

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2006

 ONE HUNDRED THIRD DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 9, 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 Pastor Bob Hoyt, Richfield Lutheran Church, Minneapolis, 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	Dittrich	Hilstrom	Latz	Paulsen	Smith
Abrams	Dorman	Hilty	Lenczewski	Paymar	Soderstrom
Anderson, B.	Dorn	Holberg	Lesch	Pelowski	Solberg
Atkins	Eastlund	Hoppe	Liebling	Penas	Sykora
Beard	Eken	Hornstein	Lieder	Peppin	Thao
Bernardy	Ellison	Hortman	Lillie	Peterson, A.	Thissen
Blaine	Emmer	Hosch	Loeffler	Peterson, N.	Tingelstad
Bradley	Entenza	Howes	Magnus	Peterson, S.	Urdahl
Brod	Erhardt	Huntley	Mahoney	Poppe	Vandever
Buesgens	Erickson	Jaros	Mariani	Powell	Wagenius
Carlson	Finstad	Johnson, J.	Marquart	Rukavina	Walker
Charron	Fritz	Johnson, R.	McNamara	Ruth	Wardlow
Clark	Garofalo	Johnson, S.	Meslow	Ruud	Welti
Cornish	Gazelka	Juhnke	Moe	Sailer	Westerberg
Cox	Goodwin	Kahn	Mullery	Samuelson	Westrom
Cybart	Greiling	Kelliher	Murphy	Scalze	Wilkin
Davids	Gunther	Klinzing	Nelson, M.	Seifert	Zellers
Davnie	Hackbarth	Knoblach	Nelson, P.	Sertich	Spk. Sviggum
Dean	Hamilton	Koenen	Newman	Severson	
DeLaForest	Hansen	Kohls	Nornes	Sieben	
Demmer	Hausman	Krinkie	Olson	Simon	
Dempsey	Haws	Lanning	Otremba	Simpson	
Dill	Heidgerken	Larson	Ozment	Slawik	

A quorum was present.

Anderson, I., was excused.

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

REPORTS OF CHIEF CLERK

S. F. No. 358 and H. F. No. 295, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Davnie moved that the rules be so far suspended that S. F. No. 358 be substituted for H. F. No. 295 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3017 and H. F. No. 3366, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Welti moved that the rules be so far suspended that S. F. No. 3017 be substituted for H. F. No. 3366 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 2862, A bill for an act relating to elections; moving the state primary from September to August and making conforming changes; amending Minnesota Statutes 2004, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 204B.33; 204D.03, subdivision 1; 205.065, subdivision 1; 205A.03, subdivision 2.

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. 2890, A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, article IV, section 4; providing staggered terms of office for senators and staggered four-year terms of office for representatives.

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

The report was adopted.

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

H. F. No. 2935, A bill for an act relating to human services; providing for a contingent reduction in the MinnesotaCare provider tax; amending Minnesota Statutes 2004, section 295.52, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 3546, A bill for an act relating to agriculture; changing certain compensation requirements; authorizing certain testing; expanding a camping requirement; providing for personal responsibility in food consumption; requiring studies; eliminating a reporting requirement; amending Minnesota Statutes 2004, sections 3.737, subdivision 1; 3.7371, subdivision 3; Minnesota Statutes 2005 Supplement, sections 35.05; 327.201; proposing coding for new law in Minnesota Statutes, chapter 604; repealing Minnesota Statutes 2004, section 17.10.

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

The report was adopted.

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

H. F. No. 3605, A bill for an act relating to natural resources; reorganizing and renaming the Legislative Commission on Minnesota Resources; providing for land donor appraisal reimbursement; providing for acquisition of land for certain facilities; providing for disposition of certain receipts; modifying state park permit provisions; modifying forest services provided to private owners; granting authority to establish state forest user fees; modifying the State Timber Act; modifying certain definitions; modifying noise standard exemptions; extending certain pilot programs; granting certain authority to the Lower Minnesota River Watershed District; exempting counties from certain rules; requiring reports; eliminating the requirement for a comprehensive forest resource management plan; appropriating money; amending Minnesota Statutes 2004, sections 84.085, subdivision 1; 85.052, subdivision 4; 85.053, by adding a subdivision; 85.054, by adding subdivisions; 88.79, subdivision 1; 90.14; 90.151, subdivisions 1, 6, by adding a subdivision; 103I.005, subdivision 9; 116.07, subdivision 2a; 116P.02, subdivision 4; 116P.03; 116P.04, subdivision 5; 116P.05, as amended; 116P.07; 116P.08, subdivisions 3, 4, 5, 6; 116P.09, subdivisions 1, 6, by adding a subdivision; 116P.11; Minnesota Statutes 2005 Supplement, sections 10A.01, subdivision 35; 85.053, subdivision 2; 85.055, subdivision 1; Laws 2003, chapter 128, article 1, section 165; proposing coding for new law in Minnesota Statutes, chapters 85; 89; 90; repealing Minnesota Statutes 2004, sections 89.011, subdivisions 1, 2, 3, 6; 116P.02, subdivision 2; 116P.06; Laws 2005, First Special Session chapter 1, article 2, section 156, subdivision 2.

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

The report was adopted.

Krinkie from the Committee on Taxes to which was referred:

H. F. No. 3761, A bill for an act relating to transportation; authorizing sale of trunk highway bonds for capital improvements related to transportation; establishing transit fund and accounts; providing for treatment and allocation of tax proceeds related to motor vehicles; modifying proposed amendment to Minnesota Constitution and its proposed ballot question; modifying provisions relating to the town bridge account, old automobile liens, tow truck operators, impounded vehicles, the rail service improvement account, the tax attributable to fuel used by all-terrain vehicles, transit service contracts, and a connector highway agreement; requiring a study; appropriating money; amending Minnesota Statutes 2004, sections 16A.88; 161.082, subdivision 2a; 168B.06, subdivision 1; 168B.07, by adding a subdivision; 169.829, subdivision 2; 169.86, by adding a subdivision; 222.50, subdivisions 6, 7; 296A.18, subdivision 4; 297A.94; 297B.09, subdivision 1; 473.384, subdivisions 1, 2; Minnesota Statutes 2005 Supplement, sections 168A.20, subdivision 5; 297A.815, by adding a subdivision; Laws 2005, chapter 88, article 3, section 10; proposing coding for new law in Minnesota Statutes, chapter 167.

Reported the same back with the following amendments:

Page 1, line 27, delete "121,978,000" and insert "121,228,000"

Page 2, lines 3 and 8, delete "132,180,000" and insert "131,430,000"

Page 2, delete line 7

Page 2, line 13, delete "121,978,000" and insert "121,228,000"

Page 2, delete line 18

Page 3, delete subdivision 4

Page 3, line 29, delete "5" and insert "4"

Page 3, line 34, delete "6" and insert "5"

Page 5, after line 28, insert:

"Sec. 7. Minnesota Statutes 2004, section 296A.07, is amended by adding a subdivision to read:

Subd. 5. Tax rate increase. (a) The gasoline excise tax rate under subdivision 3, clause (3), is increased by:

(1) 3.0 cents per gallon for sales made after June 30, 2006; and

(2) an additional 3.0 cents per gallon for sales made after June 30, 2007.

(b) All other excise tax rates in subdivision 3 and section 296A.08 are increased proportionally to the tax rate increase under paragraph (a).

EFFECTIVE DATE. This section is effective beginning with sales made after June 30, 2006."

Page 6, line 2, delete "2006" and insert "2007"

Page 7, line 26, delete "2006" and insert "2007"

Page 8, line 17, delete "general fund, or another named fund," and insert "bond proceeds account in the trunk highway fund"

Page 8, after line 18, insert:

"SUMMARY

<u>TRANSPORTATION</u>	<u>\$2,485,000,000</u>
<u>FINANCE</u>	<u>2,485,000</u>
<u>TOTAL</u>	<u>\$2,487,485,000</u>

Summary by Fund

<u>Trunk Highway Bond</u>	
<u>Proceeds Account</u>	<u>2,487,485,000"</u>

Page 13, delete line 5

Page 15, delete sections 10 and 11

Page 16, line 30, before "This" insert "Except as specifically provided otherwise."

Renumber the sections in sequence

Correct the title numbers accordingly

Amend the title as follows:

Page 1, line 3, after "accounts;" insert "increasing motor fuel taxes;"

Page 1, line 9, delete "transit service contracts,"

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

The report was adopted.

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

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

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

The report was adopted.

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

S. F. No. 762, A bill for an act relating to the environment; creating the Clean Water Legacy Act; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters in accordance with section 303(d) of the federal Clean Water Act; appropriating money; amending Laws 2005, chapter 20, article 1, section 39; proposing coding for new law in Minnesota Statutes, chapter 446A; proposing coding for new law as Minnesota Statutes, chapter 114D.

Reported the same back with the following amendments to the second unofficial engrossment:

Page 11, delete section 9

Page 11, line 31, delete "446A.074, 446A.075."

Page 11, lines 33 and 34, delete the new language and insert "If a project is eligible for a grant under section 446A.073, the total"

Page 12, delete section 11

Page 13, delete section 12

Page 15, delete section 13

Page 17, line 29, delete "13" and insert "9"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 6

Page 1, line 7, delete "Public Facilities Authority Act;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1525, A bill for an act relating to corrections; clarifying notification procedure when victim requests a test on offender; amending Minnesota Statutes 2004, section 611A.19.

Reported the same back with the following amendments to the unofficial engrossment:

Page 67, after line 10, insert:

"Sec. 3. Minnesota Statutes 2004, section 16D.04, subdivision 2, is amended to read:

Subd. 2. **Agency participation.** (a) A state referring agency may, at its option, refer debts to the commissioner for collection. The ultimate responsibility for the debt, including the reporting of the debt to the commissioner of finance and the decision with regard to the continuing collection and uncollectibility of the debt, remains with the referring state agency.

(b) When a debt owed to a state agency becomes 121 days past due, the state agency must refer the debt to the commissioner for collection. This requirement does not apply if there is a dispute over the amount or validity of the debt, if the debt is the subject of legal action or administrative proceedings, or the agency determines that the debtor is adhering to acceptable payment arrangements. The commissioner, in consultation with the commissioner of finance, may provide that certain types of debt need not be referred to the commissioner for collection under this paragraph. Methods and procedures for referral must follow internal guidelines prepared by the commissioner of finance.

(c) If the referring agency is a court, the court must furnish a debtor's Social Security number to the commissioner when the court refers the debt.

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

Page 67, after line 32, insert:

"Sec. 6. Minnesota Statutes 2005 Supplement, section 270C.545, is amended to read:

270C.545 FEDERAL TAX REFUND OFFSET FEES; TIME LIMIT FOR SUBMITTING CLAIMS FOR OFFSET.

For fees charged by the Department of the Treasury of the United States for the offset of federal tax refunds that are deducted from the refund amounts remitted to the commissioner, the unpaid debts of the taxpayers whose refunds are being offset to satisfy the debts are reduced only by the actual amount of the refund payments received by the commissioner. Notwithstanding any other provision of law to the contrary, a claim for the offset of a federal tax refund must be submitted to the Department of the Treasury of the United States within ten years after the date of the assessment of the tax owed by the taxpayer whose refund is to be offset to satisfy the debt. For court debts referred to the commissioner under section 16D.04, subdivision 2, paragraph (a), the federal refund offset fees are deducted as provided in this section, but the ten-year time limit prescribed in this section for tax debts does not apply.

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

Page 91, delete section 51

Page 102, line 32, delete "section" and insert "sections"

Renumber the sections in sequence

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2862, 2935 and 3546 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 358, 3017, 762 and 1525 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Loeffler and Lanning introduced:

H. F. No. 4198, A bill for an act relating to state government; requiring the Minnesota Sesquicentennial Commission to consider commissioning new art to convey and celebrate Minnesota's history.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 3450, 2576, 2635 and 2973.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3450, A bill for an act relating to metropolitan government; governing special transportation service requirements; amending Minnesota Statutes 2004, section 473.386, subdivision 3.

The bill was read for the first time.

Holberg moved that S. F. No. 3450 and H. F. No. 3637, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2576, A bill for an act relating to commerce; regulating the purchase and lease of new ambulances; establishing a manufacturer's duty to repair, refund, or replace; amending Minnesota Statutes 2004, section 325F.665, subdivision 1.

The bill was read for the first time.

Dauids moved that S. F. No. 2576 and H. F. No. 3049, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2635, A bill for an act relating to local government; authorizing regulation of certain public lands in Aitkin County; repealing the authority for Aitkin County regulation of certain public land interests; repealing Laws 1988, chapter 658, section 1.

The bill was read for the first time.

Hilstrom moved that S. F. No. 2635 and H. F. No. 3452, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2973, A bill for an act relating to natural resources; modifying contractual and grant agreement provisions; excepting the electronic licensing system commission from certain standing appropriations; modifying snowmobile state trail sticker requirements; modifying invasive species provisions; modifying certain state trail descriptions; designating a state trail; modifying authority to mark canoe and boating routes; modifying certain forestry duties; modifying certain definitions; modifying water use surcharge provisions; modifying water aeration safety provisions; amending Minnesota Statutes 2004, sections 84.026; 84.0911, as amended; 84.8205, subdivision 2; 84D.01, subdivisions 9a, 13, 15, 16; 84D.02, subdivision 2; 85.015, subdivisions 2, 7, 8, 11, 12, by adding a subdivision; 85.32, subdivision 1; 89.01, subdivision 1; 97A.015, subdivision 18; 103G.611, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 84.8205, subdivision 1; 85.015, subdivision 5; 88.17, subdivision 5; 103G.271, subdivision 6; repealing Minnesota Statutes 2004, sections 85.015, subdivision 14; 103G.611, subdivision 6.

The bill was read for the first time.

Hackbarth moved that S. F. No. 2973 and H. F. No. 3200, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Tuesday, May 9, 2006:

H. F. Nos. 3722, 3049 and 3179; S. F. Nos. 785 and 2374; H. F. Nos. 3988 and 3144; S. F. No. 3526; H. F. Nos. 3237, 3458 and 854; S. F. Nos. 2002, 1940 and 3023; H. F. Nos. 2916, 1443, 1862, 3214 and 3066; S. F. No. 3216; H. F. No. 3718; S. F. Nos. 2528 and 2840; and H. F. No. 3472.

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.

MOTION TO FIX TIME TO CONVENE

Paulsen moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, May 11, 2006. The motion prevailed.

Walker was excused between the hours of 12:05 p.m. and 12:40 p.m.

CALENDAR FOR THE DAY

H. F. No. 1443 was reported to the House.

Emmer and Erhardt moved to amend H. F. No. 1443, the third engrossment, as follows:

Page 1, delete section 1

Page 2, delete section 2

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 and Erhardt amendment and the roll was called. There were 128 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Garofalo	Newman	Olson
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The motion prevailed and the amendment was adopted.

Buesgens and Ozment moved to amend H. F. No. 1443, the third engrossment, as amended, as follows:

Page 3, after line 35, insert:

"Sec. 3. **[204B.115] CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR CANDIDATES.**

A person who files for any elected position shall provide proof of United States citizenship in the form of a passport, birth certificate, or naturalization document and shall also provide proof of residency in the appropriate locale under section 201.061, subdivision 3."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Emmer moved to amend H. F. No. 1443, the third engrossment, as amended, as follows:

Page 4, line 16, before "shall" insert "or has a religious objection to being photographed"

Page 5, line 9, after "identification" insert "or who exercises the religious objection exception"

Page 5, line 16, after "identification" insert "or a copy of a valid and accepted form of Minnesota identification"

The motion prevailed and the amendment was adopted.

MOTION FOR RECONSIDERATION

Ozment moved that the vote whereby the Buesgens and Ozment amendment to H. F. No. 1443, the third engrossment, as amended, was not adopted be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Ozment motion and the roll was called. There were 67 yeas and 65 nays as follows:

Those who voted in the affirmative were:

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

Peterson, N.	Seifert	Soderstrom	Vandevveer	Wilkin
Powell	Severson	Sykora	Wardlow	Zellers
Ruth	Simpson	Tingelstad	Westerberg	Spk. Sviggum
Samuelson	Smith	Urdahl	Westrom	

Those who voted in the negative were:

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

The motion prevailed.

The Buesgens and Ozment amendment to H. F. No. 1443, the third engrossment, as amended, was again reported to the House, as modified.

Page 3, after line 35, insert:

"Sec. 3. **[204B.115] CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR CANDIDATES.**

A person who files for the state legislature or a constitutional office shall provide proof of United States citizenship in the form of a passport, birth certificate, or naturalization document."

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 Buesgens and Ozment amendment and the roll was called. There were 113 yeas and 20 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Clark	Hausman	Jaros	Mariani	Sertich
Ellison	Hilty	Johnson, S.	Mullery	Thissen
Goodwin	Hornstein	Kahn	Murphy	Wagenius
Greiling	Huntley	Larson	Rukavina	Walker

The motion prevailed and the amendment was adopted.

Olson moved to amend H. F. No. 1443, the third engrossment, as amended, as follows:

Page 5, line 11, delete "ten" and insert "three"

A roll call was requested and properly seconded.

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

Those who voted in the negative were:

Atkins	Clark	Dittrich	Ellison	Goodwin	Hausman
Bernardy	Davnie	Dorn	Entenza	Greiling	Haws
Carlson	Dill	Eken	Fritz	Hansen	Hilstrom

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

The motion prevailed and the amendment was adopted.

H. F. No. 1443, A bill for an act relating to elections; requiring proof of citizenship on filing for certain offices; requiring certain 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, section 204C.13, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 204C.10; proposing coding for new law in Minnesota Statutes, chapters 204B; 204C.

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 71 yeas and 62 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S. F. No. 3526 was reported to the House.

Nelson, P., moved that S. F. No. 3526 be continued on the Calendar for the Day. The motion prevailed.

The Speaker resumed the Chair.

S. F. No. 3246 was reported to the House.

Powell, Bradley, Cox, Howes, Charron, Hosch, Sailer, Moe, Hackbarth, Rukavina, Eken, Wilkin, Lieder, Gunther, Haws, Dean, DeLaForest, Beard, Marquart, Heidgerken, Urdahl and Zellers offered an amendment to S. F. No. 3246.

POINT OF ORDER

Abeler raised a point of order pursuant to rule 3.21 that the Powell et al amendment was not in order. The Speaker ruled the point of order well taken and the Powell et al amendment out of order.

Emmer moved to amend S. F. No. 3246 as follows:

Page 2, line 3, after the period, insert "A contract entered into under this section must provide for an environmental assessment and cleanup at any location of a current or former depot."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

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

The Speaker called Abrams to the Chair.

The question recurred on the Emmer amendment and the roll was called. There were 41 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Brod	Cybart	DeLaForest	Eastlund	Finstad
Blaine	Buesgens	Davids	Dempsey	Emmer	Garofalo
Bradley	Charron	Dean	Dill	Erickson	Gazelka

Hackbarth	Johnson, J.	Nelson, P.	Penas	Smith	Westrom
Hamilton	Klinzing	Nornes	Peppin	Soderstrom	Wilkin
Holberg	Kohls	Olson	Powell	Vandever	Zellers
Hoppe	Krinkie	Paulsen	Seifert	Wardlow	

Those who voted in the negative were:

Abeler	Entenza	Huntley	Lillie	Pelowski	Slawik
Abrams	Erhardt	Jaros	Loeffler	Peterson, A.	Solberg
Atkins	Fritz	Johnson, R.	Magnus	Peterson, N.	Sykora
Beard	Goodwin	Johnson, S.	Mahoney	Peterson, S.	Thao
Bernardy	Greiling	Juhnke	Mariani	Poppe	Thissen
Carlson	Gunther	Kahn	Marquart	Rukavina	Tingelstad
Clark	Hansen	Kelliher	McNamara	Ruth	Urdahl
Cornish	Hausman	Knoblach	Meslow	Ruud	Wagenius
Cox	Haws	Koenen	Moe	Sailer	Walker
Davnie	Heidgerken	Lanning	Mullery	Samuelson	Walti
Demmer	Hilstrom	Larson	Murphy	Scalze	Westerberg
Dittrich	Hilty	Latz	Nelson, M.	Sertich	Spk. Sviggum
Dorman	Hornstein	Lenczewski	Newman	Severson	
Dorn	Hortman	Lesch	Otremba	Sieben	
Eken	Hosch	Liebling	Ozment	Simon	
Ellison	Howes	Lieder	Paymar	Simpson	

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

DeLaForest moved to amend S. F. No. 3246 as follows:

Page 1, lines 8 to 10, delete the new language

A roll call was requested and properly seconded.

The question was taken on the DeLaForest amendment and the roll was called. There were 38 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dauids	Erickson	Johnson, J.	Paulsen	Westrom
Blaine	Dean	Garofalo	Klinzing	Penas	Wilkin
Brod	DeLaForest	Gazelka	Kohls	Peppin	Zellers
Buesgens	Dempsey	Hackbarth	Krinkie	Powell	
Charron	Dorman	Hamilton	Nelson, P.	Seifert	
Cornish	Eastlund	Holberg	Newman	Vandever	
Cybart	Emmer	Hoppe	Olson	Wardlow	

Those who voted in the negative were:

Abeler	Beard	Carlson	Davnie	Dittrich	Ellison
Abrams	Bernardy	Clark	Demmer	Dorn	Entenza
Atkins	Bradley	Cox	Dill	Eken	Erhardt

Finstad	Hosch	Latz	Moe	Ruth	Solberg
Fritz	Howes	Lenczewski	Mullery	Ruud	Sykora
Goodwin	Huntley	Lesch	Murphy	Sailer	Thao
Greiling	Jaros	Liebling	Nelson, M.	Samuelson	Thissen
Gunther	Johnson, R.	Lieder	Nornes	Scalze	Tingelstad
Hansen	Johnson, S.	Lillie	Otremba	Sertich	Urdahl
Hausman	Juhnke	Loeffler	Ozment	Severson	Wagenius
Haws	Kahn	Magnus	Paymar	Sieben	Walker
Heidgerken	Kelliher	Mahoney	Pelowski	Simon	Wolti
Hilstrom	Knoblach	Mariani	Peterson, A.	Simpson	Westerberg
Hilty	Koenen	Marquart	Peterson, S.	Slawik	Spk. Sviggum
Hornstein	Lanning	McNamara	Poppe	Smith	
Hortman	Larson	Meslow	Rukavina	Soderstrom	

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

Olson moved to amend S. F. No. 3246 as follows:

Page 2, line 3, before the period, insert "provided that, the contract must not allow indemnification for a railroad that is found by clear and convincing evidence to have been negligent in maintaining any right-of-way used for rail passenger service"

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 Olson amendment and the roll was called. There were 42 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Garofalo	Johnson, J.	Ozment	Sykora
Blaine	DeLaForest	Gazelka	Klinzing	Paulsen	Urdahl
Brod	Demmer	Hackbarth	Kohls	Peppin	Vandever
Buesgens	Dorman	Hamilton	Krinkie	Powell	Wardlow
Charron	Eastlund	Heidgerken	Magnus	Seifert	Westrom
Cornish	Emmer	Holberg	Newman	Smith	Wilkin
Cybart	Erickson	Hoppe	Olson	Soderstrom	Zellers

Those who voted in the negative were:

Abeler	Carlson	Dill	Erhardt	Hansen	Hortman
Abrams	Clark	Dittrich	Finstad	Hausman	Hosch
Atkins	Cox	Dorn	Fritz	Haws	Howes
Beard	Davids	Eken	Goodwin	Hilstrom	Huntley
Bernardy	Davnie	Ellison	Greiling	Hilty	Jaros
Bradley	Dempsey	Entenza	Gunther	Hornstein	Johnson, R.

Johnson, S.	Lenczewski	McNamara	Pelowski	Samuelson	Thao
Juhnke	Lesch	Meslow	Peterson, A.	Scalze	Thissen
Kahn	Liebling	Moe	Peterson, N.	Sertich	Tingelstad
Kelliher	Lieder	Mullery	Peterson, S.	Severson	Wagenius
Knoblach	Lillie	Murphy	Poppe	Sieben	Walker
Koenen	Loeffler	Nelson, M.	Rukavina	Simon	Walti
Lanning	Mahoney	Nornes	Ruth	Simpson	Westerberg
Larson	Mariani	Otremba	Ruud	Slawik	Spk. Sviggum
Latz	Marquart	Paymar	Sailer	Solberg	

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

S. F. No. 3246, A bill for an act relating to transportation; commuter rail; authorizing the commissioner to contract for use of railroad right-of-way; regulating civil liability; amending Minnesota Statutes 2004, section 174.82.

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.

Pursuant to rule 2.05, the Speaker excused Thissen from voting on final passage of S. F. No. 3246.

There were 94 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Hortman	Lenczewski	Nornes	Sieben
Abrams	Eken	Hosch	Lesch	Otremba	Simon
Atkins	Ellison	Howes	Liebling	Paymar	Simpson
Beard	Entenza	Huntley	Lieder	Pelowski	Slawik
Bernardy	Erhardt	Jaros	Lillie	Peterson, A.	Solberg
Brod	Fritz	Johnson, J.	Loeffler	Peterson, N.	Sykora
Carlson	Goodwin	Johnson, R.	Magnus	Peterson, S.	Thao
Clark	Greiling	Johnson, S.	Mahoney	Poppe	Tingelstad
Cornish	Gunther	Juhnke	Mariani	Rukavina	Urdahl
Cox	Hansen	Kahn	Marquart	Ruth	Wagenius
Davnie	Hausman	Kelliher	McNamara	Ruud	Walker
Demmer	Haws	Knoblach	Meslow	Sailer	Walti
Dempsey	Heidgerken	Koenen	Moe	Samuelson	Westerberg
Dill	Hilstrom	Lanning	Mullery	Scalze	Spk. Sviggum
Dittrich	Hilty	Larson	Murphy	Sertich	
Dorman	Hornstein	Latz	Nelson, M.	Severson	

Those who voted in the negative were:

Anderson, B.	Dean	Gazelka	Krinkie	Peppin	Westrom
Blaine	DeLaForest	Hackbarth	Nelson, P.	Powell	Wilkin
Bradley	Eastlund	Hamilton	Newman	Seifert	Zellers
Buesgens	Emmer	Holberg	Olson	Smith	
Charron	Erickson	Hoppe	Ozment	Soderstrom	
Cybart	Finstad	Klinzing	Paulsen	Vandevveer	
Davids	Garofalo	Kohls	Penas	Wardlow	

The bill was passed and its title agreed to.

S. F. No. 2883, A bill for an act relating to human services; modifying child care licensing provisions; amending Minnesota Statutes 2005 Supplement, section 245A.14, subdivisions 4, 12, 13.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

MOTIONS AND RESOLUTIONS

Abeler moved that his name be stricken as an author on H. F. No. 2294. The motion prevailed.

Abeler moved that his name be stricken as an author on H. F. No. 2295. The motion prevailed.

Cornish moved that the names of Olson and Westrom be added as authors on H. F. No. 4189. The motion prevailed.

Lesch moved that the name of Loeffler be added as an author on H. F. No. 4190. The motion prevailed.

Knoblach moved that S. F. No. 762, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

ADJOURNMENT

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 10:00 a.m., Thursday, May 11, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives