

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2005

 FIFTY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 3, 2005

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

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

A quorum was present.

Clark, Dorman, Ellison and Knoblach were excused.

Krinkie was excused until 11:45 a.m. Thissen was excused until 11:55 a.m.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 872, A bill for an act relating to education; providing for early childhood, adult, family, and kindergarten through grade 12 education including general education, excellence in education, special programs, facilities and technology, nutrition and accounting, libraries, early education, prevention, self-sufficiency and lifelong learning, state agencies, forecast deficiencies, and technical and conforming amendments; authorizing rulemaking; providing for reports; appropriating money; amending Minnesota Statutes 2004, sections 13.32, subdivisions 1, 8; 119A.46, subdivisions 1, 2, 3, 8; 120A.05, by adding a subdivision; 120A.22, subdivision 12; 120B.02; 120B.021, by adding a subdivision; 120B.11, subdivisions 1, 2, 3, 4, 5, 8; 120B.13, subdivisions 1, 3, by adding a subdivision; 120B.23; 120B.30, subdivisions 1, 1a; 120B.31, subdivision 4; 121A.03, subdivision 1; 121A.06, subdivisions 2, 3; 121A.17, subdivisions 1, 3, 5; 121A.19; 121A.41, subdivision 10; 121A.47, subdivision 14; 121A.53; 121A.55; 122A.06, subdivision 4; 122A.09, subdivisions 4, 10; 122A.12, subdivision 2; 122A.18, subdivision 2a; 122A.40, subdivision 5; 122A.41, subdivisions 2, 14; 122A.414; 122A.415, subdivisions 1, 3; 123A.05, subdivision 2; 123A.06, subdivision 1; 123A.21, by adding a subdivision; 123A.24, subdivision 2; 123B.02, by adding a subdivision; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.36, subdivision 1; 123B.42, subdivision 3; 123B.49, subdivision 4; 123B.53, subdivision 1; 123B.54; 123B.59, subdivisions 3, 3a; 123B.63, subdivision 2; 123B.71, subdivisions 8, 9, 12; 123B.749; 123B.75, subdivision 5, by adding a subdivision; 123B.76, subdivision 3; 123B.79, subdivision 6; 123B.81, subdivision 1; 123B.82; 123B.83, subdivision 2; 123B.92, subdivisions 1, 5, 9; 124D.095, subdivision 8; 124D.10, subdivisions 3, 4, 6, 8, 15, 23; 124D.11, subdivisions 1, 2, 5, 6; 124D.111, subdivisions 1, 2; 124D.118, subdivision 4; 124D.135, subdivisions 1, 5; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding subdivisions; 124D.16, subdivisions 2, 3; 124D.20, subdivision 3; 124D.40; 124D.531, subdivisions 1, 4; 124D.66, subdivision 3; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.74, subdivision 1; 124D.81, subdivision 1; 124D.84, subdivision 1; 125A.091, subdivision 5; 125A.11, subdivision 1; 125A.24; 125A.28; 125A.51; 125A.76, subdivisions 1, 4, by adding subdivisions; 125A.79, subdivisions 1, 5, 6, 7, by adding subdivisions; 126C.01, subdivision 11; 126C.05, by adding a subdivision; 126C.10, subdivisions 1, 2, 3, 6, 7, 8, 13, 13a, 17, 18, 24, 31, by adding subdivisions; 126C.13, subdivision 4; 126C.15, subdivisions 1, 2, 3, by adding a subdivision; 126C.17, subdivisions 2, 5, 7, 9, 13; 126C.21, subdivision 4; 126C.40, subdivision 1; 126C.43, subdivisions 2, 3; 126C.44; 126C.457; 126C.48, subdivisions 2, 8, by adding a subdivision; 126C.63, subdivisions 5, 8; 127A.41, subdivision 8; 127A.42, subdivision 2; 127A.45, subdivisions 2, 10, 11, 12, 13, 14, 16; 127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 127A.50, subdivision 5; 128C.12, subdivision 1; 134.31, by adding a subdivision; 171.04, subdivision 1; 171.05, subdivisions 2, 2b, 3; 179A.03, subdivision 14; 260C.007, subdivision 6, by adding a subdivision; 260C.201, subdivision 1; 275.14; 275.16; 469.177, subdivision 9; Laws 1996, chapter 412, article 5, section 24; Laws 2003, First Special Session chapter 9, article 1, section 53, subdivisions 2, as amended, 3, as amended, 11, as amended, 12, as amended; Laws 2003, First Special Session chapter 9, article 2, section 55, subdivisions 2, as amended, 5, as amended, 9, as amended, 12, as amended; Laws 2003, First Special Session chapter 9, article 3, section 20, subdivisions 2, 4, as amended, 5, as amended, 6, as amended, 8, as amended, 9, as amended; Laws 2003, First Special Session chapter 9, article 4, section 31, subdivisions 2, as amended, 3, as amended, 4; Laws 2003, First Special Session chapter 9, article 5, section 35, subdivision 3, as amended; Laws 2003, First Special Session chapter 9, article 6, section 4, as amended; Laws 2003, First Special Session chapter 9, article 7, section 11, subdivisions 2, 4; Laws 2003, First Special Session chapter 9, article 8, section 7, subdivisions 2, as amended, 3, 5, as amended; Laws 2003, First Special Session chapter 9, article 9, section 9, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 121A; 122A; 123A; 123B; 124D; 125B; 129C; 171; 179A; repealing Minnesota Statutes 2004, sections 122A.24; 122A.415, subdivision 2; 123B.05; 123B.83, subdivision 1; 124D.095; 124D.15, subdivisions 2, 4, 6, 7, 8, 9, 11, 13; 124D.16, subdivisions 1, 4; 126C.12; 126C.42, subdivisions 1, 4.

Reported the same back with the following amendments:

Page 23, line 18, delete "\$22,700" and insert "the operating capital equalizing factor" and after the period, insert "The operating capital equalizing factor equals \$24,300 for taxes payable in 2006 and 2007, and \$15,400 for taxes payable in 2008 and later."

Page 25, after line 9, insert:

"(e) A school district's equity revenue for a school district located in the metro equity region equals the amount computed in paragraphs (b), (c), and (d) multiplied by 1.25."

Page 32, line 7, strike "(c)" and insert "(b)"

Page 32, line 23, strike "(b)" and insert "(a)"

Page 33, line 13, delete "and later"

Page 33, after line 15, insert:

"For fiscal year 2008, a district's first tier referendum equalization allowance equals the lesser of the district's referendum allowance under subdivision 1 or \$700. For fiscal years 2009 and later, a district's first tier referendum equalization allowance equals the lesser of the district's referendum allowance under subdivision 1 or \$800."

Page 34, line 32, strike ", the"

Page 34, strike lines 33 and 34

Page 34, line 35, strike "revenue must be used to finance school operations"

Page 36, line 11, strike "and"

Page 36, line 12, strike "annual percentage"

Page 36, line 18, strike "and annual percentage"

Page 53, after line 29, insert:

"Sec. 58. Laws 2003, First Special Session chapter 9, article 1, section 51, is amended to read:

Sec. 51. [~~STAFF DEVELOPMENT RESERVED REVENUE; FISCAL YEARS 2004 AND 2005.~~]

Subdivision 1. [FISCAL YEARS 2004 AND 2005.] Notwithstanding Minnesota Statutes, section 122A.61, subdivision 1, for fiscal years 2004 and 2005 only, a school district must reserve an amount equal to at least zero percent of the basic revenue under Minnesota Statutes, section 126C.10, subdivision 2. A district may waive this requirement by a majority vote of the licensed teachers in the district and a majority vote of the school board. A district in statutory operating debt is exempt from this requirement.

Subd. 2. [FISCAL YEARS 2006 AND 2007.] A school district is not subject to Minnesota Statutes, sections 122A.60 and 122A.61, subdivision 1, for fiscal years 2006 and 2007.

[**EFFECTIVE DATE.**] This section is effective July 1, 2005."

Page 54, delete section 60

Page 55, line 9, delete "2004" and insert "2003"

Page 56, line 15, delete "\$5,135,844,000" and insert "\$5,136,086,000"

Page 56, line 16, delete "\$5,359,019,000" and insert "\$5,361,776,000"

Page 56, line 18, delete "\$4,350,866,000" and insert "\$4,351,108,000"

Page 56, line 19, delete "\$814,640,000" and insert "\$814,688,000"

Page 56, line 20, delete "\$4,544,379,000" and insert "\$4,547,088,000"

Page 58, after line 10, insert:

"Subd. 13. [COMPENSATORY REVENUE PILOT PROJECT.] For a grant to Independent School District No. 11, Anoka-Hennepin, for participation in the compensatory revenue pilot program under section 63:

<u>\$2,000,000</u>	: : : : :	<u>2006</u>
<u>\$2,000,000</u>	: : : : :	<u>2007</u>

This is a onetime appropriation."

Page 82, line 4, before "A" insert "(a)"

Page 82, after line 12, insert:

"(b) The definition of suspension under section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. A readmission plan must provide, where appropriate, alternative education services, which must not be used to extend the student's current suspension period. Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School officials must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect or medical or educational neglect."

Page 94, line 17, after "commissioner" insert "may sort applications by geographic region and"

Page 94, line 20, after "received" insert "from each region"

Page 98, line 5, delete "noninstructional"

Page 98, line 6, delete "services" and insert "administrative efficiencies"

Page 98, line 7, delete "services" and insert "efficiencies, administrative functions related to"

Page 98, line 12, after the period insert "All administrative efficiencies implemented by the education administrative district under the agreement in this section must be in compliance with employee collective bargaining agreements in effect in each member school district."

Page 98, delete lines 13 to 33

Page 98, line 35, delete "with"

Page 98, line 36, delete "exclusive representative written consent"

Pages 100 and 101, delete section 46

Page 131, delete lines 15 to 30, and insert:

"Sec. 71. Minnesota Statutes 2004, section 128C.12, subdivision 1, is amended to read:

Subdivision 1. [DUES AND EVENTS REVENUE.] (a) The state auditor annually must examine the accounts of, and audit all money paid to, the State High School League by its members. The audit must include financial and compliance issues. ~~The state auditor audit must also audit include all money derived from any event sponsored by the league. League audits must include audits of administrative regions of the league. The league and its administrative regions may not contract with private auditors. The scope of the state auditor's examinations of the league must be agreed upon by the board and the state auditor, provided that all requirements of this section must be met.~~

(b) The administrative regions of the league may contract with the state auditor or with a private certified public accountant for the audit required by this section. If a private certified public accountant performs the audit, the state auditor may require additional information from the private certified public accountant as the state auditor deems in the public interest. The state auditor may accept the audit or make additional examinations as the state auditor deems to be in the public interest.

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

Sec. 72. Minnesota Statutes 2004, section 128C.12, subdivision 3, is amended to read:

Subd. 3. [COPIES.] ~~The state auditor board~~ must file copies of the ~~financial and compliance~~ audit report with the commissioner of education and the director of the Legislative Reference Library.

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

Pages 148 and 149, delete section 86

Page 150, after line 10, insert:

"Sec. 89. [SUPPLEMENTAL AGREEMENTS; ALTERNATIVE TEACHER PAY.]

Notwithstanding Minnesota Statutes, section 179A.20, or other law to the contrary, a school board and the exclusive representative of the teachers that enter into a collective bargaining agreement for the period July 1, 2005, to June 30, 2007, before the effective date of this act may enter into a supplemental agreement solely for the purpose of complying with the alternative teacher pay provisions under Minnesota Statutes, sections 122A.414 and 122A.415.

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

Page 152, lines 22 and 23, delete "\$4,500,000" and insert "\$2,500,000"

Page 154, delete lines 28 to 33

Page 154, line 35, before "Minnesota" insert "(a)"

Page 154, after line 35, insert:

"(b) Minnesota Statutes 2004, section 128C.12, subdivision 4, is repealed."

Page 154, line 36, after "section" insert ", paragraph (a)."

Page 155, line 1, after the period, insert "This section, paragraph (b), is effective the day following final enactment."

Page 156, line 13, strike "sympathomimetic medications" and insert "psychotropic drugs"

Page 156, line 14, after the period, insert "\"Psychotropic drug\" means a substance used in the diagnosis, treatment or prevention of a disease or as a component of a medication, and intended to have an altering effect on perception, emotion, or behavior. School officials must not use the refusal of a parent or guardian to consent to the administration of a psychotropic drug to their student or to consent to a psychiatric evaluation, screening or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect."

Page 158, line 7, after the period, insert "Special education aid paid to the district or cooperative providing special instruction and services for the pupil must be increased by the amount of the reduction in the aid paid to the resident district. Amounts paid to cooperatives under this subdivision and section 127A.47, subdivision 7, shall be recognized and reported as revenues and expenditures on the resident school district's books of account under sections 123B.75 and 123B.76."

Page 158, after line 10, insert:

"(c) Notwithstanding paragraphs (a) and (b) and section 127A.47, subdivision 7, paragraphs (d) and (e), a charter school where more than 30 percent of enrolled students receive special education and related services, an intermediate district, or a special education cooperative may apply to the commissioner for authority to charge the resident district an additional amount to recover any remaining unreimbursed costs of serving pupils with a disability. The application must include a description of the costs and the calculations used to determine the unreimbursed portion to be charged to the resident district. Amounts approved by the commissioner under this paragraph must be included in the tuition billings or aid adjustments under paragraph (a) or (b), or section 127A.47, subdivision 7, paragraph (d) or (e), as applicable."

Page 158, line 27, delete "or an employee of a nonpublic school"

Page 167, line 36, after "district" insert "or cooperative"

Page 168, line 1, delete ", or to the fiscal agent district for a"

Page 168, line 2, delete "cooperative."

Page 184, after line 24, insert:

"Sec. 15. [LEVY; RED WING.]

For taxes payable in 2006 only, Independent School District No. 256, Red Wing, may levy an amount up to \$158,000 for the construction deficit for building the community ice arena.

[EFFECTIVE DATE.] This section is effective for revenue for fiscal year 2006."

Pages 184 and 185, delete section 15

Page 185, after line 6, insert:

"Sec. 16. [RESIDENTIAL PROGRAM FACILITIES; WORTHINGTON.]

Subject to Minnesota Statutes, section 16A.695, Independent School District No. 518, Worthington, may use the facilities provided under Laws 1994, chapter 643, section 14, subdivision 8, as amended by Laws 1995, chapter 76, section 1, to provide adult foster care or child foster care services licensed by the commissioner of human services or for other special education purposes.

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

Page 186, delete lines 13 to 22 and insert:

"Subdivision 1. [DEFINITIONS.] "Direct classroom expenditures" means instructional expenditures as defined in the uniform financial accounting and reporting standards, excluding tuition payments to other Minnesota school districts, capital expenditures, and expenditures for athletics, other cocurricular activities and extracurricular activities. "Total K-12 operating expenditures" means the total expenditures in the general and food service funds, as defined in the uniform financial accounting and reporting standards, excluding tuition payments to other Minnesota school districts and capital expenditures."

Page 186, line 24, after "total" insert "K-12"

Page 186, line 27, after "total" insert "K-12"

Page 186, line 34, after "total" insert "K-12"

Page 198, line 35, delete ", social and"

Page 198, line 36, delete "emotional"

Page 201, line 33, delete the comma

Page 201, line 34, delete "socially, emotionally," and after "physically" insert "and teach the self-discipline necessary"

Page 202, line 8, delete the first "child" and insert "child's cognitive skills"

Page 202, line 13, delete "determine whether to implement model early"

Page 202, line 14, delete "childhood indicators of progress developed by the department" and strike the semicolon

Page 202, line 15, strike "(3)"

Page 202, line 19, delete "social emotional"

Page 202, line 21, strike "(4)" and insert "(3)"

Page 202, line 24, strike "(5)" and insert "(4)"

Page 202, line 27, strike "(6)" and insert "(5)"

Page 202, line 31, strike "(7)" and insert "(6)"

Page 205, line 28, delete "and expands the capacity"

Page 205, line 31, after the period, insert "Children eligible to participate under this section must demonstrate two or more of the following characteristics:

(1) are members of a household with an income less than 75 percent of the statewide median family income;

(2) live in divorced or separated households headed by a single parent;

(3) have experienced residential instability, homelessness, or have parents who have been unemployed in the past 12 months;

(4) have a parent who has not received a high school diploma or its equivalent;

(5) speak a primary language other than English;

(6) are determined by a qualified early childhood or other professional to require additional developmental screening, diagnosis, or treatment;

(7) have been placed in three or more child care settings in the past 12 months or are determined by a qualified early childhood or other professional to have been a victim of bullying;

(8) have a parent who has undergone treatment for chemical abuse or mental illness; or

(9) other criteria determined by the commissioner in consultation with qualified early childhood or other professionals.

(c)"

Page 206, line 2, delete "programmatic" and insert "academic"

Page 206, delete lines 3 and 4

Page 206, line 5, delete everything before the semicolon

Page 206, line 6, delete "programmatic" and insert "academic"

Page 206, line 7, delete ", which may be performed using the"

Page 206, delete line 8

Page 206, line 9, delete "department"

Page 211, after line 1, insert:

"Sec. 20. [MELF PROGRESS REPORT.]

Consistent with Minnesota Statutes, section 124D.175, the private nonprofit organization under contract with the commissioner of education must submit to the education policy and finance committees of the legislature by February 1, 2008, an interim progress report evaluating the programmatic and financial efficacy of the programs receiving grant awards."

Pages 219 and 220, delete section 3

Page 220, delete lines 24 to 27

Page 220, line 28, delete "5" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 26, delete "123A.21, by adding a subdivision;"

Page 2, line 16, delete "subdivision 1;" and insert "subdivisions 1, 3;"

Page 2, line 23, delete "section" and insert "sections 51;"

Page 2, line 48, before the period, insert "; 128C.12, subdivision 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1420, A bill for an act relating to agriculture; appropriating money for agricultural purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; providing for the issuance of state bonds; amending Minnesota Statutes 2004, sections 13.643, by adding a subdivision; 17.03, subdivision 13; 17.117, subdivision 11, by adding a subdivision; 17.452, by adding a subdivision; 17.982, subdivision 1; 17.983, subdivisions 1, 3; 17B.03, subdivision 1; 18B.08, subdivision 4; 18B.26, subdivision 3; 18B.31, subdivision 5; 18B.315, subdivision 6; 18B.32, subdivision 6; 18B.33, subdivision 7; 18B.34, subdivision 5; 18C.141, subdivisions 1, 3, 5; 18C.425, subdivision 6; 18E.03, subdivision 2; 18G.03, subdivision 1; 18G.10, subdivisions 5, 7; 18H.02, subdivisions 21, 22, 23, 32, 34, by adding a subdivision; 18H.05; 18H.06; 18H.07, subdivisions 1, 2, 3; 18H.09; 18H.13, subdivision 1; 18H.15; 18H.18, subdivision 1; 19.64, subdivision 1; 25.341, subdivision 2; 25.39, subdivisions 1, 4; 31.94; 35.02, subdivision 1; 35.03; 35.05; 35.155; 38.01; 38.16; 41A.09, subdivisions 2a, 3a; 41B.046, subdivision 5; 41B.049, subdivisions 2, 4; 174.52, subdivision 5; 223.17, subdivision 3; 231.08, by adding subdivisions; 231.09; 231.11; 231.16; 231.18, subdivisions

3, 5; 232.22, subdivision 3; 236.02, subdivision 4; 327.23, subdivision 2, by adding a subdivision; 394.25, subdivision 3c; 462.355, subdivision 4; 462.357, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16C; 25; 35; 41B; 156; 231; 583; 604; repealing Minnesota Statutes 2004, sections 17.451; 17.452, subdivisions 6, 6a, 7, 10, 11, 12, 13, 13a, 14, 15, 16; 17.983, subdivision 2; 18B.065, subdivision 5; 18H.02, subdivisions 15, 19; 19.64, subdivision 4a; 35.0661, subdivision 4; 41B.046, subdivision 3; Laws 1986, chapter 398, article 1, section 18, as amended; Minnesota Rules, parts 1560.7700; 1560.7750; 1560.7800; 1560.7850; 1560.7900; 1560.8000; 1560.8100; 1560.8200; 1560.8300; 1560.8400; 1560.8500; 1560.8600; 1560.8700; 1560.8800.

Reported the same back with the following amendments:

Page 5, line 26, before the period insert "and to administer a dairy investment tax credit program"

Page 39, line 27, strike "constables" and insert "peace officers"

Page 39, line 29, strike "constables" and insert "peace officers"

Page 39, line 33, strike "all the power and"

Page 39, line 34, strike "authority of constables at common law" and insert "full powers of arrest" and strike ", in addition" and after "~~there~~" strike the comma

Page 40, line 7, strike "constables" and insert "peace officers"

Page 40, line 9, strike "constables" and insert "peace officers"

Page 40, line 26, reinstate the stricken language and delete the new language

Page 45, line 8, strike everything before the period and insert "revolving loan account established in section 41B.06"

Page 46, line 25, strike "fund created in subdivision 2" and insert "loan account established in section 41B.06"

Page 48, line 30, delete "Floating" and after "teeth" insert "floating"

Page 49, delete lines 8 and 9 and insert:

"Subd. 2. [EQUINE TEETH FLOATING SERVICES.] (a) A person may perform equine teeth floating services after submitting to the board the following:

(1) proof of current certification from the International Association of Equine Dentistry or other professional equine dentistry association as determined by the board; and

(2) a written statement signed by a supervising veterinarian experienced in equine medicine that the applicant will be under direct or indirect supervision of the veterinarian when floating equine teeth.

(b) The board must waive the requirement in paragraph (a), clause (1), and allow a person to perform equine teeth floating services if the person provides satisfactory evidence of being actively engaged in equine teeth floating for at least ten of the past 15 years and has generated at least \$5,000 annually in personal income from this activity."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1929, A bill for an act relating to building officials; requiring adoption and application of certain competency and certification criteria; providing for continuing education; amending Minnesota Statutes 2004, section 16B.65, subdivisions 3, 7; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

The report was adopted.

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

H. F. No. 2187, A bill for an act relating to public and municipal corporations; creating a county subsidiary corporation to provide health care and related services, education, and research; providing for governance of Hennepin County Medical Center; amending Minnesota Statutes 2004, sections 179A.03, subdivisions 7, 14, 15; 179A.06, subdivision 2; 353.01, subdivisions 2b, 2d, 6; 353.64, subdivision 10; 353E.02, subdivision 2a; 383B.117, subdivision 2; 383B.217, subdivision 7; 383B.46; proposing coding for new law in Minnesota Statutes, chapters 179A; 383B; repealing Minnesota Statutes 2004, section 383B.217, subdivisions 1, 2, 3, 4, 5, 6, 8.

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

The report was adopted.

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

House Resolution No. 12, A House resolution recognizing May 5, 2005, as a Day of Prayer in Minnesota.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 872, 1420, 1929 and 2187 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Hornstein, Davids, Mahoney and DeLaForest introduced:

H. F. No. 2497, A bill for an act relating to commerce; requiring separate licensure for industrial loan and thrift companies acting as currency exchanges; amending Minnesota Statutes 2004, sections 53.05; 53A.01, subdivision 1.

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

CALENDAR FOR THE DAY

H. F. No. 42 was reported to the House.

Howes and Dill moved to amend H. F. No. 42, the second engrossment, as follows:

Page 2, after line 8, insert:

"Sec. 3. [EFFECTIVE DATE.]

This section is effective the day following final enactment."

The motion prevailed and the amendment was adopted.

H. F. No. 42, A bill for an act relating to firearms; authorizing the use of silencers to muffle discharges of firearms for natural resource wildlife control; amending Minnesota Statutes 2004, section 609.66, subdivisions 1h, 2.

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 121 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Wagenius

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

S. F. No. 1056, A bill for an act relating to motor vehicles; providing for issuance of registration plates and stickers to motor vehicle dealers; providing for electronic transmission of motor vehicle transfers; authorizing an optional electronic transfer fee for electronic transfer of ownership records; amending Minnesota Statutes 2004, sections 168.27, by adding a subdivision; 168.33, subdivision 7, by adding a subdivision; 168.66, subdivision 14, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Murphy Nelson, M.

The bill was passed and its title agreed to.

S. F. No. 1486, A bill for an act relating to public safety; prohibiting quotas for issuing traffic and vehicle inspection citations; amending Minnesota Statutes 2004, section 299D.08.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Bernardy	Brod	Charron	Cybart
Abrams	Atkins	Blaine	Buesgens	Cornish	Davids
Anderson, B.	Beard	Bradley	Carlson	Cox	Davnie

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

The bill was passed and its title agreed to.

S. F. No. 1841, A bill for an act relating to natural resources; eliminating the Project Riverbend Board; amending Minnesota Statutes 2004, sections 103F.387; 103F.389, subdivision 2; 103F.391; repealing Minnesota Statutes 2004, sections 103F.383, subdivisions 1, 2; 103F.385; 103F.389, subdivisions 3, 4; 103F.393.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 731, A bill for an act relating to the environment; modifying individual sewage treatment system inspection requirements to avoid conflicts of interest; amending Minnesota Statutes 2004, section 115.55, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1394, A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the capitol grounds to honor the veterans of the Persian Gulf War.

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 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bernardy	Charron	Dean	Dorn	Erickson
Abrams	Blaine	Cornish	DeLaForest	Eastlund	Finstad
Anderson, B.	Bradley	Cox	Demmer	Eken	Fritz
Anderson, I.	Brod	Cybart	Dempsey	Emmer	Garofalo
Atkins	Buesgens	Davids	Dill	Entenza	Gazelka
Beard	Carlson	Davnie	Dittrich	Erhardt	Goodwin

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

The bill was passed and its title agreed to.

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

The bill was read for the 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1016, A bill for an act relating to local government; permitting delegation of duties to board of adjustment; amending Minnesota Statutes 2004, section 18.83, subdivision 3.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 284, A bill for an act relating to health; authorizing the limited use of zero-depth public swimming pools without a lifeguard; amending Minnesota Statutes 2004, section 144.1222, by adding a subdivision.

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 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Greiling Hoppe

The bill was passed 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

Severson moved that the name of Tingelstad be added as an author on H. F. No. 1240. The motion prevailed.

Lenczewski moved that the name of Westrom be added as an author on H. F. No. 2435. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Abrams announced his intention to place H. F. No. 872 on the Fiscal Calendar for Wednesday, May 4, 2005.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Wednesday, May 4, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Wednesday, May 4, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives