

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2006

 ONE HUNDRED EIGHTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 17, 2006

The House of Representatives convened at 12:00 noon and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Mariani was excused.

Penas was excused until 4:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Urdahl 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. 2833 and H. F. No. 2807, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Abeler moved that the rules be so far suspended that S. F. No. 2833 be substituted for H. F. No. 2807 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2980 and H. F. No. 3312, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Holberg moved that S. F. No. 2980 be substituted for H. F. No. 3312 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2994 and H. F. No. 3179, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Buesgens moved that the rules be so far suspended that S. F. No. 2994 be substituted for H. F. No. 3179 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3053 and H. F. No. 3353, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hackbarth moved that the rules be so far suspended that S. F. No. 3053 be substituted for H. F. No. 3353 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3121 and H. F. No. 3688, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hamilton moved that the rules be so far suspended that S. F. No. 3121 be substituted for H. F. No. 3688 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 3397, A bill for an act relating to state lands; adding to and deleting from state parks, forests, and recreation areas; providing for public and private sales, conveyances, and exchanges of certain state lands; authorizing removal of certain land from the sustainable forest incentive program; providing for disposition of certain proceeds from tax-forfeited land sales in Itasca County; modifying prior sale provisions; amending Laws 1999, chapter 161, section 31, subdivision 5, as amended; Laws 2005, chapter 161, section 19.

Reported the same back with the following amendments:

Page 1, after line 9, insert:

"ARTICLE 1
STATE LANDS"

Page 16, line 21, delete "59.8400.007" and insert "59.8408.007"

Page 24, after line 25, insert:

"Sec. 34. **CONSERVATION EASEMENTS FOR WETLAND RESTORATION; ST. LOUIS COUNTY.**

The commissioner of revenue, upon recommendation of the Board of County Commissioners for St. Louis County and the commissioner of natural resources, is authorized to convey a conservation easement on tax-forfeited lands for the purpose of restoration of wetlands to be utilized for mitigation of wetlands displaced by mining operations in St. Louis County. If the commissioner of revenue issues a conservation easement, it shall be held by the Board of Water and Soil Resources.

Sec. 35. **PUBLIC SALE OR EXCHANGE OF SURPLUS LAND CONTAINING PEAT; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.461, the commissioner of natural resources may sell by public sale or may exchange the surplus land containing commercial quantities of peat that is described in paragraph (c). A public sale shall be under the provisions of Minnesota Statutes, sections 92.03 to 92.16. A land exchange shall be under the provisions of Minnesota Statutes, sections 94.341 to 94.346.

(b) The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold or exchanged is located in St. Louis County and is described as follows: all of Section 36, Township 53 North, Range 20 West.

(d) If the adjoining tax-forfeited lands are made subject to a conservation easement to mitigate wetlands displaced by mining operations, the state has determined that the school trust land management interests would best be served if the land was sold or exchanged."

Page 1, before line 10, insert:

"Sec. 1. **[15.995] HISTORIC PUBLICLY OWNED BUILDINGS.**

A city located within 150 miles of the Minnesota State Capitol that has a population, according to the 2000 census, of more than 7,000 and less than 8,000 and is located in a county that has a population according to that census of more than 31,000 and less than 32,000 must not sell, lease, or contract property it owns that is listed on the National Register of Historic Places, unless the political subdivision first:

(1) notifies the Minnesota Historical Society and waits at least two years, during which the political subdivision must request of and receive from the Historical Society a study of the best use of the property in order to ascertain and preserve the historical value of the property and ensure public use; and

(2) requests of and receives from the Department of Administration an inventory and appraisal of the affected real and personal property to determine its value.

The Department of Administration and the Minnesota Historical Society must jointly report their findings to the chairs and ranking minority members of legislative committees with jurisdiction over state government finance. The requesting political subdivision must pay the Minnesota Historical Society and the Department of Administration for services provided under this section.

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

Page 27, after line 22, insert:

"Sec. 42. **GRAND MOUND STATE HISTORIC SITE STUDY.**

Subdivision 1. **Study.** The Minnesota Historical Society, in consultation with Koochiching County, the Minnesota Indian Affairs Council, interested Indian tribes, and other interested groups and individuals, shall study the future of the Grand Mound State Historic Site.

Subd. 2. **Report to legislature.** The Minnesota Historical Society shall report its findings and recommendations to the appropriate legislative committees by January 30, 2007.

Sec. 43. **FAWN LAKE; NONPUBLIC WATERS.**

Notwithstanding the public waters inventory under Minnesota Statutes, section 103G.201, or any other waters classification maintained by the commissioner of natural resources, Fawn Lake in Sandy Township, St. Louis County, an unmeandered lake of less than 25 acres, is not public waters.

Sec. 44. **CONVEYANCE OF SURPLUS STATE LAND AT BRAINERD REGIONAL TREATMENT CENTER.**

(a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, or any other law, administrative rule, or commissioner's order to the contrary, the commissioner of administration may convey to a local unit of government for no consideration all or part of the real property at the Brainerd Regional Treatment Center for public purposes consistent with the master plan and reuse study. The conveyance must be in a form approved by the attorney general and subject to Minnesota Statutes, section 16A.695.

(b) The commissioner may require the local unit of government to reimburse the state for all or part of any campus redevelopment funded and completed by the state.

(c) Notwithstanding Minnesota Statutes, section 16C.23, the commissioner of administration may convey to one or more local units of government for no consideration all or part of the personal property determined by the commissioner of human services to be no longer needed for human services operations.

(d) If a local unit of government sells any property conveyed under this section to a private entity, the sale must be at fair market value, and the proceeds of the sale must be remitted to the state."

Page 27, after line 24, insert:

"ARTICLE 2

SUSTAINABLE FOREST RESOURCE INCENTIVE PROGRAM

Section 1. Minnesota Statutes 2004, section 290C.02, subdivision 3, is amended to read:

Subd. 3. **Claimant.** (a) "Claimant" means a person, as that term is defined in section 290.01, subdivision 2, who owns forest land in Minnesota and files an application authorized by the Sustainable Forest Incentive Act. Claimant includes a purchaser or grantee if property enrolled in the program was sold or transferred after the original application was filed and prior to the annual incentive payment being made. The purchaser or grantee must notify the commissioner in writing of the sale or transfer of the property. For purposes of section 290C.11, claimant also includes any person bound by the covenant required in section 290C.04.

(b) No more than one claimant is entitled to a payment under this chapter with respect to any tract, parcel, or piece of land enrolled under this chapter that has been assigned the same parcel identification number. When enrolled forest land is owned by two or more persons, the owners must determine between them which person may claim is eligible to claim the payments provided under sections 290C.01 to 290C.11. In the case of property sold or transferred, the former owner and the purchaser or grantee must determine between them which person is eligible to claim the payments provided under sections 290C.01 to 290C.11. The owners, transferees, or grantees must notify the commissioner in writing which person is eligible to claim the payments.

Sec. 2. Minnesota Statutes 2004, section 290C.02, subdivision 7, is amended to read:

Subd. 7. **Forest management plan.** "Forest management plan" means a written document providing a framework for site-specific healthy, productive, and sustainable forest resources. A forest management plan must include at least the following: (i) ~~owner-specific~~ forest management goals for the land; (ii) a reliable field inventory of the individual forest cover types, their age, and density; (iii) a description of the soil type and quality; (iv) an aerial photo and/or map of the vegetation and other natural features of the land clearly indicating the boundaries of the land and of the forest land; (v) the proposed future conditions of the land; (vi) prescriptions to meet proposed future conditions of the land; (vii) a recommended timetable for implementing the prescribed activities; and (viii) a legal description of the land encompassing the parcels included in the plan. All management activities prescribed in a plan must be in accordance with the recommended timber harvesting and forest management guidelines. The commissioner of natural resources shall provide a framework for plan content and updating and revising plans.

Sec. 3. Minnesota Statutes 2004, section 290C.02, subdivision 8, is amended to read:

Subd. 8. **Timber harvesting and forest management guidelines.** "Timber harvesting and forest management guidelines" means guidelines developed under section 89A.05 and adopted by the Minnesota Forest Resources Council in ~~1998~~ effect at the time the tract, parcel, or piece of land is enrolled in the sustainable forest incentive program.

Sec. 4. Minnesota Statutes 2004, section 290C.04, is amended to read:

290C.04 APPLICATIONS.

