortman	Lenczewski	Mariani	Scalze	
Hausman	Johnson, S.	Lieder	Mullery	Simon	

Those who voted in the negative were:

Abeler	Demmer	Hackbarth	Lanning	Penas	Smith
Abrams	Dempsey	Hamilton	Larson	Peppin	Soderstrom
Anderson, B.	Dill	Hansen	Latz	Peterson, A.	Solberg
Atkins	Dittrich	Haws	Lesch	Peterson, N.	Sykora
Beard	Dorman	Heidgerken	Liebling	Peterson, S.	Thissen
Bernardy	Dorn	Holberg	Magnus	Poppe	Tingelstad
Blaine	Eastlund	Hoppe	Marquart	Powell	Urdahl
Bradley	Eken	Hosch	McNamara	Rukavina	Vandever
Brod	Emmer	Howes	Meslow	Ruth	Wardlow
Buesgens	Entenza	Huntley	Moe	Ruud	Walti
Carlson	Erhardt	Jaros	Murphy	Sailer	Westerberg
Charron	Erickson	Johnson, J.	Nelson, P.	Samuelson	Westrom
Cornish	Finstad	Johnson, R.	Newman	Seifert	Wilkin
Cox	Fritz	Juhnke	Nornes	Sertich	Zellers
Cybart	Garofalo	Klinzing	Olson	Severson	Spk. Sviggum
Davids	Gazelka	Knoblach	Ozment	Sieben	
Dean	Goodwin	Kohls	Paulsen	Simpson	
DeLaForest	Gunther	Krinkie	Pelowski	Slawik	

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

Lanning; Hilstrom; Samuelson; Peterson, N., and Hornstein moved to amend S. F. No. 2750, the unofficial engrossment, as follows:

Page 3, line 34, after the first comma, insert "except necessary and required public services."

The motion prevailed and the amendment was adopted.

Koenen moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 7, line 20, after "Sections" insert "117.012, subdivision 3."

The motion prevailed and the amendment was adopted.

Olson moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 9, delete section 16 and insert:

"Sec. 16. **[160.042] CONDEMNATION FOR ACCESS TO PRIVATE PROPERTY LIMITED.**

A road authority must not acquire property by eminent domain to establish a local road or street, as defined by the Federal Highway Administration's Functional Classification Guidelines, for access to property of less than five acres that will serve projected traffic of less than 100 average daily trips, unless the property is landlocked or the road authority can show that the local road or street is necessary to cost effectively mitigate ongoing safety concerns. A property that has no other access than over a navigable waterway is landlocked."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Thissen, Davids and Dill moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 6, after line 31, insert:

"Sec. 9. **[117.1863] GOVERNMENT ENTRY INTO MIXED MUNICIPAL SOLID WASTE SERVICES BUSINESS; INVERSE CONDEMNATION.**

Subdivision 1. **Definition.** As used in this section, "political subdivision" means a statutory or home rule charter city or a town.

Subd. 2. **Person to bring action.** A person may bring an action in district court to compel a political subdivision of the state to commence condemnation proceedings if:

(1) the political subdivision of the state determines to provide, directly or indirectly, mixed municipal solid waste collection services previously provided by private persons within the jurisdiction of the political subdivision or limits the number of private persons who are permitted to provide the mixed municipal solid waste collection services within the jurisdiction so as to exclude a private person then providing such services from continuing to do so;

(2) as a result of the political subdivision's actions, the person is not able to continue in business to provide substantially the same mixed municipal solid waste collection services as before; and

(3) but for the political subdivision's actions, the person would be able to continue to provide substantially the same mixed municipal solid waste collection services in substantially the same market as before the government's actions.

Subd. 3. **Limitation.** (a) A person may not maintain an action against a political subdivision under subdivision 2 if the person provides mixed municipal solid waste collection services to that political subdivision under a contract between the person and the political subdivision which sets forth the terms and conditions under which the person can provide the services in the political subdivision. A person may not maintain an action under subdivision 2, if, pursuant to the terms of the contract, the political subdivision does not renew the contract for collection services.

(b) A person may not maintain an action against a political subdivision under subdivision 2 if the political subdivision prohibits a person providing mixed municipal solid waste collection services from providing the services because the person engaged in criminal or fraudulent conduct.

Subd. 4. **Statute of limitations.** An action brought under subdivision 2 must be commenced within six months of the day the political subdivision begins providing mixed municipal solid waste collection services that are alleged to be a taking."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Speaker pro tempore Abrams called Paulsen to the Chair.

Abrams and Lenczewski moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 9, line 21, after "2006" insert:

", except the act does not apply to an action brought in connection with a project that satisfies one of the following conditions:

(1) with respect to property identified as intended to be acquired in a tax increment financing plan, as approved by the municipality, as that term is used in Minnesota Statutes, section 469.174, subdivision 6, by the day following final enactment under Minnesota Statutes, section 469.175, if the condemning authority has satisfied one or more of the following conditions in connection with the tax increment financing plan:

(i) the developer has acquired property by May 1, 2006, in reliance on the condemning authority's contractual obligation to condemn property; or

(ii) by May 1, 2006, the condemning authority has issued, sold, or entered a binding agreement to issue or sell bonds or other obligations to finance the costs of the tax increment financing plan and has commenced the condemnation action within 2 years after the bonds were issued; or

(2) the tax increment financing district was certified before April 1, 2006; a tax increment financing plan, adopted before April 1, 2006, identified the property as intended to be acquired; and the condemning authority has commenced the condemnation action within five years after certification of the district; or

(3) creation of the tax increment financing district was authorized under a special law that received local approval or became effective without local approval before April 1, 2006, and the condemning authority commences the action within the time period permitted under the applicable general or special law for making expenditures to comply with Minnesota Statutes, section 469.1763, subdivision 3, but not to exceed a ten-year period; or

(4) the condemning authority commences the action before April 1, 2011, to complete land assembly for a project, financed in whole or part with abatement under Minnesota Statutes, sections 469.1813 through 469.1815, and the abatement resolution was adopted by one of the participating political subdivisions before April 1, 2006"

Amend the title accordingly

The Speaker resumed the Chair.

Goodwin moved to amend the Abrams and Lenczewski amendment to S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 2, line 4, after "2006" insert "; or

(5) by April 1, 2006, the condemning authority has acquired property at a public cost of \$750,000 or more in anticipation of creating a tax increment financing district under Minnesota Statutes, section 469.175, or adopting a tax abatement resolution under Minnesota Statutes, section 469.1813, and the condemning authority commences the condemnation action within three years after the acquisition or the approval of the tax increment financing plan or abatement resolution, whichever occurs last"

Amend the title accordingly

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Anderson, I.	Dill	Goodwin	Hornstein	Juhnke	Lenczewski
Atkins	Dittrich	Greiling	Hortman	Kahn	Lesch
Bernardy	Dorn	Hansen	Hosch	Kelliher	Liebling
Brod	Eken	Hausman	Huntley	Knoblach	Lieder
Carlson	Ellison	Haws	Jaros	Koenen	Lillie
Clark	Entenza	Hilstrom	Johnson, R.	Lanning	Loeffler
Davnie	Fritz	Hilty	Johnson, S.	Latz	Mahoney

Mariani	Nelson, M.	Peterson, N.	Sailer	Simon	Walker
Marquart	Otremba	Peterson, S.	Scalze	Slawik	Wolti
Moe	Paymar	Poppe	Sertich	Solberg	
Mullery	Pelowski	Rukavina	Severson	Thao	
Murphy	Peterson, A.	Ruud	Sieben	Wagenius	

Those who voted in the negative were:

Abeler	Davids	Garofalo	Kohls	Paulsen	Thissen
Abrams	Dean	Gazelka	Krinkie	Penas	Tingelstad
Anderson, B.	DeLaForest	Gunther	Larson	Peppin	Urdahl
Beard	Demmer	Hackbarth	Magnus	Powell	Vandev eer
Blaine	Dempsey	Hamilton	McNamara	Ruth	Wardlow
Bradley	Dorman	Heidgerken	Meslow	Samuelson	Westerberg
Buesgens	Eastlund	Holberg	Nelson, P.	Seifert	Westrom
Charron	Emmer	Hoppe	Newman	Simpson	Wilkin
Cornish	Erhardt	Howes	Nornes	Smith	Zellers
Cox	Erickson	Johnson, J.	Olson	Soderstrom	Spk. Sviggum
Cybart	Finstad	Klinzing	Ozment	Sykora	

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

Abrams requested that the Abrams and Lenczewski amendment, as amended, to S. F. No. 2750, the unofficial engrossment, as amended, be withdrawn. The request was granted.

Abrams moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 8, after line 32, insert:

"Sec. 15. Minnesota Statutes 2004, section 117.52, is amended by adding a subdivision to read:

Subd. 4. **Relocation assistance amount determined by administrative law judge.** Notwithstanding any law or rule to the contrary, if a person entitled to relocation assistance under this section does not accept the acquiring authority's offer, the acquiring authority must initiate contested case proceedings under sections 14.57 to 14.66 for a determination of the relocation assistance that must be provided by the acquiring authority. The administrative law judge's determination of relocation assistance that the acquiring authority must provide constitutes a final decision in the case, as provided in section 14.62, subdivision 4. The acquiring authority must pay all costs of the proceedings."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Wagenius offered an amendment to S. F. No. 2750, the unofficial engrossment, as amended.

POINT OF ORDER

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

Wagenius appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 71 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler	Cybart	Finstad	Knoblach	Paulsen	Sykora
Abrams	Davids	Garofalo	Kohls	Penas	Thissen
Anderson, B.	Dean	Gazelka	Krinkie	Peppin	Tingelstad
Anderson, I.	DeLaForest	Gunther	Lanning	Peterson, N.	Urdahl
Beard	Demmer	Hackbarth	Magnus	Powell	Vandever
Blaine	Dempsey	Hamilton	McNamara	Ruth	Wardlow
Bradley	Dill	Heidgerken	Meslow	Samuelson	Westerberg
Brod	Dorman	Holberg	Nelson, P.	Seifert	Westrom
Buesgens	Eastlund	Hoppe	Newman	Severson	Wilkin
Charron	Emmer	Howes	Nornes	Simpson	Zellers
Cornish	Erhardt	Johnson, J.	Olson	Smith	Spk. Sviggum
Cox	Erickson	Klinzing	Ozment	Soderstrom	

Those who voted in the negative were:

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

So it was the judgment of the House that the decision of the Speaker should stand.

Krinkie moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 9, after line 15, insert:

"Sec. 18. CONSTITUTIONAL AMENDMENT PROPOSED.

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, the section will read:

Sec. 13. Private property shall not be taken, destroyed or damaged for public use without just compensation therefor, first paid or secured. "Public use" does not include the taking of private property for transfer to a private entity for the purpose of economic development or enhancement of tax revenues.

Sec. 19. **SUBMISSION TO VOTERS.**

The proposed amendment must be submitted to the people at the 2006 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to prohibit the use of eminent domain for economic development or enhancement of tax revenues?"

Yes
No""

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Anderson, I., raised a point of order pursuant to rule 3.21 that the Krinkie amendment was not in order. The Speaker ruled the point of order not well taken and the Krinkie amendment in order.

POINT OF ORDER

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

The question recurred on the Krinkie amendment and the roll was called. There were 58 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abeler	Cox	Emmer	Hackbarth	Juhnke	Nelson, P.
Anderson, B.	Cybart	Entenza	Heidgerken	Klinzing	Newman
Atkins	Davids	Erickson	Holberg	Knoblach	Olson
Blaine	Dean	Finstad	Hoppe	Koenen	Paulsen
Buesgens	DeLaForest	Garofalo	Hosch	Kohls	Pelowski
Charron	Eastlund	Gazelka	Howes	Krinkie	Peppin
Cornish	Eken	Gunther	Johnson, J.	Lillie	Peterson, A.

Peterson, N.	Scalze	Simpson	Thissen	Wardlow	Zellers
Powell	Seifert	Slawik	Urdahl	Westrom	
Rukavina	Severson	Smith	Vanderveer	Wilkin	

Those who voted in the negative were:

Abrams	Dorman	Hornstein	Liebling	Nornes	Simon
Anderson, I.	Dorn	Hortman	Lieder	Otremba	Soderstrom
Beard	Ellison	Huntley	Loeffler	Ozment	Solberg
Bernardy	Erhardt	Jaros	Magnus	Paymar	Sykora
Bradley	Fritz	Johnson, R.	Mahoney	Penas	Thao
Brod	Goodwin	Johnson, S.	Mariani	Peterson, S.	Tingelstad
Carlson	Greiling	Kahn	Marquart	Poppe	Wagenius
Clark	Hamilton	Kelliher	McNamara	Ruth	Walker
Davnie	Hansen	Lanning	Meslow	Ruud	Walti
Demmer	Hausman	Larson	Moe	Sailer	Westerberg
Dempsey	Haws	Latz	Mullery	Samuelson	Spk. Sviggum
Dill	Hilstrom	Lenczewski	Murphy	Sertich	
Dittrich	Hilty	Lesch	Nelson, M.	Sieben	

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

Mullery moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 1, after line 9, insert:

"ARTICLE 1

MORATORIUM ON CERTAIN TAKINGS"

Page 9, line 20, delete "This act" and insert "Sections 1 to 16 of this article"

Page 9, line 21, before the period, insert ", and expire July 1, 2008"

Page 9, after line 21, insert:

"ARTICLE 2

BLUE RIBBON TASK FORCE ON EMINENT DOMAIN

Section 1. **BLUE RIBBON TASK FORCE ON EMINENT DOMAIN ESTABLISHED.**

Subdivision 1. **Blue ribbon task force established; membership.** A blue ribbon task force on eminent domain is established, consisting of 15 members appointed as provided in this section. All appointments must be made as soon as practicable after the effective date of this article.

Subd. 2. **Governor's appointments.** The governor shall appoint 11 members.

(a) Three appointees must have special knowledge or expertise on the benefits of the broad use of eminent domain power and three must have special knowledge or expertise on the benefits of the restricted use of eminent domain power.

(b) Three appointees must be neutral but knowledgeable on the issue of the use of eminent domain.

(c) One must be an attorney who represents governmental entities in eminent domain cases and one must be an attorney who represents property owners in eminent domain cases. The governor must consider the recommendations of the Minnesota State Bar Association in making these appointments.

Subd. 3. **Legislative appointments.** The ranking majority and minority members of the house and senate committees with jurisdiction over commerce issues shall each make one appointment to the task force.

Subd. 4. **Chair.** The governor shall designate one of the members appointed under subdivision 2, paragraph (b), to serve as chair of the task force. The chair shall convene the first meeting of the task force. The task force may appoint other members to serve as vice-chair and secretary.

Sec. 2. **DUTIES, STUDY TOPICS.**

Subdivision 1. **General.** The task force must study thoroughly all matters relating to the exercise of the power of eminent domain and whether its use comports with general requirements of fairness, justice, equal protection, and due process. The task force, at a minimum, must study and report on the topics listed in this section.

Subd. 2. **Past uses of eminent domain.** The task force must study and report on:

(a) all exercises of the power of eminent domain in Minnesota to acquire residential property for transfer to another private use, completed between January 1, 2000, and January 1, 2005. The report must distinguish between owner-occupied residential properties taken and other properties;

(b) the declared purposes for these acquisitions;

(c) the initial offer and final award in each case;

(d) the total compensation paid for each acquisition, listing separately acquisition price, relocation assistance, and any other element of compensation or reimbursement; and

(e) the current ownership and use of each property.

Subd. 3. **Recommendations.** The task force must study and report on how the provisions of article 1 of this act have worked, and, at a minimum, address the questions below.

(a) Is there a way to insure that eminent domain is not used in a discriminatory way to acquire property based on the race, ethnicity, age, or income of the majority of the population in the area? Is there a way to insure that the use of eminent domain does not have a disparate impact on minority populations, the elderly, and low-income persons?

(b) Should there be additional compensation paid for a property owner's sentimental or emotional attachment to the property, based on, for example, the owner's long residence there? If there should be additional compensation, how should it be determined and who should determine it?

(c) Should there be additional compensation paid for special features or unusual work done on the residence, whether practical or aesthetically pleasing, that would not otherwise be accounted for in market value?

(d) Are those whose homes are taken receiving the full amount they should receive under the relocation law, and is the requirement that the compensation be sufficient to allow the property owner to acquire comparable property in the same community followed?

(e) Should eminent domain matters be tried de novo in district court or should deference be given to the fact-finding of the condemning authority?

(f) What should the burden of proof be and should it be different for different elements or types of takings?

(g) Should there be a different measure for what constitutes just compensation? Who should have the burden of proving what is just compensation? Should attorneys fees be allowed, and, if so, on what terms? Should the ultimate disposition of the property taken make a difference in the compensation paid?

(h) Should the level of crime in the general area of the property proposed to be taken be a factor in determining blight? Should the level of crime related to the specific property affect compensation?

(i) If property taken is ultimately transferred to another private owner, should the owner's whose property was taken receive some portion of any amount paid to the condemning authority that is greater than the amount paid to the property owner by the condemning authority? Should compensation such as this depend on other factors, such as how long the condemning authority held the property or whether it was used for governmental purposes?

(j) Should a special court be established to handle eminent domain matters, similar to the tax court and workers compensation court?

(k) Should a partial taking of a business property ever receive compensation for loss of a going concern?

(l) What, if any, eminent domain procedures or compensation should be different based on whether the property taken is owner-occupied, rental residential, business, nonprofit or charitable, or other?

(m) Should the exercise of the power of eminent domain by local governments require a vote of the local elected officials?

(n) Should a taking by a local government to provide publicly owned housing be treated the same as a taking for a road?

(o) What are the additional costs to the taxpayers due to the changes in eminent domain law under article 1?

(p) Under what circumstances is it fair to the taxpayers and the property owner to pay compensation for loss of a going concern?

(q) Does the relocation assistance requirement to place a displaced person in housing that is at least of equal value and in the same area as the property taken working? Are there changes that would make this element of compensation fair to all? Are the costs of financing taken into account?

Sec. 3. **REPORT BY JANUARY 15, 2008.**

The task force must submit a report on its findings, conclusions, and recommendations on legislative and administrative actions by January 15, 2008. The report must be submitted to the governor and to the legislature, as provided in Minnesota Statutes, section 3.195, and to the chairs of the house and senate committees with jurisdiction over civil law, transportation, state government, and local government.

Sec. 4. **EFFECTIVE DATE; EXPIRATION.**

This article is effective the day following final enactment and expires June 30, 2009."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Slawik was excused between the hours of 6:10 p.m. and 7:50 p.m.

Vandever, Ozment and Hackbarth moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 9, after line 15, insert:

"Sec. 17. Minnesota Statutes 2004, section 394.36, is amended by adding a subdivision to read:

Subd. 4. **Ownership of lot or parcel not relevant.** (a) A county shall not refuse to issue a permit for construction of a single-family residence based upon the common ownership of a contiguous nonconforming lot or parcel, provided that contiguous nonconforming lots or parcels under the same ownership contain no more than three residential structures. A conforming lot or parcel of land shall retain its conforming status regardless of the ownership of title to an adjoining nonconforming lot or parcel of land. Nothing in this subdivision shall be construed to prohibit the application of other applicable statutes, ordinances, or regulations in furtherance of health, safety, or welfare, nor allow an increase in the nonconformity of a lot or parcel. A county shall not prohibit the sale of a residential lot based upon the common ownership of a contiguous nonconforming lot or parcel. This subdivision applies to lots and parcels defined as shoreland within the meaning of section 103F.205.

(b) A municipality shall not refuse to issue a permit for construction of a single-family residence based upon the common ownership of a contiguous nonconforming lot or parcel, provided that contiguous nonconforming lots or parcels under the same ownership contain no more than three residential structures. A conforming lot or parcel of land shall retain its conforming status regardless of the ownership of title to an adjoining nonconforming lot or parcel of land. Nothing in this subdivision shall be construed to prohibit the application of other applicable statutes, ordinances, or regulations in furtherance of health, safety, or welfare, nor allow an increase in the nonconformity of a lot or parcel. A municipality shall not prohibit the sale of a residential lot or parcel. This subdivision applies to lots and parcels defined as shoreland within the meaning of section 103F.205."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Zellers, Holberg, Hoppe and DeLaForest moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 7, delete lines 30 to 32

Page 8, delete lines 1 to 9 and insert:

"Subd. 2. **Public hearing; vote by local government governing body.** (a) Before a local government or local government agency commences an eminent domain proceeding under section 117.055, a public hearing must be held as provided in this section. The local government must notify each owner of property that may be acquired in writing by certified mail of the public hearing on the proposed taking, post the public hearing information on the local government's Web site, if any, and publish notice of the public hearing in a newspaper of general circulation in the local government's jurisdiction. Notice must be provided at least 30 days but not more than 60 days before the hearing.

(b) Any interested person must be allowed reasonable time to present relevant testimony at the public hearing. The proceedings of the hearing must be recorded and available to the public for review and comment at reasonable times and a reasonable place. At the next regular meeting of the local government that is at least 30 days after the public hearing, the local government must vote on the question of whether to authorize the local government or local government agency to use eminent domain to acquire the property."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Abrams and Lenczewski moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 9, line 21, after "2006" insert:

", except the act does not apply to an action brought in connection with a project that satisfies one of the following conditions:

(1) with respect to property identified as intended to be acquired in a tax increment financing plan, as approved by the municipality, as that term is used in Minnesota Statutes, section 469.174, subdivision 6, by the day following final enactment under Minnesota Statutes, section 469.175, if the condemning authority has satisfied one or more of the following conditions in connection with the tax increment financing plan:

(i) the developer has acquired property by May 1, 2006, in reliance on the condemning authority's contractual obligation to condemn property; or

(ii) by May 1, 2006, the condemning authority has issued, sold, or entered a binding agreement to issue or sell bonds or other obligations to finance the costs of the tax increment financing plan and has commenced the condemnation action within 2 years after the bonds were issued; or

(2) the tax increment financing district was certified before April 1, 2006; a tax increment financing plan, adopted before April 1, 2006, identified the property as intended to be acquired; and the condemning authority has commenced the condemnation action within five years after certification of the district; or

(3) creation of the tax increment financing district was authorized under a special law that received local approval or became effective without local approval before April 1, 2006, and the condemning authority commences the action within the time period permitted under the applicable general or special law for making expenditures to comply with Minnesota Statutes, section 469.1763, subdivision 3, but not to exceed a ten-year period; or

(4) the condemning authority commences the action before April 1, 2011, to complete land assembly for a project, financed in whole or part with abatement under Minnesota Statutes, sections 469.1813 through 469.1815, and the abatement resolution was adopted by one of the participating political subdivisions before April 1, 2006"

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Goodwin moved to amend S. F. No. 2750, the unofficial engrossment, as amended, as follows:

Page 9, after line 15, insert:

"Sec. 17. **SPECIFIC EXEMPTIONS.**

(a) Until December 30, 2006, the Sauk Rapids downtown impact mitigation project is exempt from this act.

(b) This act does not apply to an action brought in connection with a project if by April 1, 2006, the condemning authority has acquired property at a public cost of \$750,000 or more in anticipation of creating a tax increment financing district under Minnesota Statutes, section 469.175, or adopting a tax abatement resolution under Minnesota Statutes, section 469.1813, and the condemning authority commences the condemnation action within three years after the acquisition or the approval of the tax increment financing plan or abatement resolution, whichever occurs last."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Goodwin amendment and the roll was called. There were 58 yeas and 74 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Dean	Gunther	Larson	Peterson, A.	Urdahl
Abrams	DeLaForest	Hackbarth	Liebling	Peterson, N.	Vandever
Anderson, B.	Demmer	Hamilton	Magnus	Poppe	Wardlow
Beard	Dempsey	Heidgerken	McNamara	Powell	Welti
Blaine	Dill	Holberg	Meslow	Ruth	Westerberg
Bradley	Dorman	Hoppe	Nelson, P.	Samuelson	Westrom
Brod	Eastlund	Hosch	Newman	Seifert	Wilkin
Buesgens	Emmer	Howes	Nornes	Simpson	Zellers
Charron	Erhardt	Johnson, J.	Olson	Smith	Spk. Sviggum
Cornish	Erickson	Klinzing	Ozment	Soderstrom	
Cox	Finstad	Knoblach	Paulsen	Sykora	
Cybart	Garofalo	Kohls	Penas	Thissen	
Dauids	Gazelka	Krinkie	Peppin	Tingelstad	

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

S. F. No. 2750, A bill for an act relating to eminent domain; defining public use or purpose; prohibiting the use of eminent domain for economic development; requiring clear and convincing evidence for certain takings; providing for attorney fees and other additional elements of compensation; making other changes in the exercise of eminent domain; amending Minnesota Statutes 2004, sections 117.025; 117.036; 117.055; 117.075, subdivision 1, by adding a subdivision; 117.085; 117.51; 117.52, subdivision 1, by adding a subdivision; 163.12, subdivisions 1a, 1b; proposing coding for new law in Minnesota Statutes, chapter 117.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 17 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark	Hausman	Huntley	Lanning	Paymar	Wagenius
Davnie	Hilty	Johnson, S.	Mariani	Peterson, N.	Walker
Ellison	Hornstein	Kahn	Mullery	Thao	

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

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

H. F. No. 263 was reported to the House.

Abrams moved to amend H. F. No. 263, the third engrossment, as follows:

Page 4, after line 33, insert:

"Sec. 8. **RECREATIONAL PROGRAM ASSESSMENT.**

The commissioner of natural resources, in cooperation with the Board of Regents of the University, shall submit to the governor and the legislature by January 15, 2007, an assessment of the short-term and long-term programmatic plans for the development of the land identified in section 1, subdivision 8. The assessment shall include, but is not limited to, a timeline for providing the recreational opportunities, and the needed restoration including native species of local ecotype, measurable outcomes and anticipated costs. The commissioner of natural resources shall consult with interested stakeholders to assist in the development of the plan."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Abrams and Wagenius moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 4, line 17, delete "discharged, disposed of, or deposited" and insert "released"

Page 4, line 19, after "took title thereto" insert ", unless the University took action that significantly contributed to the release after the University knew or reasonably should have known that a hazardous substance or pollutant or contaminant was located in or on the land."

The motion prevailed and the amendment was adopted.

Knoblach; Beard; Bradley; Buesgens; Greiling; Ruth; Paymar; Erickson; Urdahl; Haws; Klinzing; Goodwin; Kahn; Peterson, N.; Newman; Smith; Krinkie; Wilkin; Olson and Dempsey moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. **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.

Sec. 2. **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. 3. **CONDITIONS FOR PAYMENT TO THE 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 \$149,000,000 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 \$7,400,000 to reimburse the board for its stadium costs, provided that bonds issued to pay the state's share of such costs shall not exceed \$99,000,000 or 50 percent of the total cost of construction, whichever is less. \$7,400,000 is appropriated annually from the general fund for the purpose of this section. The appropriation of up to \$7,400,000 per year may be made for no more than 25 years. 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. 4. **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. 5. **PUBLIC USE OF STADIUM.**

The Board of Regents is requested, in furtherance of its outreach mission and subject to its policies regarding the use of University facilities, to provide ample opportunities for use of the stadium for events sponsored by public bodies including public schools.

Sec. 6. **[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. 7. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall codify sections 1 to 5 of this act in chapter 137 in the next edition of Minnesota Statutes.

Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Knoblach et al amendment and the roll was called. There were 47 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Johnson, J.	Loeffler	Paymar	Smith
Beard	Gazelka	Johnson, S.	Marquart	Peppin	Soderstrom
Bradley	Goodwin	Kahn	Mullery	Peterson, N.	Urdahl
Buesgens	Greiling	Klinzing	Newman	Powell	Welti
Charron	Haws	Knoblach	Nornes	Ruth	Westrom
DeLaForest	Heidgerken	Kohls	Olson	Scalze	Wilkin
Dempsey	Hilty	Krinkie	Otremba	Seifert	Zellers
Eastlund	Hosch	Liebling	Paulsen	Severson	

Those who voted in the negative were:

Abeler	Cybart	Emmer	Holberg	Lanning	Meslow
Abrams	Davids	Entenza	Hoppe	Larson	Moe
Anderson, I.	Davnie	Erhardt	Hornstein	Latz	Murphy
Atkins	Dean	Finstad	Hortman	Lenczewski	Nelson, M.
Bernardy	Demmer	Fritz	Howes	Lesch	Nelson, P.
Blaine	Dill	Garofalo	Huntley	Lieder	Ozment
Brod	Dittrich	Gunther	Jaros	Lillie	Pelowski
Carlson	Dorman	Hackbarth	Johnson, R.	Magnus	Penas
Clark	Dorn	Hamilton	Juhnke	Mahoney	Peterson, A.
Cornish	Eken	Hansen	Kelliher	Mariani	Peterson, S.
Cox	Ellison	Hilstrom	Koenen	McNamara	Poppe

Rukavina	Sertich	Slawik	Thissen	Walker
Ruud	Sieben	Solberg	Tingelstad	Wardlow
Sailer	Simon	Sykora	Vanderveer	Westerberg
Samuelson	Simpson	Thao	Wagenius	Spk. Sviggum

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

Davnie moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 2, line 26, before "Before" insert "(a)"

Page 3, after line 9, insert:

"(b) The board must certify to the commissioner that the per semester student fee contribution to the stadium will be at a fixed level coterminous with bonds issued by the board to meet the student share of the design construction of the stadium and that the student fee will not be increased to meet construction cost overruns."

The motion prevailed and the amendment was adopted.

Kahn and Hausman moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 3, after line 9, insert:

"Sec. 5. EMINENT DOMAIN.

The board may not acquire the fire station number 19 building for the construction of the stadium and related infrastructure, either directly or indirectly, through the exercise of the power of eminent domain."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kahn and Hausman amendment and the roll was called. There were 61 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark	Goodwin	Holberg	Kelliher	Lillie
Anderson, B.	Davnie	Greiling	Hornstein	Knoblach	Loeffler
Anderson, I.	Dean	Hansen	Hosch	Koenen	Mahoney
Atkins	Dorn	Haws	Johnson, R.	Krinkie	Mariani
Bernardy	Eken	Heidgerken	Johnson, S.	Lesch	Marquart
Buesgens	Ellison	Hilstrom	Juhnke	Liebling	Moe
Carlson	Entenza	Hilty	Kahn	Lieder	Mullery

Murphy	Paymar	Scalze	Thao	Wardlow
Nelson, M.	Peterson, A.	Sieben	Urdahl	Welti
Olson	Peterson, S.	Slawik	Wagenius	Wilkin
Ozment	Rukavina	Solberg	Walker	

Those who voted in the negative were:

Abrams	Dempsey	Gunther	Larson	Penas	Simon
Beard	Dill	Hackbarth	Latz	Peppin	Simpson
Blaine	Dittrich	Hamilton	Lenczewski	Peterson, N.	Smith
Bradley	Dorman	Hoppe	Magnus	Poppe	Soderstrom
Brod	Eastlund	Hortman	McNamara	Powell	Sykora
Charron	Emmer	Howes	Meslow	Ruth	Thissen
Cornish	Erhardt	Huntley	Nelson, P.	Ruud	Tingelstad
Cox	Erickson	Jaros	Newman	Sailer	Vandever
Cybart	Finstad	Johnson, J.	Nornes	Samuelson	Westerberg
Dauids	Fritz	Klinzing	Otremba	Seifert	Westrom
DeLaForest	Garofalo	Kohls	Paulsen	Sertich	Zellers
Demmer	Gazelka	Lanning	Pelowski	Severson	Spk. Sviggum

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

Kahn and Hausman moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 3, after line 9, insert:

"Sec. 5. **FEES SUBJECT TO REFERENDUM.**

The board may not impose a student fee in connection with the construction of the stadium, unless it first obtains the approval of a majority of the students voting on the issue at a referendum at which all students currently enrolled are entitled to vote."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Vandever offered an amendment to the Kahn and Hausman amendment to H. F. No. 263, the third engrossment, as amended.

POINT OF ORDER

Sertich raised a point of order pursuant to rule 3.21 that the Vandever amendment to the Kahn and Hausman amendment was not in order. The Speaker ruled the point of order well taken and the Vandever amendment to the Kahn and Hausman amendment out of order.

The question recurred on the Kahn and Hausman amendment and the roll was called. There were 46 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Holberg	Liebling	Olson	Vandever
Anderson, I.	Ellison	Hortman	Lillie	Paymar	Wagenius
Bernardy	Fritz	Hosch	Loeffler	Rukavina	Walker
Buesgens	Greiling	Johnson, S.	Mahoney	Ruud	Wardlow
Carlson	Hansen	Kahn	Mariani	Sailer	Welti
Clark	Haws	Klinzing	Marquart	Scalze	Wilkin
Davnie	Heidgerken	Krinkie	Moe	Seifert	
Dean	Hilty	Lenczewski	Mullery	Slawik	

Those who voted in the negative were:

Abeler	Dempsey	Hackbarth	Lanning	Ozment	Simon
Abrams	Dill	Hamilton	Larson	Paulsen	Simpson
Atkins	Dittrich	Hilstrom	Latz	Pelowski	Smith
Beard	Dorman	Hoppe	Lesch	Peppin	Soderstrom
Blaine	Dorn	Hornstein	Lieder	Peterson, A.	Solberg
Bradley	Eastlund	Howes	Magnus	Peterson, N.	Sykora
Brod	Emmer	Huntley	McNamara	Peterson, S.	Thao
Charron	Entenza	Johnson, J.	Meslow	Poppe	Thissen
Cornish	Erhardt	Johnson, R.	Murphy	Powell	Tingelstad
Cox	Erickson	Juhnke	Nelson, M.	Ruth	Urdahl
Cybart	Finstad	Kelliher	Nelson, P.	Samuelson	Westerberg
Davids	Garofalo	Knoblach	Newman	Sertich	Westrom
DeLaForest	Gazelka	Koenen	Nornes	Severson	Zellers
Demmer	Gunther	Kohls	Otremba	Sieben	Spk. Sviggum

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

Krinkie moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 2, line 33, delete "\$9,400,000" and insert "\$6,000,000"

Page 3, line 2, delete "\$9,400,000" and insert "\$6,000,000"

Page 3, line 7, after the period, insert "Any additional income generated by the University as a direct result of the stadium's use shall be used to pay the bond."

A roll call was requested and properly seconded.

The question was taken on the Krinkie amendment and the roll was called. There were 29 yeas and 102 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Emmer	Howes	Mahoney	Peppin	Vandever
Anderson, I.	Erickson	Klinzing	Marquart	Seifert	Westrom
Buesgens	Greiling	Knoblach	Newman	Severson	Wilkin
Dean	Hackbarth	Krinkie	Olson	Smith	Zellers
Dittrich	Heidgerken	Lenczewski	Otremba	Urdahl	

Those who voted in the negative were:

Abeler	Demmer	Hansen	Kohls	Nelson, P.	Sertich
Abrams	Dempsey	Haws	Lanning	Nornes	Sieben
Atkins	Dill	Hilstrom	Larson	Ozment	Simon
Beard	Dorman	Hilty	Latz	Paulsen	Simpson
Bernardy	Dorn	Holberg	Lesch	Pelowski	Slawik
Blaine	Eastlund	Hoppe	Liebling	Penas	Soderstrom
Bradley	Eken	Hornstein	Lieder	Peterson, A.	Solberg
Brod	Ellison	Hortman	Lillie	Peterson, N.	Sykora
Carlson	Entenza	Hosch	Loeffler	Peterson, S.	Thao
Charron	Erhardt	Huntley	Magnus	Poppe	Thissen
Clark	Finstad	Jaros	Mariani	Powell	Tingelstad
Cornish	Fritz	Johnson, J.	McNamara	Rukavina	Wagenius
Cox	Garofalo	Johnson, R.	Meslow	Ruth	Walker
Cybart	Gazelka	Johnson, S.	Moe	Ruud	Wardlow
Davids	Goodwin	Juhnke	Mullery	Sailer	Welti
Davnie	Gunther	Kelliher	Murphy	Samuelson	Westerberg
DeLaForest	Hamilton	Koenen	Nelson, M.	Scalze	Spk. Sviggum

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

Knoblach moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 3, line 17, delete "in perpetuity"

Page 3, line 19, before the period, insert "until title to the University land is transferred to the Minnesota Department of Natural Resources under subdivision 2"

Page 3, line 28, before the period, insert "until title to the University land is transferred to the Minnesota Department of Natural Resources under subdivision 2"

Page 3, line 30, delete "Except as limited in"

Page 3, delete lines 31 to 33

Page 4, line 6, delete "Any conveyance shall"

Page 4, delete line 7

Page 4, line 8, delete "permitted University uses." and delete "also"

Page 4, line 9, delete "The instruments of"

Page 4, delete lines 10 to 13

Page 4, line 14, delete everything before the period

A roll call was requested and properly seconded.

The question was taken on the Knoblach amendment and the roll was called. There were 61 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Kahn	Nelson, P.	Ruth	Wagenius
Anderson, I.	Emmer	Klinzing	Newman	Ruud	Walker
Beard	Erickson	Knoblach	Olson	Scalze	Welti
Bradley	Garofalo	Kohls	Otremba	Seifert	Westrom
Buesgens	Gazelka	Krinkie	Paulsen	Severson	Wilkin
Charron	Hackbarth	Lenczewski	Paymar	Simpson	Zellers
Cybart	Haws	Liebling	Penas	Smith	
Dean	Heidgerken	Magnus	Peppin	Soderstrom	
DeLaForest	Holberg	Mahoney	Peterson, A.	Thao	
Dittrich	Hosch	Marquart	Peterson, N.	Urdahl	
Eastlund	Johnson, J.	Mullery	Powell	Vandever	

Those who voted in the negative were:

Abeler	Demmer	Gunther	Johnson, S.	McNamara	Samuelson
Abrams	Dempsey	Hamilton	Juhnke	Meslow	Sertich
Atkins	Dill	Hansen	Kelliher	Moe	Sieben
Bernardy	Dorman	Hilstrom	Koenen	Murphy	Simon
Blaine	Dorn	Hilty	Lanning	Nelson, M.	Slawik
Brod	Ellison	Hoppe	Larson	Nornes	Solberg
Carlson	Entenza	Hornstein	Latz	Ozment	Sykora
Clark	Erhardt	Hortman	Lesch	Pelowski	Thissen
Cornish	Finstad	Howes	Lieder	Peterson, S.	Tingelstad
Cox	Fritz	Huntley	Lillie	Poppe	Wardlow
Davids	Goodwin	Jaros	Loeffler	Rukavina	Westerberg
Davnie	Greiling	Johnson, R.	Mariani	Sailer	Spk. Sviggum

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

Krinkie, Hoppe, DeLaForest, Zellers, Emmer and Howes moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 3, line 28, after the period, insert "The joint powers agreement, or conservation easement, must permit at least 75 percent of the University land conveyed to be open for firearms hunting under regulations of the commissioner of natural resources."

A roll call was requested and properly seconded.

The question was taken on the Krinkie et al amendment and the roll was called. There were 46 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Cybart	Dill	Emmer	Gunther	Heidgerken
Buesgens	Dean	Dittrich	Erickson	Hackbarth	Holberg
Cornish	DeLaForest	Eken	Garofalo	Hamilton	Hoppe

Hortman	Kohls	Moe	Penas	Severson	Westrom
Hosch	Krinkie	Nelson, P.	Peppin	Smith	Wilkin
Howes	Lillie	Newman	Sailer	Soderstrom	Zellers
Klinzing	Mahoney	Olson	Scalze	Thao	
Knoblach	Marquart	Otremba	Seifert	Vandev eer	

Those who voted in the negative were:

Abeler	Demmer	Hilstrom	Lenczewski	Paymar	Slawik
Abrams	Dempsey	Hilty	Lesch	Pelowski	Solberg
Anderson, I.	Dorman	Hornstein	Liebling	Peterson, A.	Sykora
Atkins	Dorn	Huntley	Lieder	Peterson, N.	Thissen
Beard	Eastlund	Jaros	Loeffler	Peterson, S.	Tingelstad
Bernardy	Ellison	Johnson, J.	Magnus	Poppe	Urdahl
Blaine	Entenza	Johnson, R.	Mariani	Powell	Wagenius
Bradley	Erhardt	Johnson, S.	McNamara	Rukavina	Walker
Brod	Finstad	Juhnke	Meslow	Ruth	Wardlow
Carlson	Fritz	Kahn	Mullery	Ruud	Welti
Charron	Gazelka	Kelliher	Murphy	Samuelson	Westerberg
Clark	Goodwin	Koenen	Nelson, M.	Sertich	Spk. Sviggum
Cox	Greiling	Lanning	Nornes	Sieben	
Davids	Hansen	Larson	Ozment	Simon	
Davnie	Haws	Latz	Paulsen	Simpson	

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

Abrams moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 4, line 19, after "endeavor" insert "and use due diligence"

The motion prevailed and the amendment was adopted.

Hansen and Ozment moved to amend H. F. No. 263, the third engrossment, as amended, as follows:

Page 4, line 21, after the period, insert "The University shall seal any abandoned wells on the land pursuant to state law."

The motion prevailed and the amendment was adopted.

The Speaker called Abrams to the Chair.

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; transferring land in Dakota County from the University to the Department of Natural Resources; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 473.

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

The question was taken on the passage of the bill and the roll was called. There were 103 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Holberg	Lesch	Pelowski	Smith
Abrams	Dempsey	Hoppe	Lieder	Penas	Solberg
Anderson, I.	Dill	Hornstein	Lillie	Peterson, A.	Sykora
Atkins	Dittrich	Hortman	Loeffler	Peterson, N.	Thao
Beard	Dorman	Hosch	Magnus	Peterson, S.	Thissen
Bernardy	Dorn	Howes	Mariani	Poppe	Tingelstad
Blaine	Eastlund	Huntley	Marquart	Powell	Urdahl
Bradley	Entenza	Jaros	McNamara	Rukavina	Wagenius
Brod	Erhardt	Johnson, J.	Meslow	Ruth	Wardlow
Carlson	Finstad	Johnson, R.	Moe	Ruud	Welti
Charron	Fritz	Juhnke	Mullery	Samuelson	Westerberg
Cornish	Garofalo	Kelliher	Murphy	Scalze	Zellers
Cox	Gunther	Koenen	Nelson, M.	Seifert	Spk. Sviggum
Cybart	Hackbarth	Kohls	Nelson, P.	Sertich	
Davids	Hamilton	Lanning	Newman	Sieben	
Davnie	Hansen	Larson	Nornes	Simon	
Dean	Heidgerken	Latz	Ozment	Simpson	
DeLaForest	Hilstrom	Lenczewski	Paulsen	Slawik	

Those who voted in the negative were:

Anderson, B.	Emmer	Haws	Knoblach	Otremba	Soderstrom
Buesgens	Erickson	Hilty	Krinkie	Paymar	Vandever
Clark	Gazelka	Johnson, S.	Liebling	Peppin	Walker
Eken	Goodwin	Kahn	Mahoney	Sailer	Westrom
Ellison	Greiling	Klinzing	Olson	Severson	Wilkin

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

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

MOTIONS AND RESOLUTIONS

Beard moved that the name of Poppe be added as an author on H. F. No. 1667. The motion prevailed.

Bernardy moved that the names of Koenen and Otremba be added as authors on H. F. No. 2364. The motion prevailed.

Atkins moved that the name of Loeffler be added as an author on H. F. No. 2514. The motion prevailed.

Peterson, S., moved that the name of Carlson be added as an author on H. F. No. 3642. The motion prevailed.

Mariani moved that the names of Wagenius and Hosch be added as authors on H. F. No. 3770. The motion prevailed.

Davids moved that the name of Hackbarth be added as an author on H. F. No. 4041. The motion prevailed.

Lanning moved that the names of Sieben and Cox be added as authors on H. F. No. 4100. The motion prevailed.

Carlson moved that the name of Peterson, S., be added as an author on H. F. No. 4102. The motion prevailed.

Nelson, P., moved that the name of Tingelstad be added as an author on H. F. No. 4105. The motion prevailed.

Buesgens moved that H. F. No. 3179, now on the General Register, be re-referred to the Committee on Education Finance. The motion prevailed.

Buesgens moved that H. F. No. 3380, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, April 10, 2006. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 3:00 p.m., Monday, April 10, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives