

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2005

 SIXTY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 17, 2005

The House of Representatives convened at 10:00 a.m. and was called to order by Ron Abrams, Speaker pro tempore.

Prayer was offered by the Reverend David Lenz, Hope Presbyterian Church, Richfield, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Finstad was excused.

Olson was excused until 10:55 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Paymar 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. 87 and H. F. No. 483, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Knoblach moved that the rules be so far suspended that S. F. No. 87 be substituted for H. F. No. 483 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 16, 2005

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Representative Sviggum:

I have vetoed and am returning Chapter Number 57, H. F. No. 68, a bill relating to procedures for public school districts for the nonrenewal of coaching contracts.

This bill would provide a coach whose contract was not renewed the opportunity to respond to the reasons for the nonrenewal at a school board meeting. In relation to this meeting H. F. No. 68 provides, "*any portion of that meeting at which educational data are discussed must be disclosed under section 13D.05, subdivision 2.*" This provision, however, is not consistent with this section of the Open Meeting Law which requires that a school district close any portion of a meeting that would include discussion of educational data about a student.

The context of the bill suggests that the legislature may have intended to use the word "closed" rather than "disclosed." However, if that is the case, the provision is not necessary because existing law already mandates closure of any portion of a meeting in which educational data is discussed. Use of the term "disclosed" in this provision may create confusion about whether the meeting may be closed if student information is discussed.

It is important that we protect the privacy of public school children. Accordingly, I am vetoing this bill to avoid any uncertainty in a school district's obligation to close a meeting to protect the privacy of students.

Sincerely,

TIM PAWLENTY
Governor

SECOND READING OF SENATE BILLS

S. F. No. 87 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hansen introduced:

H. F. No. 2517, A bill for an act relating to retirement; authorizing application for disability benefits from the Minnesota State Retirement System, notwithstanding a deadline.

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

Hausman, Lesch and Ozment introduced:

H. F. No. 2518, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Como Zoo.

The bill was read for the first time and referred to the Committee on Agriculture, Environment and Natural Resources Finance.

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 Files, herewith returned:

H. F. No. 128, A bill for an act relating to civil actions; authorizing the recovery of attorney fees by funeral providers in actions to recover costs of services; proposing coding for new law in Minnesota Statutes, chapter 149A.

H. F. No. 1951, A bill for an act relating to human services; changing long-term care provisions; amending Minnesota Statutes 2004, sections 144A.071, subdivision 1a; 256B.0913, subdivision 8; 256B.0915, subdivisions 1a, 6, 9.

H. F. No. 1583, A bill for an act relating to consumer protection; regulating membership travel contracts; amending Minnesota Statutes 2004, sections 325G.50; 325G.505, subdivision 3; 325G.51; proposing coding for new law in Minnesota Statutes, chapter 325G.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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 Senate has appointed as such committee:

Senators Bakk, Sams, Anderson, Frederickson and Kubly.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1976, A bill for an act relating to state government; appropriating money for jobs, economic development, and human services purposes; establishing and modifying certain programs; providing for accounts, assessments and fees; making changes to programs for children and families; requiring studies and reports; amending Minnesota Statutes 2004, sections 41A.09, subdivision 2a; 60A.14, subdivision 1; 60K.55, subdivision 2; 72A.20, by adding a subdivision; 72B.04, subdivision 10; 82B.05, subdivisions 1, 5; 82B.09, subdivision 1; 115C.07, subdivision 3; 115C.09, subdivision 3h; 115C.13; 116C.779, subdivision 2; 116J.551, subdivision 1; 116J.571; 116J.572; 116J.574; 116J.575, as amended; 116J.63, subdivision 2; 116J.8731, subdivision 5; 116J.8747, subdivision 2; 116J.994, subdivisions 7, 9; 116L.03, subdivision 2; 116L.05, by adding a subdivision; 116L.17, subdivision 1; 116L.20, subdivision 2; 119B.02, by adding a subdivision; 119B.13, subdivision 1, by adding a subdivision; 120A.40; 183.41, by adding a subdivision; 183.411, subdivisions 2a, 3; 183.42; 183.44, subdivision 1; 183.51, subdivision 2, by adding a subdivision; 183.545; 183.57; 216C.41, subdivisions 2, 5, 5a; 237.11; 237.295,

subdivisions 1, 2; 239.011, subdivision 2; 239.05, subdivision 10b, by adding a subdivision; 239.09; 239.101, subdivision 3; 239.75, subdivisions 1, 5; 239.761; 239.77, by adding a subdivision; 239.79, subdivision 4; 239.791, subdivisions 1, 7, 8, 15; 239.792; 245A.023; 245A.10, subdivision 4; 254A.035, subdivision 2; 254A.04; 256.01, by adding subdivisions; 256.741, subdivision 4; 256B.0924, subdivision 3; 256B.093, subdivision 1; 256D.06, subdivisions 5, 7, by adding a subdivision; 256I.05, subdivision 1e; 256J.12, subdivision 1, by adding a subdivision; 256J.37, subdivision 3a; 256J.515; 256J.751, subdivision 2; 256J.95, by adding subdivisions; 256K.35, by adding a subdivision; 260.835; 268.19, subdivision 1; 296A.01, subdivisions 2, 7, 8, 14, 19, 20, 22, 23, 24, 25, 26, 28; 298.22, by adding a subdivision; 326.975, subdivision 1; 345.47, subdivisions 3, 3a; 373.40, subdivisions 1, 3; 462A.05, subdivision 3a; 462A.33, subdivision 2; 517.08, subdivisions 1b, 1c; Laws 1999, chapter 224, section 7, as amended; Laws 2003, chapter 128, article 1, section 172; proposing coding for new law in Minnesota Statutes, chapters 45; 116L; 237; 256K; 325F; proposing coding for new law as Minnesota Statutes, chapter 59B; repealing Minnesota Statutes 2004, sections 45.0295; 116J.573; 116J.58, subdivision 3; 116L.05, subdivision 4; 119B.074; 239.05, subdivisions 6a, 6b; 256D.54, subdivision 3; 462C.15; Laws 2003, First Special Session chapter 14, article 9, section 34; Minnesota Rules, parts 9500.1254; 9500.1256.

The Senate has appointed as such committee:

Senators Bakk, Sams, Anderson, Frederickson and Kubly.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the following change in the membership of the Conference Committee on H. F. No. 1481:

The name of Michel has been stricken and the name of Vickerman has been added.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1669, A bill for an act relating to insurance; regulating certain fees, rate filings, and policy renewals and alterations; regulating the collection of certain information; amending Minnesota Statutes 2004, sections 60A.08, subdivision 3; 60A.14, subdivision 1; 60A.171, subdivisions 1, 2; 60A.351; 60K.46, subdivision 7; 61A.02, subdivision 2, by adding a subdivision; 62A.02, subdivision 1; 70A.06, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2004, section 60A.171, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Wilkin moved that the House concur in the Senate amendments to H. F. No. 1669 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1669, A bill for an act relating to insurance; regulating certain fees, rate filings, policy renewals and alterations, insurance holding company systems, and insurance information reporting practices; amending Minnesota Statutes 2004, sections 60A.08, subdivision 3; 60A.14, subdivision 1; 60A.171, subdivisions 1, 2; 60A.351; 60K.46, subdivision 7; 61A.02, subdivision 2, by adding a subdivision; 72A.501, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 60A; 60D; repealing Minnesota Statutes 2004, section 60A.171, subdivision 4.

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

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Goodwin

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

Mr. Speaker:

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

H. F. No. 2028, A bill for an act relating to local government; providing a process for making certain offices appointive in Pope and Lac qui Parle Counties.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Heidgerken moved that the House concur in the Senate amendments to H. F. No. 2028 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2028, A bill for an act relating to counties; providing a process for making certain offices appointive in Pope, Lac qui Parle, and Nobles Counties.

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

The question was taken on the repassage of the bill and the roll was called. There were 98 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hilty	Lesch	Penas	Solberg
Anderson, I.	Dittrich	Hoppe	Liebling	Peterson, A.	Sykora
Atkins	Dorn	Hornstein	Lieder	Peterson, N.	Thao
Beard	Eken	Hortman	Lillie	Poppe	Thissen
Bernardy	Ellison	Hosch	Loeffler	Powell	Tingelstad
Bradley	Entenza	Howes	Mahoney	Ruth	Urdahl
Brod	Erhardt	Huntley	Mariani	Ruud	Wagenius
Carlson	Garofalo	Jaros	McNamara	Sailer	Walker
Clark	Gazelka	Johnson, R.	Meslow	Samuelson	Wardlow
Cornish	Goodwin	Johnson, S.	Moe	Scalze	Welti
Cox	Greiling	Kahn	Mullery	Sertich	Westerberg
Cybart	Gunther	Kelliher	Murphy	Sieben	Zellers
Davnie	Hackbarth	Kohls	Nelson, M.	Simon	Spk. Sviggum
Dean	Hamilton	Lanning	Opatz	Simpson	
DeLaForest	Hausman	Larson	Ozment	Slawik	
Demmer	Heidgerken	Latz	Paymar	Smith	
Dempsey	Hilstrom	Lenczewski	Pelowski	Soderstrom	

Those who voted in the negative were:

Abrams	Eastlund	Johnson, J.	Magnus	Paulsen	Vandever
Anderson, B.	Emmer	Juhnke	Marquart	Peppin	Westrom
Blaine	Erickson	Klinzing	Nelson, P.	Peterson, S.	Wilkin
Buesgens	Fritz	Knoblach	Newman	Rukavina	
Charron	Hansen	Koenen	Nornes	Seifert	
Davids	Holberg	Krinkie	Otremba	Severson	

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

Mr. Speaker:

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

H. F. No. 2110, A bill for an act relating to domestic abuse; returning to a safety focus when awarding custody and parenting time in the context of a domestic abuse hearing; amending Minnesota Statutes 2004, section 518B.01, subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Smith moved that the House concur in the Senate amendments to H. F. No. 2110 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2110, A bill for an act relating to domestic abuse; limiting required findings when awarding custody and parenting time in the context of a domestic abuse hearing; amending Minnesota Statutes 2004, section 518B.01, subdivision 6.

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

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. Nos. 1716, 1207, 1984, 538, 1326, 1815 and 1720.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1716, A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2004, sections 176.011, subdivision 9; 176.041, by adding a subdivision; 176.081, subdivision 1; 176.092, subdivision 1a; 176.102, subdivision 3a; 176.106, subdivision 1; 176.129, subdivisions 1b, 2a, 13; 176.135, subdivisions 1, 7; 176.1351, subdivision 5; 176.1812, subdivision 1; 176.185, subdivisions 1, 7, by adding a subdivision; 176.231, subdivision 5; 176.238, subdivision 10; 176.391, subdivision 2; repealing Minnesota Statutes 2004, section 176.1812, subdivision 6.

The bill was read for the first time.

Wilkin moved that S. F. No. 1716 and H. F. No. 1859, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1207, A bill for an act relating to courts; limiting postconviction relief; setting conditions for petitions; amending Minnesota Statutes 2004, section 590.01, subdivision 1, by adding a subdivision.

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

S. F. No. 1984, A bill for an act relating to employment; increasing the penalty for failure to pay a discharged employee within 24 hours; modifying the penalty for failure to pay benefits or wage supplements; increasing the penalty for violation of migrant worker payment requirements; amending Minnesota Statutes 2004, sections 181.11; 181.74, subdivision 1; 181.89, subdivision 2.

The bill was read for the first time.

Clark moved that S. F. No. 1984 and H. F. No. 1914, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 538, A bill for an act relating to health; providing for education of parents, primary caregivers, and child care providers on the dangers associated with shaking infants and young children; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 144; 245A.

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

S. F. No. 1326, A bill for an act relating to natural resources; providing for an official map of state forest roads as an alternative recording method; proposing coding for new law in Minnesota Statutes, chapter 89.

The bill was read for the first time.

McNamara moved that S. F. No. 1326 and H. F. No. 1438, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1815, A bill for an act relating to commerce; modifying various requirements for licensees of the Department of Commerce; amending Minnesota Statutes 2004, sections 60K.36, subdivision 2; 60K.37, subdivision 1; 60K.38, subdivision 1; 60K.39, subdivision 3; 82.31, subdivision 5; 82.32; 82B.02, by adding a subdivision;

82B.10, subdivision 4; 82B.11, subdivision 6; 82B.13, subdivisions 1, 3, 4, 5; 82B.14; 82B.19, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 45; 82B; repealing Minnesota Statutes 2004, section 82B.221; Minnesota Rules, part 2808.2200.

The bill was read for the first time.

Zellers moved that S. F. No. 1815 and H. F. No. 1532, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1720, A bill for an act relating to human services; making agency technical amendments; changing provisions related to children and family services, health care, and continuing care programs; amending Minnesota Statutes 2004, sections 13.319, subdivision 3; 13.461, by adding a subdivision; 119B.02, subdivision 5; 119B.035, subdivision 1; 119B.074; 119B.08, subdivision 1; 119B.09, subdivision 1; 119B.26; 245.463, subdivision 2; 245.464, subdivision 1; 245.465, subdivision 1; 245.466, subdivisions 1, 5; 245.4661, subdivision 7; 245.483, subdivisions 1, 3; 245.4872, subdivision 2; 245.4873, subdivision 5; 245.4874; 245.4875, subdivisions 1, 5; 245A.16, subdivision 6; 252.24, subdivision 5; 252.282, subdivision 2; 252.46, subdivision 10; 256.045, subdivisions 3, 6, 7; 256B.04, subdivision 14; 256B.056, subdivision 1c; 256B.0625, subdivisions 5, 27; 256B.0911, subdivision 6; 256B.0913, subdivision 13; 256B.092, subdivision 1f; 256B.094, subdivision 8; 256B.0943, subdivisions 6, 12, 13; 256B.503; 256B.75; 256D.03, subdivision 3; 256G.01, subdivision 3; 256J.13, subdivision 2; 256J.21, subdivision 2; 256J.24, subdivision 5; 256J.74, subdivision 1; 256J.751, subdivision 2; 256J.95, subdivisions 2, 6, 11, 18, 19; 256L.01, subdivision 3a; 256L.04, by adding a subdivision; 256M.30, subdivision 2; 260C.212, subdivision 12; 275.62, subdivision 4; 518.6111, subdivision 7; 626.557, subdivision 12b; 626.5571, subdivision 2; Laws 1997, chapter 245, article 2, section 11, as amended; repealing Minnesota Statutes 2004, sections 119A.01, subdivision 3; 119A.20; 119A.21; 119A.22; 119A.35; 119B.21, subdivision 11; 245.713, subdivisions 2, 4; 245.716; 256.014, subdivision 3; 256.045, subdivision 3c; 256B.0629, subdivisions 1, 2, 4; 256J.95, subdivision 20; 256K.35; 626.5551, subdivision 4; Laws 1998, chapter 407, article 4, section 63.

The bill was read for the first time.

Bradley moved that S. F. No. 1720 and H. F. No. 1875, now on the Calendar for the Day, 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 Supplemental Calendar for the Day for Tuesday, May 17, 2005:

H. F. Nos. 1925, 1619 and 1816; S. F. No. 718; H. F. Nos. 675, 2187, 460 and 2006; S. F. No. 1738; H. F. No. 519; S. F. No. 1315; H. F. Nos. 1879 and 761; S. F. No. 1405; H. F. No. 1161; S. F. No. 1485; H. F. No. 986; and S. F. No. 1945.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1164:

Gazelka, Powell and Larson.

CALENDAR FOR THE DAY

H. F. No. 225 was reported to the House.

Holberg moved to amend H. F. No. 225, the first engrossment, as follows:

Page 6, line 22, delete "up to" and insert "no more than"

Pages 27 to 32, delete section 39, and insert:

"Sec. 39. Minnesota Statutes 2004, section 13.46, subdivision 4, is amended to read:

Subd. 4. [LICENSING DATA.] (a) As used in this subdivision:

(1) "licensing data" means all data collected, maintained, used, or disseminated by the welfare system pertaining to persons licensed or registered or who apply for licensure or registration or who formerly were licensed or registered under the authority of the commissioner of human services;

(2) "client" means a person who is receiving services from a licensee or from an applicant for licensure; and

(3) "personal and personal financial data" means Social Security numbers, identity of and letters of reference, insurance information, reports from the Bureau of Criminal Apprehension, health examination reports, and social/home studies.

(b)(1) Except as provided in paragraph (c), the following data on current and former licensees are public: name, address, telephone number of licensees, date of receipt of a completed application, dates of licensure, licensed capacity, type of client preferred, variances granted, record of training and education in child care and child development, type of dwelling, name and relationship of other family members, previous license history, class of license, ~~and the existence and status of complaints, and the number of serious injuries to or deaths of individuals in the licensed program as reported to the commissioner of human services, the local social services agency, or any other county welfare agency. For purposes of this clause, a serious injury is one that is treated by a physician.~~ When a correction order or fine has been issued, a license is suspended, immediately suspended, revoked, denied, or made conditional, or a complaint is resolved, the following data on current and former licensees are public: the substance and investigative findings of the licensing or maltreatment complaint, ~~licensing violation, or substantiated maltreatment~~; the record of informal resolution of a licensing violation; orders of hearing; findings of fact; conclusions of law; specifications of the final correction order, fine, suspension, immediate suspension, revocation, denial, or conditional license contained in the record of licensing action; and the status of any appeal of these actions. Notwithstanding sections 626.556, subdivision 11, and 626.557, subdivision 12b, when an individual licensee is a substantiated perpetrator of maltreatment, ~~and the substantiated maltreatment is a reason for the licensing action in a program licensed under chapter 245A,~~ the identity of the licensee as a perpetrator is public data. For purposes of this clause, a person is a substantiated perpetrator if the maltreatment determination has been upheld under section 626.556, subdivision 10i, 626.557, subdivision 9d, or 256.045, or chapter 14, or an individual or facility has not timely exercised appeal rights under these sections.

(2) For applicants who withdraw their application prior to licensure or denial of a license, the following data are public: the name of the applicant, the city and county in which the applicant was seeking licensure, the dates of the commissioner's receipt of the initial application and completed application, the type of license sought, and the date of withdrawal of the application.

(3) For applicants who are denied a license, the following data are public: the name of the applicant, the city and county in which the applicant was seeking licensure, the dates of the commissioner's receipt of the initial application and completed application, the type of license sought, the date of denial of the application, the nature of the basis for the denial, and the status of any appeal of the denial.

(4) The following data on persons subject to disqualification under section 245C.14 in connection with a license to provide family day care for children, child care center services, foster care for children in the provider's home, or foster care or day care services for adults in the provider's home, are public: the nature of any disqualification set aside under section 245C.22, subdivisions 2 and 4, and the reasons for setting aside the disqualification; the nature of any disqualification for which a variance was granted under sections 245A.04, subdivision 9; and 245C.30, and the reasons for granting any variance under section 245A.04, subdivision 9; and, if applicable, the disclosure that any person subject to a background study under section 245C.03, subdivision 1, has successfully passed a background study.

(5) When maltreatment is substantiated under section 626.556 or 626.557 and the victim and the substantiated perpetrator are affiliated with a program licensed under chapter 245A, the commissioner of human services, local social services agency, or county welfare agency may inform the license holder where the maltreatment occurred of the identity of the substantiated perpetrator and the victim.

(c) The following are private data on individuals under section 13.02, subdivision 12, or nonpublic data under section 13.02, subdivision 9: personal and personal financial data on family day care program and family foster care program applicants and licensees and their family members who provide services under the license.

(d) The following are private data on individuals: the identity of persons who have made reports concerning licensees or applicants that appear in inactive investigative data, and the records of clients or employees of the licensee or applicant for licensure whose records are received by the licensing agency for purposes of review or in anticipation of a contested matter. The names of reporters under sections 626.556 and 626.557 may be disclosed only as provided in section 626.556, subdivision 11, or 626.557, subdivision 12b.

(e) Data classified as private, confidential, nonpublic, or protected nonpublic under this subdivision become public data if submitted to a court or administrative law judge as part of a disciplinary proceeding in which there is a public hearing concerning a license which has been suspended, immediately suspended, revoked, or denied.

(f) Data generated in the course of licensing investigations that relate to an alleged violation of law are investigative data under subdivision 3.

(g) Data that are not public data collected, maintained, used, or disseminated under this subdivision that relate to or are derived from a report as defined in section 626.556, subdivision 2, or 626.5572, subdivision 18, are subject to the destruction provisions of sections 626.556, subdivision 11c, and 626.557, subdivision 12b.

(h) Upon request, not public data collected, maintained, used, or disseminated under this subdivision that relate to or are derived from a report of substantiated maltreatment as defined in section 626.556 or 626.557 may be exchanged with the Department of Health for purposes of completing background studies pursuant to section 144.057 and with the Department of Corrections for purposes of completing background studies pursuant to section 241.021.

(i) Data on individuals collected according to licensing activities under chapters 245A and 245C, and data on individuals collected by the commissioner of human services according to maltreatment investigations under sections 626.556 and 626.557, may be shared with the Department of Human Rights, the Department of Health, the Department of Corrections, the Ombudsman for Mental Health and Retardation, and the individual's professional regulatory board when there is reason to believe that laws or standards under the jurisdiction of those agencies may have been violated.

(j) In addition to the notice of determinations required under section 626.556, subdivision 10f, if the commissioner or the local social services agency has determined that an individual is a substantiated perpetrator of maltreatment of a child based on sexual abuse, as defined in section 626.556, subdivision 2, and the commissioner or local social services agency knows that the individual is a person responsible for a child's care in another facility, the commissioner or local social services agency shall notify the head of that facility of this determination. The notification must include an explanation of the individual's available appeal rights and the status of any appeal. If a notice is given under this paragraph, the government entity making the notification shall provide a copy of the notice to the individual who is the subject of the notice.

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

Page 32, line 11, after "process" insert "referred to in this section"

Page 33, delete lines 3 to 6 and insert:

"Subd. 3. [APPLICANTS FOR ELECTION OR APPOINTMENT.] The following data on all applicants for election or appointment to a public body, including those subject to chapter 13D, are public: name, city of residence, education and training, employment history, volunteer work, awards and honors, and prior government service or experience."

Page 34, line 12, delete "acquisition plat maps."

Page 34, line 13, delete "computations for relocation supplements."

Page 34, lines 13 and 14, delete "computations for replacement housing."

Page 34, line 15, delete everything after the second comma

Page 34, delete line 16

Page 34, line 17, delete "process integrity" and insert "commissioner's orders, requests for proposals, and requests for qualifications"

Page 34, line 21, after "to" insert "land owners."

Page 43, line 23, delete everything after "vehicle"

Page 43, line 24, delete everything before "by" and insert "shall be disclosed as provided"

Page 43, line 25, delete "(b)" and insert "(a)"

Page 54, line 24, delete the new language

Page 54, line 25, strike "data on individuals"

Page 54, line 26, strike the period

Page 55, line 3, delete everything before "by" and insert "shall be disclosed as provided"

Page 55, line 4, delete "(b)" and insert "(a)"

Page 57, line 7, after the period, insert "If CIBRS is the only source of data made public by section 13.82, subdivisions 2, 3, 6, and 7, data described in those subdivisions must be downloaded and made available to the public as required by section 13.03."

Page 58, line 34, delete everything after "authority" and insert "for the data."

Page 59, line 3, delete "of the participating law"

Page 59, line 4, delete "enforcement agency" and insert "for the data"

Page 59, after line 13, insert:

"Sec. 78. [299C.405] [SUBSCRIPTION SERVICE.]

(a) For the purposes of this subdivision "subscription service" means a process by which law enforcement agency personnel may obtain ongoing, automatic electronic notice of any contacts an individual has with any criminal justice agency.

(b) The Department of Public Safety must not establish a subscription service without prior legislative authorization.

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kahn, Holberg and Solberg moved to amend H. F. No. 225, the first engrossment, as amended, as follows:

Page 59, after line 21, insert:

"By January 15, 2006, the commissioner of public safety must also report to the chair of the House Committee on Public Safety Policy and Finance and the chair of the Senate Committee on Crime Prevention on the advisability of prohibiting the possession or use of devices or chemicals to falsify results of drug and alcohol testing as defined in Minnesota Statutes, section 181.95, subdivision 5, or to place false DNA evidence at the scene of a crime."

The motion prevailed and the amendment was adopted.

Kahn moved to amend H. F. No. 225, the first engrossment, as amended, as follows:

Page 59, after line 21, insert:

"Sec. 79. [REVIEW OF STATE HANDLING OF GENETIC INFORMATION.]

The commissioner of administration shall review the applicable laws, rules, and policies to determine whether the state handles genetic information on individuals in a manner that appropriately takes into account the possible effect of release or nonrelease of that information on the genetic privacy of relatives of the individuals. The commissioner shall report the results of the review, including any recommendations for legislative changes, to the chairs of the house Civil Law Committee and the senate Judiciary Committee by January 15, 2006."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Davnie and Hansen moved to amend H. F. No. 225, the first engrossment, as amended, as follows:

Page 13, after line 36, insert:

"Sec. 16. [13.055] [STATE AGENCIES; DISCLOSURE OF BREACH IN SECURITY.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given to them.

(a) "Breach of the security of the data" means unauthorized acquisition of data maintained by a state agency that compromises the security and classification of the data. Good faith acquisition of government data by an employee or agent of a state agency for the purposes of the state agency is not a breach of the security of the data, if the government data is not provided to an unauthorized person.

(b) "Contact information" means either name and mailing address or name and e-mail address for each individual who is the subject of data maintained by the state agency.

(c) "Unauthorized acquisition" means that a person has obtained government data without the informed consent of the individuals who are the subjects of the data or statutory authority and with the intent to use the data for non-governmental purposes.

(d) "Unauthorized person" means any person who accesses government data without permission or without a work assignment that reasonably requires the person to have access to the data.

Subd. 2. [NOTICE TO INDIVIDUALS.] A state agency that collects, creates, receives, maintains or disseminates private or confidential data on individuals must disclose any breach of the security of the data following discovery or notification of the breach. Notification must be made to any individual who is the subject of the data and whose private or confidential data was, or is reasonably believed to have been, acquired by an unauthorized person. The disclosure must be made in the most expedient time possible and without unreasonable delay, consistent with (1) the legitimate needs of a law enforcement agency as provided in subdivision 3; or (2) any measures necessary to determine the scope of the breach and restore the reasonable security of the data.

Subd. 3. [DELAYED NOTICE.] The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede an active criminal investigation. The notification required by this section must be made after the law enforcement agency determines that it will not compromise the investigation.

Subd. 4. [METHOD OF NOTICE.] Notice under this section may be provided by one of the following methods:

(a) written notice by first class mail to each affected individual;

(b) electronic notice to each affected individual, if the notice provided is consistent with the provisions regarding electronic records and signatures as set forth in United States Code, title 15, section 7001; or

(c) substitute notice, if the state agency demonstrates that the cost of providing the written notice required by paragraph (a) would exceed \$250,000, or that the affected class of individuals to be notified exceeds 500,000, or the state agency does not have sufficient contact information. Substitute notice consists of all of the following:

(i) e-mail notice if the state agency has an e-mail address for the affected individuals;

(ii) conspicuous posting of the notice on the Web site page of the state agency, if the state agency maintains a Web site; and

(iii) notification to major media outlets that reach the general public.

Subd. 5. [COORDINATION WITH CONSUMER REPORTING AGENCIES.] If the state agency discovers circumstances requiring notification under this section of more than 1,000 individuals at one time, the state agency must also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in United States Code, title 15, section 1681a, of the timing, distribution, and content of the notices."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker assumed the Chair.

Otremba offered an amendment to H. F. No. 225, the first engrossment, as amended.

POINT OF ORDER

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

H. F. No. 225, A bill for an act relating to government data; making technical, conforming, and clarifying changes to the Minnesota Government Data Practices Act; defining terms; modifying certain civil penalty and damages amounts; classifying, regulating, and reviewing access to and dissemination of certain data; providing notice of breaches in security; regulating certain fees; providing for the conduct of certain board and council meetings; modifying provisions regulating motor vehicle and driver applications and records; modifying vehicle accident reports and procedures; providing for treatment of data held by the comprehensive incident-based reporting system; amending Minnesota Statutes 2004, sections 11A.24, subdivision 6; 13.01, subdivisions 1, 3; 13.02, subdivision 7; 13.03, subdivisions 1, 2, 3, 4, 5, 6, 8; 13.04, subdivisions 2, 4; 13.05, subdivisions 1, 4, 6, 7, 8, 9; 13.06, subdivisions 1, 2, 3, 4; 13.07; 13.072, subdivision 4; 13.073, subdivision 3; 13.08, subdivisions 1, 2, 4, 5; 13.32, by adding a subdivision; 13.37, subdivisions 1, 2, 3; 13.3805, by adding a subdivision; 13.43, subdivisions 1, 2, 3; 13.46, subdivision 4; 13.591, by adding subdivisions; 13.601, by adding a subdivision; 13.635, by adding a subdivision; 13.72, by adding subdivisions; 13.82, subdivisions 1, 16; 16C.06, subdivision 5; 116J.68, by adding a subdivision; 116L.03, by adding a subdivision; 116L.665, by adding a subdivision; 116M.15, by adding a subdivision; 116U.25; 168.346; 168A.04, by adding a subdivision; 169.09, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11,

12, 14, 15, by adding subdivisions; 171.07, subdivisions 1, 3; 171.12, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 13; 41A; 299C; repealing Minnesota Statutes 2004, sections 13.04, subdivision 5; 169.09, subdivision 10; 170.55.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1998 was reported to the House.

Goodwin moved to amend S. F. No. 1998 as follows:

Page 2, after line 8, insert:

"Sec. 5. Minnesota Statutes 2004, section 60A.084, is amended to read:

60A.084 [NOTIFICATION ON GROUP POLICIES.]

An employer providing life or health benefits may not change benefits, limit coverage, or otherwise restrict participation until the certificate holder or enrollee has been notified of any changes, limitations, or restrictions. With respect to health benefits, the notification must be given 30 days before the change, limitation, or restriction takes effect. Notice in a format which meets the requirements of the Employee Retirement Income Security Act, United States Code Annotated, title 29, sections 1001 to 1461, is satisfactory for compliance with this section."

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 Goodwin amendment and the roll was called. There were 54 yeas and 79 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Goodwin moved to amend S. F. No. 1998 as follows:

Page 3, after line 17, insert:

"Sec. 4. Minnesota Statutes 2004, section 62Q.64, is amended to read:

62Q.64 [DISCLOSURE OF EXECUTIVE COMPENSATION.]

(a) Each health plan company doing business in this state and each Minnesota hospital shall annually file with the ~~Consumer Advisory Board created in section 62J.75:~~

~~(1) a copy of the health plan company's form 990 filed with the federal Internal Revenue Service; or~~

~~(2) if the health plan company did not file a form 990 with the federal Internal Revenue Service commissioner, a list of the amount and recipients job titles of the health plan company's five entity's 20 highest salaries, including all types of compensation, in excess of \$50,000 \$200,000.~~

(b) A filing under this section is public data under section 13.03, and must be placed on the minnesotahealthinfo.com Web site."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Goodwin amendment and the roll was called. There were 53 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Johnson, R.	Lieder	Otremba	Seifert
Atkins	Fritz	Johnson, S.	Lillie	Paymar	Sertich
Bernardy	Goodwin	Juhnke	Mahoney	Pelowski	Sieben
Carlson	Greiling	Kahn	Mariani	Peterson, A.	Simon
Clark	Hansen	Kelliher	Moe	Peterson, S.	Slawik
Davnie	Hausman	Koenen	Mullery	Poppe	Solberg
Dorn	Hornstein	Latz	Nelson, M.	Rukavina	Wagenius
Eken	Hosch	Lenczewski	Olson	Sailer	Walker
Ellison	Jaros	Lesch	Opatz	Scalze	

Those who voted in the negative were:

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

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

S. F. No. 1998, A bill for an act relating to health; assessing health maintenance organizations for purposes of the insurance fraud prevention account; regulating certain rates, claims, filing, and reporting practices; eliminating expanded provider network requirements; amending Minnesota Statutes 2004, sections 45.0135, subdivision 7; 62E.05, subdivision 2; 62L.08, subdivision 8; 62Q.75; 72A.201, subdivision 4; 256B.692, subdivision 2; 295.582; repealing Minnesota Statutes 2004, sections 62E.035; 62Q.095.

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 130 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I. Ellison Goodwin

The bill was passed and its title agreed to.

S. F. No. 917 was reported to the House.

Holberg moved to amend S. F. No. 917 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 952, the third engrossment:

"Section 1. [SHORT TITLE.]

This act may be cited as the "Positive Alternatives Act."

Sec. 2. [145.4231] [POSITIVE ABORTION ALTERNATIVES.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given:

(1) "abortion" means the use of any means to terminate the pregnancy of a woman known to be pregnant with knowledge that the termination with those means will, with reasonable likelihood, cause the death of the unborn child. For purposes of this section, abortion does not include an abortion necessary to prevent the death of the mother; and

(2) "unborn child" means an individual organism of the species Homo sapiens from fertilization until birth.

Subd. 2. [ELIGIBILITY FOR GRANTS.] (a) The commissioner of health shall award grants to eligible applicants under paragraph (c) for the reasonable expenses of programs to support, encourage, and assist women in carrying their pregnancies to term by providing information on, referral to, and assistance with securing necessary services that enable women to carry their pregnancies to term. Necessary services include, but are not limited to:

(1) medical care;

(2) nutritional services;

(3) housing assistance;

(4) adoption services;

(5) education and employment assistance;

(6) parenting education and support services; and

(7) child care assistance.

(b) In addition to providing information and referral under paragraph (a), an eligible program may provide one or more of the necessary services under paragraph (a) that assists women in carrying their pregnancies to term. To avoid duplication of efforts, grantees may refer to other public or private programs, rather than provide the care directly, if a woman meets eligibility criteria for the other programs.

(c) To be eligible for a grant, an agency or organization must:

(1) be a private, nonprofit organization;

(2) demonstrate that the program is conducted under appropriate supervision;

(3) not charge women for services provided under the program;

(4) provide each pregnant woman counseled with accurate information on the developmental characteristics of unborn children, including offering the printed information described in section 145.4243;

(5) ensure that the alternatives to abortion program's sole purposes are to assist and encourage women in carrying their pregnancies to term and to maximize their potentials thereafter;

(6) ensure that none of the funds provided are used to encourage or counsel a woman to have an abortion not necessary to prevent her death, to provide her such an abortion, or to refer her for such an abortion; and

(7) have had the alternatives to abortion program in existence for at least one year as of July 1, 2005.

(d) The provisions, words, phrases, and clauses of paragraph (c) are inseverable from this subdivision, and if any provision, word, phrase, or clause of paragraph (c) or the application thereof to any person or circumstance is held invalid, such invalidity shall apply to all of this subdivision.

(e) An organization that provides abortions, promotes abortions, or directly refers for abortions is ineligible to receive a grant under this program. An affiliate of an organization that provides abortions, promotes abortions, or directly refers for abortions is ineligible to receive a grant under this section unless the organizations are separately incorporated and independent from each other. To be independent, the organizations may not share any of the following:

(1) the same or a similar name;

(2) medical facilities or nonmedical facilities, including, but not limited to, business offices, treatment rooms, consultation rooms, examination rooms, and waiting rooms;

(3) expenses;

(4) employee wages or salaries; or

(5) equipment or supplies, including, but not limited to, computers, telephone systems, telecommunications equipment, and office supplies.

(f) An organization that receives a grant under this section and that is affiliated with an organization that provides abortion services must maintain financial records that demonstrate strict compliance with this subdivision and that demonstrate that its independent affiliate that provides abortion services receives no direct or indirect economic or marketing benefit from the grant under this section.

(g) The following data on participants is private data on individuals under section 13.02, subdivision 12: all data collected, received, maintained, or disseminated by the grantee using grant funds awarded by the commissioner under this section.

Subd. 3. [DUTIES OF COMMISSIONER.] The commissioner of health shall make grants under subdivision 2 beginning no later than July 1, 2006. The commissioner shall monitor and review the programs of each grantee to ensure that the grantee carefully adheres to the purposes and requirements of subdivision 2 and shall cease funding a grantee that fails to do so.

Subd. 4. [SEVERABILITY.] Except as provided in subdivision 2, paragraph (d), if any provision, word, phrase, or clause of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions, words, phrases, clauses, or applications of this section that can be given effect without the invalid provision, word, phrase, clause, or application and to this end, the provisions, words, phrases, and clauses of this section are declared to be severable.

Subd. 5. [SUPREME COURT JURISDICTION.] The Minnesota Supreme Court has original jurisdiction over an action challenging the constitutionality of this section and shall expedite the resolution of the action.

Sec. 3. [APPROPRIATIONS; DEPARTMENT OF HEALTH.]

\$2,500,000 is appropriated from the general fund to the commissioner of health in fiscal year 2007 for positive abortion alternatives under Minnesota Statutes, section 145.4231. Of this amount, \$100,000 may be used for administrative costs of implementing the grant program. An additional \$50,000 is appropriated from the general fund to the commissioner of health in fiscal year 2006 for administrative costs of program implementation."

A roll call was requested and properly seconded.

The question was taken on the Holberg amendment and the roll was called. There were 80 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Holberg	Lillie	Pelowski	Sykora
Anderson, B.	Demmer	Hoppe	Magnus	Penas	Tingelstad
Anderson, I.	Dempsey	Hosch	Marquart	Peppin	Urdahl
Beard	Dill	Howes	McNamara	Peterson, A.	Vandever
Blaine	Eastlund	Johnson, J.	Meslow	Peterson, N.	Wardlow
Bradley	Emmer	Juhnke	Murphy	Powell	Westerberg
Brod	Erickson	Klinzing	Nelson, P.	Ruth	Westrom
Buesgens	Fritz	Knoblach	Newman	Samuelson	Wilkin
Charron	Garofalo	Koenen	Nornes	Seifert	Zellers
Cornish	Gazelka	Kohls	Olson	Severson	Spk. Sviggum
Cox	Gunther	Krinkie	Opatz	Simpson	
Cybart	Hackbarth	Lanning	Otremba	Slawik	
Davids	Hamilton	Lenczewski	Ozment	Smith	
Dean	Heidgerken	Lieder	Paulsen	Soderstrom	

Those who voted in the negative were:

Abrams	Eken	Hornstein	Latz	Paymar	Simon
Atkins	Entenza	Hortman	Lesch	Peterson, S.	Solberg
Bernardy	Erhardt	Huntley	Liebling	Poppe	Thao
Carlson	Goodwin	Jaros	Loeffler	Rukavina	Thissen
Clark	Greiling	Johnson, R.	Mahoney	Ruud	Wagenius
Davnie	Hansen	Johnson, S.	Mariani	Sailer	Walker
Dittrich	Hausman	Kahn	Moe	Scalze	Welti
Dorman	Hilstrom	Kelliher	Mullery	Sertich	
Dorn	Hilty	Larson	Nelson, M.	Sieben	

The motion prevailed and the amendment was adopted.

S. F. No. 917, A bill for an act relating to health; providing for grants related to positive abortion alternatives; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

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 85 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Charron	Dempsey	Fritz	Hoppe	Kohls
Anderson, B.	Cornish	Dill	Garofalo	Hosch	Krinkie
Anderson, I.	Cox	Dorman	Gazelka	Howes	Lanning
Beard	Cybart	Dorn	Gunther	Johnson, J.	Lenczewski
Blaine	Davids	Eastlund	Hackbarth	Juhnke	Lieder
Bradley	Dean	Eken	Hamilton	Klinzing	Magnus
Brod	DeLaForest	Emmer	Heidgerken	Knoblach	Marquart
Buesgens	Demmer	Erickson	Holberg	Koenen	McNamara

Meslow	Opatz	Peterson, A.	Severson	Urdahl	Zellers
Moe	Otremba	Peterson, N.	Simpson	Vandever	Spk. Sviggum
Murphy	Ozment	Powell	Smith	Wardlow	
Nelson, P.	Paulsen	Ruth	Soderstrom	Welti	
Newman	Pelowski	Sailer	Solberg	Westerberg	
Nornes	Penas	Samuelson	Sykora	Westrom	
Olson	Peppin	Seifert	Tingelstad	Wilkin	

Those who voted in the negative were:

Abrams	Entenza	Hornstein	Larson	Mullery	Sertich
Atkins	Erhardt	Hortman	Latz	Nelson, M.	Sieben
Bernardy	Goodwin	Huntley	Lesch	Paymar	Simon
Carlson	Greiling	Jaros	Liebling	Peterson, S.	Slawik
Clark	Hansen	Johnson, R.	Lillie	Poppe	Thao
Davnie	Hausman	Johnson, S.	Loeffler	Rukavina	Thissen
Dittrich	Hilstrom	Kahn	Mahoney	Ruud	Wagenius
Ellison	Hilty	Kelliher	Mariani	Scalze	Walker

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

S. F. No. 1335 was reported to the House.

Dean, Krinkie, Vandever, Mahoney and Newman moved to amend S. F. No. 1335 as follows:

Page 8, line 15, delete "its" and insert "the" and after "total" insert "costs of all" and delete ", by number,"

Page 8, line 17, delete "its" and insert "the" and after "total" insert "costs of all" and delete ", by number,"

Page 8, line 21, delete "its" and insert "the" and after "total" insert "cost of all"

Page 8, line 23, delete "its" and insert "the" and after "total" insert "cost of all"

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Anderson, B.	Dean	Hausman	Larson	Newman	Thao
Anderson, I.	Eastlund	Howes	Lieder	Olson	Vandever
Charron	Garofalo	Johnson, J.	Mahoney	Otremba	Wilkin
Cybart	Goodwin	Koenen	Mariani	Peppin	
Davids	Greiling	Krinkie	Murphy	Simpson	

Those who voted in the negative were:

Abeler	Dittrich	Holberg	Lesch	Penas	Smith
Abrams	Dorman	Hoppe	Liebling	Peterson, A.	Soderstrom
Atkins	Dorn	Hornstein	Lillie	Peterson, N.	Solberg
Beard	Eken	Hortman	Loeffler	Peterson, S.	Sykora
Bernardy	Ellison	Hosch	Magnus	Poppe	Thissen
Blaine	Emmer	Huntley	Marquart	Powell	Tingelstad
Bradley	Entenza	Jaros	McNamara	Rukavina	Urdahl
Brod	Erhardt	Johnson, R.	Meslow	Ruth	Wagenius
Buesgens	Erickson	Johnson, S.	Moe	Ruud	Walker
Carlson	Fritz	Juhnke	Mullery	Sailer	Wardlow
Clark	Gazelka	Kahn	Nelson, M.	Samuelson	Welti
Cornish	Gunther	Kelliher	Nelson, P.	Scalze	Westerberg
Cox	Hackbarth	Klinzing	Nornes	Seifert	Westrom
Davnie	Hamilton	Knoblach	Opatz	Sertich	Zellers
DeLaForest	Hansen	Kohls	Ozment	Severson	Spk. Sviggum
Demmer	Heidgerken	Lanning	Paulsen	Sieben	
Dempsey	Hilstrom	Latz	Paymar	Simon	
Dill	Hilty	Lenczewski	Pelowski	Slawik	

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

S. F. No. 1335, A bill for an act relating to state government; regulating state construction contracts; amending Minnesota Statutes 2004, sections 16B.31, subdivision 1; 16B.33, subdivision 1; 16C.26, subdivisions 3, 4; 16C.28, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Davnie	Greiling	Mahoney	Olson
Goodwin	Krinkie	Mariani	Paymar

The bill was passed and its title agreed to.

H. F. No. 561, A bill for an act relating to child custody; disallowing persons with specified criminal convictions from becoming custodians of unrelated children; amending Minnesota Statutes 2004, sections 257C.03, subdivision 7; 518.179, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The Speaker called Abrams to the Chair.

S. F. No. 1064 was reported to the House.

Westrom and Knoblach moved to amend S. F. No. 1064, the unofficial engrossment, as follows:

Page 2, delete line 4 and insert "sections 248.062 and 256C.30, expenditures under sections 248.062 and 256C.30 shall be reduced on a pro rata basis"

Page 2, line 5, delete "suspended"

Page 2, line 5, delete "section 237.53" and insert "sections 237.53 and 237.54"

Page 2, line 6, delete "section 248.062" and insert "sections 248.062 and 256C.30"

Page 2, line 6, after "resume" insert "at fully-funded levels"

Page 2, line 8, after "to" insert "fully"

Page 4, line 1, delete "1" and insert "3"

The motion prevailed and the amendment was adopted.

S. F. No. 1064, A bill for an act relating to telecommunications; establishing an accessible electronic information service for blind and disabled persons; providing closed-captioning for certain local news programming; appropriating money; amending Minnesota Statutes 2004, section 237.52, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapters 248; 256C.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Thissen	Vandever	Wardlow	Westrom	Spk. Sviggum
Tingelstad	Wagenius	Wolti	Wilkin	
Urdahl	Walker	Westerberg	Zellers	

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

H. F. No. 2279, A bill for an act relating to the city of Cologne; providing exemption to wetland replacement requirements.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1509, A bill for an act relating to housing; providing certain manufactured home park exclusions; amending Minnesota Statutes 2004, section 327.23, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Hilstrom	Larson	Opatz	Sieben
Abrams	Dittrich	Hilty	Latz	Otremba	Simon
Anderson, B.	Dorman	Holberg	Lenczewski	Ozment	Simpson
Atkins	Dorn	Hoppe	Lesch	Paulsen	Slawik
Beard	Eastlund	Hornstein	Liebling	Paymar	Smith
Bernardy	Eken	Hortman	Lieder	Pelowski	Soderstrom
Blaine	Ellison	Hosch	Lillie	Penas	Solberg
Bradley	Emmer	Howes	Loeffler	Peppin	Sykora
Brod	Entenza	Huntley	Magnus	Peterson, A.	Thao
Buesgens	Erhardt	Jaros	Mahoney	Peterson, N.	Thissen
Carlson	Erickson	Johnson, J.	Mariani	Peterson, S.	Tingelstad
Charron	Fritz	Johnson, R.	Marquart	Poppe	Urdahl
Clark	Garofalo	Johnson, S.	McNamara	Powell	Vandevveer
Cornish	Gazelka	Juhnke	Meslow	Rukavina	Wagenius
Cox	Goodwin	Kahn	Moe	Ruth	Walker
Cybart	Greiling	Kelliher	Mullery	Ruud	Wardlow
Davids	Gunther	Klinzing	Murphy	Sailer	Walti
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

The bill was passed and its title agreed to.

S. F. No. 663, A bill for an act relating to local government; adding an exception to the ban on public officers having an interest in a contract; amending Minnesota Statutes 2004, section 471.88, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeler	Cox	Ellison	Heidgerken	Kelliher	Mahoney
Abrams	Cybart	Entenza	Hilstrom	Klinzing	Mariani
Anderson, B.	Davids	Erhardt	Hilty	Koenen	Marquart
Anderson, I.	Davnie	Erickson	Hoppe	Kohls	McNamara
Atkins	Dean	Fritz	Hornstein	Lanning	Meslow
Beard	DeLaForest	Garofalo	Hortman	Larson	Moe
Bernardy	Demmer	Gazelka	Hosch	Latz	Mullery
Blaine	Dempsey	Goodwin	Huntley	Lenczewski	Murphy
Bradley	Dill	Greiling	Jaros	Lesch	Nelson, M.
Brod	Dittrich	Gunther	Johnson, J.	Liebling	Nelson, P.
Carlson	Dorman	Hackbarth	Johnson, R.	Lieder	Newman
Charron	Dorn	Hamilton	Johnson, S.	Lillie	Nornes
Clark	Eastlund	Hansen	Juhnke	Loeffler	Opatz
Cornish	Eken	Hausman	Kahn	Magnus	Otremba

Ozment	Peterson, N.	Sailer	Simon	Thao	Wardlow
Paulsen	Peterson, S.	Samuelson	Simpson	Thissen	Welti
Paymar	Poppe	Scalze	Slawik	Tingelstad	Westerberg
Pelowski	Powell	Seifert	Smith	Urdahl	Westrom
Penas	Rukavina	Sertich	Soderstrom	Vandever	Wilkin
Peppin	Ruth	Severson	Solberg	Wagenius	Zellers
Peterson, A.	Ruud	Sieben	Sykora	Walker	Spk. Sviggum

Those who voted in the negative were:

Buesgens	Holberg	Knoblach	Olson
Emmer	Howes	Krinkie	

The bill was passed and its title agreed to.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 785:

Krinkie, Abrams, Simpson, Lanning and Lenczewski.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 2448, A bill for an act relating to human services; making forecast adjustments for human services programs.

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

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

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

S. F. No. 2259, A bill for an act relating to public safety; reenacting the Minnesota Citizens' Personal Protection Act of 2003 with certain amendments; recognizing the inherent right of law-abiding citizens to self-protection through the lawful use of self-defense; providing a system under which responsible, competent adults can exercise

their right to self-protection by authorizing them to obtain a permit to carry a pistol; providing criminal penalties; amending Minnesota Statutes 2004, sections 609.66, subdivision 1d; 624.714, subdivisions 1b, 2, 2a, 3, 8, 12, 17, as reenacted, by adding a subdivision.

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

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 2259 was read for the second time.

MOTIONS AND RESOLUTIONS

Hausman; Cox; Wagenius; Johnson, S.; Mariani; Hansen and Scalze introduced:

House Resolution No. 19, A House resolution commemorating the 100th anniversary of the National Audubon Society and the 25th anniversary of Audubon Minnesota.

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

House Resolution No. 13 was reported to the House.

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.

Whereas, the police officers of the United States of America have worked devotedly and selflessly on behalf of the people of this nation, regardless of the peril or hazard to themselves; and

Whereas, these officers have safeguarded the lives and property of their fellow Americans; and

Whereas, by the enforcement of our laws, these same officers have given our country internal freedom from fear of the violence and civil disorder that is presently affecting other nations; and

Whereas, these men and women by their patriotic service and their dedicated efforts have earned the gratitude of the state of Minnesota; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it recognizes the week of May 15, 2005, as Police Week, in honor of the service given by the men and women who, night and day, stand guard in our midst to protect us through enforcement of our laws; and May 15, 2005, as Peace Officers Memorial Day in honor of officers that have been killed or disabled in the line of duty, and urges all Minnesotans to recognize and support police officers in their communities.

Cornish moved that House Resolution No. 13 be now adopted. The motion prevailed and House Resolution No. 13 was adopted.

ADJOURNMENT

Brod moved that when the House adjourns today it adjourn until 9:30 a.m., Wednesday, May 18, 2005. The motion prevailed.

Brod moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 9:30 a.m., Wednesday, May 18, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives