

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2006

 ONE HUNDRED FIRST DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 4, 2006

The House of Representatives convened at 10:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Huntley and Mariani were excused.

Erhardt was excused until 10:25 a.m. Lesch was excused until 1:35 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Scalze moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 2374 and H. F. No. 3691, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Meslow moved that the rules be so far suspended that S. F. No. 2374 be substituted for H. F. No. 3691 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2660 and H. F. No. 3095, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hornstein moved that the rules be so far suspended that S. F. No. 2660 be substituted for H. F. No. 3095 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2939 and H. F. No. 3446, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Juhnke moved that the rules be so far suspended that S. F. No. 2939 be substituted for H. F. No. 3446 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3087 and H. F. No. 3368, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Finstad moved that the rules be so far suspended that S. F. No. 3087 be substituted for H. F. No. 3368 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3146 and H. F. No. 3483, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Samuelson moved that the rules be so far suspended that S. F. No. 3146 be substituted for H. F. No. 3483 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3551 and H. F. No. 3890, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Soderstrom moved that the rules be so far suspended that S. F. No. 3551 be substituted for H. F. No. 3890 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 1443, A bill for an act relating to elections; requiring proof of citizenship as part of registration; requiring voters to provide picture identification; providing for the issuance of certain identification cards at no charge; establishing a procedure for unverified ballots; amending Minnesota Statutes 2004, sections 201.061, subdivision 1; 204C.13, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 201.061, subdivision 3; 204C.10; proposing coding for new law in Minnesota Statutes, chapter 204C.

Reported the same back with the following amendments:

Page 1, line 19, before the period, insert ", except that this proof is not required when the individual lives in a residential facility, as defined by section 201.061, subdivision 3"

Page 2, line 10, before the comma, insert ", except that this proof is not required when the individual resides in a residential facility, as defined by section 201.061, subdivision 3"

Page 4, line 12, after "(2)" insert "except when the voter resides in a residential facility, as defined by section 201.061, subdivision 3,"

Page 4, delete section 4, and insert:

"Sec. 4. **[204C.105] NO CHARGE FOR CERTAIN IDENTIFICATION.**

(a) The Department of Public Safety shall provide to each eligible applicant at no charge a Minnesota identification card or Under-21 identification card as described in section 171.07, subdivision 3, to anyone eligible to vote who presents verification of a household income below the federal poverty level and demonstrates a need. This free identification card can only be applied for at one of the 16 regional state-run Department of Motor Vehicle driver's license facilities. The secretary of state's office shall reimburse the Department of Public Safety the actual cost for providing the free Minnesota identification card or Under-21 identification card issued pursuant to this section.

(b) The applicant must present verification of eligibility when applying for an initial identification card or Under-21 identification card and when applying for any renewal or, as a result of a change of address, for a duplicate of an identification card or Under-21 identification card.

(c) All costs and implementation procedures shall be agreed upon by the secretary of state and the commissioner of public safety prior to the implementation of this section.

(d) The secretary of state and the commissioner of public safety shall reevaluate the costs of this program prior to the 2008-2009 biennium and report to the legislature their findings for possible inclusion in the budget for that biennium."

Page 5, after line 2, insert:

"Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective July 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. 3116, A bill for an act relating to game and fish; modifying critical habitat private sector matching account provisions; providing definitions; providing for and modifying disposition of certain revenue; modifying restrictions on motorized watercraft and recreational vehicles in wildlife management areas; providing for inspection of equipment used to take wild animals; modifying certain penalty and fee amounts; modifying certain game and fish license provisions; modifying firearms possession provisions for persons under 16; providing for collecting antler sheds; modifying firearms safety course requirements; modifying certain provisions for taking and possessing game and fish; modifying restrictions on using lights to locate animals; modifying provisions for fishing contests; providing for a moratorium on use of public waters for aquaculture; modifying regulation of all-terrain vehicles; creating two classes of all-terrain vehicles; requiring rulemaking; amending Minnesota Statutes 2004, sections 84.92, subdivision 8, by adding subdivisions; 84.928, by adding a subdivision; 84.943, subdivision 3; 97A.015, by adding subdivisions; 97A.055, subdivision 2; 97A.065, subdivision 2; 97A.075, subdivision 1; 97A.101, subdivision 4; 97A.251, subdivision 1; 97A.321; 97A.475, subdivision 2; 97A.535, subdivision 1; 97B.015, by adding a subdivision; 97B.021, subdivision 1, by adding a subdivision; 97B.081, subdivision 1; 97B.301, subdivision 7; 97B.311; 97C.025; 97C.081, subdivisions 4, 6, 8, 9; 97C.205; 97C.315, subdivision 2; 97C.355, subdivision 7; 97C.371, subdivisions 3, 4; Minnesota Statutes 2005 Supplement, sections 84.9256, subdivision 1; 84.9257; 84.926, subdivision 4; 84.928, subdivision 1; 97A.405, subdivision 4; 97A.475, subdivision 3; 97A.551, subdivision 6; 197.65; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2004, section 97C.355, subdivision 6.

Reported the same back with the following amendments:

Page 8, after line 29, insert:

"Sec. 20. Minnesota Statutes 2004, section 97A.085, subdivision 4, is amended to read:

Subd. 4. **Establishment by petition of county residents.** The commissioner may designate as a game refuge public waters or a contiguous area described in a petition, signed by 50 or more residents of the county where the public waters or area is located. The game refuge must be a contiguous area of at least 640 acres unless it borders or includes a marsh, or other body of water or watercourse suitable for wildlife habitat. The game refuge may be designated only if the commissioner finds that protected wild animals are depleted and are in danger of extermination, or that it will best serve the public interest. If any of the land area in the proposed game refuge is privately owned and the commissioner receives a petition opposing designation of the refuge signed by the owners, lessees, or persons in possession of at least 75 percent of the private land area within the proposed game refuge, the commissioner shall not designate the private lands as a game refuge."

Page 9, line 23, reinstate the stricken language and before "\$500" insert "a maximum of" and after "violation" insert "under this section"

Page 10, after line 11, insert:

"Sec. 25. Minnesota Statutes 2004, section 97A.465, is amended by adding a subdivision to read:

Subd. 6. **Special hunts for military personnel.** The commissioner may by rule establish criteria, special seasons, and limits for military personnel and veterans to take big game and small game by firearms or archery in designated areas or times. A person hunting under this subdivision must be participating in a hunt sponsored and administered by the Minnesota Department of Military Affairs or the Minnesota Department of Veterans Affairs."

Page 15, line 16, after the period, insert "Violation of this section shall not result in a penalty and is not subject to section 97A.301."

Page 16, line 24, delete the new language and insert ", to restrict activities during high use periods, to restrict activities that affect research or management work, to restrict the number of boats,"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "modifying provisions for designating game refuges;"

Correct the title numbers accordingly

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. 3179, A bill for an act relating to education; providing for early childhood and family and kindergarten through grade 12 education including general education revenue, education excellence, special programs, accounting, self-sufficiency and lifelong learning, and pupil transportation; establishing task forces; requiring reports; providing for rulemaking; amending Minnesota Statutes 2004, sections 120A.20, subdivision 1; 120A.22, subdivision 3; 120B.023; 120B.024; 120B.36, subdivision 1; 121A.035; 123A.06, subdivision 2; 123B.10, subdivision 1; 123B.77, subdivision 3, by adding a subdivision; 123B.79, by adding a subdivision; 123B.90, subdivision 2; 123B.91, by adding a subdivision; 124D.02, subdivisions 2, 4; 124D.10, subdivision 16; 124D.518, subdivision 4; 124D.52, subdivision 1; 124D.61; 124D.68, subdivision 3; 125A.02, subdivision 1; 125A.27, subdivision 11; 125A.29; 125A.30; 125A.32; 125A.33; 125A.48; 125A.515, subdivisions 1, 3, 5, 6, 7, 9, 10; 125A.63, subdivision 4; 125A.65, subdivisions 3, 4, 6, 8, 10; 125A.69, subdivision 3; 125A.75, subdivision 1; 125A.76, by adding a subdivision; 126C.05, subdivision 1; 126C.10, subdivision 6; 126C.44; 127A.41, subdivision 2; 169.01, subdivision 6; 169.447, subdivision 2; 169.4501, subdivisions 1, 2; 169.4502, subdivision 5; 169.4503, subdivision 20; 171.321, subdivision 4; 299F.30; Minnesota Statutes 2005 Supplement, sections 120B.131, subdivision 2; 122A.415, subdivisions 1, 3; 123B.76, subdivision 3; 123B.92, subdivision 1; 124D.095, subdivision 4; 124D.68, subdivision 2; 125A.11, subdivision 1; 125A.79, subdivision 1; 126C.10, subdivision 34; 126C.43, subdivision 2; 127A.45, subdivision 10; Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2004, sections 120A.20, subdivision 3; 125A.10; 125A.515, subdivision 2; 169.4502, subdivision 15; 169.4503, subdivisions 17, 18, 26.

Reported the same back with the following amendments:

Page 23, after line 25, insert:

"Sec. 11. Minnesota Statutes 2004, section 181.101, is amended to read:

181.101 WAGES; HOW OFTEN PAID.

Every employer must pay all wages earned by an employee at least once every 31 days on a regular pay day designated in advance by the employer regardless of whether the employee requests payment at longer intervals. Unless paid earlier, the wages earned during the first half of the first 31-day pay period become due on the first

regular payday following the first day of work. If wages earned are not paid, the commissioner of labor and industry or the commissioner's representative may demand payment on behalf of an employee. If payment is not made within ten days of demand, the commissioner may charge and collect the wages earned and a penalty in the amount of the employee's average daily earnings at the rate agreed upon in the contract of employment, not exceeding 15 days in all, for each day beyond the ten-day limit following the demand. Money collected by the commissioner must be paid to the employee concerned. This section does not prevent an employee from prosecuting a claim for wages. This section does not prevent a school district ~~or~~ other public school entity, or other school, as defined under section 120A.22, from paying any wages earned by its employees during a school year on regular pay days in the manner provided by an applicable contract or collective bargaining agreement, or a personnel policy adopted by the governing board. For purposes of this section, "employee" includes a person who performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of this section, wages are earned on the day an employee works."

Page 30, line 26, strike "or"

Page 30, line 27, after "cooperative" insert ", or a school district that served as the applicant agency for a group of school districts for federal special education aids for fiscal year 2006"

Renumber the sections in sequence

Correct the title numbers accordingly

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. 3253, A bill for an act relating to lawful gambling; modifying certain requirements relating to bar bingo and pull-tab games; amending Minnesota Statutes 2004, section 349.211, subdivision 2a; Minnesota Statutes 2005 Supplement, section 349.17, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 349.

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

The report was adopted.

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

H. F. No. 3254, A bill for an act relating to lawful gambling; authorizing pilot project for sports-themed tipboard games.

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

The report was adopted.

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

S. F. No. 930, A bill for an act relating to gambling; appropriating money for compulsive gambling prevention and education.

Reported the same back with the following amendments:

Page 1, line 16, after the period, insert "These are onetime appropriations."

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:

S. F. No. 1298, A bill for an act relating to environment; enacting the Minnesota Electronics Recycling Act of 2005; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 116H.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Environment and Natural Resources without further recommendation.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1443, 3116, 3179, 3253 and 3254 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2374, 2660, 2939, 3087, 3146, 3551 and 930 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Gunther introduced:

H. F. No. 4183, A bill for an act relating to state government; appropriating money and supplementing appropriations for economic development and human services programs and activities; providing for regulation of certain activities and practices; amending Minnesota Statutes 2004, sections 43A.08, subdivision 1a; 116.07, subdivision 2a; 116J.421, by adding a subdivision; 116J.552, subdivision 7; 116L.04, subdivisions 1, 1a; 116L.12, subdivision 4; 119B.03, subdivision 4; 181.032; 216C.41, subdivision 4; 245A.023; 245A.14, by adding a

subdivision; 259.87; 298.22, subdivisions 1, 8, by adding a subdivision; 298.2213, subdivision 4; 298.223, subdivisions 2, 3; 326.105; 446A.03, subdivision 5; 518.551, subdivision 7; Minnesota Statutes 2005 Supplement, sections 115C.09, subdivision 3j; 116J.551, subdivision 1; 116J.572, subdivision 3; 116J.575, subdivision 1; 298.296, subdivision 1; 298.298; 446A.073; Laws 2004, chapter 188, section 1, as amended; Laws 2005, First Special Session chapter 1, article 3, section 17; proposing coding for new law in Minnesota Statutes, chapters 116J; 216B; 256K; 259.

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

Larson introduced:

H. F. No. 4184, A bill for an act relating to taxes; individual income; allowing a subtraction for retirement plan contributions included in taxable income in 1982 through 1984 and not subsequently subtracted from taxable income; amending Minnesota Statutes 2005 Supplement, section 290.01, subdivision 19b.

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

Gunther, Slawik and Sertich introduced:

H. F. No. 4185, A bill for an act relating to human services; appropriating money for the Commission Serving Deaf and Hard-of-Hearing People.

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

Kohls; Krinkie; Zellers; Brod; Klinzing; DeLaForest; Powell; Gazelka; Emmer; Penas; Charron; Sviggum; Hoppe; Howes; Seifert; Hamilton; Newman; Wilkin; Buesgens; Davids; Peppin; Dean; Vandever; Erickson; Soderstrom; Johnson, J., and Blaine introduced:

H. F. No. 4186, A bill for an act relating to fuel taxes; providing a tax holiday.

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

Otremba introduced:

H. F. No. 4187, A bill for an act relating to taxation; motor vehicle sales; modifying the tax and qualifying rules for older passenger vehicles; amending Minnesota Statutes 2004, sections 297B.02, subdivision 2; 297B.025, subdivision 1.

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

Marquart introduced:

H. F. No. 4188, A bill for an act relating to local government aid; modifying the aid distribution formula; amending Minnesota Statutes 2004, section 477A.013, subdivision 9; Minnesota Statutes 2005 Supplement, section 477A.011, subdivision 34.

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

Cornish, Hackbarth, Smith, Howes, Hoppe, DeLaForest, Penas, Kohls, Zellers, Erickson and Holberg introduced:

H. F. No. 4189, A bill for an act relating to public safety; firearms; clarifying and extending the castle doctrine regarding the authorized use of deadly force in self defense; amending Minnesota Statutes 2004, section 609.065.

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

Lesch introduced:

H. F. No. 4190, A bill for an act relating to consumer protection; prohibiting price gouging; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2514, A bill for an act relating to securities; enacting and modifying the 2002 Uniform Securities Act of the National Conference of Commissioners on Uniform State Laws; prescribing criminal penalties; amending Minnesota Statutes 2004, sections 60A.077, subdivision 9; 82.23; 82.43, subdivision 7; 144A.01, subdivision 4; 245A.02, subdivision 5a; 302A.011, subdivision 26; 302A.251, subdivision 4; 308A.505; 308B.465, subdivision 2; 322B.03, subdivision 43; 322B.663, subdivision 4; 356A.06, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 80A; repealing Minnesota Statutes 2004, sections 80A.01; 80A.02; 80A.03; 80A.04; 80A.041; 80A.05; 80A.06; 80A.07; 80A.08; 80A.09; 80A.10; 80A.11; 80A.115; 80A.12; 80A.122; 80A.125; 80A.13; 80A.14; 80A.15; 80A.16; 80A.17; 80A.18; 80A.19; 80A.22; 80A.23; 80A.24; 80A.25; 80A.26; 80A.27; 80A.28; 80A.29; 80A.30; 80A.31.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3464, A bill for an act relating to occupations and professions; modifying licensing provision for barbers and cosmetologists; amending Minnesota Statutes 2004, sections 155A.07, by adding a subdivision; 240.08, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3665, A bill for an act relating to the Minnesota Veterans Homes Board; authorizing the board to conduct certain meetings by telephone or other electronic means; amending Minnesota Statutes 2004, section 198.003, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McNamara moved that the House concur in the Senate amendments to H. F. No. 3665 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3665, A bill for an act relating to the Minnesota Veterans Homes Board; authorizing the board to conduct certain meetings by telephone or other electronic means; amending Minnesota Statutes 2004, section 198.003, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

DeLaForest

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Bradley moved that the House concur in the Senate amendments to H. F. No. 3771 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3449, A bill for an act relating to manufactured homes; regulating manufactured home park conversions; amending Minnesota Statutes 2004, section 327C.095, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Clark moved that the House concur in the Senate amendments to H. F. No. 3449 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3449, A bill for an act relating to manufactured homes; regulating manufactured home park conversions; amending Minnesota Statutes 2004, section 327C.095, subdivisions 1, 5.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Cybart	Knoblach	Olson	Vandev eer
Buesgens	Holberg	Krinkie	Peppin	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

S. F. Nos. 3219, 2528, 2907, 3105, 3349, 2123, 2849, 3106, 2995 and 3176.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3219, A bill for an act relating to state lands; authorizing sale or transfer of surplus land at the Brainerd Regional Treatment Center.

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

S. F. No. 2528, 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.

The bill was read for the first time.

Sieben moved that S. F. No. 2528 and H. F. No. 2944, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2907, A bill for an act relating to economic development; requiring annual reports to the legislature on certain business accounts; amending Minnesota Statutes 2004, section 116J.431, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 116J.575, by adding a subdivision.

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

S. F. No. 3105, A bill for an act relating to county recorders; modifying standards for documents; modifying registration fees and provisions; amending Minnesota Statutes 2004, sections 508.75; 508A.11, subdivision 3; Minnesota Statutes 2005 Supplement, sections 507.093; 508.82, subdivision 1; 508A.82, subdivision 1; repealing Minnesota Statutes 2004, section 508.74.

The bill was read for the first time.

Ruth moved that S. F. No. 3105 and H. F. No. 3454, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3349, A bill for an act relating to domestic abuse; providing for enforcement of foreign protective orders; amending Minnesota Statutes 2004, section 518B.01, by adding a subdivision.

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

S. F. No. 2123, A resolution memorializing the President, Congress, and the United States Postal Service to maintain current levels of service.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2849, A bill for an act relating to transportation; modifying provision governing financial assistance from the town bridge account; amending Minnesota Statutes 2004, section 161.082, subdivision 2a.

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

S. F. No. 3106, A bill for an act relating to drivers' licenses; authorizing suspension of driver's license for attempting to pay vehicle taxes or fees with insufficient funds; amending Minnesota Statutes 2005 Supplement, section 171.18, subdivision 1.

The bill was read for the first time.

Ruth moved that S. F. No. 3106 and H. F. No. 3438, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2995, A bill for an act relating to liens; providing for the cancellation of certain automobile liens under certain circumstances; regulating liens for storage charges on certain motor vehicles; amending Minnesota Statutes 2004, section 514.19; Minnesota Statutes 2005 Supplement, section 168A.20, subdivision 5.

The bill was read for the first time.

Davids moved that S. F. No. 2995 and H. F. No. 3282, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3176, A bill for an act relating to construction codes; recodifying and modifying construction codes and licensing provisions; modifying the State Building Code; providing penalties for enforcement; instructing the revisor to change certain terms; determining wage rates for apprenticeship agreements; amending Minnesota Statutes 2004, sections 16B.61, subdivision 2; 16B.63, subdivision 5; 16B.748; 144.99, subdivision 1; 175.16, subdivision 1; 178.03, by adding a subdivision; 183.44, subdivision 3; 214.01, subdivision 3; 214.04, subdivision 3; 299F.011, subdivision 1; 326.01, subdivision 4; 326.241; 326.242, subdivisions 4, 9i; 326.243; 326.247; 326.42, subdivision 1; 326.57, subdivision 1; 326.60, subdivision 3; 326.87, subdivision 1; 326.91, subdivision 1; 326.93; 327.20, subdivision 1; 327.35, subdivision 1; 327B.05, subdivision 1; Minnesota Statutes 2005 Supplement, sections 16B.04, subdivision 2; 214.04, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2004, sections 183.52; 183.61, subdivisions 1, 3, 5, 6; 326.01, subdivision 6h; 326.242, subdivisions 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9j, 9k; 326.244, subdivision 6; 326.246; 326.2461; 326.51; 326.521; 327B.05, subdivisions 2, 3, 4, 5, 6; Minnesota Rules, parts 3800.2650; 3800.3580; 3800.3750; 3800.3835; 4715.5600; 4717.7000, subpart 1, item I.

The bill was read for the first time.

Simpson moved that S. F. No. 3176 and H. F. No. 3525, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

The Speaker called Abrams to the Chair.

CALENDAR FOR THE DAY

H. F. No. 3991, A bill for an act relating to transportation; extending life of Mississippi River Parkway Commission to 2012; amending Minnesota Statutes 2005 Supplement, section 161.1419, subdivision 8.

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 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens	Cybart	Holberg	Krinkie	Vandev eer	Wilkin
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The bill was passed and its title agreed to.

H. F. No. 2688 was reported to the House.

Mullery, Westrom and Gunther moved to amend H. F. No. 2688 as follows:

Page 1, after line 12, insert:

"Sec. 2. **TASK FORCE ESTABLISHED.**

An implementation and steering task force is established to develop strategies around the master plan for restoration of Victory Memorial Drive Historic District, as designated in Minnesota Statutes, section 138.73, subdivision 26, including, but not limited to, efforts to secure National Register designation and other efforts to provide funding to preserve and restore the district's significant historical components and natural features.

Sec. 3. **MEMBERSHIP.**

The implementation and steering task force shall consist of 13 members including:

- (1) the director of the Minnesota Historical Society or a designee;
- (2) the Minneapolis City Council member representing the area;
- (3) the Robbinsdale City Council member representing the area;
- (4) the chair of the Hennepin County Board of Commissioners or the chair's designee;
- (5) the president of the Minneapolis Park and Recreation Board or the president's designee;
- (6) two members from the house of representatives representing the area;
- (7) two members of the senate representing the area;
- (8) two citizen representatives appointed by the chair; and
- (9) two representatives from local veterans organizations appointed by the chair.

Sec. 4. **REPORT.**

The implementation and steering task force shall report its actions to the appropriate policy committees of the legislature once each biennium.

Sec. 5. **STAFF SUPPORT.**

The State Historic Preservation Office of the Minnesota Historical Society; the Minneapolis Heritage Preservation Commission; the Minneapolis Department of Public Works; the Minneapolis Department of Grants and Planning; the Minneapolis Park Board; and the city of Robbinsdale shall provide staff support to the Victory Memorial Drive Implementation and Steering Task Force.

Sec. 6. **SUNSET.**

The implementation and steering task force established in section 2 expires on December 31, 2009."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 2688, A bill for an act relating to veterans; authorizing the placement of a plaque on the Capitol grounds honoring the nation's war dogs and their handlers; establishing a task force; requiring a report.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 3855, A bill for an act relating to veterans; authorizing the placement of a plaque in the Court of Honor on the Capitol grounds honoring Minnesota's recipients of the Congressional Medal of Honor.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1287 was reported to the House.

Cox, Goodwin and Dittrich moved to amend S. F. No. 1287 as follows:

Page 1, after line 7, insert:

"Section 1. **16B.655 CONSTRUCTION CODE INSPECTORS.**

Subdivision 1. Competency criteria. The commissioner of labor and industry shall adopt rules establishing required competency criteria for individuals serving as construction code inspectors. For the purpose of this section, "construction code inspectors" means building inspectors, mechanical inspectors, plumbing inspectors, and combination inspectors under the supervision of the building official. Required competency criteria shall be relevant to the building, mechanical, and plumbing codes as adopted in Minnesota.

Subd. 2. Continuing education. The commissioner of labor and industry shall adopt rules establishing or approving education programs for construction inspectors related to construction inspection and administration of the State Building Code. Each construction code inspector must satisfactorily complete continuing education requirements as established in rule by the commissioner.

Subd. 3. Exemption. A person holding current certification as a building official under section 16B.65 is exempt from this section.

Subd. 4. Effective date. Effective January 1, 2008, all construction inspectors hired on or after January 1, 2008, shall, within one year of hire, be in compliance with the competency criteria established according to subdivision 1."

Page 3, line 1, delete "1 to 4" and insert "2 to 5"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

Goodwin; Simon; Hilstrom; Anderson, I.; Hansen and Lenczewski moved to amend S. F. No. 1287, as amended, as follows:

Page 2, after line 10, insert:

"Sec. 5. Minnesota Statutes 2004, section 327A.02, is amended by adding a subdivision to read:

Subd. 2b. **Attorney fees.** If judgment is rendered in favor of the plaintiff in any action described in this section, the court may also render judgment for a reasonable attorney fee in favor of the plaintiff against the defendant. If the judgment is rendered in favor of the defendant and the court finds that plaintiff's suit was frivolous and brought in bad faith, the court may render judgment for a reasonable attorney fee in favor of the defendant against the plaintiff."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Newman and Meslow moved to amend the Goodwin et al amendment to S. F. No. 1287, as amended, as follows:

Page 1, line 5, delete "If" and insert "When" and delete "plaintiff" and insert "prevailing party"

Page 1, line 7, delete everything after the first "the" and insert "prevailing party."

Page 1, delete lines 8 to 11

A roll call was requested and properly seconded.

There being no objection, House Resolution No. 23 was reported to the House.

HOUSE RESOLUTION NO. 23

A House resolution recognizing May 4, 2006, as a Day of Prayer in Minnesota.

Whereas, the citizens of the state of Minnesota have roots in many cultures, with nearly every nationality represented, and honor a variety of religious traditions; and

Whereas, the history of our state is replete with leaders who voluntarily called upon God, whether the need was great or small; and

Whereas, civic and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

Whereas, the Declaration of Independence, our first statement as Americans of national purpose and identity, made "the laws of Nature and of Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

Whereas, in 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both houses of Congress and signed by the President; and

Whereas, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God's grace, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders, bless our troops, and bring wholeness to the United States and its citizens; and

Whereas, May 4, 2006, marks the fifty-fifth consecutive observance of the National Day of Prayer in cities and towns throughout the United States and provides us with a powerful opportunity to humble ourselves; and

Whereas, this year it is fitting that we pray especially for American armed services members serving in Iraq, Afghanistan, Bosnia, Kosovo, and other parts of the world, or supporting those who serve there; and

Whereas, the citizens of Minnesota have the opportunity to gather on this day to pray in their own way; *Now, Therefore,*

Be it Resolved by the House of Representatives of the State of Minnesota that it recognizes May 4, 2006, as a Day of Prayer in the state of Minnesota and commends this observance to all citizens.

Be it Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the National Prayer Committee.

Erickson moved that House Resolution No. 23 be now adopted. The motion prevailed and House Resolution No. 23 was adopted.

Paulsen moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Abrams.

CALL OF THE HOUSE

On the motion of Kelliher and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	DeLaForest	Hausman	Lenczewski	Paymar	Smith
Anderson, B.	Demmer	Haws	Liebling	Pelowski	Soderstrom
Atkins	Dempsey	Hilty	Lillie	Penas	Solberg
Bernardy	Dittrich	Hoppe	Loeffler	Peppin	Thao
Blaine	Dorman	Hornstein	Magnus	Peterson, A.	Thissen
Bradley	Dorn	Hortman	Mahoney	Peterson, N.	Tingelstad
Brod	Eastlund	Hosch	Marquart	Poppe	Urdahl
Buesgens	Ellison	Howes	McNamara	Powell	Vandever
Carlson	Emmer	Johnson, J.	Meslow	Ruth	Walker
Charron	Entenza	Johnson, R.	Mullery	Sailer	Wardlow
Clark	Fritz	Johnson, S.	Murphy	Samuelson	Welti
Cornish	Gazelka	Juhnke	Nelson, M.	Scalze	Westerberg
Cox	Goodwin	Kelliher	Newman	Seifert	Wilkin
Cybart	Gunther	Klinzing	Nornes	Sertich	Zellers
Davids	Hackbarth	Knoblach	Otremba	Severson	Spk. Sviggum
Davnie	Hamilton	Kohls	Ozment	Simon	
Dean	Hansen	Latz	Paulsen	Simpson	

Entenza moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

CALL OF THE HOUSE LIFTED

Krinkie moved that the call of the House be suspended. The motion prevailed and it was so ordered.

CALENDAR FOR THE DAY, Continued

Speaker pro tempore Abrams announced that the Newman and Meslow amendment to the Goodwin et al amendment to S. F. No. 1287, as amended, was before the House.

The question was taken on the Newman and Meslow amendment to the Goodwin et al amendment and the roll was called.

Pursuant to rule 2.05, Speaker pro tempore Abrams excused Dittrich from voting on the Newman and Meslow amendment to the Goodwin et al amendment to S. F. No. 1287, as amended.

There were 67 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Blaine	Buesgens	Cox	Dean	Dempsey
Abrams	Bradley	Charron	Cybart	DeLaForest	Dorman
Beard	Brod	Cornish	Davids	Demmer	Eastlund

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

Those who voted in the negative were:

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

The motion prevailed and the Newman and Meslow amendment to the Goodwin et al amendment was adopted.

The Speaker resumed the Chair.

Goodwin requested that the Goodwin et al amendment, as amended, to S. F. No. 1287, as amended, be withdrawn. The request was granted.

S. F. No. 1287, A bill for an act relating to real property; regulating causes of action arising out of construction defects in residential housing; providing for notice and opportunity to repair; amending Minnesota Statutes 2004, sections 60A.08, subdivision 6; 302A.781, by adding a subdivision; 322B.863, by adding a subdivision; 327A.02, by adding subdivisions.

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.

Pursuant to rule 2.05, Speaker pro tempore Abrams excused Dittrich from voting on final passage of S. F. No. 1287, as amended.

There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Vandever

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

Bradley moved that the name of Poppe be added as an author on H. F. No. 3144. The motion prevailed.

Magnus moved that his name be stricken as an author on H. F. No. 3911. The motion prevailed.

Sertich moved that the name of Hansen be added as an author on H. F. No. 4019. The motion prevailed.

Krinkie moved that the names of Erickson, Knoblach, Smith and Atkins be added as authors on H. F. No. 4142. The motion prevailed.

Hortman moved that H. F. No. 3643 be recalled from the Committee on Jobs and Economic Opportunity Policy and Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Hackbarth moved that H. F. No. 4185 be recalled from the Committee on Jobs and Economic Opportunity Policy and Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Ellison, Hilty, Clark, Walker and Mariani introduced:

House Resolution No. 24, A House resolution relating to impeachment of President George W. Bush.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Monday, May 8, 2006. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Monday, May 8, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives