

STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2005

SIXTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 19, 2005

The House of Representatives convened at 9:30 a.m. and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Finstad was excused.

Ellison was excused until 10:20 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Westerberg 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. 630 and H. F. No. 1321, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Smith moved that the rules be so far suspended that S. F. No. 630 be substituted for H. F. No. 1321 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 664 and H. F. No. 605, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Hoppe moved that the rules be so far suspended that S. F. No. 664 be substituted for H. F. No. 605 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1360 and H. F. No. 1398, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Cybart moved that the rules be so far suspended that S. F. No. 1360 be substituted for H. F. No. 1398 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1555 and H. F. No. 1801, 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. 1555 be substituted for H. F. No. 1801 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1579 and H. F. No. 1619, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Dean moved that S. F. No. 1579 be substituted for H. F. No. 1619 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1636 and H. F. No. 1824, 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. 1636 be substituted for H. F. No. 1824 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1908 and H. F. No. 2006, 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. 1908 be substituted for H. F. No. 2006 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 630, 664, 1360, 1555, 1579, 1636 and 1908 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ozment introduced:

H. F. No. 2523, A bill for an act relating to retirement; general employees retirement plan of the Public Employees Retirement Association; permitting the purchase of service credit for which Independent School District No. 271, Bloomington, failed to make member deductions.

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

Buesgens introduced:

H. F. No. 2524, A bill for an act relating to liquor; regulating county off-sale licenses; amending Minnesota Statutes 2004, section 340A.405, subdivision 2.

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

Mahoney; Paymar; Hausman; Johnson, S.; Entenza; Gunther; Lesch and Mariani introduced:

H. F. No. 2525, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the St. Paul Bioscience Corridor.

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

Paymar; Hausman; Johnson, S.; Mahoney; Thao; Entenza; Gunther; Lesch and Mariani introduced:

H. F. No. 2526, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Ordway Center for the Performing Arts in St. Paul.

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

Thao; Paymar; Hausman; Johnson, S.; Mahoney; Entenza; Lesch and Mariani introduced:

H. F. No. 2527, A bill for an act relating to capital improvements; providing for a grant to the city of St. Paul to acquire land for and remediate contamination in the Pierce Butler Corridor; authorizing issuance of bonds; appropriating money.

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

Mariani; Paymar; Hausman; Mahoney; Johnson, S.; Entenza and Lesch introduced:

H. F. No. 2528, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for improvements along the Mississippi River in St. Paul.

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

Urdahl, Heidgerken, Demmer, Marquart and Juhnke introduced:

H. F. No. 2529, A bill for an act relating to data practices; limiting fees for driver's license checks; amending Minnesota Statutes 2004, section 171.321, subdivision 5.

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

Beard, Brod, Kohls, Cox, Powell and Hoppe introduced:

H. F. No. 2530, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for a public safety training facility in Scott County.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2461, A bill for an act relating to appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for general contingent accounts and tort claims; authorizing issuance of trunk highway bonds; increasing tax on motor fuels; modifying vehicle registration tax; modifying law and proposing amendment to Minnesota Constitution to allocate proceeds of tax on sale of motor vehicles; allocating county state-aid highway funds; allocating portion of metropolitan sales tax revenue to transit fund; modifying provisions related to state mail, state highways and bridges, county state-aid highways, county wheelage taxes, toll facilities, railroad grade crossings, traffic fine allocations, commercial motor vehicles, day activity center buses, other motor vehicles, state aviation, airport noise mitigation reporting, bridges in smaller cities, highway signs, various accounts, weight limits on highways and other traffic regulations, drivers' licenses and permits, transit facilities and operations, gasoline sales, wetland replacement near the city of Cologne, the employment status of public safety radio communications operators, the insurance verification sampling program, maximum train speeds in the city of Orr, park-and-ride lots, a restriction on ethanol requirements, deputy registrar positions in Carver and Hennepin Counties, and bicycle programs; requiring studies and reports; making technical and clarifying revisions; amending Minnesota Statutes 2004, sections 16B.49; 115A.908, subdivision 1; 160.87, by adding a subdivision; 161.14, by adding subdivisions; 161.361, subdivision 2; 162.06, subdivision 2; 162.07, subdivision 1, by adding subdivisions; 162.08, subdivision 3; 163.051; 168.011, subdivisions 3, 4, 5, 5a, 6, 7, 25, by adding subdivisions; 168.013, subdivisions 1a, 8; 168.031; 168.09, subdivision 7; 168.091, subdivision 1; 168.10, subdivision 1c; 168.105, subdivisions 2, 3, 5; 168.12; 168.123; 168.1235; 168.124; 168.125; 168.1255; 168.127, subdivision 6; 168.128; 168.129; 168.1291; 168.1293; 168.1296; 168.1297; 168.15, subdivision 1; 168.16; 168.27, subdivision 11; 168.31, subdivision 5; 168.33; 168.345, subdivisions 1, 2; 168.381; 168.54, subdivisions 4, 5; 168A.152, subdivision 2; 168A.29; 168A.31; 169.01, subdivisions 75, 76, 78; 169.09, subdivision 13; 169.18, subdivisions 4, 5, 11, as amended, if enacted; 169.448, by adding a subdivision; 169.71, subdivision 1; 169.81, subdivision 3c; 169.824, subdivision 2; 169.851, subdivision 5; 169.86, subdivision 5; 169.87, subdivision 4; 169.99, subdivision 1b; 169A.52, subdivision 3; 169A.60, subdivision 16; 171.01, subdivisions 22, 35, 47, by adding a subdivision; 171.02; 171.03; 171.04, subdivision 2; 171.05, subdivisions 1, 2; 171.06, subdivisions 2, 2a; 171.061, subdivision 4; 171.07, subdivision 11; 171.09; 171.12, subdivisions 3, 6; 171.13, subdivisions 2, 6, by adding a subdivision; 171.165, subdivisions 1, 2, 6; 171.18, subdivision 1; 171.20, subdivision 4; 171.26; 171.29, subdivision 2; 171.36; 174.03, by adding subdivisions; 174.50, by adding a subdivision; 179A.03, subdivision 7; 179A.10, subdivision 2; 192.502, subdivision 2; 197.65; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.94; 297B.09, subdivision 1; 299D.03, subdivision 5; 469.015, subdivision 4; 473.446, subdivision 3; 473.4461; 473.604, subdivision 5; 473F.08, subdivision 3b; 609.855, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 160; 168; 169; 171; 174; 190; 219; 299A; repealing Minnesota Statutes 2004, sections 168.011, subdivision 19; 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.15, subdivision 2; 168.231; 168.345, subdivisions 3, 4; 168C.01; 168C.02; 168C.03; 168C.04; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.10; 168C.11; 168C.12; 168C.13; 170.23; 171.12, subdivision 8; 171.165, subdivisions 3, 4, 4a, 4b; 171.185; 473.408, subdivision 1; Minnesota Rules, parts 7407.0100; 7407.0200; 7407.0300; 7407.0400; 7407.0500; 7407.0600; 7407.0700; 7407.0800; 7407.0900; 7407.1000; 7407.1100; 7407.1200; 7407.1300; 7503.2400; 7800.0600; 7800.3200, subpart 1; 7805.0700; 8850.6900, subpart 20; 8855.0500, subpart 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 473, A bill for an act relating to creditors' remedies; exempting certain jewelry from attachment, garnishment, or sale; amending Minnesota Statutes 2004, section 550.37, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Olson moved that the House refuse to concur in the Senate amendments to H. F. No. 473, that the Speaker appoint a Conference Committee of 3 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 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. 466, A bill for an act relating to agriculture; changing certain warehouse laws; amending Minnesota Statutes 2004, sections 231.08, by adding subdivisions; 231.09; 231.11; 231.18, subdivisions 3, 5; proposing coding for new law in Minnesota Statutes, chapter 231; repealing Minnesota Rules, parts 1560.7700; 1560.7750; 1560.7800; 1560.7850; 1560.7900; 1560.8000; 1560.8100; 1560.8200; 1560.8300; 1560.8400; 1560.8500; 1560.8600; 1560.8700; 1560.8800.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Otremba moved that the House concur in the Senate amendments to H. F. No. 466 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 466, A bill for an act relating to agriculture; changing certain warehouse laws; amending Minnesota Statutes 2004, sections 231.08, by adding subdivisions; 231.09; 231.11; 231.18, subdivisions 3, 5; proposing coding for new law in Minnesota Statutes, chapter 231; repealing Minnesota Rules, parts 1560.7700; 1560.7750; 1560.7800; 1560.7850; 1560.7900; 1560.8000; 1560.8100; 1560.8200; 1560.8300; 1560.8400; 1560.8500; 1560.8600; 1560.8700; 1560.8800.

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

The question was taken on the repassage of the bill and the roll was called. There were 111 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Bradley	Carlson	Davids	Dempsey
Abrams	Bernardy	Brod	Clark	Davnie	Dill
Anderson, I.	Blaine	Buesgens	Cornish	Demmer	Dittrich

Dorman	Hilstrom	Lanning	Mullery	Powell	Sykora
Dorn	Hilty	Larson	Murphy	Rukavina	Thao
Eken	Hoppe	Latz	Nelson, M.	Ruth	Thissen
Entenza	Hornstein	Lenczewski	Newman	Ruud	Tingelstad
Erhardt	Hortman	Lesch	Nornes	Sailer	Urdahl
Fritz	Hosch	Liebling	Opatz	Samuelson	Wagenius
Garofalo	Howes	Lieder	Otremba	Scalze	Walker
Gazelka	Huntley	Lillie	Ozment	Seifert	Wardlow
Goodwin	Jaros	Loeffler	Paulsen	Sertich	Welti
Greiling	Johnson, R.	Magnus	Paymar	Sieben	Westrom
Gunther	Johnson, S.	Mahoney	Pelowski	Simon	Wilkin
Hackbarth	Juhnke	Mariani	Penas	Simpson	Zellers
Hamilton	Kahn	Marquart	Peppin	Slawik	Spk. Sviggum
Hansen	Kelliher	McNamara	Peterson, A.	Smith	
Hausman	Koenen	Meslow	Peterson, S.	Soderstrom	
Heidgerken	Kohls	Moe	Poppe	Solberg	

Those who voted in the negative were:

Anderson, B.	Dean	Erickson	Knoblach	Peterson, N.
Beard	DeLaForest	Holberg	Krinkie	Severson
Charron	Eastlund	Johnson, J.	Nelson, P.	Vandever
Cybart	Emmer	Klinzing	Olson	Westerberg

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

Mr. Speaker:

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

H. F. No. 2156, A bill for an act relating to civil law; changing certain powers and duties of conservators; amending Minnesota Statutes 2004, sections 524.5-417; 524.5-423.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Demmer moved that the House concur in the Senate amendments to H. F. No. 2156 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2156, A bill for an act relating to civil law; providing for certain conservator's transactions; amending Minnesota Statutes 2004, sections 524.5-417; 524.5-423.

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

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Newman Vandever

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

Mr. Speaker:

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

H. F. No. 847, A bill for an act relating to game and fish; modifying purchasing requirements; modifying certain definitions; providing for special fish management tags; specifying status of and regulating stands and blinds on public lands; modifying authority to take animals causing damage; modifying use of scopes and laser sights by visually impaired hunters; modifying certain license requirements; modifying restrictions on taking waterfowl and big game; authorizing rulemaking; modifying requirements for field training hunting dogs; modifying certain seasons; modifying trapping provisions; modifying period for treeing raccoons; prohibiting computer-assisted remote hunting; modifying restrictions on decoys; modifying disposition of state hatchery products; permitting use of silencers for wildlife control; modifying fishing and commercial fishing provisions; repealing authority for the Mississippi River Fish Refuge; repealing authority to issue certain orders; amending Minnesota Statutes 2004, sections 84.025, subdivision 10; 84.027, subdivision 13; 97A.015, subdivisions 29, 49; 97A.045, subdivision 1, by adding a subdivision; 97A.401, subdivision 5; 97A.405, subdivision 4, by adding a subdivision; 97A.435, subdivisions 2, 4; 97A.441, subdivision 7; 97A.451, subdivisions 3, 5; 97A.475, subdivisions 7, 16; 97A.485, subdivision 9; 97A.551, by adding a subdivision; 97B.005, subdivisions 1, 3; 97B.025; 97B.031, subdivisions 1, 5;

97B.111, subdivision 2; 97B.621, subdivision 2; 97B.655, subdivision 2; 97B.711, subdivision 1; 97B.803; 97B.805, subdivision 1; 97B.811, subdivisions 3, 4a; 97C.203; 97C.327; 97C.345, subdivision 2; 97C.395, subdivision 1; 97C.401, subdivision 2; 97C.825, subdivision 5; 609.66, subdivisions 1h, 2; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2004, sections 88.27; 97B.005, subdivision 4; 97B.935; 97C.015; 97C.403; 97C.825, subdivisions 6, 7, 8, 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

Hoppe moved that the House refuse to concur in the Senate amendments to H. F. No. 847, that the Speaker appoint a Conference Committee of 3 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 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. 1809, A bill for an act relating to insurance; regulating agency terminations, coverages, fees, forms, disclosures, reports, information security, and premiums; amending Minnesota Statutes 2004, sections 60A.14, subdivision 1; 60A.171, subdivision 11; 60A.23, subdivision 8; 60A.966; 60A.969; 62A.136; 62A.31, subdivision 1h; 62A.315; 62A.316; 62E.12; 62E.13, subdivision 2; 62Q.471; 62Q.65; 65A.29, subdivision 11; 65B.48, subdivision 3; 72A.20, subdivisions 13, 36; 79.211, by adding a subdivision; 79.40; 79.56, subdivisions 1, 3; 79.62, subdivision 3; 79A.03, subdivision 9; 79A.04, subdivisions 2, 10; 79A.06, subdivision 5; 79A.12, subdivision 2; 79A.22, subdivision 11, by adding a subdivision; 123A.21, by adding a subdivision; 176.191, subdivision 3; Laws 1985, chapter 85, section 1; proposing coding for new law in Minnesota Statutes, chapters 60A; 60D; 65A; 65B; repealing Minnesota Statutes 2004, sections 61A.072, subdivision 2; 62E.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wilkin moved that the House refuse to concur in the Senate amendments to H. F. No. 1809, that the Speaker appoint a Conference Committee of 3 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 the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 644 and 1089.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 644, A bill for an act relating to family law; requiring notification of noncustodial parents, corrections agents, local welfare agencies, and the court, of residence of a custodial parent with certain convicted persons; changing certain presumptions relating to paternity; disallowing certain convicted persons from becoming

custodians of unrelated children; changing certain procedures for removal of a child's residence from Minnesota; requiring certain information in summary real estate disposition judgments; identifying pension plans subject to marital property division; authorizing the Department of Human Services to collect spousal maintenance; changing certain provisions concerning adoption communication or contact agreements; appropriating money; amending Minnesota Statutes 2004, sections 257.55, subdivision 1; 257.57, subdivision 2; 257.62, subdivision 5; 257C.03, subdivision 7; 259.24, subdivisions 1, 2a, 5, 6a; 259.58; 260C.201, subdivision 11; 260C.212, subdivision 4; 518.091, subdivision 1; 518.1705, subdivisions 4, 7; 518.175, subdivision 3; 518.179, by adding a subdivision; 518.18; 518.191, subdivision 2; 518.54, subdivisions 4a, 14, by adding a subdivision; 518.551, subdivision 1; 518.58, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 244; 257; 260C.

The bill was read for the first time.

Smith moved that S. F. No. 644 and H. F. No. 761, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1089, A bill for an act relating to transportation; modifying provisions relating to Department of Transportation responsibilities, the state mail system, streets and highways, motor vehicles, commercial motor vehicles and transportation, traffic accidents, government data practices, traffic and parking regulations, Department of Public Safety responsibilities, drivers' licenses and training, state identification cards, railroads and grade crossings, state airports and aviation, commuter rail corridors, law enforcement quotas, motor fuel prices, Metropolitan Council membership and responsibilities, public transit, common real property ownership association responsibilities, Metropolitan Airports Commission responsibilities, wetland replacement near the city of Cologne, the vehicle insurance sampling program, the National Veterans Wheelchair Games, permits, and fees; making technical corrections to certain transportation funding provisions, if enacted; making technical and clarifying changes; amending Minnesota Statutes 2004, sections 13.44, subdivision 3; 16B.49; 117.036; 160.80, subdivision 1a; 160.93, subdivision 4; 161.368; 161.442; 162.02, subdivisions 2, 3a; 162.09, subdivisions 2, 3a; 162.14, subdivision 6; 168.011, subdivisions 3, 4, 5, 5a, 6, 7, 25, by adding subdivisions; 168.012, subdivision 1; 168.031; 168.091, subdivision 1; 168.15, subdivision 1; 168.16; 168.185; 168.27, by adding a subdivision; 168.31, subdivision 5; 168.346; 168A.04, by adding a subdivision; 168A.20, by adding a subdivision; 169.01, subdivisions 75, 76, 81, by adding subdivisions; 169.06, subdivisions 5, 6, by adding a subdivision; 169.09, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, by adding subdivisions; 169.14, subdivisions 2, 4, 5, 5a, by adding subdivisions; 169.28, subdivision 2; 169.345, subdivision 1; 169.346, subdivisions 1, 2; 169.448, by adding a subdivision; 169.522; 169.685, subdivisions 5, 6; 169.686, subdivision 1; 169.71, subdivision 1; 169.733; 169.81, subdivision 3c; 169.824, subdivision 2; 169.85, subdivisions 1, 6; 169.86, subdivision 5; 169.87, subdivisions 4, 5; 169.99, subdivision 1b; 169A.52, subdivision 3; 171.01, subdivisions 22, 35, 47, by adding a subdivision; 171.02; 171.03; 171.04, subdivision 2; 171.05, subdivisions 1, 2, 2b; 171.055, subdivision 2; 171.07, subdivisions 1, 3; 171.09; 171.12, subdivisions 3, 6, 7; 171.165, subdivisions 1, 2, 6; 171.17, subdivision 1; 171.30, subdivision 1; 174.03, by adding a subdivision; 174.86, subdivision 5; 192.502, subdivision 2; 197.65; 219.166; 219.567; 296A.07, subdivision 3, as amended, if enacted; 296A.08, subdivision 2, as amended, if enacted; 297A.94, as amended, if enacted; 297B.09, subdivision 1, as amended, if enacted; 299D.08; 360.66, by adding a subdivision; 473.123, subdivisions 2a, 3; 473.446, subdivision 3; 473.4461; 473.604, subdivision 1; 515B.1-107; 515B.3-102; proposing coding for new law in Minnesota Statutes, chapters 160; 162; 169; 171; 174; repealing Minnesota Statutes 2004, sections 168.011, subdivision 19; 168.15, subdivision 2; 169.09, subdivision 10; 170.55; 171.165, subdivisions 3, 4, 4a, 4b; 325D.01, subdivisions 11, 12; 325D.71; Minnesota Rules, part 7503.2400.

The bill was read for the first time.

Erhardt moved that S. F. No. 1089 and H. F. No. 945, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 917:

Finstad, Holberg, Wilkin, Peppin and Otremba.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 473:

Olson, Newman and Lesch.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 42

A bill for an act relating to firearms; authorizing the use of silencers to muffle discharges of firearms for natural resource wildlife control; amending Minnesota Statutes 2004, section 609.66, subdivisions 1h, 2.

May 17, 2005

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 42, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 42 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 97B.031, subdivision 4, is amended to read:

Subd. 4. [SILENCERS PROHIBITED.] Except as provided in section 609.66, subdivision 1h, a person may not own or possess a silencer for a firearm or a firearm equipped to have a silencer attached.

Sec. 2. Minnesota Statutes 2004, section 609.66, subdivision 1h, is amended to read:

Subd. 1h. [SILENCERS; AUTHORIZED FOR LAW ENFORCEMENT AND WILDLIFE CONTROL PURPOSES.] (a) Notwithstanding subdivision 1a, paragraph (a), clause (1), licensed peace officers may use devices designed to silence or muffle the discharge of a firearm for tactical emergency response operations. Tactical emergency response operations include execution of high risk search and arrest warrants, incidents of terrorism, hostage rescue, and any other tactical deployments involving high risk circumstances. The chief law enforcement officer of a law enforcement agency that has the need to use silencing devices must establish and enforce a written policy governing the use of the devices.

(b) Notwithstanding subdivision 1a, paragraph (a), clause (1), until July 1, 2011, an enforcement officer, as defined in section 97A.015, subdivision 18, a wildlife area manager, an employee designated under section 84.0835, or a person acting under contract with the commissioner of natural resources, at specific times and locations that are authorized by the commissioner of natural resources may use devices designed to silence or muffle the discharge of a firearm for wildlife control operations that require stealth. If the commissioner determines that the use of silencing devices is necessary under this paragraph, the commissioner must:

(1) establish and enforce a written policy governing the use, possession, and transportation of the devices;

(2) limit the number of the silencing devices maintained by the Department of Natural Resources to no more than ten; and

(3) keep direct custody and control of the devices when the devices are not specifically authorized for use.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following enactment."

Delete the title and insert:

"A bill for an act relating to firearms; temporarily authorizing the use of silencers to muffle discharges of firearms for natural resource wildlife control; amending Minnesota Statutes 2004, sections 97B.031, subdivision 4; 609.66, subdivision 1h."

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

House Conferees: LARRY HOWES, JOE HOPPE AND FRANK MOE.

Senate Conferees: JOHN MARTY, PAUL E. KOERING AND TOM SAXHAUG.

Howes moved that the report of the Conference Committee on H. F. No. 42 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 42, A bill for an act relating to firearms; authorizing the use of silencers to muffle discharges of firearms for natural resource wildlife control; amending Minnesota Statutes 2004, section 609.66, subdivisions 1h, 2.

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

The question was taken on the repassage of the bill and the roll was called. There were 121 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Abeler	Beard	Buesgens	Cybart	Demmer	Dorn
Abrams	Bernardy	Carlson	Davids	Dempsey	Eastlund
Anderson, B.	Blaine	Charron	Davnie	Dill	Eken
Anderson, I.	Bradley	Cornish	Dean	Dittrich	Emmer
Atkins	Brod	Cox	DeLaForest	Dorman	Entenza

Erhardt	Hosch	Lesch	Nornes	Ruth	Thissen
Erickson	Howes	Liebling	Olson	Ruud	Tingelstad
Fritz	Huntley	Lieder	Opatz	Sailer	Urdahl
Garofalo	Johnson, J.	Lillie	Otremba	Samuelson	Vandev eer
Gazelka	Johnson, R.	Magnus	Ozment	Scalze	Wardlow
Greiling	Johnson, S.	Mahoney	Paulsen	Seifert	Welti
Gunther	Juhnke	Mariani	Paymar	Sertich	Westerberg
Hackbarth	Klinzing	Marquart	Pelowski	Severson	Westrom
Hamilton	Knoblach	McNamara	Penas	Sieben	Wilkin
Hansen	Koenen	Meslow	Peppin	Simon	Zellers
Heidgerken	Kohls	Moe	Peterson, A.	Simpson	Spk. Sviggum
Hilstrom	Krinkie	Mullery	Peterson, N.	Slawik	
Hilty	Lanning	Murphy	Peterson, S.	Smith	
Holberg	Larson	Nelson, M.	Poppe	Solberg	
Hoppe	Latz	Nelson, P.	Powell	Sykora	
Hortman	Lenczewski	Newman	Rukavina	Thao	

Those who voted in the negative were:

Clark	Goodwin	Hornstein	Kahn	Loeffler	Walker
Ellison	Hausman	Jaros	Kelliher	Wagenius	

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Supplemental Calendar for the Day for Thursday, May 19, 2005:

S. F. Nos. 664 and 1371; H. F. Nos. 995 and 2498; S. F. No. 1555; H. F. Nos. 2228 and 1528; S. F. Nos. 1636, 1360 and 1815; H. F. Nos. 1575, 1176, 1352 and 923; S. F. No. 1326; H. F. Nos. 814 and 221; S. F. Nos. 2160 and 630; H. F. Nos. 2192 and 1889; S. F. Nos. 909, 629 and 808; H. F. Nos. 945 and 2448; S. F. Nos. 1479, 1231 and 1984; and H. F. No. 1525.

CALENDAR FOR THE DAY

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1720 was reported to the House.

Bradley and Clark moved to amend S. F. No. 1720 as follows:

Page 13, after line 6, insert:

"Sec. 14. Minnesota Statutes 2004, section 256J.561, subdivision 3, is amended to read:

Subd. 3. [CHILD UNDER 12 WEEKS OF AGE.] (a) A participant who has a natural born child who is less than 12 weeks of age who meets the criteria in ~~clauses (1) and (2)~~ this subdivision is not required to participate in employment services until the child reaches 12 weeks of age. To be eligible for this provision, ~~the following conditions must be met:~~

~~(1) the child must have been born within ten months of the caregiver's application for the diversionary work program or MFIP; and~~

~~(2) the assistance unit must not have already used this provision or the previously allowed child under age one exemption. However, an assistance unit that has an approved child under age one exemption at the time this provision becomes effective may continue to use that exemption until the child reaches one year of age.~~

(b) The provision in paragraph (a) ends the first full month after the child reaches 12 weeks of age. This provision is available only once in a caregiver's lifetime. In a two-parent household, only one parent shall be allowed to use this provision. The participant and job counselor must meet within ten days after the child reaches 12 weeks of age to revise the participant's employment plan."

Page 20, delete lines 10 and 11

Page 43, line 10, after the first semicolon, insert "and" and delete "; and 256K.35"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

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

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

Those who voted in the affirmative were:

Abeler	Buesgens	DeLaForest	Emmer	Hackbarth	Hortman
Abrams	Carlson	Demmer	Entenza	Hamilton	Hosch
Anderson, B.	Charron	Dempsey	Erhardt	Hansen	Howes
Anderson, I.	Clark	Dill	Erickson	Hausman	Huntley
Atkins	Cornish	Dittrich	Fritz	Heidgerken	Jaros
Beard	Cox	Dorman	Garofalo	Hilstrom	Johnson, J.
Bernardy	Cybart	Dorn	Gazelka	Hilty	Johnson, R.
Blaine	Davids	Eastlund	Goodwin	Holberg	Johnson, S.
Bradley	Davnie	Eken	Greiling	Hoppe	Juhnke
Brod	Dean	Ellison	Gunther	Hornstein	Kahn

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

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

H. F. No. 1925 was reported to the House.

Dean moved to amend H. F. No. 1925, the second engrossment, as follows:

Page 9, after line 28, insert:

"Sec. 6. Minnesota Statutes 2004, section 245A.035, subdivision 5, is amended to read:

Subd. 5. [CHILD FOSTER CARE LICENSE APPLICATION.] (a) The emergency license holder shall complete the child foster care license application and necessary paperwork within ten days of the placement. The county agency shall assist the emergency license holder to complete the application. The granting of a child foster care license to a relative shall be under the procedures in this chapter and according to the standards set forth by foster care rule. In licensing a relative, the commissioner shall consider the importance of maintaining the child's relationship with relatives as an additional significant factor in determining whether to set aside a licensing disqualifier under section 245C.22, or to grant a variance of licensing requirements under sections 245C.21 to 245C.27.

(b) When the county or private child placing agency is processing an application for child foster care licensure of a relative as defined in sections 260B.007, subdivision 12, or 260C.007, subdivision 27, the county agency or child placing agency must explain the licensing process to the prospective licensee, including the background study process and the procedure for reconsideration of an initial disqualification for licensure. The county or private child placing agency must also provide the prospective relative licensee with information regarding appropriate options for legal representation in the pertinent geographic area. If a relative is initially disqualified under section 245C.14, the county or child-placing agency must provide written notice of the reasons for the disqualification and the right to request a reconsideration by the commissioner as required under section 245C.17.

(c) The commissioner shall maintain licensing data so that activities related to applications and licensing actions for relative foster care providers may be distinguished from other child foster care settings."

Page 21, after line 11, insert:

"Sec. 15. Minnesota Statutes 2004, section 245A.16, subdivision 1, is amended to read:

Subdivision 1. [DELEGATION OF AUTHORITY TO AGENCIES.] (a) County agencies and private agencies that have been designated or licensed by the commissioner to perform licensing functions and activities under section 245A.04 and chapter 245C, to recommend denial of applicants under section 245A.05, to issue correction orders, to issue variances, and recommend a conditional license under section 245A.06, or to recommend suspending or revoking a license or issuing a fine under section 245A.07, shall comply with rules and directives of the commissioner governing those functions and with this section. The following variances are excluded from the delegation of variance authority and may be issued only by the commissioner:

(1) dual licensure of family child care and child foster care, dual licensure of child and adult foster care, and adult foster care and family child care;

(2) adult foster care maximum capacity;

(3) adult foster care minimum age requirement;

(4) child foster care maximum age requirement;

(5) variances regarding disqualified individuals except that county agencies may issue variances under section 245C.30 regarding disqualified individuals when the county is responsible for conducting a consolidated reconsideration according to sections 245C.25 and 245C.27, subdivision 2, clauses (a) and (b), of a county maltreatment determination and a disqualification based on serious or recurring maltreatment; and

(6) the required presence of a caregiver in the adult foster care residence during normal sleeping hours.

(b) County agencies must report:

(1) information about disqualification reconsiderations under sections 245C.25 and 245C.27, subdivision 2, clauses (a) and (b), and variances granted under paragraph (a), clause (5), to the commissioner at least monthly in a format prescribed by the commissioner; and

(2) for relative child foster care applicants and license holders, the number of relatives, as defined in section 260C.007, subdivision 27, and household members of relatives who are disqualified under section 245C.14; the disqualifying characteristics under section 245C.15; the number of these individuals who requested reconsideration under section 245C.21; the number of set-asides under section 245C.22; and variances under section 245C.30 issued. This information shall be reported to the commissioner annually by January 15 of each year in a format prescribed by the commissioner.

(c) For family day care programs, the commissioner may authorize licensing reviews every two years after a licensee has had at least one annual review.

(d) For family adult day services programs, the commissioner may authorize licensing reviews every two years after a licensee has had at least one annual review.

(e) A license issued under this section may be issued for up to two years."

Page 22, after line 12, insert:

"Subdivision 1. [SEAT BELT USE.] A license holder must comply with all seat belt and child passenger restraint system requirements under section 169.685.

Subd. 2. [CHILD PASSENGER RESTRAINT SYSTEMS; TRAINING REQUIREMENT.]"

Page 22, line 15, delete "four" and insert "nine"

Page 22, line 19, delete "four" and insert "nine"

Page 32, line 35, after "(c)" insert "For foster care and family child care"

Page 32, line 36, delete "related to child foster care licensure only"

Page 33, line 2, before the period, insert ", subdivision 1, paragraph (b), or 260C.301, subdivision 3"

Page 46, line 18, delete "245.462, subdivision 6" and insert "253B.02, subdivision 4b"

Page 47, line 5, delete "review" and insert "may disclose"

Page 47, line 21, delete "facilitate the exchange of data between" and insert "effectively monitor and supervise individuals who are under the authority of"

Page 47, line 24, insert a period after "1" and delete the rest of the line

Page 47, delete line 25

Page 47, after line 25, insert:

"(c) The state operated services treatment facility must make a good faith effort to obtain written authorization from the patient before releasing information from the patient's medical record.

(d) If the patient refuses or is unable to give informed consent to authorize the release of information required above, the chief executive officer for state operated services shall provide the appropriate and necessary medical and other records. The chief executive officer shall comply with the minimum necessary requirements."

Page 47, line 26, delete "(c)" and insert "(e)"

Page 64, line 8, delete "both"

Page 64, line 10, delete "the potential risks posed by the person"

Page 64, line 11, delete "to the other patients, to facility staff, and to others; and"

Page 64, after line 14, insert:

"(c) If the facility knows that the vulnerable adult has a history of misconduct of a sexual nature or a history of abuse to others, the individual abuse prevention plan must detail the measures to be taken to minimize the risk to other vulnerable adults, visitors to the facility, and persons outside of the facility whom the vulnerable adult might reasonably be expected to encounter if unsupervised."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Slawik moved to amend H. F. No. 1925, the second engrossment, as amended, as follows:

Page 5, after line 25, insert:

"Sec. 2. Minnesota Statutes 2004, section 119B.125, is amended by adding a subdivision to read:

Subd. 2a. [TRAINING.] A legal, nonlicensed child care provider must be trained in cardiopulmonary resuscitation (CPR) and first aid prior to caring for children in the legal, nonlicensed provider's home. The CPR and first aid training must be provided by an individual or individuals approved to provide the training, and must be repeated at least once every three years.

Sec. 3. Minnesota Statutes 2004, section 119B.24, is amended to read:

119B.24 [DUTIES OF COMMISSIONER.]

In addition to the powers and duties already conferred by law, the commissioner of human services shall:

(1) administer the child care fund, including the basic sliding fee program authorized under sections 119B.011 to 119B.16;

(2) monitor the child care resource and referral programs established under section 119B.19; and

(3) encourage child care providers to participate in a nationally recognized accreditation system for early childhood and school-age care programs. Subject to approval by the commissioner, family child care providers and early childhood and school-age care programs shall be reimbursed for one-half of the direct cost of accreditation fees, upon successful completion of accreditation. The commissioner may reimburse up to 100 percent of the direct cost of accreditation fees for providers, giving priority to providers that are located in a school district with a high concentration of children who are eligible for the free or reduced price school lunch program."

Page 6, after line 9, insert:

"Sec. 6. Minnesota Statutes 2004, section 245A.023, is amended to read:

245A.023 [IN-SERVICE TRAINING.]

(a) For purposes of child care centers, in-service training must be completed within the license period for which it is required. In-service training completed by staff persons as required must be transferable upon a staff person's change in employment to another child care program. License holders shall record all staff in-service training on forms prescribed by the commissioner of human services.

(b) For purposes of family child care programs, notwithstanding Minnesota Rules, part 9502.0385, the license holder and each adult caregiver must complete 12 hours of training each year in the areas required by chapter 245A and Minnesota Rules, chapter 9502."

Page 12, after line 17, insert:

"Sec. 12. Minnesota Statutes 2004, section 245A.06, subdivision 1, is amended to read:

Subdivision 1. [CONTENTS OF CORRECTION ORDERS AND CONDITIONAL LICENSES.] (a) If the commissioner finds that the applicant or license holder has failed to comply with an applicable law or rule and this failure does not imminently endanger the health, safety, or rights of the persons served by the program, the

commissioner may issue a correction order and an order of conditional license to the applicant or license holder. When issuing a conditional license, the commissioner shall consider the nature, chronicity, or severity of the violation of law or rule and the effect of the violation on the health, safety, or rights of persons served by the program. The correction order or conditional license must state:

- (1) the conditions that constitute a violation of the law or rule;
- (2) the specific law or rule violated;
- (3) the time allowed to correct each violation; and
- (4) if a license is made conditional, the length and terms of the conditional license.

(b) Nothing in this section prohibits the commissioner from proposing a sanction as specified in section 245A.07, prior to issuing a correction order or conditional license.

Sec. 13. Minnesota Statutes 2004, section 245A.06, is amended by adding a subdivision to read:

Subd. 8. [FAMILY CHILD CARE AND CHILD CARE CENTERS POSTING OF ORDER.] For family child care providers and child care centers, upon receipt of any correction order or order of conditional license issued by the commissioner under this section, and notwithstanding a pending request for reconsideration of the correction order or order of conditional license by the license holder, the license holder shall post the correction order or order of conditional license in a place that is conspicuous to the people receiving services and all visitors to the facility for two years. When the correction order or order of conditional license is accompanied by a maltreatment investigation memorandum prepared under section 626.556 or 626.557, the investigation memoranda must be posted with the correction order or order of conditional license."

Page 15, after line 36, insert:

"Sec. 16. Minnesota Statutes 2004, section 245A.07, is amended by adding a subdivision to read:

Subd. 5. [FAMILY CHILD CARE AND CHILD CARE CENTERS POSTING OF ORDER.] For family child care providers and child care centers, upon receipt of any order of license suspension, temporary immediate suspension, fine, or revocation issued by the commissioner under this section, and notwithstanding a pending appeal of the order of license suspension, temporary immediate suspension, fine, or revocation by the license holder, the license holder shall post the order of license suspension, temporary immediate suspension, fine, or revocation in a place that is conspicuous to the people receiving services and all visitors to the facility for two years. When the order of license suspension, temporary immediate suspension, fine, or revocation is accompanied by a maltreatment investigation memorandum prepared under section 626.556 or section 626.557, the investigation memoranda must be posted with the order of

Page 19, line 21, after "CENTERS" insert "AND FAMILY CHILD CARE"

Page 19, line 22, before "first" insert "when children are present in a family child care home governed by Minnesota Rules, parts 9502.0315 to 9502.0445, or a child care center governed by Minnesota Rules, parts 9503.0005 to 9503.0170, at least one staff person must be present in the center or home who has been trained in first aid. The first aid training must have been provided by an individual approved to provide first aid instruction, must be repeated at least once every three years, and must be documented in the person's records."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Seifert moved to amend the Slawik amendment to H. F. No. 1925, the second engrossment, as amended, as follows:

Page 1, delete lines 3 to 11

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 91 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abeler	DeLaForest	Hamilton	Lanning	Paulsen	Sykora
Abrams	Demmer	Hansen	Lesch	Pelowski	Tingelstad
Anderson, B.	Dempsey	Heidgerken	Lieder	Penas	Urdahl
Anderson, I.	Dill	Hilty	Magnus	Peppin	Vandever
Atkins	Dorman	Holberg	Marquart	Peterson, A.	Walker
Beard	Dorn	Hoppe	McNamara	Peterson, N.	Wardlow
Blaine	Eastlund	Hortman	Meslow	Poppe	Westerberg
Bradley	Eken	Howes	Moe	Powell	Westrom
Brod	Emmer	Jaros	Mullery	Rukavina	Wilkin
Buesgens	Erhardt	Johnson, J.	Murphy	Ruth	Zellers
Carlson	Erickson	Juhnke	Nelson, P.	Samuelson	Spk. Sviggum
Charron	Fritz	Klinzing	Newman	Seifert	
Cornish	Garofalo	Knoblach	Nornes	Severson	
Cox	Gazelka	Koenen	Olson	Simpson	
Cybart	Gunther	Kohls	Otremba	Smith	
Davids	Hackbarth	Krinkie	Ozment	Soderstrom	

Those who voted in the negative were:

Bernardy	Goodwin	Johnson, R.	Liebling	Paymar	Thao
Clark	Greiling	Johnson, S.	Lillie	Peterson, S.	Thissen
Davnie	Hausman	Kahn	Loeffler	Ruud	Wagenius
Dean	Hilstrom	Kelliher	Mahoney	Scalze	Welti
Dittrich	Hornstein	Larson	Mariani	Sieben	
Ellison	Hosch	Latz	Nelson, M.	Simon	
Entenza	Huntley	Lenczewski	Opatz	Slawik	

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

Sykora moved to amend the Slawik amendment, as amended, to H. F. No. 1925, the second engrossment, as amended, as follows:

Pages 1 and 2, delete section 3

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

The question recurred on the Slawik amendment, as amended, to H. F. No. 1925, the second engrossment, as amended. The motion did not prevail and the amendment, as amended, was not adopted.

H. F. No. 1925, A bill for an act relating to human services; making changes to licensing provisions and background studies; changing provisions for state-operated services in access to data, records retention, sharing information, and assisting patients required to register as a predatory offender in completing registration forms; adding a notification provision for certain patients released on pass; adding a provision to abuse prevention plans; amending Minnesota Statutes 2004, sections 13.46, subdivision 4; 243.166, subdivision 7; 245A.02, subdivision 17; 245A.03, subdivisions 2, 3; 245A.035, subdivision 5; 245A.04, subdivisions 7, 13; 245A.07, subdivisions 1, 3; 245A.08, subdivisions 2a, 5; 245A.14, by adding subdivisions; 245A.144; 245A.16, subdivisions 1, 4; 245A.18; 245B.02, subdivision 10; 245B.055, subdivision 7; 245B.07, subdivision 8; 245C.03, subdivision 1; 245C.07; 245C.08, subdivisions 1, 2; 245C.15, subdivisions 1, 2, 3, 4; 245C.17, subdivision 2; 245C.21, subdivision 2; 245C.22, subdivisions 3, 4; 245C.24, subdivisions 2, 3; 245C.27, subdivision 1; 245C.28, subdivision 3; 245C.30, subdivision 2; 246.13; 253B.18, subdivision 4a; 260B.163, subdivision 6; 260C.163, subdivision 5; 299C.093; 518.165, by adding subdivisions; 609A.03, subdivision 7; 626.556, subdivision 10i; 626.557, subdivisions 9d, 14; repealing Minnesota Statutes 2004, section 246.017, subdivision 1.

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 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Vandev eer Spk. Sviggum

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 847:

Hoppe, Hackbarth and Dill.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1809:

Wilkin, Gazelka and Atkins.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 826, A bill for an act relating to the environment; proposing an amendment to the Minnesota Constitution, article XI; creating the Clean Water Legacy Act; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters in accordance with section 303(d) of the federal Clean Water Act; modifying soil and water cost-share contract provisions; extending citizen water monitoring; creating a municipal grant program; appropriating money; amending Minnesota Statutes 2004, sections 103C.501, subdivision 5; 115.06, subdivision 4; 116.182, subdivision 2; 276.04, subdivision 2; 276.112; 290A.03, subdivisions 11, 13; 297A.62, subdivision 1; 297A.94; proposing coding for new law in Minnesota Statutes, chapter 446A; proposing coding for new law as Minnesota Statutes, chapter 114D.

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

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

The report was adopted.

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

H. F. No. 2511, A bill for an act relating to state government; authorizing the State Lottery to lease space for and operate a casino in the main terminal of the Minneapolis-St. Paul International Airport; appropriating money; amending Minnesota Statutes 2004, sections 349A.01, by adding a subdivision; 349A.10, subdivisions 2, 3, 5; 349A.11, subdivision 1; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349A.

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

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

The report was adopted.

CALENDAR FOR THE DAY

H. F. No. 2187 was reported to the House.

Abrams, Loeffler and Ellison moved to amend H. F. No. 2187, the second engrossment, as follows:

Page 3, after line 17, insert:

"Subd. 4. [QUALIFICATIONS.] Members of the board shall possess a high degree of experience and knowledge in relevant fields and possess a high degree of interest in the corporation and support for its mission. Members shall be appointed based in part on the objective of ensuring that the corporation includes diverse and beneficial perspectives and experience including, but not limited to, those of medical or other health professionals, urban, cultural and ethnic perspectives of the population served by the corporation, business management, law, finance, health sector employees, public health, serving the uninsured, health professional training, and the patient or consumer perspective. The corporation shall provide a public announcement of vacancies on the board of the corporation in the manner normally used by Hennepin County to provide public notice of open appointments."

Page 3, line 18, delete "4" and insert "5"

Page 5, line 12, delete ", subdivision 3."

Page 5, line 18, delete "governing authority" and insert "board"

Page 6, line 30, delete ", subdivision 3."

Pages 15 and 16, delete section 17 and insert:

"Sec. 17. [383B.917] [OPEN MEETING LAW; GOVERNMENT DATA PRACTICES ACT.]

Subdivision 1. [DATA PRACTICES ACT.] (a) The corporation is subject to chapter 13, the Minnesota Government Data Practices Act.

(b) "Competitive data," as defined in this subdivision, are nonpublic data pursuant to section 13.02, subdivision 9, or private data on individuals pursuant to section 13.02, subdivision 12. Competitive data are any type of data that the corporation, in its discretion, determines that if disclosed could cause competitive disadvantage to the corporation, including causing adverse effects on the current or future competitive position of the corporation or the entities, facilities, and operations for which it is responsible. Data discussed at an open meeting of the corporation retains the data's original classification, including classification as competitive data, as provided in section 13D.05, subdivision 1, paragraph (c). Any data disseminated by the corporation to the county shall retain the same classification in the hands of the county, including the classification as competitive data, as provided in section 13.03, subdivision 4.

(c) A subsidiary, joint venture, association, partnership, or other entity that is formed by the corporation is not subject to chapter 13, except that if the corporation enters into a contract with such an entity to perform any functions of the corporation, the corporation shall include in the contract terms that make it clear that data created, collected, received, stored, used, maintained, or disseminated by the contracting entity in performing those functions is subject to the same requirements under chapter 13 as the corporation under this subdivision. However, this section does not create a duty on the part of the contracting entity to provide access to public data to the public if the public data are available from the corporation, except as required by the terms of the contract. Any entity contracting to perform functions of the corporation may classify data as competitive data as defined in paragraph (b).

Subd. 2. [OPEN MEETING LAW.] (a) The board of directors of the corporation is subject to chapter 13D, the Minnesota Open Meeting Law.

(b) The board may close all or part of a board meeting when discussing competitive data or considering strategic, business, planning, or operational issues the disclosure of which, in its discretion, it determines could cause competitive disadvantage to the corporation, including causing adverse effects on the current or future competitive position of the corporation or the entities, facilities, and operations for which it is responsible. Meetings of committees of the board of directors may, at the discretion of the board, be closed to the public.

(c) In addition, the following meetings of the corporation shall be held and shall be open meetings: (1) an annual public meeting to report on the affairs of the corporation and the goals for the future, including a report on the health services plan specified in section 383B.918; (2) meetings of the corporation held during the development and implementation phase of the health services plan for the purpose of informing the public and receiving public comment; and (3) that portion of a meeting at which the board of the corporation approves the annual budget prior to submission to the county board for approval. Meetings held under clause (1) or (2) may be chaired by a member of the board of directors or a member of the administration as designated by the board of directors. Except as provided in paragraphs (a), (b), and (c), other meetings of the corporation are not subject to chapter 13D.

(d) Chapter 13D does not apply to a subsidiary, joint venture, association, or partnership of the corporation unless such entity has been organized to assume management of the corporation."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Abrams and Atkins moved to amend H. F. No. 2187, the second engrossment, as amended, as follows:

Page 17, line 8, after "466" insert "; except that chapter 466 does not apply to an action against any subsidiary, joint venture, association, or partnership of the corporation alleging malpractice, error, mistake, or failure to cure because of the actions of physicians or other health care providers employed by the entity, unless that entity has been organized to assume management of the entire corporation"

The motion prevailed and the amendment was adopted.

H. F. No. 2187, A bill for an act relating to public and municipal corporations; creating a county subsidiary corporation to provide health care and related services, education, and research; providing for governance of Hennepin County Medical Center; amending Minnesota Statutes 2004, sections 179A.03, subdivisions 7, 14, 15; 179A.06, subdivision 2; 353.01, subdivisions 2b, 2d, 6; 353.64, subdivision 10; 353E.02, subdivision 2a; 383B.117, subdivision 2; 383B.217, subdivision 7; 383B.46; proposing coding for new law in Minnesota Statutes, chapters 179A; 383B; repealing Minnesota Statutes 2004, section 383B.217, subdivisions 1, 2, 3, 4, 5, 6, 8.

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 132 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark

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

The Speaker called Abrams to the Chair.

H. F. No. 986 was reported to the House.

Nelson, M., moved to amend H. F. No. 986, the first engrossment, as follows:

Page 1, delete section 2

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. 986, A bill for an act relating to economic development; redefining low-income area for the purpose of the urban initiative program; amending Minnesota Statutes 2004, section 116M.14, subdivision 4.

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 132 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Lesch

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

S. F. No. 1945, A bill for an act relating to local government; requiring a city council to vote on charter commission recommendations for charter amendments by ordinance; amending Minnesota Statutes 2004, section 410.12, subdivision 7.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1379, A bill for an act relating to motor vehicles; excluding cost of air bag repair or replacement and related repair costs from motor vehicle damage calculations for salvage title and consumer disclosure purposes; amending Minnesota Statutes 2004, sections 168A.04, subdivision 4; 168A.151, subdivision 1; 325F.6641, subdivisions 1, 2.

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

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

Those who voted in the affirmative were:

Abeler	Buesgens	DeLaForest	Emmer	Hackbarth	Hortman
Abrams	Carlson	Demmer	Entenza	Hamilton	Hosch
Anderson, B.	Charron	Dempsey	Erhardt	Hansen	Howes
Anderson, I.	Clark	Dill	Erickson	Hausman	Huntley
Atkins	Cornish	Dittrich	Fritz	Heidgerken	Jaros
Beard	Cox	Dorman	Garofalo	Hilstrom	Johnson, J.
Bernardy	Cybart	Dorn	Gazelka	Hilty	Johnson, R.
Blaine	Davids	Eastlund	Goodwin	Holberg	Johnson, S.
Bradley	Davnie	Eken	Greiling	Hoppe	Juhnke
Brod	Dean	Ellison	Gunther	Hornstein	Kahn

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

The bill was passed and its title agreed to.

S. F. No. 1268, A bill for an act relating to veterans; eliminating a restriction on a veteran's preference provision; repealing Minnesota Statutes 2004, sections 43A.11, subdivision 2; 197.455, subdivision 3.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 400, A bill for an act relating to unemployment insurance; making an eligibility exception permanent for certain school food service workers; amending Minnesota Statutes 2004, section 268.085, subdivision 8.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 10 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Charron	Emmer	Holberg	Knoblach	Olson
Demmer	Heidgerken	Johnson, J.	Krinkie	Zellers

The bill was passed and its title agreed to.

S. F. No. 1861, A bill for an act relating to building plan review; directing the commissioner of labor and industry to study procedures for supervision of installation of biotechnology piping systems; requiring a report to the legislature.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

S. F. No. 1368 was reported to the House.

Peterson, A.; Thissen; Kahn; Ellison; Hornstein and Hausman moved to amend S. F. No. 1368 as follows:

Page 20, after line 10, insert:

"ARTICLE 3

RENEWABLE ENERGY STANDARDS

Section 1. Minnesota Statutes 2004, section 216B.1691, is amended to read:

216B.1691 [RENEWABLE ENERGY STANDARDS AND OBJECTIVES.]

Subdivision 1. [DEFINITIONS.] (a) Unless otherwise specified in law, "eligible energy technology" means an energy technology that:

(1) generates electricity from the following renewable energy sources: solar; wind; hydroelectric with a capacity of less than 60 megawatts; hydrogen, provided that after January 1, 2010, the hydrogen must be generated from the resources listed in this clause; or biomass, which includes an energy recovery facility used to capture the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal solid waste as a primary fuel; and

(2) was not mandated by Laws 1994, chapter 641, or by commission order issued pursuant to that chapter prior to August 1, 2001.

(b) "Electric utility" means a public utility providing electric service, a generation and transmission cooperative electric association, or a municipal power agency.

(c) "Total retail electric sales" means the kilowatt-hours of electricity sold in a year by an electric utility to retail customers of the electric utility or to a distribution utility for distribution to the retail customers of the distribution utility.

Subd. 2. [ELIGIBLE ENERGY OBJECTIVES.] (a) Each electric utility shall make a good faith effort to generate or procure sufficient electricity generated by an eligible energy technology to provide its retail consumers, or the retail customers of a distribution utility to which the electric utility provides wholesale electric service, so that:

(1) commencing in 2005, at least one percent of the electric utility's total retail electric sales is generated by eligible energy technologies;

(2) the amount provided under clause (1) is increased by one percent of the utility's total retail electric sales each year until ~~2015~~ 2010; and

(3) ~~ten~~ five percent of the electric energy provided to retail customers in Minnesota by 2010 is generated by eligible energy technologies.

(b) Of the eligible energy technology generation required under paragraph (a), clauses (1) and (2), not less than 0.5 percent of the energy must be generated by biomass energy technologies, including an energy recovery facility used to capture the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal solid waste as a primary fuel, by 2005. By 2010, one percent of the eligible technology generation required under paragraph (a), clauses (1) and (2), shall be generated by biomass energy technologies. An energy recovery facility used to capture the heat value of mixed municipal solid waste or refuse-derived fuel from mixed municipal solid waste, with a power sales agreement in effect as of May 29, 2003, that terminates after December 31, 2010, does not qualify as an eligible energy technology unless the agreement provides for rate adjustment in the event the facility qualifies as a renewable energy source.

Subd. 2a. [ELIGIBLE ENERGY STANDARD.] Each electric utility shall generate or procure sufficient electricity generated by an eligible energy technology to provide its retail customers, or the retail customers of a distribution utility to which the electric utility provides wholesale electric service, so that at least the following percentages of the electric utility's total retail electric sales is generated by eligible energy technologies by the end of the year indicated:

<u>(1)</u>	<u>2013</u>	<u>ten percent</u>
<u>(2)</u>	<u>2015</u>	<u>15 percent</u>
<u>(3)</u>	<u>2020</u>	<u>20 percent</u>

To be counted toward satisfying the standard, energy must be generated by a facility originally placed in service after January 1, 1975. The commission must delay or modify the standard for an electric utility if it finds that compliance with a standard is not in the public interest because compliance will either produce undesirable impacts on the reliability of the utility's system or on the utility's ratepayers or if it finds that compliance is not technically feasible. In determining whether a standard must be delayed or modified, the commission must consider an electric utility's load growth as forecasted in its integrated resource plan filed under section 216B.2422. The standard is both an individual electric utility standard and a statewide standard so that by the end of 2020 at least 20 percent of the electric energy provided to retail customers in Minnesota is generated by eligible energy technologies.

~~(e) Subd. 2b.~~ [COMMISSION ORDER.] By June 1, 2004, and as needed thereafter, the commission shall issue an order detailing the criteria and standards by which it will measure an electric utility's efforts to meet the renewable energy objectives and standards of this section to determine whether the utility is making the required good faith effort and is meeting the standards. In this order, the commission shall include criteria and standards that protect against undesirable impacts on the reliability of the utility's system and economic impacts on the utility's ratepayers and that consider technical feasibility.

~~(d) In its order under paragraph (e), the commission shall provide for a weighted scale of how energy produced by various eligible energy technologies shall count toward a utility's objective. In establishing this scale, the commission shall consider the attributes of various technologies and fuels, and shall establish a system that grants multiple credits toward the objectives for those technologies and fuels the commission determines is in the public interest to encourage.~~

Subd. 3. [UTILITY PLANS FILED WITH COMMISSION.] (a) Each electric utility shall report on its plans, activities, and progress with regard to these objectives and standards in its filings under section 216B.2422 or in a separate report submitted to the commission every two years, whichever is more frequent, demonstrating to the commission ~~that the utility is making the required good faith~~ utility's effort to comply with this section. In its resource plan or a separate report, each electric utility shall provide a description of:

- (1) the status of the utility's renewable energy mix relative to the ~~good faith~~ objective and standards;
- (2) efforts taken to meet the objective and standards;
- (3) any obstacles encountered or anticipated in meeting the objective or standards; and
- (4) potential solutions to the obstacles.

(b) The commissioner shall compile the information provided to the commission under paragraph (a), and report to the chairs of the house of representatives and senate committees with jurisdiction over energy and environment policy issues as to the progress of utilities in the state in increasing the amount of renewable energy provided to retail customers, with any recommendations for regulatory or legislative action, by January 15 of each odd-numbered year.

Subd. 4. [RENEWABLE ENERGY CREDITS.] (a) To facilitate compliance with this section, the commission, by rule or order, may establish a program for tradable credits for electricity generated by an eligible energy technology. In doing so, the commission shall implement a system that constrains or limits the cost of credits, taking care to ensure that such a system does not undermine the market for those credits.

(b) In lieu of generating or procuring energy directly to satisfy the renewable energy objective and standard of this section, an electric utility may purchase sufficient renewable energy credits, issued pursuant to this subdivision, to meet its objective and standard.

(c) Upon the passage of a renewable energy standard, portfolio, or objective in a bordering state that includes a similar definition of eligible energy technology or renewable energy, the commission may facilitate the trading of renewable energy credits between states.

Subd. 5. [TECHNOLOGY BASED ON FUEL COMBUSTION.] (a) Electricity produced by fuel combustion may only count toward a utility's objectives or standards if the generation facility:

(1) was constructed in compliance with new source performance standards promulgated under the federal Clean Air Act for a generation facility of that type; or

(2) employs the maximum achievable or best available control technology available for a generation facility of that type.

(b) An eligible energy technology may blend or co-fire a fuel listed in subdivision 1, paragraph (a), clause (1), with other fuels in the generation facility, but only the percentage of electricity that is attributable to a fuel listed in that clause can be counted toward an electric utility's renewable energy objectives.

Subd. 6. [ELECTRIC UTILITY THAT OWNS NUCLEAR GENERATION FACILITY.] (a) An electric utility that owns a nuclear generation facility, as part of its good faith effort under this subdivision and subdivision 2, shall deploy an additional 300 megawatts of nameplate capacity of wind energy conversion systems by 2010, beyond the amount of wind energy capacity to which the utility is required by law or commission order as of May 1, 2003. At least 100 megawatts of this capacity are to be wind energy conversion systems of two megawatts or less, which shall not be eligible for the production incentive under section 216C.41. To the greatest extent technically feasible and economic, these 300 megawatts of wind energy capacity are to be distributed geographically throughout the state. The utility may opt to own, construct, and operate up to 100 megawatts of this wind energy capacity, except that the utility may not own, construct, or operate any of the facilities that are under two megawatts of nameplate capacity. The deployment of the wind energy capacity under this subdivision must be consistent with the outcome of the engineering study required under Laws 2003, First Special Session chapter 11, article 2, section 21.

~~(b) The renewable energy objective set forth in subdivision 2 shall be a requirement for the public utility that owns the Prairie Island nuclear generation plant. The objective is a requirement subject to resource planning and least cost planning requirements in section 216B.2422, unless implementation of the objective can reasonably be shown to jeopardize the reliability of the electric system. The least cost planning analysis must include the costs of ancillary services and other necessary generation and transmission upgrades.~~

~~(e)~~ Also as part of its good faith effort under this section, the utility that owns a nuclear generation facility is to enter into a power purchase agreement by January 1, 2004, for ten to 20 megawatts of biomass energy and capacity at an all-inclusive price not to exceed \$55 per megawatt-hour, for a project described in section 216B.2424, subdivision 5, paragraph (e), clause (2). The project must be operational and producing energy by June 30, 2005.

Subd. 7. [COMPLIANCE.] The commission, on its own motion or upon petition, may investigate whether an electric utility is in compliance with its standard obligation under subdivision 2a and if it finds noncompliance may order the electric utility to construct facilities or purchase credits to achieve compliance. If an electric utility fails to comply with an order under this subdivision, the commission may impose a financial penalty on the electric utility in an amount up to the electric utility's estimated cost of compliance."

Renumber the articles in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

Beard and Juhnke moved to amend the Peterson, A., et al amendment to S. F. No. 1368 as follows:

Page 1, line 13, strike everything after "hydroelectric"

Page 1, line 14, strike everything before "hydrogen"

Page 3, delete lines 13 and 14

Page 3, line 15, delete everything before the period

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 73 yeas and 60 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The Speaker called Abrams to the Chair.

The question recurred on the Peterson, A., et al amendment, as amended, and the roll was called. There were 54 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abeler	Bernardy	Davnie	Ellison	Goodwin	Hausman
Abrams	Carlson	Dittrich	Entenza	Greiling	Hilstrom
Atkins	Clark	Dorn	Fritz	Hansen	Hilty

Hornstein	Juhnke	Liebling	Murphy	Ruud	Thao
Hortman	Kahn	Lillie	Nelson, M.	Sailer	Thissen
Huntley	Kelliher	Loeffler	Otremba	Scalze	Tingelstad
Jaros	Latz	Mahoney	Paymar	Sieben	Wagenius
Johnson, R.	Lenczewski	Mariani	Peterson, A.	Simon	Walker
Johnson, S.	Lesch	Mullery	Peterson, S.	Slawik	Welti

Those who voted in the negative were:

Anderson, B.	DeLaForest	Hackbarth	Lanning	Paulsen	Simpson
Anderson, I.	Demmer	Hamilton	Larson	Pelowski	Smith
Beard	Dempsey	Heidgerken	Lieder	Penas	Soderstrom
Blaine	Dill	Holberg	Magnus	Peppin	Solberg
Bradley	Dorman	Hoppe	Marquart	Peterson, N.	Sykora
Brod	Eastlund	Hosch	McNamara	Poppe	Urdahl
Buesgens	Eken	Howes	Meslow	Powell	Vandev eer
Charron	Emmer	Johnson, J.	Moe	Rukavina	Wardlow
Cornish	Erhardt	Klinzing	Nelson, P.	Ruth	Westerberg
Cox	Erickson	Knoblach	Newman	Samuelson	Westrom
Cybart	Garofalo	Koenen	Nornes	Seifert	Wilkin
Davids	Gazelka	Kohls	Opatz	Sertich	Zellers
Dean	Gunther	Krinkie	Ozment	Severson	Spk. Sviggum

The motion did not prevail and the amendment, as amended, was not adopted.

S. F. No. 1368, A bill for an act relating to energy; providing for expedited cost recovery for certain transmission investments; authorizing and regulating transmission companies; permitting the transfer of transmission assets and operation to transmission companies; providing for expedited regulatory approval of transmission projects related to renewable generation; providing new criteria to analyze the need for transmission projects; establishing the framework for a wind energy tariff related to community development; requiring a wind integration study; transferring generation plant siting and transmission line routing authority from the Minnesota Environmental Quality Board to the Public Utilities Commission; providing for technical corrections to the energy assistance program; providing for a sustainably managed woody biomass generation project to satisfy the biomass mandate; providing for an electronic mail filing system at the Public Utilities Commission and Department of Commerce; making changes to the conservation investment program recommended by the legislative auditor; authorizing the creation of energy quality zones; regulating eligibility of biogas projects for the renewable energy production incentive; providing for the recovery of certain infrastructure investments by gas utilities; requiring a study of compensation of landowners for transmission easements; promoting the use of soy-diesel; providing for the adjustment of power purchase agreements to account for production tax payments; promoting the use of hydrogen as an energy source; requiring study of using biodiesel fuel to heat homes; expanding authority of city of Alexandria to enter into telecommunications-related joint ventures; appropriating money; amending Minnesota Statutes 2004, sections 13.681, by adding a subdivision; 116C.52, subdivisions 2, 4; 116C.53, subdivision 2; 116C.57, subdivisions 1, 2c, by adding a subdivision; 116C.575, subdivision 5; 116C.577; 116C.58; 116C.61, subdivision 3; 116C.69, subdivisions 2, 2a; 119A.15, subdivision 5a; 216B.02, by adding a subdivision; 216B.16, subdivision 6d, by adding subdivisions; 216B.1645, subdivision 1; 216B.2421, subdivision 2; 216B.2424, subdivisions 1, 2, 5a, 6, 8, by adding a subdivision; 216B.2425, subdivisions 2, 7; 216B.243, subdivisions 3, 4, 5, 6, 7, 8; 216B.50, subdivision 1; 216B.62, subdivision 5, by adding a subdivision; 216B.79; 216C.052; 216C.09; 216C.41, subdivision 1; 462A.05, subdivisions 21, 23; Laws 2002, chapter 329, section 5; proposing coding for new law in Minnesota Statutes, chapters 216B; 216C.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Buesgens Holberg

The bill was passed and its title agreed to.

S. F. No. 1371 was reported to the House.

Lanning moved to amend S. F. No. 1371 as follows:

Page 1, delete section 2

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete "enter onto land;"

Page 1, line 5, delete "sections" and insert "section" and delete "; 103D.335,"

Page 1, line 6, delete everything before the period

The motion prevailed and the amendment was adopted.

S. F. No. 1371, A bill for an act relating to local government; increasing compensation of watershed district managers; clarifying who can enter onto land; amending Minnesota Statutes 2004, sections 103D.315, subdivision 8; 103D.335, subdivision 14.

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 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Knoblach	Krinkie	Vandev eer	Westrom
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The bill was passed, as amended, and its title agreed to.

Speaker pro tempore Abrams called Johnson, J., to the Chair.

H. F. No. 2498 was reported to the House.

Abrams moved to amend H. F. No. 2498, the second engrossment, as follows:

Page 19, after line 9, insert:

"Sec. 24. Minnesota Statutes 2004, section 473.39, is amended by adding a subdivision to read:

Subd. 2a. [USES OF INVESTMENT INCOME.] Interest or other investment earnings on the proceeds of bonds issued under this section and on a debt service account for bonds issued under this section must be used only to:

- (1) pay capital expenditures and related expenses for which the obligations were authorized by this section; or
- (2) to pay debt service on the obligations or to reduce the council's property tax levy imposed to pay debt service on obligations issued under this section.

[EFFECTIVE DATE.] This section is effective for investment earnings received after June 30, 2005."

Page 30, line 27, delete the comma

Page 30, line 28, delete everything before the colon

Page 33, after line 14, insert:

"Sec. 42. [CROW WING COUNTY SEWER DISTRICT; PILOT PROJECT.]

Subdivision 1. [POWERS.] In addition to the powers granted in Minnesota Statutes, chapter 116A, the county board for Crow Wing County, by resolution, may grant the following powers to a sewer district created by the county board under Minnesota Statutes, chapter 116A:

(1) provide that an authorized representative of the district, after presentation of credentials, may enter at reasonable times any premise to inspect or maintain an individual sewage treatment system, as defined in Minnesota Statutes, section 115.55, subdivision 1, paragraph (g);

(2) include areas of the county within the sewer district that are not contiguous and establish different systems for wastewater treatment in specific areas of the county;

(3) provide that each special service area that is managed by the sewer system or combination thereof constitutes a system under Minnesota Statutes, chapter 116A;

(4) delegate to the sewer district, by resolution, all or a portion of its administrative and enforcement obligations with respect to individual sewage treatment systems under Minnesota Statutes, chapter 115, and rules adopted by the Pollution Control Agency;

(5) modify any individual sewage treatment system to provide reasonable access to it for inspection and maintenance; and

(6) neither the approval nor the waiver of the county board, nor confirmation by order of the district court, is required for the sewer commission to exercise the powers set forth in Minnesota Statutes, section 116A.24.

Subd. 2. [REPORT.] If the Crow Wing County Board exercises the powers granted under subdivision 1, the county shall report by January 15, 2009, to the senate and house committees with jurisdiction over environmental policy and taxes on the establishment and operation of the sewer district. The report must include:

(1) a description of the implementation of the additional powers granted under subdivision 1;

(2) available information on the effectiveness of the additional powers to control pollution in the county; and

(3) any recommendations for changes to Minnesota Statutes, chapter 116A, to broaden the authority for sewer districts to include any of the additional powers granted under subdivision 1.

[EFFECTIVE DATE.] This section is effective the day following compliance with Minnesota Statutes, section 645.021, subdivision 2."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bernardy and Abrams moved to amend H. F. No. 2498, the second engrossment, as amended, as follows:

Page 58, after line 19, insert:

"Sec. 22. [CONVEYANCE OF STATE INTEREST IN REAL PROPERTY TO CITY OF MOUNDS VIEW.]

(a) Notwithstanding Minnesota Statutes, section 16B.281, 16B.282, 92.45, or any other law to the contrary, the commissioner of transportation shall convey to the city of Mounds View all right, title, and interest of the state of Minnesota created by corrective deed dated March 16, 1989, in the land located in Ramsey County, described as:

The South Half of the Northeast Quarter of Section 5, Township 30 North, Range 23 West, Ramsey County, Minnesota; which lies northerly and westerly of the following described line: Commencing at the center of said Section 5; thence north on an azimuth of 359 degrees 23 minutes 10 seconds (azimuth oriented to Minnesota State Plane Coordinate System) along the north and south quarter line of said Section 5 for 781.42 feet to the point of beginning of the line to be described; thence on an azimuth of 108 degrees 12 minutes 41 seconds, 231.14 feet; thence on an azimuth of 98 degrees 27 minutes 03 seconds, 1486.78 feet; thence run northeasterly for 447.16 feet on a nontangential curve, concave to the northwest, having a radius of 720 feet, a delta angle of 35 degrees 35 minutes 02 seconds and a chord azimuth of 76 degrees 55 minutes 11 seconds; thence on an azimuth of 59 degrees 07 minutes 40 seconds, 192.89 feet; thence run northerly 398.14 feet on a nontangential curve, concave to the northwest, having a radius of 850 feet, a delta angle of 26 degrees 50 minutes 15 seconds and a chord azimuth of 29 degrees 26 minutes 05 seconds; thence on an azimuth of 16 degrees 00 minutes 57 seconds, 303.65 feet to the north line of said Tract A and there terminating;

Containing 40.41 acres, more or less.

(b) The conveyance shall be for consideration according to paragraph (d) in a form approved by the attorney general.

(c) This property was acquired by the Department of Transportation for construction of a new portion of Trunk Highway 10 west of Interstate Highway 35W. The property was not needed for highway purposes. In 1988, the commissioner of transportation deeded the property to the city of Mounds View subject to a right of reverter.

(d) If the city of Mounds View enters into a fully executed development agreement to redevelop the land described in paragraph (a) by January 1, 2007, the city shall pay the commissioner of transportation \$1,000,000 for deposit in the trunk highway fund. If the city of Mounds View does not enter into a fully executed development agreement to redevelop the land described in paragraph (a) by January 1, 2007, all right, title, and interest in the land shall revert back to the Department of Transportation unless the land is still used for a public purpose. If the land is

not subject to a fully executed development agreement and is still used for a public purpose on or after January 1, 2007, the land may continue to be used for such public purpose by the city of Mounds View, subject to a right of reverter if the land ceases to be used for a public purpose."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Demmer and Welti moved to amend H. F. No. 2498, the second engrossment, as amended, as follows:

Page 55, after line 32, insert:

"Sec. 20. [CITIES OF ELGIN, EYOTA, BYRON, AND ORONOCO; TAX INCREMENT FINANCING DISTRICTS.]

Subdivision 1. [AUTHORIZATION.] Notwithstanding the mileage limitation in Minnesota Statutes, section 469.174, subdivision 27, the cities of Elgin, Eyota, Byron, and Oronoco are deemed to be small cities for purposes of Minnesota Statutes, sections 469.174 to 469.1799, as long as they do not exceed the population limit in that section.

Subd. 2. [LOCAL APPROVAL.] This section is available for each of the cities of Elgin, Eyota, Byron, and Oronoco upon approval of that city's governing body and compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

[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.

Abrams moved that H. F. No. 2498, as amended, be continued on the Calendar for the Day. The motion prevailed.

H. F. No. 2228, A bill for an act relating to taxation; recodifying and clarifying the powers of the commissioner of revenue; recodifying a criminal penalty; appropriating money; amending Minnesota Statutes 2004, sections 16D.08, subdivision 2; 115B.49, subdivision 4; 239.785, subdivision 4; 256.9657, subdivision 7; 256.9792, subdivision 8; 273.11, subdivision 5; 287.37; 289A.35; 289A.42, subdivision 1; 289A.60, subdivision 13; 295.57, subdivision 1; 295.60, subdivision 7; 297A.64, subdivision 3; 297B.11; 297H.10, subdivision 1; 297I.10, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 270C; repealing Minnesota Statutes 2004, sections 270.01; 270.02; 270.021; 270.022; 270.04; 270.05; 270.052; 270.058; 270.059; 270.06; 270.0601; 270.0602; 270.0603; 270.0604; 270.0605; 270.061; 270.062; 270.063; 270.064; 270.065; 270.066; 270.0665; 270.067; 270.068; 270.0681; 270.0682; 270.069; 270.07; 270.084; 270.09; 270.10; 270.101; 270.102; 270.11, subdivisions 2, 3, 4, 5, 6, 7; 270.13; 270.14; 270.15; 270.16; 270.17; 270.18; 270.19; 270.20; 270.21; 270.22;

270.23; 270.24; 270.25; 270.26; 270.27; 270.271; 270.272; 270.273; 270.274; 270.275; 270.276; 270.277; 270.278; 270.30; 270.485; 270.494; 270.60; 270.65; 270.652; 270.66; 270.67; 270.68; 270.69; 270.691; 270.70; 270.7001; 270.7002; 270.701; 270.702; 270.703; 270.704; 270.705; 270.706; 270.707; 270.708; 270.709; 270.71; 270.72; 270.721; 270.73; 270.74; 270.75; 270.76; 270.771; 270.78; 270.79; 287.39; 289A.07; 289A.13; 289A.31, subdivisions 3, 4, 6; 289A.36; 289A.37, subdivisions 1, 3, 4, 5; 289A.38, subdivision 13; 289A.43; 289A.65; 290.48, subdivisions 3, 4; 290.92, subdivisions 6b, 22, 23; 290.97; 296A.20; 296A.201; 296A.25; 297A.86; 297A.93; 297D.14; 297E.08; 297E.09; 297E.12, subdivision 10; 297E.15; 297F.15, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 297F.16; 297F.22; 297G.14, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 297G.15; 297G.21; 297I.45; 297I.50; 297I.55; 297I.95.

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

The bill was passed and its title agreed to.

There being no objection, H. F. No. 2498, the second engrossment, as amended, which was continued earlier today on the Calendar for the Day, was again reported to the House.

MOTION FOR RECONSIDERATION

Opatz moved that the vote whereby the Demmer and Wolti amendment to H. F. No. 2498, the second engrossment, as amended, was adopted be now reconsidered. The motion prevailed.

The Speaker resumed the Chair.

The Demmer and Welti amendment to H. F. No. 2498, the second engrossment, as amended, was again reported to the House and reads as follows:

Page 55, after line 32, insert:

"Sec. 20. [CITIES OF ELGIN, EYOTA, BYRON, AND ORONOCO; TAX INCREMENT FINANCING DISTRICTS.]

Subdivision 1. [AUTHORIZATION.] Notwithstanding the mileage limitation in Minnesota Statutes, section 469.174, subdivision 27, the cities of Elgin, Eyota, Byron, and Oronoco are deemed to be small cities for purposes of Minnesota Statutes, sections 469.174 to 469.1799, as long as they do not exceed the population limit in that section.

Subd. 2. [LOCAL APPROVAL.] This section is available for each of the cities of Elgin, Eyota, Byron, and Oronoco upon approval of that city's governing body and compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

[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

A roll call was requested and properly seconded.

The question was taken on the Demmer and Welti amendment and the roll was called. There were 22 yeas and 111 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Demmer	Hansen	Latz	Poppe	Welti
Bradley	Dorman	Juhnke	Liebling	Simpson	Zellers
Charron	Emmer	Koenen	Olson	Vandevier	
Davids	Fritz	Krinkie	Otremba	Wagenius	

Those who voted in the negative were:

Abeler	Clark	Dorn	Greiling	Hornstein	Kelliher
Abrams	Cornish	Eastlund	Gunther	Hortman	Klinzing
Anderson, I.	Cox	Eken	Hackbarth	Hosch	Knoblach
Atkins	Cybart	Ellison	Hamilton	Howes	Kohls
Beard	Davnie	Entenza	Hausman	Huntley	Lanning
Bernardy	Dean	Erhardt	Heidgerken	Jaros	Larson
Blaine	DeLaForest	Erickson	Hilstrom	Johnson, J.	Lenczewski
Brod	Dempsey	Garofalo	Hilty	Johnson, R.	Lesch
Buesgens	Dill	Gazelka	Holberg	Johnson, S.	Lieder
Carlson	Dittrich	Goodwin	Hoppe	Kahn	Lillie

Loeffler	Murphy	Pelowski	Ruud	Slawik	Walker
Magnus	Nelson, M.	Penas	Sailer	Smith	Wardlow
Mahoney	Nelson, P.	Peppin	Samuelson	Soderstrom	Westerberg
Mariani	Newman	Peterson, A.	Scalze	Solberg	Westrom
Marquart	Nornes	Peterson, N.	Seifert	Sykora	Wilkin
McNamara	Opatz	Peterson, S.	Sertich	Thao	Spk. Sviggum
Meslow	Ozment	Powell	Severson	Thissen	
Moe	Paulsen	Rukavina	Sieben	Tingelstad	
Mullery	Paymar	Ruth	Simon	Urdahl	

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

The Speaker called Kohls to the Chair.

H. F. No. 2498, A bill for an act relating to public finance; authorizing purchases of certain guaranteed investment contracts; authorizing a special levy; modifying a taconite fund provision; modifying the authority of cities and counties to finance purchases of computers and related items; extending the term of certain notes; clarifying the financing of conservation easements; extending sunsets on establishment of special service districts and housing improvement areas; authorizing municipalities to improve streets and roads outside municipal boundaries; providing for financing of certain improvements; extending the maximum maturity of certain bonds; revising time for certain notices of issues; exempting obligations issued to pay judgments from net debt limits; modifying limits on city capital improvement bonds and enabling certain towns to issue bonds under a capital improvement plan; authorizing the issuance of certain revenue bonds; modifying certain tax increment financing provisions; providing a bidding exception; increasing reserve from public facilities pool for certain purposes; providing for payment of certain refunding bonds; abolishing the housing bond credit enhancement program and providing for debt service on the bonds; authorizing a tax abatement extension; providing for an international economic development zone; providing tax incentives; requiring a report; appropriating money for certain refunds; amending Minnesota Statutes 2004, sections 13.55, by adding a subdivision; 116J.556; 118A.05, subdivision 5; 272.02, subdivision 64, by adding a subdivision; 275.70, subdivision 5; 290.01, subdivisions 19b, 29; 290.06, subdivision 2c, by adding a subdivision; 290.067, subdivision 1; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 297A.68, by adding a subdivision; 298.223, subdivision 1; 343.11; 373.01, subdivision 3; 373.40, subdivision 1; 410.32; 412.301; 428A.101; 428A.21; 469.015, subdivision 4; 469.034, subdivision 2; 469.158; 469.174, subdivisions 11, 25; 469.175, subdivisions 1, 4a, 5, 6; 469.176, subdivisions 2, 4d; 469.1761, subdivisions 1, 3; 469.1763, subdivision 6; 469.177, subdivision 1; 469.1771, subdivision 5; 469.178, subdivision 1; 469.1813, subdivisions 1, 6; 473.197, subdivision 4; 473.39, subdivision 1f, by adding subdivisions; 474A.061, subdivision 2c; 474A.131, subdivision 1; 475.51, subdivision 4; 475.52, subdivisions 1, 3, 4; 475.521, subdivisions 1, 2, 3, 4; Laws 1996, chapter 412, article 5, section 24; Laws 2003, chapter 127, article 12, section 38; proposing coding for new law in Minnesota Statutes, chapters 428A; 429; 452; 469; repealing Minnesota Statutes 2004, sections 469.176, subdivision 1a; 469.1766; 473.197, subdivisions 1, 2, 3, 5; Laws 1998, chapter 389, article 11, section 19, subdivision 3.

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 123 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Blaine	Carlson	Cox	Davnie
Abrams	Beard	Bradley	Clark	Cybart	Dean
Anderson, I.	Bernardy	Brod	Cornish	Davids	DeLaForest

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

Those who voted in the negative were:

Anderson, B.	Charron	Krinkie	Vandever	Wilkin
Buesgens	Holberg	Olson	Wagenius	

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

S. F. No. 1815 was reported to the House.

Zellers moved to amend S. F. No. 1815 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1532, the first engrossment:

"Section 1. [45.21] [APPLICATION FEES.]

Subdivision 1. [FEE REFUNDS.] Refunds must not be given other than for overpayment of fees. Overpayment means any payment of money in excess of a statutory fee or for a license for which a person does not qualify. An overpayment of a fee must be returned upon proper application by the applicant. If an applicant requests a refund of an overpayment, the request must be received by the commissioner within six months of the date of deposit or the overpayment will be forfeited. An overpayment of a fee may be returned to the person entitled to it upon determination by the commissioner that an overpayment was made.

Subd. 2. [WITHDRAWAL OF APPLICATION.] An application that is incomplete is considered withdrawn if the applicant does not submit a complete application within six months of the date the application was received. The application fee is nonrefundable if an application is withdrawn according to this subdivision.

Sec. 2. [45.22] [LICENSE EDUCATION.]

(a) License education courses must be approved in advance by the commissioner. Each sponsor who offers a license education course must have at least one coordinator, approved by the commissioner, who is responsible for supervising the educational program and assuring compliance with all laws and rules. "Sponsor" means any person or entity offering approved education.

(b) For coordinators with an initial approval date before the effective date of this provision, approval will expire on December 31, 2005. For courses with an initial approval date on or before December 31, 2000, approval will expire on April 30, 2006. For courses with an initial approval date after January 1, 2001, but before the effective date of this provision, approval will expire on April 30, 2007.

Sec. 3. Minnesota Statutes 2004, section 60K.36, subdivision 2, is amended to read:

Subd. 2. [EXAMINATION NOT REQUIRED.] A resident individual applying for a limited lines credit insurance, title insurance, travel baggage insurance, mobile telephone insurance, or bail bonds license is not required to take a written examination.

Sec. 4. Minnesota Statutes 2004, section 60K.37, subdivision 1, is amended to read:

Subdivision 1. [RESIDENT INSURANCE PRODUCER.] A person is a resident of this state if that person resides in this state or the principal place of business of that person is maintained in this state. Application for a license claiming residency in this state constitutes an election of residency in this state. A license issued upon an application claiming residency in this state is void if the licensee, while holding a resident license in this state, obtains a resident license in, or claims to be a resident of, any other state or jurisdiction or if the licensee ceases to be a resident of this state. ~~However, if the applicant is a resident of a community or trade area, the border of which is contiguous with the state line of this state, the applicant may qualify for a resident license in this state and at the same time hold a resident license from the contiguous state.~~

Sec. 5. Minnesota Statutes 2004, section 60K.38, subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE.] (a) Unless denied a license under section 60K.43, a person who has met the requirements of sections 60K.36 and 60K.37 must be issued an insurance producer license. An insurance producer may receive qualification for a license in one or more of the lines of authority in paragraphs (b) and (c).

(b) An individual insurance producer may receive qualification for a license in one or more of the following major lines:

(1) life insurance: coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income;

(2) accident and health or sickness insurance: coverage for sickness, bodily injury, or accidental death, and may include benefits for disability income;

(3) property insurance: coverage for the direct or consequential loss or damage to property of every kind;

(4) casualty insurance: coverage against legal liability, including that for death, injury, or disability, or damage to real or personal property;

(5) variable life and variable annuity products insurance: coverage provided under variable life insurance contracts and variable annuities; and

(6) personal lines: property and casualty insurance coverage sold to individuals and families for primarily noncommercial purposes.

(c) An individual insurance producer may receive qualification for a license in one or more of the following limited lines:

- (1) limited line credit insurance;
- (2) farm property and liability insurance;
- (3) title insurance;
- (4) travel baggage insurance;
- (5) mobile telephone insurance; and
- (6) bail bonds; and
- (6) ~~any other line of insurance permitted under state laws or rules.~~

Sec. 6. Minnesota Statutes 2004, section 60K.39, subdivision 3, is amended to read:

Subd. 3. [CHANGE OF ADDRESS.] A nonresident producer who moves from one state to another state ~~or a resident producer who moves from this state to another state~~ shall file a change of address and provide certification from the new resident state within ten days of the change of legal residence. No fee or license application is required.

Sec. 7. Minnesota Statutes 2004, section 82.31, subdivision 5, is amended to read:

Subd. 5. [PERIOD FOR APPLICATION.] An applicant who obtains an acceptable score on a salesperson's examination must file an application and obtain the license within one year of the date of successful completion of the examination or a second examination must be taken to qualify for the license. ~~If a new examination is required, prelicense education must be completed in accordance with section 82.29, subdivision 8.~~

Sec. 8. Minnesota Statutes 2004, section 82B.02, is amended by adding a subdivision to read:

Subd. 16. [USPAP.] "USPAP" means the Uniform Standards of Professional Appraisal Practice established by the Appraisal Foundation.

Sec. 9. [82B.095] [APPRAISER QUALIFICATION COMPONENTS.]

The three components required for a real property appraiser license are education, experience, and examination. Applicants for a class of license must document that they have met at least the component criteria that were in effect at the time they completed that component.

Sec. 10. Minnesota Statutes 2004, section 82B.10, subdivision 4, is amended to read:

Subd. 4. [PERIOD FOR APPLICATION.] An applicant who obtains an acceptable score on an examination must file an application and obtain the license within ~~one year~~ two years of the date of successful completion of the examination or a second examination must be taken to qualify for the license.

Sec. 11. Minnesota Statutes 2004, section 82B.11, subdivision 6, is amended to read:

Subd. 6. [TEMPORARY PRACTICE.] (a) The commissioner shall issue a license for temporary practice as a real estate appraiser under subdivision 3, 4, or 5 to a person certified or licensed by another state if:

(1) the property to be appraised is part of a federally related transaction and the person is licensed to appraise property limited to the same transaction value or complexity provided in subdivision 3, 4, or 5;

(2) the appraiser's business is of a temporary nature; and

(3) the appraiser registers with the commissioner to obtain a temporary license before conducting appraisals within the state.

(b) The term of a temporary practice license is the lesser of:

(1) the time required to complete the assignment; or

(2) six months, with one extension allowed.

The appraiser may request one extension of no more than six months on a form provided by the commissioner. If more than 12 months are necessary to complete the assignment, a new temporary application and fee is required.

Sec. 12. Minnesota Statutes 2004, section 82B.13, subdivision 1, is amended to read:

Subdivision 1. [REGISTERED REAL PROPERTY APPRAISER OR LICENSED REAL PROPERTY APPRAISER.] As a prerequisite for licensing as a registered real property appraiser or licensed real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has successfully completed at least 90 classroom hours of prelicense courses. The courses must consist of 75 hours of general real estate appraisal principles and ~~15 hours related to standards of professional appraisal practice and the provisions of this chapter~~ the 15-hour national USPAP course.

Sec. 13. Minnesota Statutes 2004, section 82B.13, subdivision 3, is amended to read:

Subd. 3. [COMMISSIONER'S APPROVAL; RULES.] The courses and instruction and procedures of courses must be approved by the commissioner. The commissioner may adopt rules to administer this section. These rules must, to the extent practicable, conform to the rules adopted for real estate and insurance education. The credit hours required under this section may be credited to a person for distance education courses that meet Appraiser Qualifications Board criteria.

Sec. 14. Minnesota Statutes 2004, section 82B.13, subdivision 4, is amended to read:

Subd. 4. [CERTIFIED RESIDENTIAL REAL PROPERTY APPRAISER.] As a prerequisite for licensing as a certified residential real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has successfully completed at least 120 classroom hours of prelicense courses, ~~including 15 hours related to the standards of professional appraisal practice and the provisions of this chapter~~, with particular emphasis on the appraisal of one to four unit residential properties. Fifteen of the 120 hours must include successful completion of the 15-hour national USPAP course.

Sec. 15. Minnesota Statutes 2004, section 82B.13, subdivision 5, is amended to read:

Subd. 5. [CERTIFIED GENERAL REAL PROPERTY APPRAISER.] As a prerequisite for licensing as a certified general real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has successfully completed at least 180 classroom hours of prelicense courses, ~~including 15 hours related to the standards of professional appraisal practice and the provisions of this chapter~~, with particular emphasis on the appraisal of nonresidential properties. Fifteen of the 180 hours must include successful completion of the 15-hour national USPAP course.

Sec. 16. Minnesota Statutes 2004, section 82B.14, is amended to read:

82B.14 [EXPERIENCE REQUIREMENT.]

(a) As a prerequisite for licensing as a licensed real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 2,000 hours of experience in real property appraisal.

As a prerequisite for licensing as a certified residential real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 2,500 hours of experience in real property appraisal obtained in no fewer than 24 months.

As a prerequisite for licensing as a certified general real property appraiser, an applicant must present evidence satisfactory to the commissioner that the person has obtained 3,000 hours of experience in real property appraisal obtained in no fewer than 30 months. At least 50 percent, or 1,500 hours, must be in nonresidential appraisal work.

(b) Each applicant for license under section 82B.11, subdivision 3, 4, or 5, shall give under oath a detailed listing of the real estate appraisal reports or file memoranda for which experience is claimed by the applicant. Upon request, the applicant shall make available to the commissioner for examination, a sample of appraisal reports that the applicant has prepared in the course of appraisal practice.

(c) Applicants may not receive credit for experience accumulated while unlicensed, if the experience is based on activities which required a license under this section.

Sec. 17. Minnesota Statutes 2004, section 82B.19, subdivision 1, is amended to read:

Subdivision 1. [LICENSE RENEWALS.] A licensed real estate appraiser shall present evidence satisfactory to the commissioner of having met the continuing education requirements of this chapter before the commissioner renews a license.

The basic continuing education requirement for renewal of a license is the completion by the applicant either as a student or as an instructor, during the immediately preceding term of licensing, of at least 30 classroom hours of instruction in courses or seminars that have received the approval of the commissioner. Classroom hour credit must not be accepted for courses of less than two hours. As part of the continuing education requirements of this section, the commissioner shall require that all real estate appraisers ~~receive at least seven hours of training each license period in courses in laws or regulations on standards of professional practice~~ successfully complete the seven-hour national USPAP update course every two years. If the applicant's immediately preceding term of licensing consisted of 12 or more months, but fewer than 24 months, the applicant must provide evidence of completion of 15 hours of instruction during the license period. ~~If the immediately preceding term of licensing consisted of fewer than 12 months, no continuing education need be reported.~~ The credit hours required under this section may be credited to a person for distance education courses that meet Appraiser Qualifications Board criteria.

Sec. 18. [REPEALER.]

(a) Minnesota Statutes 2004, section 82B.221, is repealed.

(b) Minnesota Rules, part 2808.2200, is repealed."

Delete the title and insert:

"A bill for an act relating to commerce; modifying various requirements for licensees of the Department of Commerce; amending Minnesota Statutes 2004, sections 60K.36, subdivision 2; 60K.37, subdivision 1; 60K.38, subdivision 1; 60K.39, subdivision 3; 82.31, subdivision 5; 82B.02, by adding a subdivision; 82B.10, subdivision 4; 82B.11, subdivision 6; 82B.13, subdivisions 1, 3, 4, 5; 82B.14; 82B.19, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 45; 82B; repealing Minnesota Statutes 2004, section 82B.221; Minnesota Rules, part 2808.2200."

The motion prevailed and the amendment was adopted.

S. F. No. 1815, A bill for an act relating to commerce; modifying various requirements for licensees of the Department of Commerce; amending Minnesota Statutes 2004, sections 60K.36, subdivision 2; 60K.37, subdivision 1; 60K.38, subdivision 1; 60K.39, subdivision 3; 82.31, subdivision 5; 82.32; 82B.02, by adding a subdivision; 82B.10, subdivision 4; 82B.11, subdivision 6; 82B.13, subdivisions 1, 3, 4, 5; 82B.14; 82B.19, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 45; 82B; repealing Minnesota Statutes 2004, section 82B.221; Minnesota Rules, part 2808.2200.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

S. F. No. 1326 was reported to the House.

McNamara moved to amend S. F. No. 1326 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1438, the third engrossment:

"Section 1. [89.715] [ALTERNATIVE RECORDING FOR STATE FOREST ROAD.]

Subdivision 1. [AUTHORIZATION.] The commissioner may adopt a recorded state forest road map under this section to record the department's state forest road prescriptive easements. For purposes of this section, "recorded state forest road map" means the official map of state forest roads.

Subd. 2. [MAP REQUIREMENTS.] The recorded state forest road map must:

- (1) show state forest roads at the time the map is adopted;
- (2) be prepared at a scale of at least four inches equals one mile;
- (3) include section numbers;
- (4) include a north point arrow;
- (5) include the name of the county and state;
- (6) include a blank and a description under the blank for the date of public hearing and date of adoption;
- (7) include blanks for signatures and dates of signatures for the commissioner; and
- (8) include a list of legal descriptions of all parcels crossed by state forest road prescriptive easements.

Subd. 3. [PROCEDURE TO ADOPT MAP.] (a) The commissioner must prepare an official map for each county or smaller geographic area as determined by the commissioner as provided in subdivision 2, and set a time, place, and date for a public hearing on adopting a recorded state forest road map to record roads.

(b) The hearing notice must state that the roads to be recorded will be to the width of the actual use including ditches, backslopes, fills, and maintained rights-of-way, unless otherwise specified in a prior easement of record. The hearing notice must be published once a week for two successive weeks in a qualified newspaper of general circulation that serves the county or smaller geographic areas as determined by the commissioner, the last publication to be made at least ten days before the date of the public hearing. At least 30 days before the hearing, the hearing notice must be sent by certified mail to the property owners directly affected in the county or smaller geographic areas as determined by the commissioner at the addresses listed on the tax assessment notices at least seven days before appearing in the qualified newspaper. The hearing notice may be sent with the tax assessment, but all additional costs incurred shall be billed to the department.

(c) After the public hearing is held, the commissioner may amend and adopt the recorded state forest road map. The recorded state forest road map must be dated and signed by the commissioner and must be recorded with the county recorder within 90 days after the map is adopted.

(d) The recorded state forest road map that is recorded with the county recorder must comply with the standards of the county recorder where the state forest roads are located.

(e) A recorded state forest road map that was prepared by using aerial photographs to establish road centerlines and that has been duly recorded with the county recorder is an adequate description for purposes of recording road easements and the map is the legally constituted description and prevails when a deed for a parcel abutting a road contains no reference to a road easement. Nothing prevents the commissioner from accepting a more definitive metes and bounds or survey description of a road easement for a road of record if the description of the easement is referenced to equal distance on both sides of the existing road centerline.

(f) The commissioner shall consult with representatives of county land commissioners, county auditors, county recorders, and Torrens examiners in implementing this subdivision.

Subd. 4. [APPEAL.] (a) Before filing an appeal under paragraph (b), a person may seek resolution of concerns regarding a decision to record a road under this section by contacting the commissioner in writing.

(b) A person may appeal a decision to record or exclude recording a road under this section to the district court within 60 days after the date the commissioner adopts the state forest road map.

Subd. 5. [UNRECORDED ROAD OR TRAIL NOT AFFECTED.] This section does not affect or diminish the legal status or state obligations of roads and trails not shown on the recorded state forest road map.

Subd. 6. [EXEMPTION.] Adoption of a recorded state forest road map under this section is exempt from the rulemaking requirements of chapter 14 and section 14.386 does not apply.

Sec. 2. [282.041] [ALTERNATIVE RECORDING FOR COUNTY FOREST ROAD.]

Subdivision 1. [DEFINITION.] "County forest road" means a road constructed, acquired, maintained, or administered by the county for the purpose of public access and management of tax-forfeited lands that have been classified as conservation lands under this chapter.

Subd. 2. [AUTHORIZATION.] A county board may adopt a recorded county forest road map according to section 89.715 to record county forest road prescriptive easements. For purposes of this section, "recorded county forest road map" means the official map of county forest roads.

Subd. 3. [UNRECORDED ROAD OR TRAIL NOT AFFECTED.] This section does not affect the legal status or county obligations of roads and trails not shown on the recorded county forest road map."

Delete the title and insert:

"A bill for an act relating to natural resources; providing for an official map of state and county forest roads as an alternative recording method; proposing coding for new law in Minnesota Statutes, chapters 89; 282."

The Speaker resumed the Chair.

Wagenius moved to amend the McNamara amendment to S. F. No. 1326 as follows:

Page 3, line 17, delete "60" and insert "120"

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

The question recurred on the McNamara amendment, as amended, to S. F. No. 1326. The motion prevailed and the amendment, as amended, was adopted.

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

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

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

Those who voted in the affirmative were:

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

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

H. F. No. 221, A bill for an act relating to civil actions; regulating liability on land used for recreational purposes; modifying the definition of recreational purpose; amending Minnesota Statutes 2004, section 604A.21, subdivision 5.

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 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Ellison Paymar

The bill was passed and its title agreed to.

H. F. No. 2192 was reported to the House.

Tingelstad and Mahoney moved to amend H. F. No. 2192, the second engrossment, as follows:

Page 1, line 12, delete ", but is not limited to"

Page 1, after line 21, insert:

"(b) Agencies must provide the number of search requests received during the six-month period prior to the effective date of this section to the commissioner of human services."

Page 1, line 22, delete "(b)" and insert "(c)"

The motion prevailed and the amendment was adopted.

H. F. No. 2192, A bill for an act relating to adoption; providing for data collection and best practice guidelines for conducting postadoption services; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 259.

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 120 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Eastlund	Holberg	Kohls	Peppin	Zellers
Buesgens	Emmer	Hoppe	Krinkie	Vandev eer	

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

H. F. No. 1889, A bill for an act relating to human services; implementing child protection, child care, and child and family support provisions; amending Minnesota Statutes 2004, sections 119A.43, subdivision 2; 119B.025, subdivision 1; 119B.03, subdivision 6; 119B.09, subdivisions 4, 9; 144D.025; 256.978, subdivision 2; 256D.02, subdivision 17; 256D.051, subdivision 6c; 256I.04, subdivision 2a; 256I.05, by adding a subdivision; 256J.626, subdivisions 6, 7, 8; 256J.751, subdivisions 2, 5; 257.85, subdivisions 2, 3; 259.23, subdivisions 1, 2; 259.41, subdivision 3; 259.67, subdivisions 2, 4; 259.75, subdivision 1; 259.79, subdivision 1; 259.85, subdivision 1; 260.012; 260C.001, subdivision 3; 260C.007, subdivision 8; 260C.151, subdivision 6; 260C.178; 260C.201, subdivisions 1, 10, 11; 260C.312; 260C.317, subdivision 3; 518.551, subdivision 5; 518.68, subdivision 2; 548.091, subdivision 1a; 626.556, subdivisions 1, 2, 3, 10, 10b, 10e, 10f, 10i, 11, 11c, by adding subdivisions; repealing Minnesota Statutes 2004, sections 626.5551, subdivisions 1, 2, 3, 4, 5; Minnesota Rules, parts 9500.1206, subparts 20, 26d, 27; 9560.0220, subpart 6, item B; 9560.0230, subpart 2.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1575, A bill for an act relating to the military; clarifying statutes pertaining to the accumulation of vacation and sick leave by public officers and employees while on military leave and upon reinstatement in public office or employment; authorizing payment for some or all of the accumulated leave; amending Minnesota Statutes 2004, sections 192.261, subdivision 2; 471.975.

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

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

Those who voted in the affirmative were:

Abeler	Buesgens	DeLaForest	Emmer	Hackbarth	Hortman
Abrams	Carlson	Demmer	Entenza	Hamilton	Hosch
Anderson, B.	Charron	Dempsey	Erhardt	Hansen	Howes
Anderson, I.	Clark	Dill	Erickson	Hausman	Huntley
Atkins	Cornish	Dittrich	Fritz	Heidgerken	Jaros
Beard	Cox	Dorman	Garofalo	Hilstrom	Johnson, J.
Bernardy	Cybart	Dorn	Gazelka	Hilty	Johnson, R.
Blaine	Davids	Eastlund	Goodwin	Holberg	Johnson, S.
Bradley	Davnie	Eken	Greiling	Hoppe	Juhnke
Brod	Dean	Ellison	Gunther	Hornstein	Kahn

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

The bill was passed and its title agreed to.

H. F. No. 1176, A bill for an act relating to education; modifying teacher license variance for certain special education teachers; amending Minnesota Statutes 2004, section 122A.09, subdivision 10.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Krinkie Peterson, S.

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

MOTIONS AND RESOLUTIONS

Abrams moved that the name of Simon be added as an author on H. F. No. 2407. The motion prevailed.

Abeler moved that the name of Simon be added as an author on H. F. No. 2456. The motion prevailed.

Urdahl moved that the name of Simon be added as an author on H. F. No. 2492. The motion prevailed.

Holberg moved that H. F. No. 2063 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Holberg moved that H. F. No. 2097 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Severson moved that H. F. No. 2255 be recalled from the Committee on Transportation Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Westerberg moved that H. F. No. 2294 be recalled from the Committee on Taxes and be re-referred to the Committee on Local Government. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Friday, May 20, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Friday, May 20, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