(a) A landowner may apply to enroll forest land for the sustainable forest incentive program under this chapter. The claimant must complete, sign, and submit an application to the commissioner by September 30 in order for the land to become eligible beginning in the next year. The application shall be on a form prescribed by the commissioner and must include the information the commissioner deems necessary. At a minimum, the application must show the following information for the land and the claimant: (i) the claimant's Social Security number or state or federal business tax registration number and date of birth, (ii) the claimant's address, (iii) the claimant's signature, (iv) the county's parcel identification numbers for the tax parcels that completely contain the claimant's forest land that is sought to be enrolled, (v) the number of acres eligible for enrollment in the program, (vi) the approved plan writer's signature and identification number, and (vii) proof, in a form specified by the commissioner, that the claimant has executed and acknowledged in the manner required by law for a deed, and recorded, a covenant that the land is not and shall not be developed in a manner inconsistent with the requirements and conditions of this chapter. The covenant shall state in writing that the covenant is binding on the claimant and the claimant's successor or assignee, and that it runs with the land for a period of not less than eight years. The commissioner shall specify the form of the covenant and provide copies upon request. The covenant must include a legal description that encompasses all the forest land that the claimant wishes to enroll under this section or the certificate of title number for that land if it is registered land.

(b) In all cases, the commissioner shall notify the claimant within 90 days after receipt of a completed application that either the land has or has not been approved for enrollment. A claimant whose application is denied may appeal the denial as provided in section 290C.11, paragraph (a).

(c) Within 90 days after the denial of an application, or within 90 days after the final resolution of any appeal related to the denial, the commissioner shall execute and acknowledge a document releasing the land from the covenant required under this chapter. The document must be mailed to the claimant and is entitled to be recorded.

(d) The Social Security numbers collected from individuals under this section are private data as provided in section 13.355. The ~~state or~~ federal business tax registration number and date of birth data collected under this section are also private data on individuals or nonpublic data, as defined in section 13.02, subdivisions 9 and 12, but may be shared with county assessors for purposes of tax administration and with county treasurers for purposes of the revenue recapture under chapter 270A.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment."

ReNUMBER the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing a certain conservation easement for wetlands restoration; regulating the sale, lease, or contracting of certain historic publicly owned buildings; providing for a Grand Mound State Historic site study; providing for the classification of certain waters;"

Page 1, line 5, before "the" insert ", and modifying certain provisions of,"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 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 following amendments:

Page 5, line 1, delete "Sunday church" and insert "Religious"

Page 5, line 2, delete "Sunday church" and insert "religious"

Page 10, line 18, delete "a"

Page 10, line 19, delete everything after "law" and insert a period

Page 11, line 19, delete "appointees"

Page 11, line 20, delete "must be confirmed with" and insert "appointments are subject to"

Page 13, line 27, delete "the" and insert "law"

Page 13, line 28, delete "legislature"

Page 16, after line 31, insert:

"Sec. 33. Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 10, is amended to read:

| | | |
|-------------------------|-----------|-----------|
| Subd. 10. Energy | 1,896,000 | 1,896,000 |
|-------------------------|-----------|-----------|

Summary by Fund

| | | |
|------------|-----------|-----------|
| Trust Fund | 1,896,000 | 1,896,000 |
|------------|-----------|-----------|

(a) Clean Energy Resource Teams and Community Wind Energy Rebate and Financial Assistance Program

\$350,000 the first year and \$350,000 the second year are from the trust fund to the commissioner of commerce. \$300,000 of this appropriation is to provide technical assistance to implement cost-effective conservation, energy efficiency, and renewable energy projects. \$400,000 of this appropriation is to assist ~~two~~ Minnesota communities in developing locally owned wind energy projects by offering financial assistance and rebates. This appropriation is available until June 30, 2009, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(b) [Paragraph (b) was vetoed by the governor.]

(c) Manure Methane Digester Compatible Wastes and Electrical Generation

\$50,000 the first year and \$50,000 the second year are from the trust fund to the commissioner of agriculture to research the potential for a centrally located, multifarm manure digester and the potential use of compatible waste streams with manure digesters.

(d) Dairy Farm Digesters

\$168,000 the first year and \$168,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with the Minnesota Project for a pilot project to evaluate anaerobic digester technology on average size dairy farms of 50 to 300 cows.

(e) Wind to Hydrogen Demonstration

\$400,000 the first year and \$400,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with the University of Minnesota, West Central Research and Outreach Center, to develop a model community-scale wind-to-hydrogen facility.

(f) Natural Gas Production from Agricultural Biomass

\$50,000 the first year and \$50,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with Sebesta Blomberg and Associates to demonstrate potential natural gas yield using anaerobic digestion of blends of chopped grasses or crop residue with hog manure and determine optimum operating conditions for conversion to natural gas.

(g) Biomass-Derived Oils for Generating Electricity and Reducing Emissions

\$75,000 the first year and \$75,000 the second year are from the trust fund to the University of Minnesota to evaluate the environmental and performance benefits of using renewable biomass-derived oils, such as soybean oil, for generating electricity.

(h) [Paragraph (h) was vetoed by the governor.]

(i) [Paragraph (i) was vetoed by the governor.]"

Page 19, delete section 39

Page 19, before line 11, insert:

"Sec. 40. **CARRYFORWARD.**

The appropriation under Laws 2003, chapter 128, article 1, section 9, subdivision 6, paragraph (c), for local initiative grants - parks and natural areas, is available until June 30, 2007. The appropriation under Laws 2003, chapter 128, article 1, section 9, subdivision 6, paragraph (l), as amended by Laws 2005, First Special Session chapter 1, article 2, section 150, for land acquisition, Minnesota Landscape Arboretum, is available until June 30, 2008.

Sec. 41. **APPROPRIATIONS; MINNESOTA RESOURCES.**

Subdivision 1. **General.** Unless otherwise specified, the amounts appropriated under this section are from the environment and natural resources trust fund and added to the appropriations in Laws 2005, First Special Session chapter 1, article 2, section 11. Unless otherwise provided, the amounts appropriated in this section are available until June 30, 2008, when projects must be completed and final products delivered.

Subd. 2. **Enhancing civic understanding of groundwater.** \$75,000 in fiscal year 2006 and \$75,000 in fiscal year 2007 are appropriated to the Science Museum of Minnesota to create groundwater exhibits and a statewide traveling groundwater classroom program. This appropriation is available until June 30, 2009, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

Subd. 3. **Laurentian Energy Authority biomass project.** \$200,000 in fiscal year 2006 and \$200,000 in fiscal year 2007 are appropriated to the commissioner of commerce for an agreement with Virginia Public Utility to lease land and plant approximately 1,000 acres of trees to support a proposed conversion to a biomass power plant.

Subd. 4. **Land cover mapping for natural resource protection.** \$125,000 in fiscal year 2006 and \$125,000 in fiscal year 2007 are appropriated to the commissioner of natural resources for an agreement with Hennepin County to develop geographic information system tools for prioritizing natural areas for protection and restoration and to update and complete land cover classification mapping.

Subd. 5. **Lake Superior research.** \$133,000 in fiscal year 2006 and \$134,000 in fiscal year 2007 are appropriated to the Board of Regents of the University of Minnesota for the Large Lakes Observatory for research on Lake Superior. \$28,000 in fiscal year 2007 from the Great Lake protection account under Minnesota Statutes, section 116Q.02, is appropriated to the Board of Regents for the same purpose.

Subd. 6. Climate change impacts on Minnesota's aquatic resources. \$125,000 in fiscal year 2006 and \$125,000 in fiscal year 2007 are appropriated to the Board of Regents of the University of Minnesota for the Natural Resources Institute to quantify climate, hydrologic, and ecological variability and trends and identify indicators of future climate. This appropriation is available until June 30, 2009, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

Subd. 7. Land exchange revolving fund for Aitkin, Cass, and Crow Wing Counties. \$145,000 in fiscal year 2006 and \$145,000 in fiscal year 2007 are appropriated to the commissioner of natural resources for an agreement with Aitkin County for a six-year revolving loan fund to improve public and private land ownership patterns, increase management efficiency, and protect critical habitat in Aitkin, Cass, and Crow Wing Counties. By June 30, 2011, Aitkin County shall repay the \$290,000 to the commissioner of finance for deposit in the environment and natural resources trust fund.

Subd. 8. Riparian land acquisition. \$620,000 in fiscal year 2006 and \$520,000 in fiscal year 2007 from the environment trust fund to the commissioner of natural resources for fee title acquisition and easements on high priority, sensitive riparian lands that provide high value for watershed protection.

Subd. 9. Conservation and preservation plan. \$150,000 in fiscal year 2006 and \$150,000 in fiscal year 2007 from the environmental trust fund to the Legislative Commission on Minnesota Resources, or its successor commission, to issue a request for proposal to develop a statewide comprehensive plan for conservation and preservation.

Subd. 10. Forest legacy. \$250,000 in fiscal year 2006 and \$250,000 in fiscal year 2007 from the environmental trust fund to the commissioner of natural resources to acquire easements as described under Minnesota Statutes, chapter 84C, or private lands. All easements must guarantee public access, including hunting and fishing.

Subd. 11. Administration. (a) \$550,000 in 2007 is from the environment and natural resources trust fund to the Legislative-Citizen Commission on Minnesota Resources for administration, as provided in Minnesota Statutes, section 116P.09, subdivision 5.

(b) The fiscal year 2006 administrative budget under Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 3, is for the Legislative Commission on Minnesota Resources or its successor commission, as provided in Minnesota Statutes, section 15.039, subdivision 6.

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

Page 19, line 20, delete "33; 34; 40; and 41" and insert "34; 35; 42; and 43"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 12, before "appropriating" insert "modifying certain appropriations;"

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. 3397 and 3605 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2833, 2980, 2994, 3053 and 3121 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Kahn; Hausman; Huntley; Hilty; Hornstein; Thissen; Greiling; Johnson, S.; Paymar; Ellison; Davnie; Carlson; Mahoney; Latz; Kelliher and Loeffler introduced:

H. F. No. 4211, A resolution urging the passage of the Stem Cell Research Act of 2005.

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

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

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2916, A bill for an act relating to public safety; establishing the fire safety account from revenues on fire premiums and assessments; abolishing the fire insurance tax; amending Minnesota Statutes 2004, section 297I.30, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 297I; 299F; repealing Minnesota Statutes 2004, section 297I.05, subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2460, A bill for an act relating to higher education; providing a process for state support of a football stadium at the University of Minnesota; requiring a report; appropriating money; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; 340A.404, subdivision 4a; proposing coding for new law in Minnesota Statutes, chapter 473.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Pogemiller, Metzen, Moua, Tomassoni and Michel.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Abrams moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2460. The motion prevailed.

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. 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; setting certain court deadlines and procedures; modifying provisions relating to the town bridge account, town road construction and maintenance, old automobile liens, public highway contracts, allowable vehicle weights on highways, tow truck operators, impounded vehicles, highway signs, motorized golf carts, area transportation partnerships, the rail service improvement account, the tax attributable to fuel used by all-terrain vehicles, and a connector highway agreement; repealing authority for future toll facilities; requiring studies and reports; appropriating money; amending Minnesota Statutes 2004, sections 16A.88; 161.082, subdivision 2a; 161.315, by adding a subdivision; 168B.06, subdivision 1; 168B.07, by adding a subdivision; 169.06, subdivision 2;

169.823, subdivision 1; 169.824, subdivision 1; 169.829, subdivision 2; 169.86, by adding a subdivision; 169.87, subdivision 2; 222.50, subdivisions 6, 7; 296A.18, subdivision 4; 297A.94; 297B.09, subdivision 1; 471.345, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 168A.20, subdivision 5; 169.01, subdivision 78; 169.81, subdivision 3c; 169.824, subdivision 2; 297A.815, by adding a subdivision; 469.322; 469.323, subdivision 2; Laws 2005, chapter 88, article 3, sections 9; 10; proposing coding for new law in Minnesota Statutes, chapters 160; 167; 174; repealing Minnesota Statutes 2004, sections 160.84; 160.85; 160.86; 160.87; 160.88; 160.89; 160.90; 160.91; 160.92.

PATRICK E. FLAHAVEN, Secretary of the Senate

Holberg moved that the House refuse to concur in the Senate amendments to H. F. No. 3761, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate 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. 2892, A bill for an act relating to higher education; authorizing the Minnesota State Colleges and Universities Board of Trustees to construct an academic building in Mankato.

The Senate has appointed as such committee:

Senators Hottinger, Rosen and Sparks.

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. 3185, A bill for an act relating to high pressure piping; classifying data relating to bioprocess piping and equipment as nonpublic; including bioprocess piping in the definition of high pressure piping; amending Minnesota Statutes 2004, sections 16B.61, subdivisions 2, 3; 326.461, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 13.

The Senate has appointed as such committee:

Senators Scheid, Jungbauer and Bakk.

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. 3779, A bill for an act relating to adults-only businesses; requiring notice by certified mail to the appropriate statutory or home-rule charter city under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 617.

The Senate has appointed as such committee:

Senators Dille, Solon and Neuville.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2851.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2851, A bill for an act relating to state lands; adding to and deleting from state parks, state forests, and recreation areas; providing an exemption to obtaining a state park permit to military personnel under certain circumstances; modifying sustainable forest resource management incentive program; providing for public and private sales and exchanges of certain state lands; authorizing removal of certain land from the sustainable forest incentive program; providing for disposition of certain proceeds from tax-forfeited land sales in Itasca County; modifying prior sale provisions; authorizing a conservation easement for wetland restoration; amending Minnesota Statutes 2004, sections 85.053, by adding a subdivision; 290C.02, subdivisions 3, 7, 8; 290C.04; Laws 1999, chapter 161, section 31, subdivision 5, as amended; Laws 2005, chapter 161, section 19.

The bill was read for the first time.

Cornish moved that S. F. No. 2851 and H. F. No. 3397, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2460:

Abrams, Erhardt, Magnus, Carlson and Sertich.

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 Wednesday, May 17, 2006:

S. F. Nos. 1525, 2302, 3121 and 2995; H. F. No. 3697; S. F. No. 2437; H. F. No. 3546; and S. F. Nos. 1604, 358 and 1040.

CALENDAR FOR THE DAY

S. F. No. 1525 was reported to the House.

Smith and Murphy moved to amend S. F. No. 1525, the second unofficial engrossment, as follows:

Page 15, after line 11, insert:

"Sec. 21. Minnesota Statutes 2005 Supplement, section 609.485, subdivision 2, is amended to read:

Subd. 2. **Acts prohibited.** Whoever does any of the following may be sentenced as provided in subdivision 4:

(1) escapes while held pursuant to a lawful arrest, in lawful custody on a charge or conviction of a crime, or while held in lawful custody on an allegation or adjudication of a delinquent act;

(2) transfers to another, who is in lawful custody on a charge or conviction of a crime, or introduces into an institution in which the latter is confined, anything usable in making such escape, with intent that it shall be so used;

(3) having another in lawful custody on a charge or conviction of a crime, intentionally permits the other to escape;

(4) escapes while in a facility designated under section 253B.18, subdivision 1, pursuant to a court commitment order after a finding of not guilty by reason of mental illness or mental deficiency of a crime against the person, as defined in section 253B.02, subdivision 4a. Notwithstanding section 609.17, no person may be charged with or convicted of an attempt to commit a violation of this clause;

(5) escapes while in or under the supervision of a facility designated under section 253B.18, subdivision 1, pursuant to a court hold or commitment order under section 253B.185 or Minnesota Statutes 1992, section 526.10; or

(6) escapes while on pass status or provisional discharge according to section 253B.18.

For purposes of clause (1), "escapes while held in lawful custody" includes absconding from electronic monitoring or absconding after removing an electronic monitoring device from the person's body.

EFFECTIVE DATE. This section is effective August 1, 2006 and applies to crimes committed on or after that date.

Sec. 22. Minnesota Statutes 2005 Supplement, section 609.485, subdivision 4, is amended to read:

Subd. 4. **Sentence.** (a) Except as otherwise provided in subdivision 3a, whoever violates this section may be sentenced as follows:

(1) if the person who escapes is in lawful custody for a felony, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both;

(2) if the person who escapes is in lawful custody after a finding of not guilty by reason of mental illness or mental deficiency of a crime against the person, as defined in section 253B.02, subdivision 4a, ~~or pursuant to a court commitment order under section 253B.185 or Minnesota Statutes 1992, section 526.10;~~ to imprisonment for not more than one year and one day or to payment of a fine of not more than \$3,000, or both;

(3) if the person who escapes is in lawful custody for a gross misdemeanor or misdemeanor, or if the person who escapes is in lawful custody on an allegation or adjudication of a delinquent act, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both; ~~or~~

(4) if the person who escapes is under civil commitment under ~~sections~~ section 253B.18 and ~~253B.185,~~ to imprisonment for not more than one year and one day or to payment of a fine of not more than \$3,000, or both; or

(5) if the person who escapes is under a court hold, civil commitment, or supervision under section 253B.185 or Minnesota Statutes 1992, section 526.10, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) If the escape was a violation of subdivision 2, clause (1), (2), or (3), and was effected by violence or threat of violence against a person, the sentence may be increased to not more than twice those permitted in paragraph (a), clauses (1) and (3).

(c) Unless a concurrent term is specified by the court, a sentence under this section shall be consecutive to any sentence previously imposed or which may be imposed for any crime or offense for which the person was in custody when the person escaped.

(d) Notwithstanding paragraph (c), if a person who was committed to the commissioner of corrections under section 260B.198 escapes from the custody of the commissioner while 18 years of age, the person's sentence under this section shall commence on the person's 19th birthday or on the person's date of discharge by the commissioner of corrections, whichever occurs first. However, if the person described in this clause is convicted under this section after becoming 19 years old and after having been discharged by the commissioner, the person's sentence shall commence upon imposition by the sentencing court.

(e) Notwithstanding paragraph (c), if a person who is in lawful custody on an allegation or adjudication of a delinquent act while 18 years of age escapes from a local juvenile correctional facility, the person's sentence under this section begins on the person's 19th birthday or on the person's date of discharge from the jurisdiction of the juvenile court, whichever occurs first. However, if the person described in this paragraph is convicted after becoming 19 years old and after discharge from the jurisdiction of the juvenile court, the person's sentence begins upon imposition by the sentencing court.

(f) Notwithstanding paragraph (a), any person who escapes or absconds from electronic monitoring or removes an electric monitoring device from the person's body is guilty of a crime and shall be sentenced to imprisonment for not more than one year or to a payment of a fine of not more than \$3,000, or both. A person in lawful custody for a violation of section 609.185, 609.19, 609.195, 609.20, 609.205, 609.21, 609.221, 609.222, 609.223, 609.2231, 609.342, 609.343, 609.344, 609.345, or 609.3451 who escapes or absconds from electronic monitoring or removes an electronic monitoring device while under sentence may be sentenced to imprisonment for not more than five years or to a payment of a fine of not more than \$10,000, or both.

EFFECTIVE DATE. This section is effective August 1, 2006 and applies to crimes committed on or after that date."

Page 34, line 32, delete "has been" and insert "was originally"

Page 40, line 5, delete "previously" and insert "originally"

Page 65, after line 7, insert:

"Sec. 3. **[241.105] SOCIAL SECURITY ADMINISTRATION INCENTIVE PAYMENTS; INMATE DISCHARGE PLANNING.**

Money received by the commissioner of corrections from the Social Security Administration as a result of the incentive payment agreement under the Personal Responsibility and Work Opportunity Reconciliation Act, Public Law 104-193, section 1611(e)(1), and public Law 106-170, section 202(x)(3), is appropriated to the commissioner of corrections for discharge planning for inmates with mental illness.

EFFECTIVE DATE. This section is effective July 1, 2007."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Abrams to the Chair.

Buesgens and Krinkie moved to amend S. F. No. 1525, the second unofficial engrossment, as amended, as follows:

Pages 101 and 102, delete section 19

Renumber the clauses in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

| | | | | | |
|--------------|----------|------------|----------|------------|----------|
| Anderson, B. | Buesgens | DeLaForest | Eastlund | Hackbarth | Hosch |
| Blaine | Charron | Demmer | Emmer | Heidgerken | Juhnke |
| Bradley | Davids | Dempsey | Erickson | Holberg | Klinzing |
| Brod | Dean | Dorman | Gazelka | Hoppe | Kohls |

| | | | | |
|------------|----------|------------|------------|---------|
| Krinkie | Peppin | Seifert | Urdahl | Westrom |
| Nelson, P. | Powell | Severson | Vandever | Wilkin |
| Nornes | Rukavina | Soderstrom | Wardlow | Zellers |
| Olson | Ruth | Sykora | Westerberg | |

Those who voted in the negative were:

| | | | | | |
|--------------|----------|-------------|------------|--------------|--------------|
| Abeler | Eken | Hilty | Latz | Nelson, M. | Sertich |
| Abrams | Ellison | Hornstein | Lenczewski | Newman | Sieben |
| Anderson, I. | Entenza | Hortman | Lesch | Otremba | Simon |
| Atkins | Erhardt | Howes | Liebling | Ozment | Simpson |
| Beard | Finstad | Huntley | Lieder | Paulsen | Slawik |
| Bernardy | Fritz | Jaros | Lillie | Paymar | Smith |
| Carlson | Garofalo | Johnson, J. | Loeffler | Pelowski | Solberg |
| Clark | Goodwin | Johnson, R. | Magnus | Peterson, A. | Thao |
| Cornish | Greiling | Johnson, S. | Mahoney | Peterson, N. | Thissen |
| Cox | Gunther | Kahn | Marquart | Peterson, S. | Tingelstad |
| Cybart | Hamilton | Kelliher | McNamara | Poppe | Wagenius |
| Davnie | Hansen | Knoblach | Meslow | Ruud | Walker |
| Dill | Hausman | Koenen | Moe | Sailer | Welti |
| Dittrich | Haws | Lanning | Mullery | Samuelson | Spk. Sviggum |
| Dorn | Hilstrom | Larson | Murphy | Scalze | |

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

Atkins moved to amend S. F. No. 1525, the second unofficial engrossment, as amended, as follows:

Page 66, after line 6, insert:

"Sec. 5. **STUDY; REPORT TO LEGISLATURE.**

(a) The commissioner of corrections shall undertake a validation and reliability study of the use of the Static-99, Rapid Risk Assessment for Sexual Offense Recidivism and the Minnesota Sex Offender Screening Tool-Revised in predicting the risk of reoffense among Minnesota offenders sentenced to probation.

(b) Disclosure to the commissioner of corrections, or the commissioner's designee, of corrections, detention, or court services data held by a responsible authority for use in the probationer recidivism study required under this section is a law enforcement purpose under Minnesota Statutes, sections 13.84 and 13.85.

(c) On or before February 1, 2007, the commissioner of corrections shall report a description of the study results required under this section, to the chairs and ranking minority members of the senate and house committees and divisions with jurisdiction over criminal justice funding and policy."

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.

Rukavina moved to amend S. F. No. 1525, the second unofficial engrossment, as amended, as follows:

Page 29, after line 20, insert:

"Sec. 15. Minnesota Statutes 2004, section 169A.60, subdivision 8, is amended to read:

Subd. 8. **Reissuance of registration plates.** ~~(a)~~ The commissioner shall rescind the impoundment order of a person subject to an order under this section, other than the violator, if:

~~(1) the violator had a valid driver's license on the date of the plate impoundment violation and the person files with the commissioner an acceptable sworn statement containing the following information:~~

(i) that the person is the registered owner of the vehicle from which the plates have been impounded under this section;

(ii) that the person is the current owner and possessor of the vehicle used in the violation;

(iii) the date on which the violator obtained the vehicle from the registered owner;

(iv) the residence addresses of the registered owner and the violator on the date the violator obtained the vehicle from the registered owner;

(v) that the person was not a passenger in the vehicle at the time of the plate impoundment violation; and

(vi) that the person knows that the violator may not drive, operate, or be in physical control of a vehicle without a valid driver's license; ~~or,~~

~~(2) the violator did not have a valid driver's license on the date of the plate impoundment violation and the person made a report to law enforcement before the violation stating that the vehicle had been taken from the person's possession or was being used without permission.~~

~~(b) A person who has failed to make a report as provided in paragraph (a), clause (2), may be issued special registration plates under subdivision 13 for a period of one year from the effective date of the impoundment order. Following this period, the person may apply for regular registration plates.~~

~~(c) If the order is rescinded, the owner shall receive new registration plates at no cost, if the plates were seized and destroyed.~~

EFFECTIVE DATE. This section is effective the day following final enactment and applies to plate impoundment actions for violations occurring on or after that date."

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.

Rukavina moved to amend S. F. No. 1525, the second unofficial engrossment, as amended, as follows:

Page 20, line 12, delete the underscored text and reinstate the stricken text

Page 20, delete lines 24 to 28

A roll call was requested and properly seconded.

The question was taken on the Rukavina amendment and the roll was called. There were 94 yeas and 34 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|-----------|-------------|------------|--------------|------------|
| Anderson, B. | Dorman | Heidgerken | Larson | Newman | Simon |
| Anderson, I. | Eastlund | Hilty | Latz | Nornes | Slawik |
| Atkins | Eken | Holberg | Lenczewski | Olson | Soderstrom |
| Bernardy | Ellison | Hornstein | Lesch | Otremba | Solberg |
| Blaine | Emmer | Hortman | Liebling | Paymar | Thao |
| Bradley | Entenza | Hosch | Lieder | Pelowski | Thissen |
| Brod | Erickson | Huntley | Lillie | Peppin | Urdahl |
| Buesgens | Finstad | Jaros | Loeffler | Peterson, A. | Vandever |
| Carlson | Fritz | Johnson, S. | Magnus | Poppe | Walker |
| Charron | Goodwin | Juhnke | Mahoney | Rukavina | Wardlow |
| Clark | Greiling | Kelliher | Marquart | Ruud | Welti |
| Davnie | Gunther | Klinzing | Moe | Sailer | Westrom |
| Dean | Hackbarth | Knoblach | Mullery | Scalze | Wilkin |
| DeLaForest | Hamilton | Koenen | Murphy | Seifert | Zellers |
| Dill | Hansen | Kohls | Nelson, M. | Sertich | |
| Dittrich | Haws | Krinkie | Nelson, P. | Severson | |

Those who voted in the negative were:

| | | | | | |
|---------|----------|-------------|--------------|-----------|--------------|
| Abeler | Demmer | Hilstrom | McNamara | Ruth | Tingelstad |
| Beard | Dempsey | Hoppe | Meslow | Samuelson | Wagenius |
| Cornish | Dorn | Howes | Ozment | Sieben | Westerberg |
| Cox | Erhardt | Johnson, J. | Peterson, N. | Simpson | Spk. Sviggum |
| Cybart | Garofalo | Johnson, R. | Peterson, S. | Smith | |
| Davids | Gazelka | Lanning | Powell | Sykora | |

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Atkins moved to amend S. F. No. 1525, the second unofficial engrossment, as amended, as follows:

Page 66, after line 6, insert:

"Sec. 5. **STUDY; REPORT TO LEGISLATURE.**

(a) If nonstate funds are available, the commissioner of corrections shall undertake a validation and reliability study of the use of the Static-99, Rapid Risk Assessment for Sexual Offense Recidivism and the Minnesota Sex Offender Screening Tool-Revised in predicting the risk of reoffense among Minnesota offenders sentenced to probation.

(b) Disclosure to the commissioner of corrections, or the commissioner's designee, of corrections, detention, or court services data held by a responsible authority for use in the probationer recidivism study required under this section is a law enforcement purpose under Minnesota Statutes, sections 13.84 and 13.85.

(c) On or before February 1, 2007, the commissioner of corrections shall report a description of the study results required under this section, to the chairs and ranking minority members of the senate and house committees and divisions with jurisdiction over criminal justice funding and policy."

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 Atkins amendment and the roll was called. There were 56 yeas and 74 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|----------|-----------|-------------|----------|--------------|----------|
| Atkins | Goodwin | Johnson, R. | Liebling | Paymar | Slawik |
| Bernardy | Greiling | Johnson, S. | Lieder | Peterson, A. | Thao |
| Clark | Hansen | Juhnke | Lillie | Poppe | Thissen |
| Davnie | Haws | Kelliher | Loeffler | Rukavina | Wagenius |
| Dill | Hilty | Koenen | Mahoney | Ruud | Walker |
| Dittrich | Hornstein | Krinkie | Marquart | Sailer | Welti |
| Eken | Hortman | Larson | Moe | Scalze | |
| Ellison | Hosch | Latz | Mullery | Sertich | |
| Entenza | Huntley | Lenczewski | Olson | Sieben | |
| Fritz | Jaros | Lesch | Otremba | Simon | |

Those who voted in the negative were:

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

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

The Speaker called Emmer to the Chair.

Heidgerken moved to amend S. F. No. 1525, the second unofficial engrossment, as amended, as follows:

Page 29, after line 20, insert:

"Sec. 15. Minnesota Statutes 2005 Supplement, section 171.30, subdivision 2a, is amended to read:

Subd. 2a. **Other waiting periods.** ~~Notwithstanding subdivision 2, (a)~~ A limited license shall not be issued for a period of:

(1) 15 days, to a person whose license or privilege has been revoked or suspended for a violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections;

(2) 90 days, to a person who submitted to testing under sections 169A.50 to 169A.53 if the person's license or privilege has been revoked or suspended for a second violation within ten years or a third or subsequent violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections;

(3) 180 days, to a person who refused testing under sections 169A.50 to 169A.53 if the person's license or privilege has been revoked or suspended for a second violation within ten years or a third or subsequent violation of sections 169A.20, 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with either of those sections; or

(4) one year, to a person whose license or privilege has been revoked or suspended for committing manslaughter resulting from the operation of a motor vehicle, committing criminal vehicular homicide or injury under section 609.21, or violating a statute or ordinance from another state in conformity with either of those offenses.

(b) Notwithstanding paragraph (a), clauses (1), (2) or (3), the commissioner must issue a limited license for employment-related purposes to an applicant whose license or privilege has been revoked or suspended for an alcohol-related driving violation of section 169A.20, sections 169A.50 to 169A.53, or a statute or ordinance from another state in conformity with any of those sections, if:

(1) the person shows proof of compliance for the preceding 15 days with an alcohol-treatment program approved by the commissioner;

(2) the violation is not described under subdivision 2, 2b or 2c; and

(3) the person's license has not been cancelled and denied for the violation.

The waiting period for a limited license issued under this clause shall be 15 days.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to driver's license actions for impaired driving incidents occurring on or after that date."

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 Heidgerken amendment and the roll was called. There were 39 yeas and 93 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|------------|---------|--------------|------------|------------|
| Anderson, I. | Emmer | Jaros | Magnus | Sailer | Vandever |
| Beard | Erickson | Juhnke | Mullery | Sertich | Walker |
| Buesgens | Fritz | Koenen | Olson | Severson | Westerberg |
| Carlson | Goodwin | Krinkie | Otremba | Soderstrom | Westrom |
| Davids | Hausman | Latz | Paymar | Solberg | |
| Dill | Heidgerken | Lesch | Peterson, A. | Thao | |
| Eken | Hilty | Lieder | Rukavina | Thissen | |

Those who voted in the negative were:

| | | | | | |
|--------------|-----------|-------------|------------|--------------|--------------|
| Abeler | Demmer | Hansen | Knoblach | Newman | Simon |
| Abrams | Dempsey | Haws | Kohls | Nornes | Simpson |
| Anderson, B. | Dittrich | Hilstrom | Lanning | Ozment | Slawik |
| Atkins | Dorman | Holberg | Larson | Paulsen | Smith |
| Bernardy | Dorn | Hoppe | Lenczewski | Pelowski | Sykora |
| Blaine | Eastlund | Hornstein | Liebling | Peppin | Tingelstad |
| Bradley | Ellison | Hortman | Lillie | Peterson, N. | Urdahl |
| Brod | Entenza | Hosch | Loeffler | Peterson, S. | Wagenius |
| Charron | Erhardt | Howes | Mahoney | Poppe | Wardlow |
| Clark | Finstad | Huntley | Marquart | Powell | Welti |
| Cornish | Garofalo | Johnson, J. | McNamara | Ruth | Wilkin |
| Cox | Gazelka | Johnson, R. | Meslow | Ruud | Zellers |
| Cybart | Greiling | Johnson, S. | Moe | Samuelson | Spk. Sviggum |
| Davnie | Gunther | Kahn | Murphy | Scalze | |
| Dean | Hackbarth | Kelliher | Nelson, M. | Seifert | |
| DeLaForest | Hamilton | Klinzing | Nelson, P. | Sieben | |

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

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.

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 125 yeas and 7 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|---------|------------|----------|-----------|----------|
| Abeler | Bradley | Davids | Dorman | Erickson | Hamilton |
| Abrams | Brod | Davnie | Dorn | Finstad | Hansen |
| Anderson, B. | Carlson | Dean | Eastlund | Fritz | Hausman |
| Anderson, I. | Charron | DeLaForest | Eken | Garofalo | Haws |
| Atkins | Clark | Demmer | Ellison | Gazelka | Hilstrom |
| Beard | Cornish | Dempsey | Emmer | Greiling | Hilty |
| Bernardy | Cox | Dill | Entenza | Gunther | Holberg |
| Blaine | Cybart | Dittrich | Erhardt | Hackbarth | Hoppe |

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

Those who voted in the negative were:

| | | | |
|----------|------------|----------|--------|
| Buesgens | Heidgerken | Krinkie | Walker |
| Goodwin | Jaros | Rukavina | |

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3761:

Holberg; Anderson, B.; Ruth; Cybart and Lieder.

CALENDAR FOR THE DAY, Continued

S. F. No. 2528, A bill for an act relating to governmental operations; creating a task force to study the use of credit and debit cards for payment of taxes, licenses, permits, and other statutory fees.

The bill was read for the 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 2 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|---------|------------|----------|-----------|------------|
| Abeler | Brod | Dean | Eken | Gazelka | Heidgerken |
| Abrams | Carlson | DeLaForest | Ellison | Goodwin | Hilstrom |
| Anderson, B. | Charron | Demmer | Emmer | Greiling | Hilty |
| Anderson, I. | Clark | Dempsey | Entenza | Gunther | Holberg |
| Atkins | Cornish | Dill | Erhardt | Hackbarth | Hoppe |
| Beard | Cox | Dittrich | Erickson | Hamilton | Hornstein |
| Bernardy | Cybart | Dorman | Finstad | Hansen | Hortman |
| Blaine | Dauids | Dorn | Fritz | Hausman | Hosch |
| Bradley | Davnie | Eastlund | Garofalo | Haws | Howes |

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

Those who voted in the negative were:

Buesgens Krinkie

The bill was passed and its title agreed to.

H. F. No. 3116 was reported to the House.

Holberg and McNamara moved to amend H. F. No. 3116, the fourth engrossment, as follows:

Page 13, delete section 31 and insert:

"Sec. 31. Minnesota Statutes 2004, section 97B.021, subdivision 1, is amended to read:

Subdivision 1. **Restrictions.** (a) Except as provided in this subdivision, a person under the age of 16 may not possess a firearm, ~~unless accompanied by~~ without maintaining unaided visual or vocal contact with a parent or guardian.

(b) A person under age 16 may possess a firearm without ~~being accompanied by~~ maintaining unaided visual or vocal contact with a parent or guardian:

- (1) on land owned by, or occupied as the principal residence of, the person or the person's parent or guardian;
- (2) while participating in an organized target shooting program with adult supervision;
- (3) while the person is participating in a firearms safety program or traveling to and from class; or
- (4) if the person is age 14 or 15 and has a firearms safety certificate."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Moe, Sailer, Howes, Hortman and Hackbarth moved to amend H. F. No. 3116, the fourth engrossment, as amended, as follows:

Page 3, after line 4, insert:

"Sec. 5. Minnesota Statutes 2005 Supplement, section 84.9256, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on public road rights-of-way that is permitted under section 84.928, a driver's license issued by the state or another state is required to operate an all-terrain vehicle along or on a public road right-of-way.

(b) A person under 12 years of age shall not:

- (1) make a direct crossing of a public road right-of-way;
- (2) operate an all-terrain vehicle on a public road right-of-way in the state; or
- (3) operate an all-terrain vehicle on public lands or waters, except as provided in paragraph ~~(e)~~ (f).

(c) Except for public road rights-of-way of interstate highways, a person 12 years of age but less than 16 years may make a direct crossing of a public road right-of-way of a trunk, county state-aid, or county highway or operate on public lands and waters, only if that person possesses a valid all-terrain vehicle safety certificate issued by the commissioner and is accompanied on another all-terrain vehicle by a person 18 years of age or older who holds a valid driver's license.

(d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old, but less than 16 years old, must:

- (1) successfully complete the safety education and training program under section 84.925, subdivision 1, including a riding component; and
- (2) be able to properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the all-terrain vehicle.

(e) A person at least 11 years of age may take the safety education and training program and may receive an all-terrain vehicle safety certificate under paragraph (d), but the certificate is not valid until the person reaches age 12.

(f) A person at least ten years of age but under 12 years of age may operate an all-terrain vehicle with an engine capacity up to 90cc on public lands or waters if accompanied by a parent or legal guardian."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Anderson, I., was excused for the remainder of today's session.

Howes and Moe moved to amend H. F. No. 3116, the fourth engrossment, as amended, as follows:

Page 1, after line 28, insert:

"Section 1. Minnesota Statutes 2004, section 84.803, subdivision 2, is amended to read:

Subd. 2. **Purposes.** Subject to appropriation by the legislature, money in the off-road vehicle account may only be spent for:

- (1) administration, enforcement, and implementation of sections 84.773 to 84.805;
- (2) acquisition, maintenance, and development of off-road vehicle trails and use areas;
- (3) grant-in-aid programs to counties and municipalities to construct and maintain off-road vehicle trails and use areas;
- (4) grants-in-aid to local safety programs; ~~and~~
- (5) enforcement and public education grants to local law enforcement agencies; and
- (6) maintenance of state and county forest roads.

Sec. 2. **[84.8045] RESTRICTIONS ON FOUR BY FOUR TRUCKS.**

(a) Notwithstanding any provision of sections 84.797 to 84.805 or other law to the contrary, a four by four truck may not be operated off-road on public state and county forest and park lands, except:

(1) on state forest roads, county forest roads, and other roads that are not operated by a public road authority as defined in section 160.02, subdivision 25; or

(2) in designated off-road vehicle use areas.

(b) For purposes of this section, "four by four truck" means a four-wheeled motor vehicle that was manufactured to operate primarily upon public roads and highways and that is subsequently modified with special tires, suspension, or other equipment for cross-country travel on natural terrain."

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

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

The question recurred on the Howes and Moe amendment and the roll was called. There were 67 yeas and 62 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|----------|-----------|-------------|------------|--------------|----------|
| Abrams | Eken | Hortman | Larson | Otremba | Simon |
| Atkins | Ellison | Hosch | Latz | Paulsen | Slawik |
| Bernardy | Entenza | Howes | Lenczewski | Paymar | Solberg |
| Carlson | Erhardt | Huntley | Lesch | Peterson, A. | Thao |
| Clark | Fritz | Jaros | Liebling | Peterson, S. | Thissen |
| Cornish | Goodwin | Johnson, R. | Lieder | Poppe | Wagenius |
| Cox | Greiling | Johnson, S. | Lillie | Powell | Walker |
| Davnie | Hansen | Juhnke | Loeffler | Ruud | |
| Dempsey | Hausman | Kahn | Mahoney | Sailer | |
| Dittrich | Hilty | Kelliher | Marquart | Scalze | |
| Dorman | Hoppe | Koenen | Moe | Severson | |
| Dorn | Hornstein | Krinkie | Mullery | Sieben | |

Those who voted in the negative were:

| | | | | | |
|--------------|------------|-------------|--------------|------------|--------------|
| Abeler | DeLaForest | Hamilton | McNamara | Ruth | Wardlow |
| Anderson, B. | Demmer | Haws | Meslow | Samuelson | Walti |
| Beard | Dill | Heidgerken | Nelson, M. | Seifert | Westerberg |
| Blaine | Eastlund | Hilstrom | Nelson, P. | Sertich | Westrom |
| Bradley | Emmer | Holberg | Newman | Simpson | Wilkin |
| Brod | Erickson | Johnson, J. | Nornes | Smith | Zellers |
| Buesgens | Finstad | Klinzing | Olson | Soderstrom | Spk. Sviggum |
| Charron | Garofalo | Knoblach | Ozment | Sykora | |
| Cybart | Gazelka | Kohls | Peppin | Tingelstad | |
| Davids | Gunther | Lanning | Peterson, N. | Urdahl | |
| Dean | Hackbarth | Magnus | Rukavina | Vandevveer | |

The motion prevailed and the amendment was adopted.

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

Peterson, A., and McNamara moved to amend H. F. No. 3116, the fourth engrossment, as amended, as follows:

Page 22, after line 25, insert:

"Sec. 49. **[348.125] COYOTE CONFLICT MANAGEMENT OPTION.**

(a) A county board may, by resolution, offer a bounty for the taking of coyotes (Canis latrans) by all legal methods. The resolution may be made applicable to the whole or any part of the county. The bounty must apply during the months specified in the resolution and be in an amount determined by the board.

(b) The county offering the bounty must publish annually by press release or public service announcement the townships or areas where the number of coyotes should be reduced. Counties may encourage willing landowners to post their land as open to coyote hunting, without further permission of the landowner or lessee.

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

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 12, after the semicolon, insert "authorizing county bounties on coyotes;"

Correct the title numbers accordingly

The motion prevailed and the amendment was adopted.

Eken, Simpson and Nornes moved to amend H. F. No. 3116, the fourth engrossment, as amended, as follows:

Page 5, after line 27, insert:

"Sec. 10. Minnesota Statutes 2004, section 85.32, subdivision 1, is amended to read:

Subdivision 1. **Areas marked.** The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to mark canoe and boating routes on the Ottertail, Little Fork, Big Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines, Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro, Pomme de Terre within Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in Swift County to Montevideo in Chippewa County, Long Prairie, Red River of the North, and Crow Rivers which have historic and scenic values and to mark appropriately points of interest, portages, camp sites, and all dams, rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe and watercraft travelers."

Page 22, after line 25, insert:

"Sec. 50. **APPROPRIATION; NATURAL RESOURCES FUND.**

\$65,000 is appropriated from the water recreation account in the natural resources fund to the commissioner of natural resources to cooperate with local units of government in marking routes and designating river accesses and campsites under Minnesota Statutes, section 85.32. This is a onetime appropriation. The money is available until expended and does not cancel."

Page 24, line 9, after "8" insert ", 10, and 50"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Brod moved to amend H. F. No. 3116, the fourth engrossment, as amended, as follows:

Page 24, line 7, before "Minnesota" insert "(a)"

Page 24, after line 7, insert:

"(b) Minnesota Rules, part 6264.0400, subpart 8, item H, is repealed."

Page 24, line 9, after the period, insert "Section 54, paragraph (b), is effective the day following final enactment."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

MOTION FOR RECONSIDERATION

Powell moved that the vote whereby the Howes and Moe amendment to H. F. No. 3116, the fourth engrossment, as amended, adopted earlier today, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Powell motion and the roll was called. There were 62 yeas and 67 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|-----------|-------------|------------|--------------|--------------|
| Abeler | Demmer | Hamilton | Magnus | Peppin | Vandevier |
| Anderson, B. | Dempsey | Haws | McNamara | Peterson, N. | Wardlow |
| Beard | Dill | Heidgerken | Meslow | Powell | Westerberg |
| Blaine | Dorman | Holberg | Nelson, M. | Ruth | Westrom |
| Bradley | Eastlund | Johnson, J. | Nelson, P. | Samuelson | Wilkin |
| Brod | Erickson | Juhnke | Newman | Seifert | Zellers |
| Buesgens | Finstad | Klinzing | Nornes | Sertich | Spk. Sviggum |
| Cybart | Garofalo | Knoblach | Olson | Simpson | |
| Davids | Gazelka | Koenen | Ozment | Soderstrom | |
| Dean | Gunther | Kohls | Paulsen | Sykora | |
| DeLaForest | Hackbarth | Krinkie | Penas | Tingelstad | |

Those who voted in the negative were:

| | | | | | |
|----------|-----------|-------------|------------|--------------|----------|
| Abrams | Emmer | Hortman | Lenczewski | Pelowski | Smith |
| Atkins | Entenza | Hosch | Lesch | Peterson, A. | Solberg |
| Bernardy | Erhardt | Howes | Liebling | Peterson, S. | Thao |
| Charron | Fritz | Huntley | Lieder | Poppe | Thissen |
| Clark | Goodwin | Jaros | Lillie | Rukavina | Wagenius |
| Cornish | Greiling | Johnson, R. | Loeffler | Ruud | Walker |
| Cox | Hansen | Johnson, S. | Mahoney | Sailer | Walti |
| Davnie | Hausman | Kahn | Marquart | Scalze | |
| Dittrich | Hilstrom | Kelliher | Moe | Severson | |
| Dorn | Hilty | Lanning | Mullery | Sieben | |
| Eken | Hoppe | Larson | Otremba | Simon | |
| Ellison | Hornstein | Latz | Paymar | Slawik | |

The motion did not prevail.

MOTION FOR RECONSIDERATION

McNamara moved that the vote whereby the Eken et al amendment to H. F. No. 3116, the fourth engrossment, as amended, adopted earlier today, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the McNamara motion and the roll was called. There were 57 yeas and 70 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|---------|------------|-------------|------------|--------------|--------------|
| Abeler | Dean | Gazelka | Kohls | Penas | Tingelstad |
| Abrams | DeLaForest | Gunther | Krinkie | Peppin | Vanderveer |
| Beard | Demmer | Hackbarth | Lanning | Peterson, N. | Wardlow |
| Blaine | Dempsey | Hamilton | Magnus | Powell | Westerberg |
| Bradley | Dorman | Heidgerken | McNamara | Ruth | Wilkin |
| Brod | Eastlund | Holberg | Meslow | Samuelson | Zellers |
| Charron | Emmer | Hoppe | Nelson, P. | Seifert | Spk. Sviggum |
| Cornish | Erickson | Johnson, J. | Newman | Severson | |
| Cox | Finstad | Klinzing | Ozment | Simpson | |
| Cybart | Garofalo | Knoblach | Paulsen | Soderstrom | |

Those who voted in the negative were:

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

The motion did not prevail.

H. F. No. 3116, A bill for an act relating to game and fish; restricting the use of four by four trucks on certain public lands; modifying critical habitat private sector matching account provisions; providing definitions; providing for and modifying disposition of certain revenue; modifying provisions for designating game refuges; modifying restrictions on motorized watercraft and recreational vehicles in wildlife management areas; providing for inspection of equipment used to take wild animals; modifying certain penalty and fee amounts; modifying certain game and fish license provisions; authorizing the marking of canoe and boating routes; modifying firearms possession provisions for persons under 16; providing for collecting antler sheds; modifying firearms safety course requirements; modifying certain provisions for taking and possessing game and fish; modifying restrictions on using lights to locate animals; modifying provisions for fishing contests; authorizing county bounties on coyotes; providing for a moratorium on use of public waters for aquaculture; modifying regulation of all-terrain vehicles; creating two classes of all-terrain vehicles; requiring rulemaking; removing a spearing restriction; appropriating

money; amending Minnesota Statutes 2004, sections 84.803, subdivision 2; 84.92, subdivision 8, by adding subdivisions; 84.928, by adding a subdivision; 84.943, subdivision 3; 85.32, subdivision 1; 97A.015, by adding subdivisions; 97A.055, subdivision 2; 97A.065, subdivision 2; 97A.075, subdivision 1; 97A.085, subdivision 4; 97A.101, subdivision 4; 97A.251, subdivision 1; 97A.321; 97A.465, by adding a subdivision; 97A.475, subdivision 2; 97A.535, subdivision 1; 97B.015, by adding a subdivision; 97B.021, subdivision 1, by adding a subdivision; 97B.081, subdivision 1; 97B.301, subdivision 7; 97B.311; 97C.025; 97C.081, subdivisions 4, 6, 8, 9; 97C.205; 97C.315, subdivision 2; 97C.355, subdivision 7; 97C.371, subdivisions 3, 4; Minnesota Statutes 2005 Supplement, sections 84.9256, subdivision 1; 84.9257; 84.926, subdivision 4; 84.928, subdivision 1; 97A.405, subdivision 4; 97A.475, subdivision 3; 97A.551, subdivision 6; 197.65; proposing coding for new law in Minnesota Statutes, chapters 84; 97B; 348; repealing Minnesota Statutes 2004, section 97C.355, subdivision 6; Minnesota Rules, part 6264.0400, subpart 8, item H.

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 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B. Olson

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

The Speaker called Abrams to the Chair.

H. F. No. 3664, A bill for an act relating to the military; expanding eligibility for the salary differential program for state employees ordered into active military service; permitting military personnel stationed outside Minnesota to use state parks without fee while home on leave; providing leave without pay to family members of soldiers

wounded or killed while in active service, and for family members of deployed soldiers to attend send-off or homecoming ceremonies; establishing a policy statement supportive of military service; providing certain job protections for persons ordered into active military service; adding cross-references; directing institutions of higher education to provide credit for military training and experience for veterans; clarifying law governing renewal of occupational licenses and professional certifications during and following active military service; authorizing National Guard security guard employees to carry certain weapons; authorizing the placement of plaques honoring certain veterans in the Court of Honor; amending Minnesota Statutes 2004, sections 85.053, by adding a subdivision; 190.055; 326.56; 609.67, subdivisions 3, 5; 626.88, subdivision 1; Minnesota Statutes 2005 Supplement, sections 43A.183; 192.502, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 181; 190; 197.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3451 was reported to the House.

Hornstein and Anderson, B., moved to amend H. F. No. 3451, the first engrossment, as follows:

Page 2, after line 33, insert:

"Sec. 2. **DEDICATION FEE.**

The Minneapolis Park and Recreation Board and the Minneapolis City Council may jointly exercise the powers conferred under Minnesota Statutes, section 462.358, with respect to imposing a dedication fee on new housing units in the city, wherever located, for public parks, playgrounds, recreational facilities, wetlands, or open space. The

dedication fee must be imposed by an ordinance jointly enacted by the park board and the city council. The park dedication fee may not exceed \$3,000 per new housing unit. The ordinance may exclude senior housing and affordable housing from paying the fee. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b), and 2c, apply to the imposition, application, and use of the dedication fee.

Sec. 3. **EFFECTIVE DATE.**

Section 2 is effective upon compliance by the Minneapolis Parks and Recreation Board and the Minneapolis City Council with Minnesota Statutes, section 645.021."

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 Hornstein and Anderson, B., amendment and the roll was called. There were 74 yeas and 55 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|------------|-------------|------------|--------------|------------|
| Abeler | Erhardt | Jaros | Lieder | Ozment | Simon |
| Anderson, B. | Fritz | Johnson, R. | Lillie | Paymar | Slawik |
| Atkins | Greiling | Johnson, S. | Loeffler | Pelowski | Solberg |
| Beard | Hansen | Juhnke | Mahoney | Penas | Thao |
| Bernardy | Hausman | Kahn | Marquart | Peterson, A. | Thissen |
| Carlson | Haws | Kelliher | McNamara | Peterson, N. | Tingelstad |
| Clark | Heidgerken | Koenen | Meslow | Poppe | Wagenius |
| Davnie | Hilstrom | Lanning | Moe | Rukavina | Walker |
| Dill | Hilty | Larson | Mullery | Sailer | Wolti |
| Dorn | Hornstein | Latz | Murphy | Samuelson | |
| Eken | Hortman | Lenczewski | Nelson, M. | Scalze | |
| Ellison | Hosch | Lesch | Olson | Sertich | |
| Entenza | Huntley | Liebling | Otremba | Sieben | |

Those who voted in the negative were:

| | | | | | |
|----------|------------|-------------|--------------|------------|--------------|
| Abrams | Dean | Garofalo | Knoblach | Powell | Westerberg |
| Blaine | DeLaForest | Gazelka | Kohls | Ruth | Westrom |
| Bradley | Demmer | Gunther | Krinkie | Ruud | Wilkin |
| Brod | Dempsey | Hackbarth | Magnus | Seifert | Zellers |
| Buesgens | Dittrich | Hamilton | Nelson, P. | Simpson | Spk. Sviggum |
| Charron | Dorman | Holberg | Newman | Smith | |
| Cornish | Eastlund | Hoppe | Nornes | Soderstrom | |
| Cox | Emmer | Howes | Paulsen | Sykora | |
| Cybart | Erickson | Johnson, J. | Peppin | Vandevveer | |
| Davids | Finstad | Klinzing | Peterson, S. | Wardlow | |

The motion prevailed and the amendment was adopted.

Gazelka and Anderson, B., moved to amend H. F. No. 3451, the first engrossment, as amended, as follows:

Page 2, after line 33, insert:

"Sec. 2. **CONVEYANCE OF SURPLUS STATE LAND AT BRAINERD REGIONAL TREATMENT CENTER.**

(a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, or any other law, administrative rule, or commissioner's order to the contrary, the commissioner of administration may convey to a local unit of government for no consideration all or part of the real property at the Brainerd Regional Treatment Center for public purposes consistent with the master plan and reuse study. The conveyance must be in a form approved by the attorney general and subject to Minnesota Statutes, section 16A.695.

(b) The commissioner may require the local unit of government to reimburse the state for all or part of any campus redevelopment funded and completed by the state.

(c) Notwithstanding Minnesota Statutes, section 16C.23, the commissioner of administration may convey to one or more local units of government for no consideration all or part of the personal property determined by the commissioner of human services to be no longer needed for human services operations.

(d) If a local unit of government sells any property conveyed under this section to a private entity, the sale must be at fair market value."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Blaine moved to amend H. F. No. 3451, the first engrossment, as amended, as follows:

Page 1, after line 5, insert:

"Section 1. **[15.995] HISTORIC PUBLICLY OWNED BUILDINGS.**

A city located within 150 miles of the Minnesota State Capitol that has a population, according to the 2000 census, of more than 7,000 and less than 8,000 and is located in a county that has a population according to that census of more than 31,000 and less than 32,000 must not sell, lease, or contract property it owns that is listed on the National Register of Historic Places, unless the political subdivision first:

(1) notifies the Minnesota Historical Society and waits at least two years, during which the political subdivision must request of and receive from the Minnesota Historical Society a study of the best use of the property in order to ascertain and preserve the historical value of the property and ensure public use; and

(2) requests of and receives from the Department of Administration an inventory and appraisal of the affected real and personal property to determine its value.

The Department of Administration and the Minnesota Historical Society must jointly report their findings to the chairs and ranking minority members of legislative committees with jurisdiction over state government finance. The requesting political subdivision must pay the Minnesota Historical Society and the Department of Administration for services provided under this section.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Seifert and Solberg moved to amend H. F. No. 3451, the first engrossment, as amended, as follows:

Page 2, after line 33, insert:

"Sec. 2. **GRAND MOUND STATE HISTORIC SITE STUDY.**

Subdivision 1. **Study.** The Minnesota Historical Society, in consultation with Koochiching County, the Minnesota Indian Affairs Council, interested Indian tribes, and other interested groups and individuals, shall study the future of the Grand Mound State Historic Site.

Subd. 2. **Report to legislature.** The Minnesota Historical Society shall report its findings and recommendations to the appropriate legislative committees by January 30, 2007."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Westerberg moved to amend H. F. No. 3451, the first engrossment, as amended, as follows:

Page 2, after line 33, insert:

"Sec. 2. **REPEALERS; HIGHWAY CHANGES; REVISOR INSTRUCTIONS.**

Subdivision 1. **Legislative Route No. 242 removed.** (a) Minnesota Statutes 2004, section 161.115, subdivision 173, is repealed effective the day after the commissioner of transportation receives a copy of the agreement between the commissioner and the Anoka County Board transferring jurisdiction of Legislative Route No. 242 and notifies the revisor of statutes under paragraph (b).

(b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota Statutes when the commissioner of transportation sends notice to the revisor in writing that the conditions required to transfer the route are satisfied.

Subd. 2. **Legislative Route No. 294 removed.** (a) Minnesota Statutes 2004, section 161.115, subdivision 225, is repealed effective the day after the commissioner of transportation receives a copy of the agreement between the commissioner and the Willmar City Council transferring jurisdiction of Legislative Route No. 294 and notifies the revisor of statutes under paragraph (b).

(b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota Statutes when the commissioner of transportation sends notice to the revisor in writing that the conditions required to transfer the route are satisfied."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 3451, A bill for an act relating to governmental operations; regulating certain historic properties; providing standards for dedication of land to the public in a proposed development; authorizing a dedication fee on certain new housing units; authorizing the conveyance of certain surplus state lands; requiring a study and report; removing a route from the trunk highway system; amending Minnesota Statutes 2004, section 462.358, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 2004, section 161.115, subdivisions 173, 225.

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 125 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | | |
|----------|-------|---------|---------|--------|---------|
| Buesgens | Emmer | Holberg | Krinkie | Wilkin | Zellers |
|----------|-------|---------|---------|--------|---------|

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

S. F. No. 2840, A bill for an act relating to employment; providing paid organ donation leave for certain public employees; proposing coding for new law in Minnesota Statutes, chapter 181.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3045, A bill for an act relating to employment; exempting nonpublic schools from requirements for the timely payment of wages; amending Minnesota Statutes 2004, section 181.101.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 3988, A bill for an act relating to health; modifying provision in the Women's Right To Know Act; amending Minnesota Statutes 2004, section 145.4241, by adding subdivisions; Minnesota Statutes 2005 Supplement, section 145.4242.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 358 was reported to the House.

Davnie moved to amend S. F. No. 358 as follows:

Page 1, line 5, delete everything after the period

Page 1, delete line 6

Page 1, line 7, delete everything before "Size" and insert:

"Minnesota Statutes 2004, section 128D.05, is amended by adding a subdivision to read:

Subd. 2a."

Page 1, line 8, delete "Minnesota Statutes, section 205A.12, or other law" and insert "subdivision 1 or 2"

Page 1, line 9, delete "and three" and insert ", two"

Page 1, line 9, before the period, insert ", and one member appointed by the mayor of Minneapolis as provided by subdivision 2d"

Page 1, line 10, delete "Subd. 2." and insert:

"Sec. 3. Minnesota Statutes 2004, section 128D.05, is amended by adding a subdivision to read:

Subd. 2b."

Page 1, line 18, insert:

"Sec. 3. Minnesota Statutes 2004, section 128D.05, is amended by adding a subdivision to read:

Subd. 2c."

Page 1, after line 22, insert:

"Sec. 4. Minnesota Statutes 2004, section 128D.05, is amended by adding a subdivision to read:

Subd. 2d. **Mayoral appointment.** One member of the board shall be appointed by the mayor in consultation with the executive committee of the city council to serve a four-year term commencing on January 1 of the year following appointment."

Page 1, line 23, delete "Subd. 4." and insert "Sec. 5."

Page 2, line 2, delete "Two" and insert "One" and delete "members" and insert "member must be appointed pursuant to subdivision 2d in 2008. One at-large member" and after "elected" insert "in 2008"

Page 2, line 8, delete "2" and insert "6"

Page 2, line 9, delete "Section 1 is" and insert "Sections 1 to 5 are"

Page 2, line 13, delete "section 1" and insert "sections 1 to 4" and delete "1, subdivision 4" and insert "5"

A roll call was requested and properly seconded.

Davnie moved that S. F. No. 358 be continued on the Calendar for the Day. The motion prevailed.

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

MOTIONS AND RESOLUTIONS

Kohls moved that the names of Paulsen and Davnie be added as authors on H. F. No. 2843. The motion prevailed.

Abeler moved that the name of Davnie be added as an author on H. F. No. 4152. The motion prevailed.

Seifert moved that the name of Westrom be added as an author on H. F. No. 4202. The motion prevailed.

Klinzing moved that the name of Slawik be added as an author on H. F. No. 4209. The motion prevailed.

Klinzing moved that the name of Slawik be added as an author on H. F. No. 4210. The motion prevailed.

Hackbarth moved that H. F. No. 3711 be returned to its author. The motion prevailed.

Abeler moved that S. F. No. 367 be recalled from the Committee on Health Policy and Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

TAKEN FROM THE TABLE

Krinkie moved that H. F. No. 785, laid on the table pursuant to joint rule 3.02(a), be taken from the table, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

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, Vandever and Lenczewski.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, May 18, 2006. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, May 18, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

