

## STATE OF MINNESOTA

## EIGHTY-FOURTH SESSION — 2005

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 FIFTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 5, 2005

The House of Representatives convened at 11:45 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

The roll was called and the following members were present:

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

A quorum was present.

Clark was excused.

Ellison was excused until 4:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Moe 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**

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

H. F. No. 514, A bill for an act relating to gaming; establishing a lottery board; regulating card clubs and establishing a director of card clubs; amending Minnesota Statutes 2004, sections 240.03; 240.04, by adding a subdivision; 240.23; 240.30, subdivisions 2, 7; 349A.01, by adding a subdivision; 349A.08, subdivision 7; 349A.11; 349A.14; proposing coding for new law in Minnesota Statutes, chapter 349A.

Reported the same back with the following amendments:

Page 6, after line 11, insert:

"Sec. 3. Minnesota Statutes 2004, section 240.155, subdivision 1, is amended to read:

Subdivision 1. [REIMBURSEMENT ACCOUNT CREDIT.] Money received by the commission as reimbursement for the costs of services provided by veterinarians, stewards, and medical testing of horses must be deposited in the state treasury and credited to a racing reimbursement account, except as provided under subdivision 2. Receipts are appropriated to the commission to pay the costs of providing the services. Receipts deposited under section 240.30, subdivision 9, are appropriated to the commission for the costs of regulation of card club activities under section 240.03."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "appropriating money;"

Page 1, line 5, before "240.23" insert "240.155, subdivision 1;"

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. 874, A bill for an act relating to elections; providing for approval and purpose of certain voting equipment; appropriating money; amending Minnesota Statutes 2004, sections 201.022, by adding a subdivision; 206.80; proposing coding for new law in Minnesota Statutes, chapter 206.

Reported the same back with the following amendments:

Page 3, after line 22, insert:

"Sec. 5. [206.845] [BALLOT RECORDING AND COUNTING SECURITY.]

Subdivision 1. [PERMITTED AND PROHIBITED MODES OF TRANSFER.] Ballot recording and counting systems must be secured physically and electronically against unauthorized access. Except for wired connections within the polling place, ballot recording and counting systems must not be connected to, or operated on, directly or

indirectly, any electronic network including internal office networks, LANs, the Internet, or World Wide Web. Wireless communications may not be used in any way in a vote recording or vote counting system. Wireless, device-to-device capability is not allowed. No connection by modem is allowed.

Transfer of information from the ballot recording or counting system to another system for network or broadcast must be made by disk, tape, or other physical means of communication other than direct or indirect electronic connection of the vote recording or vote counting system.

Subd. 2. [TRANSMIT TO CENTRAL REPORTING LOCATION.] After the close of the polls, counties employing precinct ballot counting devices may telephonically or electronically transmit the accumulated tally for each device to a central reporting location. Before making a telephonic or electronic transmission, the precinct election officer must create a printed record of the results of the election for that precinct as provided by rules of the secretary of state. During the canvassing period the results transmitted telephonically or electronically must be considered unofficial until a complete reconciliation of the results has been performed."

Page 5, after line 8, insert:

"Subd. 4. [SURPLUS VOTING EQUIPMENT TO BE MADE AVAILABLE.] (a) If any county or municipality purchases or receives new voting system equipment under this section, it may make any equipment being replaced available on a first-come, first-served basis at no charge for transfer to any other county or municipality which has not previously used that type or model of equipment. A county receiving equipment under this subdivision may also make any equipment being replaced similarly available to any other county or municipality.

(b) The secretary of state shall establish, for information only, a page on its Web site on which counties making equipment available pursuant to this subdivision must post the basic specifications of the equipment along with contact information for the staff person in the county or municipality responsible for the equipment. All transfer transactions are strictly between and among the counties and municipalities.

Sec. 7. [FEDERAL FUNDS FOR ACCESS BY DISABLED INDIVIDUALS.]

The secretary of state is authorized to apply for funds pursuant to sections 261 to 265 of the Help America Vote Act, Public Law 107-252, to assure access for individuals with disabilities. No further appropriation by the legislature is required, for the receipt of those funds from the federal Department of Health and Human Services or for the distribution to local units of government of those funds by the secretary of state for that purpose, notwithstanding contrary provisions in Laws 2003, First Special Session chapter 7, section 1."

Page 6, line 17, delete "7" and insert "9"

Renumber the sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 514 and 874 were read for the second time.

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 the Speaker.

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

The following House Files were introduced:

Charron, Meslow and Slawik introduced:

H. F. No. 2501, A bill for an act relating to child care; making improvements to child care services; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Anderson, I.; Dill and Penas introduced:

H. F. No. 2502, A resolution memorializing the President and Congress to prohibit the importation of pseudoephedrine from other countries into the United States.

The bill was read for the first time.

### **SUSPENSION OF RULES**

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Anderson, I., moved that the rule therein be suspended and an urgency be declared so that H. F. No. 2502 be given its second and third readings and be placed upon its final passage. The motion did not prevail.

H. F. No. 2502 was referred to the Committee on Public Safety Policy and Finance.

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

The following House File was introduced:

Anderson, B., introduced:

H. F. No. 2503, A bill for an act relating to highways; designating I-94 as 88th Infantry (Blue Devils) Division Highway; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

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

**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, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1422, A bill for an act relating to the operation of state government; making changes to health and human services programs; changing licensing and state-operated services provisions; changing provisions in state health care programs, changing MinnesotaCare to a forecasted program and changing eligibility requirements and payments, allowing transfer of excess health care access funds to the general fund, allowing the commissioner to withhold for delinquent nursing home provider surcharges, allowing reduction of excess assets for MA and changing other MA provisions, reducing payments to managed care plans, establishing medical necessity standards for state health care programs, allowing the state to recover payment for long-term care from trusts and life estates or joint tenancy interests, and establishing a health services policy committee and medication therapy management; establishing a value-based nursing facility reimbursement system and changing other provisions for nursing facilities; changing continuing care for the elderly and disabled provisions and establishing the Minnesota partnership for long-term care programs, increasing rate reimbursement for ICF/MR facilities, health care services, and provider rate increases, requiring a study for dental access, establishing an interagency work group on disability services; changing provisions for mental health services, allowing payment for mental health telemedicine, providing treatment foster care services and transitional youth intensive rehabilitative mental health services; modifying health policy, establishing a Health Information Technology and Infrastructure Advisory Committee, establishing a rural pharmacy planning and transition grant program, requiring a report from physicians and facilities performing abortions, classifying data in abortion notification reports, providing education on shaking infants and children, establishing a voluntary trauma system, trauma registry, and trauma advisory council, establishing a cancer drug repository program, prohibiting family grant funds to subsidize abortion services, promoting positive abortion alternatives, establishing the unborn child pain prevention act, providing education on postpartum depression, adjusting certain fees, providing civil and criminal penalties; making forecast adjustments; appropriating money; and providing for alternative funding; amending Minnesota Statutes 2004, sections 13.3806, by adding a subdivision; 16A.724; 103I.101, subdivision 6; 103I.208, subdivisions 1, 2; 103I.235, subdivision 1; 103I.601, subdivision 2; 144.122; 144.147, subdivisions 1, 2; 144.148, subdivision 1; 144.1483; 144.1501, subdivisions 1, 2, 3, 4; 144.226, subdivisions 1, 4, by adding subdivisions; 144.3831, subdivision 1; 144.551, subdivision 1; 144.562, subdivision 2; 144.9504, subdivision 2; 144.98, subdivision 3; 144A.071, subdivision 4a; 144A.073, by adding a subdivision; 144E.101, by adding a subdivision; 145.56, subdivisions 2, 5; 145.924; 145.9268; 146A.11, subdivision 1; 147A.08; 150A.22; 157.011, by adding a subdivision; 157.15, by adding a subdivision; 157.16, subdivisions 2, 3, by adding subdivisions; 157.20, subdivisions 2, 2a; 214.01, subdivision 2; 214.06, subdivision 1, by adding a subdivision; 245.4661, subdivisions 2, 6; 245.4885, subdivisions 1, 2, by adding a subdivision; 245A.10, subdivision 5; 245C.10, subdivisions 2, 3; 245C.32, subdivision 2; 246.0136, subdivision 1; 252.27, subdivision 2a; 253.20; 253B.02, subdivision 7; 256.01, subdivision 2, by adding subdivisions; 256.019, subdivision 1; 256.045, subdivisions 3, 3a; 256.046, subdivision 1; 256.9657, by adding a subdivision; 256.969, subdivisions 3a, 26; 256B.02, subdivision 12; 256B.04, by adding a subdivision; 256B.056, subdivisions 5, 5a, 5b, 7, by adding subdivisions; 256B.057, subdivision 9; 256B.0575; 256B.0595, subdivision 2; 256B.06, subdivision 4; 256B.0621, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 256B.0625, subdivisions 2, 3a, 13, 13a, 13c, 13e, 13f, 17, by adding subdivisions; 256B.0644; 256B.075, subdivision 2; 256B.0913, subdivisions 2, 4; 256B.0916, by adding a subdivision; 256B.0943, subdivision 3; 256B.095; 256B.0951, subdivision 1; 256B.0952, subdivision 5; 256B.0953, subdivision 1; 256B.15, subdivision 1; 256B.19, subdivision 1; 256B.195, subdivision 3; 256B.32, subdivision 1; 256B.431, subdivisions 28, 29, 35, by adding subdivisions; 256B.432, subdivisions 1, 2, 5, by adding subdivisions;

256B.434, subdivisions 3, 4, 4a, 4b, 4c, 4d, by adding subdivisions; 256B.438, subdivision 3; 256B.47, subdivision 2; 256B.49, subdivision 16; 256B.5012, by adding a subdivision; 256B.69, subdivisions 4, 23, by adding a subdivision; 256B.75; 256B.765; 256D.03, subdivisions 3, 4, by adding subdivisions; 256D.045; 256L.01, subdivisions 1a, 4, 5; 256L.03, subdivisions 1, 3, 5, by adding a subdivision; 256L.04, subdivisions 1, 2, 8, by adding subdivisions; 256L.05, subdivisions 2, 3, 3a, 5; 256L.06, subdivision 3; 256L.07, subdivisions 1, 3, by adding a subdivision; 256L.09, subdivision 2; 256L.11, subdivision 6; 256L.12, subdivision 6, by adding a subdivision; 256L.15, subdivisions 2, 3; 326.42, subdivision 2; 471.61, by adding a subdivision; 514.981, subdivision 6; Laws 2003, First Special Session chapter 14, article 12, section 93; proposing coding for new law in Minnesota Statutes, chapters 62J; 144; 145; 245A; 256B; 501B; repealing Minnesota Statutes 2004, sections 13.383, subdivision 3; 13.411, subdivision 3; 144.1486; 144.1502; 145.925; 146A.01, subdivisions 2, 5; 146A.02; 146A.03; 146A.04; 146A.05; 146A.06; 146A.07; 146A.08; 146A.09; 146A.10; 157.215; 256.955; 256B.075, subdivision 5; 256L.035; 256L.04, subdivisions 7, 11; 256L.09, subdivisions 1, 4, 5, 6, 7; 295.581; Minnesota Rules, parts 4700.1900; 4700.2000; 4700.2100; 4700.2200; 4700.2210; 4700.2300; 4700.2400; 4700.2410; 4700.2420; 4700.2500.

PATRICE DWORAK, First Assistant Secretary of the Senate

Bradley moved that the House refuse to concur in the Senate amendments to H. F. No. 1422, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 4.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 4

A bill for an act relating to agriculture; increasing minimum ethanol content required for gasoline sold in the state; establishing a petroleum replacement goal; amending Minnesota Statutes 2004, section 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

May 2, 2005

The Honorable James P. Metzen  
President of the Senate

The Honorable Steve Sviggum  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 4, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 4 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM ETHANOL CONTENT REQUIRED.] (a) Except as provided in subdivisions 10 to 14, a person responsible for the product shall ensure that all gasoline sold or offered for sale in Minnesota must contain at least 10.0 percent denatured ethanol by volume.

(b) For purposes of enforcing the minimum ethanol requirement of paragraph (a), a gasoline/ethanol blend will be construed to be in compliance if the ethanol content, exclusive of denaturants and permitted contaminants, comprises not less than 9.2 percent by volume and not more than 10.0 percent by volume of the blend as determined by an appropriate United States Environmental Protection Agency or American Society of Testing Materials standard method of analysis of alcohol/ether content in motor fuels.

(c) The provisions of this subdivision are suspended during any period of time that subdivision 1a, paragraph (a), is in effect.

Sec. 2. Minnesota Statutes 2004, section 239.791, is amended by adding a subdivision to read:

Subd. 1a. [MINIMUM ETHANOL CONTENT REQUIRED.] (a) Except as provided in subdivisions 10 to 14, on August 30, 2013, and thereafter, a person responsible for the product shall ensure that all gasoline sold or offered for sale in Minnesota must contain at least 20 percent denatured ethanol by volume.

(b) For purposes of enforcing the minimum ethanol requirement of paragraph (a), a gasoline/ethanol blend will be construed to be in compliance if the ethanol content, exclusive of denaturants and permitted contaminants, comprises not less than 18.4 percent by volume and not more than 20 percent by volume of the blend as determined by an appropriate United States Environmental Protection Agency or American Society of Testing Materials standard method of analysis of alcohol content in motor fuels.

(c) No motor fuel shall be deemed to be a defective product by virtue of the fact that the motor fuel is formulated or blended pursuant to the requirements of paragraph (a) under any theory of liability except for simple or willful negligence or fraud. This paragraph does not preclude an action for negligent, fraudulent, or willful acts. This paragraph does not affect a person whose liability arises under chapter 115, water pollution control; 115A, waste management; 115B, environmental response and liability; 115C, leaking underground storage tanks; or 299J, pipeline safety; under public nuisance law for damage to the environment or the public health; under any other environmental or public health law; or under any environmental or public health ordinance or program of a municipality as defined in section 466.01.

(d) This subdivision expires on December 31, 2010, if by that date:

(1) the commissioner of agriculture certifies and publishes the certification in the State Register that at least 20 percent of the volume of gasoline sold in the state is denatured ethanol; or

(2) federal approval has not been granted for the use of E20 as gasoline. The United States Environmental Protection Agency's failure to act on an application shall not be deemed approval of the use of E20, or a waiver under section 211(f)(4) of the Clean Air Act, United States Code, title 42, section 7545, subsection (f), paragraph (4).

Sec. 3. [239.7911] [PETROLEUM REPLACEMENT PROMOTION.]

Subdivision 1. [PETROLEUM REPLACEMENT GOAL.] The petroleum replacement goal of the state of Minnesota is that at least 20 percent of the liquid fuel sold in the state is derived from renewable sources by December 31, 2015.

Subd. 2. [PROMOTION OF RENEWABLE LIQUID FUELS.] (a) The commissioner of agriculture, in consultation with the commissioners of commerce and the Pollution Control Agency, shall identify and implement activities necessary for the widespread use of renewable liquid fuels in the state. Beginning November 1, 2005, and continuing through 2015, the commissioners, or their designees, shall work with representatives from the renewable fuels industry, petroleum retailers, refiners, automakers, small engine manufacturers, and other interested groups, to develop annual recommendations for administrative and legislative action.

(b) The activities of the commissioners under this subdivision shall include, but not be limited to:

(1) developing recommendations for incentives for retailers to install equipment necessary for dispensing renewable liquid fuels to the public;

(2) obtaining federal approval for the use of E20 as gasoline;

(3) developing recommendations for ensuring that motor vehicles and small engine equipment have access to an adequate supply of fuel;

(4) working with the owners and operators of large corporate automotive fleets in the state to increase their use of renewable fuels; and

(5) working to maintain an affordable retail price for liquid fuels.

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

Sec. 4. [REPORT ON E20 FUEL.]

The commissioner of agriculture, in consultation with the commissioners of employment and economic development and the Pollution Control Agency, shall review the information and data collected in the evaluation of any federal waiver request for the use of E20 fuel in Minnesota. The commissioner shall use existing budgetary and staff resources in conducting the review. The review must include:

(1) issues involving the use of E20 fuel if such fuel is mandated in Minnesota;

(2) effects of E20 on development of Minnesota's ethanol industry; and

(3) effects of E20 on Minnesota consumers.

The commissioner shall present an initial report to the legislative committees having jurisdiction over agriculture and environment policy and finance on the findings of the review to the legislature by January 15, 2009, and present an updated report to those committees on January 15, 2011.

Sec. 5. [SMALL ENGINE REPORT.]

The commissioner of commerce, in consultation with the commissioner of agriculture, shall:



(1) solicit information from national experts and stakeholders, which may include the United States Consumer Product Safety Commission, and review scientific studies on the use of E20 gasoline in motorcycles, outboard engines, snowmobiles, lawn and garden products, and other consumer equipment powered by small spark-ignited engines;

(2) inventory and assess the availability of gasoline not blended with ethanol throughout the state for exempt uses under Minnesota Statutes, section 239.791, subdivisions 10 to 14, and make recommendations for addressing those areas in which the commissioner finds unblended gasoline is not readily available to consumers;

(3) develop recommendations for notifying consumers as to the availability of gasoline not blended with ethanol in the state, and the appropriate use of gasoline blended with ethanol in small spark-ignited engines found in motorcycles, outboard engines, snowmobiles, and lawn and garden products; and

(4) by January 15, 2008, report to the agriculture and environmental policy committees of the house of representatives and senate on information and activities required under clauses (1) to (3)."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring studies and reports;"

We request adoption of this report and repassage of the bill.

Senate Conferees: DALLAS C. SAMS, JIM VICKERMAN AND STEVE DILLE.

House Conferees: GREGORY M. DAVIDS, ROD HAMILTON AND AL JUHNKE.

Dauids moved that the report of the Conference Committee on S. F. No. 4 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 4, A bill for an act relating to agriculture; increasing minimum ethanol content required for gasoline sold in the state; establishing a petroleum replacement goal; amending Minnesota Statutes 2004, section 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

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

The question was taken on the repassage of the bill and the roll was called. There were 100 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Dorman	Fritz	Hansen	Jaros
Anderson, I.	Cornish	Dorn	Garofalo	Heidgerken	Johnson, J.
Atkins	Cox	Eastlund	Gazelka	Hilty	Johnson, R.
Beard	Dauids	Eken	Goodwin	Hornstein	Johnson, S.
Bernardy	Dean	Entenza	Greiling	Hortman	Juhnke
Blaine	Demmer	Erhardt	Gunther	Hosch	Kelliher
Bradley	Dempsey	Erickson	Hackbarth	Howes	Knoblach
Brod	Dill	Finstad	Hamilton	Huntley	Koenen

Lanning	Marquart	Nornes	Poppe	Simon	Walker
Larson	McNamara	Opatz	Rukavina	Simpson	Wardlow
Latz	Meslow	Otremba	Ruth	Slawik	Welti
Liebling	Moe	Ozment	Sailer	Soderstrom	Westerberg
Lieder	Mullery	Pelowski	Samuelson	Solberg	Westrom
Lillie	Murphy	Penas	Scalze	Sykora	Zellers
Loeffler	Nelson, M.	Peterson, A.	Seifert	Thissen	Spk. Sviggum
Magnus	Nelson, P.	Peterson, N.	Sertich	Tingelstad	
Mahoney	Newman	Peterson, S.	Severson	Urdahl	

Those who voted in the negative were:

Abrams	DeLaForest	Hoppe	Lesch	Powell	Wagenius
Anderson, B.	Dittrich	Kahn	Mariani	Ruud	Wilkin
Buesgens	Emmer	Klinzing	Olson	Sieben	
Charron	Hausman	Kohls	Paulsen	Smith	
Cybart	Hilstrom	Krinkie	Paymar	Thao	
Davnie	Holberg	Lenczewski	Peppin	Vandev eer	

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

### FISCAL CALENDAR

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 1420.

H. F. No. 1420 was reported to the House.

Ozment moved to amend H. F. No. 1420, the fourth engrossment, as follows:

Page 39, lines 29 and 32, reinstate the stricken "constables" and delete "peace officers"

Page 40, lines 10 and 13, reinstate the stricken "constables" and delete "peace officers"

Page 40, line 11, strike "or" and insert a comma and after "municipality" insert ", or security guard as defined in section 626.88"

The motion prevailed and the amendment was adopted.

Peterson, A., moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 3, line 18, delete "4,467,000" and insert "4,587,000" and delete "4,197,000" and insert "4,317,000"

Page 3, line 32, delete the first "\$80,000" and insert "\$200,000" and delete the second "\$80,000" and insert "\$200,000"

Page 5, line 17, delete "6,420,000" and insert "6,300,000" and delete "7,424,000" and insert "7,304,000"

Page 6, after line 8, insert:

"The commissioner is instructed to implement administrative staff cost reductions of not less than \$120,000 the first year and \$120,000 the second year."

A roll call was requested and properly seconded.

The question was taken on the Peterson, A., amendment and the roll was called. There were 63 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Otremba moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 52, delete lines 32 to 34

The motion prevailed and the amendment was adopted.

Mariani; Peterson, A.; Otremba and Fritz moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Pages 61 to 65, delete sections 84 to 86

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mariani et al amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Moe moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 61, line 29, delete "any member" and insert "a majority of the members"

Page 64, line 25, delete "any member" and insert "a majority of the members"

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

Ruth, Cornish, Urdahl, Ozment, Gunther, Lieder, Juhnke, Blaine and Penas moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 51, after line 18, insert:

"Sec. 69. Minnesota Statutes 2004, section 223.17, subdivision 6, is amended to read:

Subd. 6. [FINANCIAL STATEMENTS.] For the purpose of fixing or changing the amount of a required bond or for any other proper reason, the commissioner shall require an annual financial statement from a licensee which has been prepared in accordance with generally accepted accounting principles and which meets the following requirements:

(a) The financial statement shall include, but not be limited to the following: (1) a balance sheet; (2) a statement of income (profit and loss); (3) a statement of retained earnings; (4) a statement of changes in financial position; and (5) a statement of the dollar amount of grain purchased in the previous fiscal year of the grain buyer.

(b) The financial statement shall be accompanied by a reviewed financial statement or audit prepared by an independent public accountant or a compilation report prepared by a grain commission firm approved by the commissioner, in accordance with standards established by the American Institute of Certified Public Accountants. Grain buyers purchasing less than 150,000 bushels of grain per calendar year may submit a compiled financial statement prepared by an independent public accountant.

(c) The financial statement shall be accompanied by a certification by the chief executive officer or the chief executive officer's designee of the licensee, under penalty of perjury, that the financial statement accurately reflects the financial condition of the licensee for the period specified in the statement.

Only one financial statement must be filed for a chain of warehouses owned or operated as a single business entity, unless otherwise required by the commissioner. Any grain buyer having a net worth in excess of \$500,000,000 need not file the financial statement required by this subdivision but must provide the commissioner with a certified net worth statement. All financial statements filed with the commissioner are private or nonpublic data as provided in section 13.02."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Johnson, R., moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 61, line 23, after "recommendations" insert "on the environmental or agricultural effects from specific provisions in the ordinance"

Page 61, line 27, after the first comma insert "social."

Page 64, line 19, after "recommendations" insert "on the environmental or agricultural effects from specific provisions in the ordinance"

Page 64, line 23, after the first comma insert "social."

A roll call was requested and properly seconded.

The question was taken on the Johnson, R., amendment and the roll was called. There were 64 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The Speaker called Emmer to the Chair.

Eken moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 48, after line 31, insert:

"Sec. 66. Minnesota Statutes 2004, section 116.07, subdivision 7a, is amended to read:

Subd. 7a. [NOTICE OF APPLICATION FOR LIVESTOCK FEEDLOT PERMIT.] (a) A person who applies to the Pollution Control Agency or a county board for a permit to construct or expand a feedlot with a capacity of 500 animal units or more shall, within ten days of applying for the permit and not less than 20 business days before the date on which a permit is issued, provide notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed feedlot. The notice may be delivered by first class mail, or in person, or by the publication in ~~a newspaper~~ the local newspapers of general circulation within the affected area and must include

information on the type of livestock and the proposed capacity of the feedlot. Notification under this subdivision is satisfied under an equal or greater notification requirement of a county conditional use permit. A person must also send a copy of the notice by first class mail to the clerk of the township in which the feedlot is proposed within ten days of applying for the permit and not less than 20 business days before the date on which a permit is issued.

(b) The agency or a county board must verify that notice was provided as required under paragraph (a) prior to issuing a permit."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Ozment moved to amend the Eken amendment to H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 1, lines 14 and 15, delete the new language and reinstate the stricken language

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 69 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Eken	Hilty	Kahn	Lieder	Nelson, M.
Atkins	Entenza	Hornstein	Kelliher	Lillie	Otremba
Bernardy	Fritz	Hortman	Koenen	Loeffler	Paulsen
Carlson	Goodwin	Hosch	Larson	Mahoney	Paymar
Davnie	Greiling	Huntley	Latz	Mariani	Pelowski
Dill	Hansen	Jaros	Lenczewski	Moe	Peterson, A.
Dittrich	Hausman	Johnson, R.	Lesch	Mullery	Peterson, S.
Dorn	Hilstrom	Johnson, S.	Liebling	Murphy	Poppe

Rukavina	Scalze	Sieben	Thao	Walker
Ruud	Seifert	Simon	Thissen	Wolti
Sailer	Sertich	Slawik	Wagenius	Westrom

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

Blaine moved to amend the Eken amendment, as amended, to H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 1, line 10, delete the new language

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the amendment to the amendment, as amended, was adopted.

The Speaker resumed the Chair.



Eken further modified his amendment, as amended, to H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 1, line 15, strike "a" and insert "the official" and after "newspaper" insert "of the affected townships"

The question recurred on the Eken amendment, as amended, and the roll was called. There were 113 yeas and 18 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bradley	Dean	Erickson	Holberg	Peterson, N.	Wilkin
Buesgens	Demmer	Garofalo	Magnus	Ruth	Zellers
Cybart	Dorman	Hamilton	Peppin	Vandevor	Spk. Sviggum

The motion prevailed and the amendment, as amended, was adopted.

Hansen, Ozment and Juhnke moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 67, line 12, delete "and"

Page 67, line 16, delete the period and insert "; and

(4) methods of inspection and monitoring for compliance with fertilizer regulations to protect against the theft of anhydrous ammonia for production of methamphetamine."

The motion prevailed and the amendment was adopted.

Atkins and Urdahl moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 65, line 28, delete the first comma and insert "or"

Page 65, lines 28 and 29, delete ", or a health condition associated with weight gain or obesity and"

Page 66, lines 4 and 5, delete ", if the violation is knowing and willful."

Page 66, delete lines 7 to 9

The motion prevailed and the amendment was adopted.

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; 116.07, subdivision 7a; 174.52, subdivision 5; 223.17, subdivisions 3, 6; 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.

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 104 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeler	Buesgens	Dill	Fritz	Hoppe	Krinkie
Abrams	Charron	Dittrich	Garofalo	Hosch	Lanning
Anderson, B.	Cornish	Dorman	Gazelka	Hoves	Larson
Anderson, I.	Cox	Dorn	Gunther	Johnson, J.	Latz
Atkins	Cybart	Eastlund	Hackbarth	Johnson, R.	Lenczewski
Beard	Dauids	Eken	Hamilton	Juhnke	Lieder
Bernardy	Dean	Emmer	Hansen	Klinzing	Lillie
Blaine	DeLaForest	Erhardt	Heidgerken	Knoblach	Magnus
Bradley	Demmer	Erickson	Hilty	Koenen	Marquart
Brod	Dempsey	Finstad	Holberg	Kohls	McNamara

Meslow	Ozment	Poppe	Seifert	Solberg	Westrom
Moe	Paulsen	Powell	Sertich	Sykora	Wilkin
Murphy	Paymar	Rukavina	Severson	Tingelstad	Zellers
Nelson, P.	Pelowski	Ruth	Simon	Urdahl	Spk. Sviggum
Newman	Penas	Ruud	Simpson	Vandever	
Nornes	Peppin	Sailer	Slawik	Wardlow	
Olson	Peterson, N.	Samuelson	Smith	Walti	
Opatz	Peterson, S.	Scalze	Soderstrom	Westerberg	

Those who voted in the negative were:

Carlson	Hilstrom	Johnson, S.	Loeffler	Otremba	Wagenius
Davnie	Hornstein	Kahn	Mahoney	Peterson, A.	Walker
Entenza	Hortman	Kelliher	Mariani	Sieben	
Greiling	Huntley	Lesch	Mullery	Thao	
Hausman	Jaros	Liebling	Nelson, M.	Thissen	

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

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1481:

Seifert, DeLaForest, Blaine, Hilty and Solberg.

#### FISCAL CALENDAR

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 902.

H. F. No. 902 was reported to the House.

Ozment moved to amend H. F. No. 902, the fourth engrossment, as follows:

Page 49, after line 32, insert:

"(d) Off-highway motorcycles operating in closed course competition events are excluded from the requirements of this subdivision."

The motion prevailed and the amendment was adopted.

Ozment moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 104, line 36, after "in" insert "each of the months of"

Page 105, line 2, after "water" insert "and community public water supply"

The motion prevailed and the amendment was adopted.

Juhnke, Ozment, Hosch and Heidgerken moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 71, after line 8, insert:

"Sec. 52. Minnesota Statutes 2004, section 85.015, subdivision 5, is amended to read:

Subd. 5. [GLACIAL LAKES TRAIL, KANDIYOHI, POPE, AND DOUGLAS COUNTIES.] (a) The trail shall originate at Kandiyohi County Park on the north shore of Green Lake in Kandiyohi County and thence extend northwesterly to Sibley State Park, thence northwesterly to Glacial Lakes State Park in Pope County, thence northeasterly to Lake Carlos State Park in Douglas County, and there terminate.

(b) Trails may be established that extend the Glacial Lakes Trail system from New London to Cold Spring.

(c) The trail shall be developed primarily for riding and hiking."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hackbarth, Dill and Howes moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 11, line 4, delete "5,724,000" and insert "8,724,000"

Page 11, line 5, delete "5,724,000" and insert "8,724,000"

Page 55, line 5, after "grants-in-aid" insert ", trail maintenance, grooming,"

Page 57, delete section 39

Adjust totals accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Cox moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 11, delete line 62

Page 12, delete lines 1 to 6

A roll call was requested and properly seconded.

The question was taken on the Cox amendment and the roll was called. There were 54 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Hoppe	Latz	Meslow	Ruud
Abrams	Ellison	Hornstein	Lenczewski	Mullery	Scalze
Atkins	Entenza	Hortman	Lesch	Nelson, M.	Sieben
Bernardy	Erhardt	Huntley	Liebling	Opatz	Simon
Carlson	Goodwin	Johnson, R.	Lieder	Paymar	Thao
Cox	Greiling	Johnson, S.	Lillie	Pelowski	Thissen
Davnie	Hansen	Kahn	Loeffler	Peterson, A.	Wagenius
DeLaForest	Hausman	Kelliher	Mahoney	Peterson, S.	Walker
Dittrich	Hilty	Larson	Mariani	Poppe	Welti

Those who voted in the negative were:

Anderson, B.	Dempsey	Hamilton	Lanning	Penas	Smith
Anderson, I.	Dill	Heidgerken	Magnus	Peppin	Soderstrom
Beard	Dorman	Holberg	Marquart	Peterson, N.	Solberg
Blaine	Eastlund	Hosch	McNamara	Powell	Sykora
Bradley	Eken	Howes	Moe	Rukavina	Tingelstad
Brod	Emmer	Jaros	Murphy	Ruth	Urdahl
Buesgens	Erickson	Johnson, J.	Nelson, P.	Sailer	Vandever
Charron	Finstad	Juhnke	Newman	Samuelson	Wardlow
Cornish	Fritz	Klinzing	Nornes	Seifert	Westerberg
Cybart	Garofalo	Knoblach	Olson	Sertich	Westrom
Davids	Gazelka	Koenen	Otremba	Severson	Wilkin
Dean	Gunther	Kohls	Ozment	Simpson	Zellers
Demmer	Hackbarth	Krinkie	Paulsen	Slawik	Spk. Sviggum

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

Cox moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 44, after line 17, insert:

"Sec. 19. Minnesota Statutes 2004, section 84.773, is amended by adding a subdivision to read:

Subd. 1a. [MUFFLERS.] (a) No person shall operate an off-highway vehicle unless it is equipped with a muffler having a spark arrestor approved by the United States Forest Service as described under Code of Federal Regulations, title 36, section 261.52, paragraph (j).

(b) Off-highway vehicles shall not be sold, offered for sale, or operated in this state unless equipped so that overall noise emission does not exceed a sound level limitation of not more than 96 decibels on the A scale from a distance of 20 inches using test procedures and instrumentation as set forth in the Society of Automotive Engineers' Standard, SAE J1287, June 1988, or, if different procedures or instrumentation are used, a noise level equivalent to that level.

(c) No noise suppressing system or muffler on an off-highway vehicle shall be equipped with a cutout, bypass, or similar device and no person shall modify or alter that system or its operation in any manner that will amplify or increase the noise emitted by the vehicle's motor to exceed the noise limits established in this subdivision, except for organized events as authorized by sections 84.795, subdivision 7; 84.804, subdivision 5; and 84.928, subdivision 5."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Cox amendment and the roll was called. There were 43 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Carlson	Hansen	Kelliher	Loeffler	Peterson, S.	Wagenius
Cox	Hausman	Larson	Mahoney	Poppe	Walker
Davnie	Hornstein	Latz	Mariani	Ruud	Welti
Dempsey	Huntley	Lenczewski	Mullery	Scalze	
Ellison	Jaros	Lesch	Nelson, M.	Sieben	
Entenza	Johnson, R.	Liebling	Newman	Slawik	
Erhardt	Johnson, S.	Lieder	Paymar	Thao	
Greiling	Kahn	Lillie	Pelowski	Thissen	

Those who voted in the negative were:

Abeler	DeLaForest	Gunther	Koenen	Ozment	Simpson
Abrams	Demmer	Hackbarth	Kohls	Paulsen	Smith
Anderson, B.	Dill	Hamilton	Krinkie	Penas	Soderstrom
Anderson, I.	Dittrich	Heidgerken	Lanning	Peppin	Solberg
Atkins	Dorman	Hilstrom	Magnus	Peterson, A.	Sykora
Beard	Dorn	Hilty	Marquart	Peterson, N.	Tingelstad
Blaine	Eastlund	Holberg	McNamara	Powell	Urdahl
Bradley	Eken	Hoppe	Meslow	Rukavina	Vandever
Brod	Emmer	Hortman	Moe	Ruth	Wardlow
Buesgens	Erickson	Hosch	Murphy	Sailer	Westerberg
Charron	Finstad	Howes	Nelson, P.	Samuelson	Westrom
Cornish	Fritz	Johnson, J.	Nornes	Seifert	Wilkin
Cybart	Garofalo	Juhnke	Olson	Sertich	Zellers
Davids	Gazelka	Klinzing	Opatz	Severson	Spk. Sviggum
Dean	Goodwin	Knoblach	Otremba	Simon	

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

The Speaker called Opatz to the Chair.

Westrom, Magnus and Rukavina moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 126, line 34, after the period, insert "In the event a boat trailer is forfeited, the proceeds of the sale must be transferred to the court with jurisdiction over the designated offense for the purpose of paying fines or restitution on behalf of the defendant."

A roll call was requested and properly seconded.

The question was taken on the Westrom et al amendment and the roll was called. There were 53 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hosch	Magnus	Ozment	Soderstrom
Anderson, B.	Dill	Howes	Marquart	Pelowski	Solberg
Anderson, I.	Dittrich	Jaros	Nelson, M.	Peterson, A.	Sykora
Atkins	Ellison	Juhnke	Nelson, P.	Rukavina	Tingelstad
Beard	Finstad	Knoblach	Newman	Sailer	Vandever
Bradley	Fritz	Koenen	Nornes	Samuelson	Westerberg
Brod	Hamilton	Krinkie	Olson	Seifert	Westrom
Charron	Hansen	Lanning	Opatz	Sertich	Zellers
Demmer	Holberg	Latz	Otremba	Simpson	

Those who voted in the negative were:

Abrams	Eastlund	Hilstrom	Lenczewski	Paymar	Smith
Bernardy	Eken	Hilty	Lesch	Penas	Thao
Blaine	Emmer	Hoppe	Liebling	Peppin	Thissen
Buesgens	Entenza	Hornstein	Lieder	Peterson, N.	Urdahl
Carlson	Erhardt	Hortman	Lillie	Peterson, S.	Wagenius
Cornish	Erickson	Huntley	Loeffler	Poppe	Walker
Cox	Garofalo	Johnson, J.	Mahoney	Powell	Wardlow
Cybart	Gazelka	Johnson, R.	Mariani	Ruth	Welti
Davids	Goodwin	Johnson, S.	McNamara	Ruud	Wilkin
Davnie	Greiling	Kahn	Meslow	Scalze	
Dean	Gunther	Kelliher	Moe	Severson	
DeLaForest	Hackbarth	Klinzing	Mullery	Sieben	
Dorman	Hausman	Kohls	Murphy	Simon	
Dorn	Heidgerken	Larson	Paulsen	Slawik	

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

Rukavina moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 10, after line 33, insert:

"At least 50 percent of any full-time equivalent reductions in the forestry division must be made in the St. Paul office. This requirement may not be met by leaving vacancies unfilled."

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

The Speaker resumed the Chair.

Anderson, B., moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 117, line 10, after the period insert:

"No money may be distributed by the council under this section until the amount and the recipient of each proposed distribution are specified in a law passed by the legislature and signed by the governor."

Solberg and Juhnke moved to amend the Anderson, B., amendment to H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 1, after line 7, insert:

"Pages 112 to 114, delete sections 128 to 130

Page 114, line 14, delete "11" and insert "21"

Page 114, line 15, after "members" insert ", 7 citizens and 7 members each from the senate and house of representatives"

Page 114, line 16, after "Each" insert "citizen"

Page 114, line 18, delete "six" and insert "four"

Page 114, line 22, delete "prospective" and insert "citizen"

Page 114, line 25, delete "Prior"

Page 114, delete lines 26 to 28

Page 114, after line 28, insert:

"(c) The legislative members of the council must consist of the chairs of the house and senate committees on environment and natural resources or designees appointed for the terms of the chairs, the chairs of the house and senate committees on environment and natural resources finance or designees appointed for the terms of the chairs, the chairs of the house and senate committees on governmental operations or designees appointed for the terms of the chairs, the chairs of the house Ways and Means and Senate Finance Committees or designees appointed for the terms of the chairs, three minority members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, and three minority members of the house appointed by the speaker.



Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission."

Page 114, line 29, delete "(c)" and insert "(d)"

Page 114, line 32, delete "eight" and insert "twelve"

Page 114, line 34, delete "governor" and insert "council members"

Page 115, line 12, delete "eight" and insert "twelve"

Page 116, delete lines 2 to 14 and renumber subdivisions

Pages 116 to 118, delete sections 133 to 135

Pages 118 and 119, delete section 137

Page 119, delete lines 19 to 21

Page 120, line 34, strike "peer review panelist"

Page 121, line 8, delete the colon and insert "does not comply with Minnesota Statutes, section 10A.07."

Page 121, delete lines 9 to 23

Page 121, delete the new language on lines 35 and 36

Page 122, delete line 1"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 69 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

Anderson, B., requested that his amendment, as amended, to H. F. No. 902, the fourth engrossment, as amended, be withdrawn. The request was granted.

Emmer moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 47, delete section 22

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 45 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Gazelka	Kohls	Ruth	Westerberg
Anderson, B.	Dean	Gunther	Krinkie	Samuelson	Westrom
Blaine	DeLaForest	Hamilton	Magnus	Seifert	Wilkin
Bradley	Demmer	Holberg	Newman	Severson	Zellers
Brod	Dorman	Hoppe	Olson	Soderstrom	Spk. Sviggum
Buesgens	Emmer	Johnson, J.	Paulsen	Sykora	
Charron	Erickson	Klinzing	Peppin	Vandever	
Cybart	Finstad	Knoblach	Powell	Wardlow	

Those who voted in the negative were:

Abeler	Dempsey	Garofalo	Hornstein	Kahn	Lieder
Anderson, I.	Dittrich	Goodwin	Hortman	Kelliher	Lillie
Atkins	Dorn	Greiling	Hosch	Koenen	Loeffler
Beard	Eastlund	Hackbarth	Howes	Lanning	Mahoney
Bernardy	Eken	Hansen	Huntley	Larson	Mariani
Carlson	Ellison	Hausman	Jaros	Latz	Marquart
Cornish	Entenza	Heidgerken	Johnson, R.	Lenczewski	McNamara
Cox	Erhardt	Hilstrom	Johnson, S.	Lesch	Meslow
Davnie	Fritz	Hilty	Juhnke	Liebling	Moe

Mullery	Otremba	Peterson, N.	Scalze	Smith	Wagenius
Murphy	Ozment	Peterson, S.	Sertich	Solberg	Walker
Nelson, M.	Paymar	Poppe	Sieben	Thao	Welti
Nelson, P.	Pelowski	Rukavina	Simon	Thissen	
Nornes	Penas	Ruud	Simpson	Tingelstad	
Opatz	Peterson, A.	Sailer	Slawik	Urdahl	

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

The Speaker called Abrams to the Chair.

Hackbarth moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 114, line 13, delete everything after "created" and insert "as an advisory council under section 15.059. The council shall consist of eight citizen members and eight legislative members. The legislative members shall consist of the chairs and ranking members of the committees of the house of representatives and the senate with jurisdiction over environment and natural resources policy and finance, or their designees."

Page 114, delete line 14

Page 114, line 15, delete "members."

Page 114, line 15, after "of" insert "citizens"

Page 114, line 16, after "Each" insert "citizens"

Page 114, line 18, delete "six" and insert "four"

Page 114, line 19, delete "at least"

Page 114, line 22, after "prospective" insert "citizen"

Page 114, line 30, after the first "of" insert "citizens"

Page 114, line 31, delete "15.0575" and insert "15.059" and after the period, insert "This advisory council does not expire." and after "A" insert "citizen"

Page 114, line 32, delete "eight" and insert "twelve"

Page 114, line 34, after "a" insert "citizen"

Page 115, line 12, delete "eight" and insert "twelve"

Page 116, line 30, delete everything after "(a)" and insert "For the fiscal biennium beginning July 1, 2007, and each biennium thereafter, the amount of the environment and natural resources trust fund that is available for appropriation under the terms of the Minnesota Constitution, article XI, section 14, shall be appropriated by a law passed by the legislature and signed by the governor to the commissioner of finance for expenditures to be made"

according to the provisions of this paragraph. The council shall submit its recommendations under section 116P.08, subdivision 3. The governor shall approve or disapprove each council recommendation. The commissioner of finance shall allocate and expend funds for the council recommendations that the governor has approved, in accordance with the terms of the approved recommendation."

Page 116, delete lines 31 to 36

Page 117, delete line 1

Page 117, line 31, delete "decisions" and insert "recommendations to the governor"

Page 156, line 25, after "chair" insert "and one member"

Page 156, line 26, delete "three" and insert "two"

Page 156, line 27, delete "three" and insert "two" and after the semicolon, insert "and"

Page 156, line 28, delete "; and" and insert a period

Page 156, delete line 29

A roll call was requested and properly seconded.

The question was taken on the Hackbarth amendment and the roll was called. There were 62 yeas and 70 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Eken	Heidgerken	Johnson, S.	Liebling	Murphy
Atkins	Ellison	Hilstrom	Juhnke	Lieder	Nelson, M.
Bernardy	Entenza	Hilty	Kahn	Lillie	Newman
Carlson	Erhardt	Hornstein	Kelliher	Loeffler	Olson
Davnie	Fritz	Hortman	Koenen	Mahoney	Opatz
DeLaForest	Goodwin	Hosch	Larson	Mariani	Otremba
Dill	Greiling	Huntley	Latz	Marquart	Paymar
Dittrich	Hansen	Jaros	Lenczewski	Moe	Pelowski
Dorn	Hausman	Johnson, R.	Lesch	Mullery	Peterson, A.

Peterson, S.	Ruud	Sertich	Slawik	Thissen	Wolti
Poppe	Sailer	Sieben	Solberg	Wagenius	
Rukavina	Scalze	Simon	Thao	Walker	

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

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

The Speaker resumed the Chair.

Heidgerken and Urdahl moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 10, line 38, delete "19,279,000" in both places, and insert "22,579,000" in both places

Page 10, line 39, delete "13,336,000" and insert "17,488,000" and delete "13,424,000" and insert "17,576,000"

Page 10, after line 52, insert:

"\$3,300,000 from the general fund and \$4,152,000 from the natural resources fund in each year of the 2006-2007 biennium are for grants to local units of government for the acquisition and operation of regional parks outside of the seven county metropolitan area."

Page 18, delete lines 17 to 33

A roll call was requested and properly seconded.

The question was taken on the Heidgerken and Urdahl amendment and the roll was called. There were 40 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Emmer	Knoblach	Newman	Rukavina	Soderstrom
Brod	Erickson	Koenen	Nornes	Ruth	Urdahl
Demmer	Finstad	Lanning	Olson	Sailer	Wolti
Dempsey	Hamilton	Liebling	Opatz	Seifert	Westrom
Dill	Heidgerken	Magnus	Otremba	Sertich	Spk. Sviggum
Dorman	Hosch	Marquart	Peterson, A.	Severson	
Eken	Juhnke	Moe	Poppe	Simpson	

Those who voted in the negative were:

Abeler	Beard	Bradley	Charron	Cybart	Dean
Abrams	Bernardy	Buesgens	Cornish	Davids	DeLaForest
Anderson, B.	Blaine	Carlson	Cox	Davnie	Dittrich

Dorn	Hausman	Kahn	Mariani	Peterson, N.	Tingelstad
Eastlund	Hilstrom	Kelliher	McNamara	Peterson, S.	Vandaveer
Ellison	Hilty	Klinzing	Meslow	Powell	Wagenius
Entenza	Holberg	Kohls	Mullery	Ruud	Walker
Erhardt	Hoppe	Krinkie	Murphy	Samuelson	Wardlow
Fritz	Hornstein	Larson	Nelson, M.	Scalze	Westerberg
Garofalo	Hortman	Latz	Nelson, P.	Sieben	Wilkin
Gazelka	Howes	Lenczewski	Ozment	Simon	Zellers
Goodwin	Huntley	Lesch	Paulsen	Slawik	
Greiling	Jaros	Lieder	Paymar	Smith	
Gunther	Johnson, J.	Lillie	Pelowski	Sykora	
Hackbarth	Johnson, R.	Loeffler	Penas	Thao	
Hansen	Johnson, S.	Mahoney	Peppin	Thissen	

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

Solberg and Juhnke moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Pages 112 to 114, delete sections 128 to 130

Page 114, line 14, delete "11" and insert "21"

Page 114, line 15, after "members" insert ", 7 citizens and 7 members each from the senate and house of representatives"

Page 114, line 16, after "Each" insert "citizen"

Page 114, line 18, delete "six" and insert "four"

Page 114, line 22, delete "prospective" and insert "citizen"

Page 114, line 25, delete "Prior"

Page 114, delete lines 26 to 28

Page 114, after line 28, insert:

"(c) The legislative members of the council must consist of the chairs of the house and senate committees on environment and natural resources or designees appointed for the terms of the chairs, the chairs of the house and senate committees on environment and natural resources finance or designees appointed for the terms of the chairs, the chairs of the house and senate committees on governmental operations or designees appointed for the terms of the chairs, the chairs of the house Ways and Means and Senate Finance Committees or designees appointed for the terms of the chairs, three minority members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, and three minority members of the house appointed by the speaker.

Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission."

Page 114, line 29, delete "(c)" and insert "(d)"

Page 114, line 32, delete "eight" and insert "twelve"

Page 114, line 34, delete "governor" and insert "council members"

Page 115, line 12, delete "eight" and insert "twelve"

Page 116, delete lines 2 to 14 and renumber subdivisions

Pages 116 to 118, delete sections 133 to 135

Pages 118 and 119, delete section 137

Page 119, delete lines 19 to 21

Page 120, line 34, strike "peer review panelist"

Page 121, line 8, delete the colon and insert "does not comply with Minnesota Statutes, section 10A.07."

Page 121, delete lines 9 to 23

Page 121, delete the new language on lines 35 and 36

Page 122, delete line 1

A roll call was requested and properly seconded.

The question was taken on the Solberg and Juhnke amendment and the roll was called. There were 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Charron	Dempsey	Gunther	Knoblach	Newman
Abrams	Cornish	Dorman	Hackbarth	Kohls	Nornes
Anderson, B.	Cox	Eastlund	Hamilton	Krinkie	Olson
Beard	Cybart	Emmer	Holberg	Lanning	Ozment
Blaine	Davids	Erickson	Hoppe	Magnus	Paulsen
Bradley	Dean	Finstad	Howes	McNamara	Penas
Brod	DeLaForest	Garofalo	Johnson, J.	Meslow	Peppin
Buesgens	Demmer	Gazelka	Klinzing	Nelson, P.	Peterson, N.

Powell	Seifert	Smith	Tingelstad	Wardlow	Wilkin
Ruth	Severson	Soderstrom	Urdahl	Westerberg	Zellers
Samuelson	Simpson	Sykora	Vandever	Westrom	Spk. Sviggum

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

Cox moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Pages 152 and 153, delete section 163

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Cox amendment and the roll was called. There were 56 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abeler	Fritz	Huntley	Liebling	Paulsen	Thao
Abrams	Goodwin	Jaros	Lillie	Paymar	Thissen
Bernardy	Greiling	Johnson, R.	Loeffler	Peterson, A.	Tingelstad
Carlson	Hansen	Johnson, S.	Mahoney	Peterson, S.	Wagenius
Cox	Hausman	Kahn	Mariani	Poppe	Walker
Davnie	Hilstrom	Kelliher	Meslow	Ruud	Welti
Dittrich	Hoppe	Larson	Moe	Scalze	
Ellison	Hornstein	Latz	Mullery	Sieben	
Entenza	Hortman	Lenczewski	Nelson, M.	Simon	
Erhardt	Howes	Lesch	Opatz	Slawik	

Those who voted in the negative were:

Anderson, B.	Demmer	Hackbarth	Lanning	Penas	Soderstrom
Anderson, I.	Dempsey	Hamilton	Lieder	Peppin	Solberg
Beard	Dill	Heidgerken	Magnus	Peterson, N.	Sykora
Blaine	Dorman	Hilty	Marquart	Powell	Urdahl
Bradley	Dorn	Holberg	McNamara	Rukavina	Vandever
Brod	Eastlund	Hosch	Murphy	Ruth	Wardlow
Buesgens	Eken	Johnson, J.	Nelson, P.	Sailer	Westerberg
Charron	Emmer	Juhnke	Newman	Samuelson	Westrom
Cornish	Erickson	Klinzing	Nornes	Seifert	Wilkin
Cybart	Finstad	Knoblach	Olson	Sertich	Zellers
Davids	Garofalo	Koenen	Otremba	Severson	Spk. Sviggum
Dean	Gazelka	Kohls	Ozment	Simpson	
DeLaForest	Gunther	Krinkie	Pelowski	Smith	

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



H. F. No. 902, A bill for an act relating to state government; appropriating money for environmental and natural resources purposes; establishing and modifying certain programs; reorganizing environmental agencies; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 2004, sections 15.01; 16A.125, subdivision 5; 84.027, subdivisions 12, 15, by adding a subdivision; 84.0274, by adding subdivisions; 84.0911, subdivision 2; 84.631; 84.775, subdivision 1; 84.788, subdivision 3, by adding a subdivision; 84.789, by adding a subdivision; 84.791, subdivisions 1, 2; 84.798, subdivision 1, by adding a subdivision; 84.804, subdivision 3; 84.82, subdivision 2, by adding a subdivision; 84.8205, subdivisions 1, 3, 4, 6; 84.83, subdivision 3; 84.86, subdivision 1; 84.91, subdivision 1; 84.922, subdivision 2, by adding a subdivision; 84.925, subdivision 1, by adding a subdivision; 84.9256, subdivision 1; 84.9257; 84.926; 84.928, subdivisions 1, 2; 84D.03, subdivision 4; 85.015, subdivision 5; 85.053, subdivisions 1, 2; 85.055, subdivision 2, by adding a subdivision; 85.42; 85.43; 86B.415, subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision; 88.17, subdivision 1, by adding subdivisions; 88.6435, subdivision 4; 89.039, subdivision 1; 89.19, subdivision 2; 89.36, subdivision 2; 89.37, subdivision 4; 92.03, subdivision 4; 93.22, subdivision 1; 94.342, subdivisions 1, 3, 4, 5; 94.343, subdivisions 1, 3, 7, 8, 10, by adding subdivisions; 94.344, subdivisions 1, 3, 5, 8, 10, by adding a subdivision; 97A.055, subdivision 4b; 97A.061, by adding a subdivision; 97A.071, subdivision 2; 97A.075, subdivision 3; 97A.135, subdivision 2a; 97A.4742, subdivision 4; 97A.485, subdivisions 6, 7; 97A.551, by adding a subdivision; 97B.015, subdivisions 1, 2, 5, 7; 97B.020; 97B.025; 97C.085; 97C.327; 97C.395, subdivision 1; 103F.535, subdivision 1; 103G.271, subdivision 6; 103G.301, subdivision 2; 103G.615, subdivision 2; 103I.681, subdivision 11; 115.06, subdivision 4; 115.551; 115A.03, subdivisions 21, 32a; 115A.06, subdivision 5; 115A.07, subdivision 1; 115A.072, subdivision 1; 115A.12; 115A.15, subdivision 7; 115A.38, subdivision 1; 115A.545, subdivision 1; 115A.929; 116.03, subdivision 1; 116.07, subdivision 4b; 116P.02, by adding a subdivision; 116P.03; 116P.04, subdivision 5; 116P.05, subdivision 2; 116P.07; 116P.08, subdivisions 3, 5, 6, 7, by adding subdivisions; 116P.09; 116P.10; 116P.11; 116P.12, subdivision 2; 116P.15, subdivision 2; 168.1296, subdivision 1; 169A.63, subdivision 6; 216B.2424, subdivisions 1, 2, 5a, 6, 8, by adding a subdivision; 282.08; 282.38, subdivision 1; 296A.18, subdivision 2; 297H.13, subdivision 2; 349.12, subdivision 25; 462.357, subdivision 1e; 473.846; 477A.12, by adding a subdivision; 477A.145; Laws 2003, chapter 128, article 1, section 5, subdivision 6; Laws 2003, chapter 128, article 1, section 9, subdivision 6; Laws 2003, chapter 128, article 1, section 167, subdivision 1; Laws 2004, chapter 220, section 1; proposing coding for new law in Minnesota Statutes, chapters 84; 86B; 92; 93; 97C; 116; 116P; 473; repealing Minnesota Statutes 2004, sections 84.901; 85.054, subdivision 1; 94.343, subdivision 6; 94.344, subdivision 6; 94.348; 94.349; 115A.03, subdivisions 8a, 22a; 115A.055, subdivision 1; 115A.158, subdivision 3; 115D.03, subdivision 4; 116.02, subdivision 5; 116.04; 116P.02, subdivisions 2, 4; 116P.05; 116P.06; 116P.08, subdivision 4; 473.197, subdivisions 1, 2, 3, 5; 473.801, subdivision 6.

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 68 yeas and 64 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

#### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Supplemental Calendar for the Day for Thursday, May 5, 2005:

H. F. Nos. 1809 and 1669; S. F. No. 1335; and H. F. No. 987.

#### CALENDAR FOR THE DAY

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

#### MOTIONS AND RESOLUTIONS

Davids moved that the name of Poppe be added as an author on H. F. No. 79. The motion prevailed.

Cybart moved that the name of Otremba be added as an author on H. F. No. 455. The motion prevailed.

Abeler moved that the names of Tingelstad and Samuelson be added as authors on H. F. No. 770. The motion prevailed.

Slawik moved that the name of Poppe be added as an author on H. F. No. 976. The motion prevailed.

Holberg moved that the name of Erickson be added as an author on H. F. No. 1948. The motion prevailed.

Knoblach moved that his name be stricken as an author on H. F. No. 1949. The motion prevailed.

Beard moved that his name be stricken as an author on H. F. No. 2481. The motion prevailed.

Cornish introduced:

House Resolution No. 13, A House resolution recognizing the week of May 15, 2005, as Police Week and May 15, 2005, as Peace Officers Memorial Day.

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

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 9:30 a.m., Friday, May 6, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:30 a.m., Friday, May 6, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

