

## STATE OF MINNESOTA

## EIGHTY-SIXTH SESSION — 2010

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 ONE HUNDRED FIFTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 14, 2010

The House of Representatives convened at 12:00 noon and was called to order by Dan Severson, Speaker pro tempore.

Prayer was offered by the Reverend Dennis J. Johnson, House Chaplain.

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

The roll was called and the following members were present:

Abeler	Dettmer	Haws	Laine	Murphy, M.	Sertich
Anderson, B.	Dill	Hayden	Lanning	Nelson	Severson
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Newton	Shimanski
Anderson, S.	Doepke	Hilty	Lesch	Nornes	Simon
Anzelc	Doty	Holberg	Liebling	Norton	Slawik
Atkins	Downey	Hoppe	Lieder	Obermueller	Slocum
Beard	Drazkowski	Hornstein	Lillie	Olin	Smith
Benson	Eastlund	Hortman	Loeffler	Paymar	Solberg
Bigham	Eken	Hosch	Loon	Pelowski	Sterner
Bly	Emmer	Howes	Mack	Peppin	Swails
Brod	Falk	Huntley	Magnus	Persell	Thao
Brown	Faust	Jackson	Mahoney	Peterson	Thissen
Brynaert	Fritz	Johnson	Mariani	Poppe	Tillberry
Buesgens	Gardner	Juhnke	Marquart	Reinert	Torkelson
Bunn	Garofalo	Kahn	Masin	Rosenthal	Urdahl
Carlson	Gottwalt	Kalin	McFarlane	Rukavina	Wagenius
Champion	Greiling	Kath	McNamara	Ruud	Ward
Clark	Gunther	Kelly	Morgan	Sailer	Welti
Cornish	Hackbarth	Kiffmeyer	Morrow	Sanders	Westrom
Davnie	Hamilton	Knuth	Mullery	Scalze	Winkler
Dean	Hansen	Koenen	Murdock	Scott	Zellers
Demmer	Hausman	Kohls	Murphy, E.	Seifert	Spk. Kelliher

A quorum was present.

Davids was excused.

Otremba was excused until 2:40 p.m.

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

**PETITIONS AND COMMUNICATIONS**

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

May 13, 2010

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 3660, relating to claims against the state; providing for settlement of certain claims; appropriating money.

H. F. No. 2639, relating to public safety; requiring wireless telecommunications service providers to provide call locations for emergencies; providing for the Kelsey Smith Act.

H. F. No. 3386, relating to real property; requiring performance guidelines for certain residential contracts; modifying statutory warranties; requiring notice and opportunity to repair; providing for dispute resolution procedures; requiring a report.

Sincerely,

TIM PAWLENTY  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2010 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2010</i>	<i>Date Filed 2010</i>
345		316	9:17 a.m. May 13	May 13
525		317	9:19 a.m. May 13	May 13
2709		318	9:20 a.m. May 13	May 13
2511		319	9:21 a.m. May 13	May 13
2846		320	9:25 a.m. May 13	May 13
3128		321	9:27 a.m. May 13	May 13
2386		323	9:12 a.m. May 13	May 13
1886		324	9:28 a.m. May 13	May 13
3080		325	9:29 a.m. May 13	May 13
1761		326	9:32 a.m. May 13	May 13
80		327	9:41 a.m. May 13	May 13
2519		328	9:42 a.m. May 13	May 13
2935		329	9:50 a.m. May 13	May 13
2755		330	9:51 a.m. May 13	May 13
2700		331	9:52 a.m. May 13	May 13
	3660	332	9:53 a.m. May 13	May 13
2737		333	9:56 a.m. May 13	May 13
2427		334	9:58 a.m. May 13	May 13
2974		336	10:10 a.m. May 13	May 13
1481		337	9:13 a.m. May 13	May 13
2752		338	10:11 a.m. May 13	May 13
2663		339	10:13 a.m. May 13	May 13
	2639	342	10:19 a.m. May 13	May 13
	3386	343	10:20 a.m. May 13	May 13

Sincerely,

MARK RITCHIE  
Secretary of State

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Atkins introduced:

H. F. No. 3850, A bill for an act relating to crime; enhancing enforcement capability for identity theft and other fraudulent activities conducted electronically; amending Minnesota Statutes 2008, sections 53B.18; 299L.01; proposing coding for new law in Minnesota Statutes, chapter 299L.

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

Morrow, Brynaert, Knuth, Morgan, Kalin, Ruud, Bigham, Ward, Kath, Peterson, Dittrich, Swails, Bunn and Laine introduced:

H. F. No. 3851, A bill for an act relating to education; establishing teacher performance assessments; proposing coding for new law in Minnesota Statutes, chapter 122A.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Reinert introduced:

H. F. No. 3852, A bill for an act relating to state government; requiring the commissioner of administration to provide plans and specifications relating to building and construction contracts; amending Minnesota Statutes 2008, section 16C.26, by adding a subdivision.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Laine, Bly, Liebling, Greiling, Hausman, Hilty, Slocum and Clark introduced:

H. F. No. 3853, A bill for an act relating to human services; changing provisions for medical assistance; amending Minnesota Statutes 2008, section 256B.69, by adding a subdivision.

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

Hansen, Obermueller, Atkins, Lenczewski, Rosenthal, Dittrich and Ruud introduced:

H. F. No. 3854, A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; amending Minnesota Statutes 2008, sections 2.021; 2.031, subdivision 1.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Clark, Huntley, Hayden, Champion, Thissen and Laine introduced:

H. F. No. 3855, A bill for an act relating to public health; requiring the commissioner of health to research and report on autism; requiring the Department of Human Services to train autism service providers; requiring notification of autism service options for medical assistance and MinnesotaCare recipients.

The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight.

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

RECESS

RECONVENED

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

Abeler was excused between the hours of 2:25 p.m. and 2:35 p.m.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam 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. 3834, A bill for an act relating to state government; requiring the commissioner of Minnesota Management and Budget to provide a cash flow forecast to the governor and legislature; proposing coding for new law in Minnesota Statutes, chapter 16A.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Sertich moved that the House refuse to concur in the Senate amendments to H. F. No. 3834, 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.

Madam Speaker:

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

S. F. No. 560, A bill for an act relating to public safety; authorizing the expungement of criminal records for certain individuals who have received stays of adjudication or diversion; authorizing expungements without petitions in certain cases where charges were dismissed against a person upon prosecutorial approval and with victim notification; requiring persons petitioning for an expungement to provide a copy of the criminal complaint or police report; authorizing the opening of certain expunged records without a court hearing; amending Minnesota Statutes 2008, sections 609A.02, subdivision 3; 609A.03, subdivisions 2, 7; proposing coding for new law in Minnesota Statutes, chapter 609A.

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

Senators Latz, Higgins and Ortman.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Champion moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 560. The motion prevailed.

Madam Speaker:

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

S. F. No. 2839, A bill for an act relating to commerce; regulating various licensees and other entities; modifying definitions, informational requirements, continuing education requirements, information reporting requirements, and notice requirements; making various housekeeping, technical, and clarifying changes; regulating securities; reorganizing and modifying various provisions relating to real estate brokers, salespersons, and closing agents; modifying the membership requirements of, and appointment authority to, the real estate appraiser advisory board; regulating certain workers' compensation self-insurers; amending Minnesota Statutes 2008, sections 45.0112; 60A.031, subdivision 4; 60A.084; 60A.204; 60A.36, by adding a subdivision; 60K.31, subdivision 10; 61A.092, subdivision 3; 62A.046, subdivision 6, by adding a subdivision; 62A.17, subdivision 5; 62A.3099, subdivision 17; 62A.65, subdivision 2; 62E.02, subdivision 15; 62E.14, subdivision 4c; 62L.05, subdivision 4; 62S.24, subdivision 8; 62S.266, subdivision 4; 62S.29, subdivision 1; 72A.08, subdivision 4; 72A.12, subdivision 4; 72A.20, subdivisions 10, 36, 37; 72A.492, subdivision 2; 72A.51, subdivision 2; 72B.01; 72B.08, subdivision 8; 79A.03, subdivision 8; 79A.06, subdivision 5; 79A.21, subdivision 3; 80A.41; 80A.46; 80A.65, subdivision 6; 82.17, subdivision 15, by adding subdivisions; 82.19; 82.21, subdivision 2; 82.24, subdivision 3; 82.29, subdivisions 4, 5, 8; 82.31, subdivisions 1, 2; 82.33, subdivisions 1, 2, by adding a subdivision; 82.34, subdivisions 1, 2, 4, 5, 13; 82.39; 82.41, subdivisions 1, 2, by adding a subdivision; 82.45, subdivision 3, by adding subdivisions; 82.48, subdivisions 2, 3; 82B.05, as amended; 82B.06; 82B.14; 326.3382, subdivision 3; 326B.33, subdivision 16; 326B.56, subdivision 2; 326B.86, subdivision 2; 326B.921, subdivision 6; 327B.04, subdivision 4; 332.34; 340A.409, subdivision 1; Minnesota Statutes 2009 Supplement, sections 45.027, subdivision 1; 45.30, subdivision 4; 60A.39, subdivisions 1, 4, 5; 60A.9572, subdivision 6; 60K.361; 62A.3099, subdivision 18; 65A.29, subdivision 13; 72B.03, subdivision 2; 72B.045, subdivision 1; 72B.06; 82.31, subdivision 4; 82.32; 326B.46, subdivision 2; Laws 2007, chapter 147, article 12, section 14; proposing coding for new law in Minnesota Statutes, chapters 82; 332; repealing Minnesota Statutes 2008, sections 72B.04; 82.19, subdivision 3; 82.22, subdivisions 1, 6, 7, 8, 9; 82.31, subdivision 6; 82.34, subdivision 16; 82.41, subdivisions 3, 7; 332.31, subdivision 7; 332.335; Minnesota Statutes 2009 Supplement, sections 65B.133, subdivision 3; 72B.02, subdivision 11.

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

Senators Scheid, Pappas and Michel.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Sertich moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2839. The motion prevailed.

Madam Speaker:

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

S. F. No. 1905.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 1905

A bill for an act relating to insurance; establishing a small group market working group; requiring a report.

May 12, 2010

The Honorable James P. Metzen  
President of the Senate

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1905 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 1905 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **SMALL GROUP HEALTH INSURANCE MARKET WORKING GROUP.**

Subdivision 1. **Establishment.** (a) The commissioner of commerce shall convene a working group to study and report on the options available to increase rate predictability and stability for groups of 100 or fewer employees. Members of the working group shall include:

- (1) two representatives from the Minnesota Council of Health Plans;
- (2) two representatives from the Minnesota Association of Health Underwriters;
- (3) one representative from the Insurance Federation of Minnesota;
- (4) one representative from the Minnesota Chamber of Commerce;
- (5) one representative from the National Federation of Independent Businesses - Minnesota;
- (6) two representatives from employers whose businesses employ 50 employees or fewer;
- (7) two representatives from employers whose businesses employ between 51 and 75 full-time employees;
- (8) two representatives from employers whose businesses employ between 76 and 100 full-time employees;
- (9) one representative from employees of businesses that employ 50 employees or fewer;
- (10) one representative from employees of businesses that employ between 51 and 100 full-time employees;
- (11) two senators, including one member from the majority party and one member from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate;
- (12) two members of the house of representatives, including one member appointed by the speaker of the house and one member appointed by the minority leader; and

(13) the commissioner of commerce or the commissioner's designee.

(b) The organizations listed in paragraph (a), clauses (1) through (5), must name their representatives to the commissioner of commerce no later than July 1, 2010. The commissioner of commerce must appoint individuals as listed in paragraph (a), clauses (6) through (10), no later than July 15, 2010. The legislative appointing authorities must appoint individuals as listed in paragraph (a), clauses (11) and (12), no later than July 15, 2010.

Subd. 2. **Duties; report.** (a) The working group shall conduct a study analyzing the implications of expanding the small employer market to 100 employees. Topics to be addressed in the study include, but are not limited to:

(1) analyzing implementation options in expanding the small group definition to 100 employees;

(2) underwriting concerns and rating requirements and the implications of change in small group market size on the entire health insurance market, and limitations on renewal, enrollment methodologies, and processes;

(3) costs for employers, employees, brokers, and health plans;

(4) how to assist employers in understanding the implications of employers migrating from fully insured to self-insured and associated risks;

(5) a uniform application form;

(6) education and compliance issues related to the offering of Section 125 plans under Minnesota Statutes, section 62U.07; and

(7) assuring compliance with federal law, including expeditious implementation of federal health care reform requirements.

(b) By November 15, 2010, the working group shall submit a report on its findings, including proposed legislation, if any, to the Health Care Access Commission.

Subd. 3. **Administration.** (a) The commissioner of commerce or the commissioner's designee shall convene the first meeting of the working group no later than August 1, 2010.

(b) The commissioner shall provide assistance with research or background information and administrative support for the working group within the existing agency budget.

(c) The working group expires June 30, 2011."

Delete the title and insert:

"A bill for an act relating to insurance; establishing a small group market working group; requiring a report."

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

Senate Conferees: LINDA SCHEID, DAN SPARKS and AMY KOCH.

House Conferees: DIANE LOEFFLER, PATTI FRITZ and GREGORY DAVIDS.

Loeffler moved that the report of the Conference Committee on S. F. No. 1905 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1905, A bill for an act relating to insurance; establishing a small group market working group; requiring a report.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dill	Hayden	Lanning	Nelson	Severson
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Newton	Shimanski
Anderson, S.	Doepke	Hilty	Lesch	Nornes	Simon
Anzelc	Doty	Holberg	Liebling	Norton	Slawik
Atkins	Downey	Hoppe	Lieder	Obermueller	Slocum
Beard	Drazkowski	Hornstein	Lillie	Olin	Smith
Benson	Eastlund	Hortman	Loeffler	Paymar	Solberg
Bigham	Eken	Hosch	Loon	Pelowski	Sterner
Bly	Emmer	Howes	Mack	Peppin	Swails
Brod	Falk	Huntley	Magnus	Persell	Thao
Brown	Faust	Jackson	Mahoney	Peterson	Thissen
Brynaert	Fritz	Johnson	Mariani	Poppe	Tillberry
Buesgens	Gardner	Juhnke	Marquart	Reinert	Torkelson
Bunn	Garofalo	Kahn	Masin	Rosenthal	Urdahl
Carlson	Gottwalt	Kalin	McFarlane	Rukavina	Wagenius
Champion	Greiling	Kath	McNamara	Ruud	Ward
Clark	Gunther	Kelly	Morgan	Sailer	Walti
Cornish	Hackbarth	Kiffmeyer	Morrow	Sanders	Westrom
Davnie	Hamilton	Knuth	Mullery	Scalze	Winkler
Dean	Hansen	Koenen	Murdock	Scott	Zellers
Demmer	Hausman	Kohls	Murphy, E.	Seifert	Spk. Kelliher
Dettmer	Haws	Laine	Murphy, M.	Sertich	

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

Madam Speaker:

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

S. F. No. 3361.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 3361

A bill for an act relating to real property transfers; prohibiting private transfer fees; proposing coding for new law in Minnesota Statutes, chapter 513.

May 13, 2010

The Honorable James P. Metzen  
President of the Senate

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 3361 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 3361 be further amended as follows:

Page 5, after line 12, insert:

"Sec. 5. Laws 2010, chapter 238, section 7, is amended to read:

**Sec. 7. EFFECTIVE DATE; APPLICATION.**

Sections ~~2 to 6~~ and 3 are effective January 1, 2011. Sections 4 to 6 are effective July 1, 2011, and apply retroactively to child support judgments, including judgments by operation of law, that have not expired before ~~January~~ July 1, 2011."

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "real property transfers" and insert "civil law" and after "fees;" insert "modifying effective date of certain child support provisions;"

Correct the title numbers accordingly

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

Senate Conferees: LINDA SCHEID, DON BETZOLD and WARREN LIMMER.

House Conferees: GAIL KULICK JACKSON and DEBRA HILSTROM.

Jackson moved that the report of the Conference Committee on S. F. No. 3361 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3361, A bill for an act relating to real property transfers; prohibiting private transfer fees; proposing coding for new law in Minnesota Statutes, chapter 513.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dill	Hayden	Lanning	Nelson	Severson
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Newton	Shimanski
Anderson, S.	Doepke	Hilty	Lesch	Nornes	Simon
Anzelc	Doty	Holberg	Liebling	Norton	Slawik
Atkins	Downey	Hoppe	Lieder	Obermueller	Slocum
Beard	Drazkowski	Hornstein	Lillie	Olin	Smith
Benson	Eastlund	Hortman	Loeffler	Paymar	Solberg
Bigham	Eken	Hosch	Loon	Pelowski	Sterner
Bly	Emmer	Howes	Mack	Peppin	Swails
Brod	Falk	Huntley	Magnus	Persell	Thao
Brown	Faust	Jackson	Mahoney	Peterson	Thissen
Brynaert	Fritz	Johnson	Mariani	Poppe	Tillberry
Buesgens	Gardner	Juhnke	Marquart	Reinert	Torkelson
Bunn	Garofalo	Kahn	Masin	Rosenthal	Urdahl
Carlson	Gottwalt	Kalin	McFarlane	Rukavina	Wagenius
Champion	Greiling	Kath	McNamara	Ruud	Ward
Clark	Gunther	Kelly	Morgan	Sailer	Welti
Cornish	Hackbarth	Kiffmeyer	Morrow	Sanders	Westrom
Davnie	Hamilton	Knuth	Mullery	Scalze	Winkler
Dean	Hansen	Koenen	Murdock	Scott	Zellers
Demmer	Hausman	Kohls	Murphy, E.	Seifert	Spk. Kelliher
Dettmer	Haws	Laine	Murphy, M.	Sertich	

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

Madam Speaker:

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

S. F. No. 3046.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 3046

A bill for an act relating to energy; providing for large solar energy electric generation demonstration conservation improvement project; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

May 12, 2010

The Honorable James P. Metzen  
President of the Senate

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 3046 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 3046 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 216B.241, is amended by adding a subdivision to read:

**Subd. 5c. Large solar electric generating plant.** (a) For the purpose of this subdivision:

(1) "project" means a solar electric generation project consisting of arrays of solar photovoltaic cells with a capacity of up to two megawatts located on the site of a closed landfill in Olmsted county owned by the Minnesota Pollution Control Agency; and

(2) "cooperative electric association" means a generation and transmission cooperative electric association that has a member distribution cooperative association to which it provides wholesale electric service in whose service territory a project is located.

(b) A cooperative electric association may elect to count all of its purchases of electric energy from a project toward only one of the following:

(1) its energy-savings goal under subdivision 1c; or

(2) its energy objective or standard under section 216B.1691.

(c) A cooperative electric association may include in its conservation plan purchases of electric energy from a project. The cost-effectiveness of project purchases may be determined by a different standard than for other energy conservation improvements under this section if the commissioner determines that doing so is in the public interest in order to encourage solar energy. The kilowatt hours of solar energy purchased by a cooperative electric association from a project may count for up to 33 percent of its one percent savings goal under subdivision 1c or up to 22 percent of its 1.5 percent savings goal under that section. Expenditures made by a cooperative association for the purchase of energy from a project may not be used to meet the revenue expenditure requirements of subdivisions 1a and 1b.

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

Delete the title and insert:

"A bill for an act relating to energy; providing for large solar energy electric generation demonstration conservation improvement project; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision."

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

Senate Conferees: DAN SPARKS, YVONNE PRETTNER SOLON and DAVID SENJEM.

House Conferees: ANDY WELTI, BILL HILTY and RANDY DEMMER.

Welti moved that the report of the Conference Committee on S. F. No. 3046 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

The Speaker called Liebling to the Chair.

S. F. No. 3046, as amended by Conference, was read for the third time.

#### CALL OF THE HOUSE

On the motion of Hackbarth and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dettmer	Hilty	Liebling	Norton	Shimanski
Anderson, B.	Dittrich	Holberg	Lieder	Obermueller	Simon
Anderson, P.	Doepke	Hoppe	Lillie	Olin	Slawik
Anderson, S.	Downey	Hornstein	Loon	Otremba	Slocum
Anzelc	Eastlund	Hortman	Mack	Pelowski	Smith
Atkins	Eken	Hosch	Magnus	Peppin	Solberg
Beard	Emmer	Howes	Mahoney	Persell	Sterner
Benson	Falk	Huntley	Mariani	Peterson	Swails
Bigham	Faust	Johnson	Masin	Poppe	Thao
Bly	Fritz	Juhnke	McFarlane	Reinert	Thissen
Brod	Gardner	Kahn	McNamara	Rosenthal	Torkelson
Brown	Garofalo	Kalin	Morgan	Rukavina	Wagenius
Brynaert	Gottwalt	Kath	Morrow	Ruud	Ward
Buesgens	Greiling	Kelly	Mullery	Sailer	Welti
Bunn	Gunther	Kiffmeyer	Murdock	Sanders	Winkler
Carlson	Hackbarth	Knuth	Murphy, E.	Scalze	Zellers
Clark	Hamilton	Kohls	Murphy, M.	Scott	Spk. Kelliher
Cornish	Hansen	Laine	Nelson	Seifert	
Dean	Hausman	Lanning	Newton	Sertich	
Demmer	Haws	Lenczewski	Nornes	Severson	

Garofalo moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion did not prevail.

Morrow moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

S. F. No. 3046, A bill for an act relating to energy; providing for large solar energy electric generation demonstration conservation improvement project; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

The bill, as amended by Conference, was placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 101 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Brown	Clark	Dettmer	Doty
Anderson, P.	Beard	Brynaert	Cornish	Dill	Downey
Anderson, S.	Benson	Carlson	Davnie	Dittrich	Eastlund
Anzelc	Bigham	Champion	Demmer	Doepke	Eken

Emmer	Hoppe	Lesch	Murdock	Rukavina	Swails
Faust	Hornstein	Liebling	Murphy, E.	Ruud	Thao
Fritz	Hortman	Lieder	Murphy, M.	Sailer	Thissen
Gardner	Hosch	Lillie	Nelson	Sanders	Tillberry
Gottwalt	Howes	Loon	Newton	Scalze	Torkelson
Gunther	Huntley	Mack	Nornes	Seifert	Urdahl
Hackbarth	Jackson	Magnus	Obermueller	Sertich	Ward
Hamilton	Juhnke	Mahoney	Olin	Severson	Welti
Haws	Kath	Marquart	Otremba	Shimanski	Westrom
Hayden	Kiffmeyer	Masin	Pelowski	Simon	Winkler
Hilstrom	Knuth	McFarlane	Persell	Slawik	Zellers
Hilty	Laine	McNamara	Poppe	Smith	Spk. Kelliher
Holberg	Lanning	Morrow	Reinert	Solberg	

Those who voted in the negative were:

Anderson, B.	Drazkowski	Johnson	Lenczewski	Paymar	Sterner
Bly	Falk	Kahn	Loeffler	Peppin	Wagenius
Brod	Garofalo	Kalin	Mariani	Peterson	
Buesgens	Greiling	Kelly	Morgan	Rosenthal	
Bunn	Hansen	Koenen	Mullery	Scott	
Dean	Hausman	Kohls	Norton	Slocum	

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

#### CALL OF THE HOUSE LIFTED

Morrow moved that the call of the House be lifted. The motion prevailed and it was so ordered.

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

Sertich 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 Friday, May 14, 2010:

S. F. Nos. 2937, 3134 and 1778; H. F. Nos. 3162, 3188 and 1680; and S. F. No. 445.

#### CALENDAR FOR THE DAY

S. F. No. 3126, A bill for an act relating to energy; allowing for advance determination of prudence determination by Public Utilities Commission for certain environmental projects of a public utility; proposing coding for new law in Minnesota Statutes, chapter 216B.

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	Hilstrom	Lesch	Norton	Slawik
Anderson, B.	Dittrich	Hilty	Liebling	Obermueller	Slocum
Anderson, P.	Doepke	Holberg	Lieder	Olin	Smith
Anderson, S.	Doty	Hoppe	Lillie	Otremba	Solberg
Anzelc	Downey	Hornstein	Loeffler	Paymar	Sterner
Atkins	Drazkowski	Hortman	Loon	Pelowski	Swails
Beard	Eastlund	Hosch	Mack	Peppin	Thao
Benson	Eken	Howes	Magnus	Persell	Thissen
Bigham	Emmer	Huntley	Mahoney	Peterson	Tillberry
Bly	Falk	Jackson	Mariani	Poppe	Torkelson
Brod	Faust	Johnson	Marquart	Reinert	Urdahl
Brown	Fritz	Juhnke	Masin	Rosenthal	Wagenius
Brynaert	Gardner	Kahn	McFarlane	Rukavina	Ward
Buesgens	Garofalo	Kalin	McNamara	Ruud	Welti
Bunn	Gottwalt	Kath	Morgan	Sailer	Westrom
Carlson	Greiling	Kelly	Morrow	Sanders	Winkler
Champion	Gunther	Kiffmeyer	Mullery	Scalze	Zellers
Clark	Hackbarth	Knuth	Murdock	Scott	Spk. Kelliher
Cornish	Hamilton	Koenen	Murphy, E.	Seifert	
Davnie	Hansen	Kohls	Murphy, M.	Sertich	
Dean	Hausman	Laine	Nelson	Severson	
Demmer	Haws	Lanning	Newton	Shimanski	
Dettmer	Hayden	Lenczewski	Nornes	Simon	

The bill was passed and its title agreed to.

H. F. No. 2405 was reported to the House.

Buesgens moved to amend H. F. No. 2405, the second engrossment, as follows:

Page 1, line 19, after "States" insert "for a period anticipated to be more than 30 consecutive legislative days"

Page 2, line 3, after "States" insert "for a period anticipated to be more than 30 consecutive legislative days"

Page 2, line 10, after the period, insert "This section applies only if the legislator ordered to active duty anticipates that the legislator will be unable to perform legislative functions or duties for more than 30 consecutive legislative days."

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. 2405, A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, article IV, section 4; providing for temporary successors to members of the legislature called into active military service; providing for implementing statutory language; proposing coding for new law in Minnesota Statutes, chapter 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 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hilstrom	Lesch	Obermueller	Slawik
Anderson, B.	Doepke	Hilty	Lieder	Olin	Slocum
Anderson, P.	Doty	Holberg	Lillie	Otremba	Smith
Anderson, S.	Downey	Hoppe	Loeffler	Paymar	Solberg
Anzelc	Draskowski	Hornstein	Loon	Pelowski	Sterner
Atkins	Eastlund	Hortman	Mack	Peppin	Swails
Beard	Eken	Hosch	Magnus	Persell	Thao
Benson	Emmer	Howes	Mahoney	Peterson	Thissen
Bigham	Falk	Huntley	Mariani	Poppe	Tillberry
Bly	Faust	Jackson	Marquart	Reinert	Torkelson
Brod	Fritz	Johnson	Masin	Rosenthal	Urdahl
Brown	Gardner	Juhnke	McFarlane	Rukavina	Wagenius
Brynaert	Garofalo	Kahn	McNamara	Ruud	Ward
Buesgens	Gottwalt	Kath	Morgan	Sailer	Welti
Bunn	Greiling	Kelly	Morrow	Sanders	Westrom
Carlson	Gunther	Kiffmeyer	Mullery	Scalze	Winkler
Champion	Hackbarth	Knuth	Murdock	Scott	Zellers
Cornish	Hamilton	Koenen	Murphy, E.	Seifert	Spk. Kelliher
Dean	Hansen	Kohls	Nelson	Sertich	
Demmer	Hausman	Laine	Newton	Severson	
Dettmer	Haws	Lanning	Nornes	Shimanski	
Dill	Hayden	Lenczewski	Norton	Simon	

Those who voted in the negative were:

Clark	Davnie	Kalin	Liebling
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The bill was passed, as amended, and its title agreed to.

S. F. No. 1770, A bill for an act relating to poverty; establishing the Ladder Out of Poverty Task Force; providing for its membership and duties; providing legislative appointments.

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 110 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler	Anzelc	Benson	Brown	Carlson	Cornish
Anderson, P.	Atkins	Bly	Brynaert	Champion	Davnie
Anderson, S.	Beard	Brod	Bunn	Clark	Demmer

Dettmer	Hamilton	Koenen	Morgan	Reinert	Swails
Dill	Haws	Laine	Morrow	Rosenthal	Thao
Dittrich	Hayden	Lanning	Mullery	Rukavina	Tillberry
Doepke	Hilstrom	Lenczewski	Murdock	Ruud	Torkelson
Doty	Hilty	Lesch	Murphy, E.	Sanders	Urdahl
Downey	Hornstein	Liebling	Murphy, M.	Scalze	Wagenius
Eastlund	Hortman	Lillie	Nelson	Scott	Ward
Eken	Hosch	Loeffler	Newton	Seifert	Welti
Falk	Howes	Mack	Nornes	Sertich	Westrom
Faust	Huntley	Magnus	Norton	Severson	Winkler
Fritz	Jackson	Mahoney	Obermueller	Simon	Zellers
Gardner	Juhnke	Mariani	Olin	Slawik	Spk. Kelliher
Garofalo	Kahn	Marquart	Otremba	Slocum	
Gottwalt	Kalin	Masin	Paymar	Smith	
Greiling	Kiffmeyer	McFarlane	Persell	Solberg	
Gunther	Knuth	McNamara	Peterson	Sterner	

Those who voted in the negative were:

Anderson, B.	Drazkowski	Hausman	Kath	Loon	Sailer
Bigham	Emmer	Holberg	Kelly	Pelowski	Shimanski
Buesgens	Hackbarth	Hoppe	Kohls	Peppin	
Dean	Hansen	Johnson	Lieder	Poppe	

The bill was passed 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. 2227:

Marquart, Loeffler and McFarlane.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 560:

Champion, Hilstrom and Cornish.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2839:

Atkins, Lillie and Hoppe.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2900:

Dill, Persell and Cornish.

#### CALENDAR FOR THE DAY, Continued

S. F. No. 2430, A bill for an act relating to mortgages; regulating reverse mortgages; requiring certain notices related to redemption rights be made to a mortgagor; providing for a private right of action; modifying time for requesting a hearing on an order to secure a building; modifying notice of sale requirements; authorizing political

subdivisions to recover costs associated with obtaining a five-week redemption period; amending Minnesota Statutes 2008, sections 47.58, subdivisions 3, 8, by adding subdivisions; 580.03; 580.041, as amended; 580.06; 580.30, subdivision 1; 582.03, subdivision 1; 582.032, by adding a subdivision; Minnesota Statutes 2009 Supplement, sections 47.58, subdivision 1; 463.251, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 58.

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	Hilstrom	Lesch	Norton	Slawik
Anderson, B.	Dittrich	Hilty	Liebling	Obermueller	Slocum
Anderson, P.	Doepke	Holberg	Lieder	Olin	Smith
Anderson, S.	Doty	Hoppe	Lillie	Otremba	Solberg
Anzelc	Downey	Hornstein	Loeffler	Paymar	Sterner
Atkins	Drazkowski	Hortman	Loon	Pelowski	Swails
Beard	Eastlund	Hosch	Mack	Peppin	Thao
Benson	Eken	Howes	Magnus	Persell	Thissen
Bigham	Emmer	Huntley	Mahoney	Peterson	Tillberry
Bly	Falk	Jackson	Mariani	Poppe	Torkelson
Brod	Faust	Johnson	Marquart	Reinert	Urdahl
Brown	Fritz	Juhnke	Masin	Rosenthal	Wagenius
Brynaert	Gardner	Kahn	McFarlane	Rukavina	Ward
Buesgens	Garofalo	Kalin	McNamara	Ruud	Welti
Bunn	Gottwalt	Kath	Morgan	Sailer	Westrom
Carlson	Greiling	Kelly	Morrow	Sanders	Winkler
Champion	Gunther	Kiffmeyer	Mullery	Scalze	Zellers
Clark	Hackbarth	Knuth	Murdock	Scott	Spk. Kelliher
Cornish	Hamilton	Koenen	Murphy, E.	Seifert	
Davnie	Hansen	Kohls	Murphy, M.	Sertich	
Dean	Hausman	Laine	Nelson	Severson	
Demmer	Haws	Lanning	Newton	Shimanski	
Dettmer	Hayden	Lenczewski	Nornes	Simon	

The bill was passed and its title agreed to.

Speaker pro tempore Liebling called Pelowski to the Chair.

S. F. No. 2937, A bill for an act relating to human services; chemical dependency treatment; pilot projects; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 254B; repealing Laws 2009, chapter 79, article 7, section 26, 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 130 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hayden	Lanning	Newton	Shimanski
Anderson, B.	Dill	Hilstrom	Lenczewski	Nornes	Simon
Anderson, P.	Dittrich	Hilty	Lesch	Norton	Slawik
Anderson, S.	Doepke	Holberg	Liebling	Obermueller	Slocum
Anzelc	Doty	Hoppe	Lieder	Olin	Smith
Atkins	Downey	Hornstein	Lillie	Otremba	Solberg
Beard	Drazkowski	Hortman	Loeffler	Paymar	Sterner
Benson	Eastlund	Hosch	Loon	Pelowski	Swails
Bigham	Eken	Howes	Mack	Peppin	Thao
Bly	Emmer	Huntley	Magnus	Persell	Thissen
Brod	Falk	Jackson	Mahoney	Peterson	Tillberry
Brown	Faust	Johnson	Mariani	Poppe	Torkelson
Brynaert	Fritz	Juhnke	Marquart	Reinert	Urdahl
Buesgens	Gardner	Kahn	McFarlane	Rosenthal	Wagenius
Bunn	Garofalo	Kalin	McNamara	Rukavina	Ward
Carlson	Gottwalt	Kath	Morgan	Ruud	Welti
Champion	Greiling	Kelly	Morrow	Sailer	Westrom
Clark	Gunther	Kiffmeyer	Mullery	Sanders	Winkler
Cornish	Hamilton	Knuth	Murdock	Scalze	Zellers
Davnie	Hansen	Koenen	Murphy, E.	Scott	Spk. Kelliher
Dean	Hausman	Kohls	Murphy, M.	Seifert	
Demmer	Haws	Laine	Nelson	Sertich	

Those who voted in the negative were:

Hackbarth	Masin	Severson
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The bill was passed and its title agreed to.

S. F. No. 3134 was reported to the House.

Kahn moved to amend S. F. No. 3134, the second unofficial engrossment, as follows:

Page 2, delete section 1

Page 4, delete section 5

Pages 4 to 8, delete sections 8 to 19

Pages 10 to 13, delete sections 23 to 29

Page 18, delete section 37

Page 20, delete section 39 and insert:

"Sec. 39. Minnesota Statutes 2009 Supplement, section 103H.175, subdivision 2, is amended to read:

Subd. 2. **Computerized database.** ~~The Minnesota Geospatial Information Office~~ Agencies monitoring groundwater shall maintain a computerized database databases of the results of groundwater quality monitoring in a manner that is using standards adopted by the Office of Enterprise Technology and geospatial technology standards and guidelines published by the Minnesota Geospatial Information Office. The data base must be accessible to the Pollution Control Agency, Department of Agriculture, Department of Health, and Department of Natural Resources. The center shall assess the quality and reliability of the data and organize the data in a usable format.

Pages 22 to 24, delete sections 45 to 49

Pages 25 to 29, delete sections 52 to 55

Page 31, line 10, before "commissioner" insert "state chief information officer, in consultation with the" and delete "and"

Page 31, line 11, delete everything before "must"

Page 31, line 15, after "agencies" insert ", using state employees,"

Page 31, line 16, before the period, insert ", using state employees"

Page 31, line 20, delete "commissioner" and insert "state chief information officer"

Page 31, line 24, after the comma, insert "after consulting with the Legislative Advisory Commission"

Page 32, delete section 62

Page 35, delete line 22

Page 35, delete section 69

Pages 35 to 50, delete articles 2 and 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kiffmeyer moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 2, after line 3, insert:

"Section 1. **[3.051] EVEN-YEAR SESSIONS.**

The legislature may not meet in regular session in an even-numbered year before the date set under section 202A.14 for the conduct of precinct caucuses."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Peppin and Downey moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 2 of the Kahn amendment adopted earlier today, delete line 3

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

Downey moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 14, after line 9, insert:

"Sec. 32. Minnesota Statutes 2008, section 16C.085, is amended to read:

**16C.085 WAIVER.**

(a) Notwithstanding sections 16C.08, 16C.09, 43A.047, or other law to the contrary, the commissioner of administration may enter into or approve a service contract for printing services or for services provided by the DocuComm Division, the Materials Transfer Unit and the State Resource Recovery Unit without determining that no current state employee is able and available to perform the services called for by the contract. This section only applies when the commissioner of management and budget and the commissioner of administration conclude the revolving funds are unable to sustain state operations or the rates charged are greater than the amount that would be paid through a service contract. If the commissioner issues a request for proposals for services covered by this section, the state employees who perform the services may submit a proposal to continue to do the work.

(b) The commissioner shall report by January 15 of each year to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over state contracts, on the contracts entered into for the previous fiscal year under the authority of this section. The report must identify the dollar amount, the effective date, the type of service, and the length of each contract."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

## CALL OF THE HOUSE

On the motion of Buesgens and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Doepke	Hilty	Lieder	Obermueller	Slawik
Anderson, B.	Doty	Hoppe	Loeffler	Olin	Slocum
Anderson, P.	Downey	Hornstein	Loon	Paymar	Smith
Anderson, S.	Drazkowski	Hosch	Mack	Pelowski	Solberg
Anzelc	Eastlund	Huntley	Magnus	Peppin	Sterner
Beard	Eken	Jackson	Mahoney	Persell	Swails
Benson	Emmer	Johnson	Mariani	Peterson	Thao
Bigham	Falk	Juhnke	Marquart	Poppe	Thissen
Bly	Faust	Kahn	Masin	Reinert	Tillberry
Brod	Fritz	Kalin	McFarlane	Rosenthal	Torkelson
Brown	Gardner	Kath	McNamara	Rukavina	Urdahl
Brynaert	Gottwalt	Kelly	Morgan	Ruud	Wagenius
Buesgens	Greiling	Kiffmeyer	Morrow	Sailer	Ward
Bunn	Gunther	Knuth	Mullery	Sanders	Welti
Cornish	Hackbarth	Koenen	Murdock	Scalze	Westrom
Davnie	Hamilton	Kohls	Murphy, E.	Scott	Winkler
Dean	Hansen	Laine	Murphy, M.	Seifert	Zellers
Demmer	Hausman	Lanning	Nelson	Sertich	Spk. Kelliher
Dettmer	Haws	Lenczewski	Newton	Severson	
Dill	Hayden	Lesch	Nornes	Shimanski	
Dittrich	Hilstrom	Liebling	Norton	Simon	

Sertich moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Downey amendment and the roll was called.

Sertich moved that those not voting be excused from voting. The motion prevailed.

There were 49 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dettmer	Gunther	Kiffmeyer	Nornes	Torkelson
Anderson, P.	Dittrich	Hackbarth	Kohls	Obermueller	Urdahl
Anderson, S.	Doepke	Hamilton	Lanning	Peppin	Westrom
Beard	Downey	Holberg	Loon	Sanders	Zellers
Brod	Drazkowski	Hoppe	Mack	Scott	
Buesgens	Eastlund	Howes	Magnus	Seifert	
Cornish	Emmer	Jackson	McFarlane	Severson	
Dean	Garofalo	Kath	McNamara	Shimanski	
Demmer	Gottwalt	Kelly	Murdock	Sterner	

Those who voted in the negative were:

Abeler	Brown	Davnie	Gardner	Hayden	Hosch
Anzelc	Brynaert	Doty	Greiling	Hilstrom	Huntley
Benson	Bunn	Falk	Hansen	Hilty	Johnson
Bigham	Champion	Faust	Hausman	Hornstein	Juhnke
Bly	Clark	Fritz	Haws	Hortman	Kahn

Kalin	Mahoney	Nelson	Poppe	Slawik	Ward
Knuth	Mariani	Newton	Reinert	Slocum	Welti
Koenen	Marquart	Norton	Rosenthal	Smith	Winkler
Laine	Masin	Olin	Rukavina	Solberg	Spk. Kelliher
Lenczewski	Morgan	Otremba	Ruud	Swails	
Lesch	Morrow	Paymar	Sailer	Thao	
Liebling	Mullery	Pelowski	Scalze	Thissen	
Lieder	Murphy, E.	Persell	Sertich	Tillberry	
Loeffler	Murphy, M.	Peterson	Simon	Wagenius	

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

#### CALL OF THE HOUSE LIFTED

Sertich moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Hoppe offered an amendment to S. F. No. 3134, the second unofficial engrossment, as amended.

#### POINT OF ORDER

Sertich raised a point of order pursuant to rule 3.21 that the Hoppe amendment was not in order. Speaker pro tempore Pelowski ruled the point of order well taken and the Hoppe amendment out of order.

Downey moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 1 of the Kahn amendment adopted earlier today, delete line 24

A roll call was requested and properly seconded.

The question was taken on the Downey amendment and the roll was called. There were 41 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Emmer	Hoppe	Magnus	Seifert
Anderson, P.	Demmer	Garofalo	Kelly	McNamara	Severson
Anderson, S.	Dettmer	Gottwalt	Kiffmeyer	Murdock	Shimanski
Beard	Doepke	Gunther	Kohls	Nornes	Torkelson
Brod	Downey	Hackbarth	Lanning	Peppin	Westrom
Buesgens	Drazkowski	Hamilton	Loon	Sanders	Zellers
Cornish	Eastlund	Holberg	Mack	Scott	

Those who voted in the negative were:

Abeler	Benson	Brown	Carlson	Davnie	Doty
Anzelc	Bigham	Brynaert	Champion	Dill	Eken
Atkins	Bly	Bunn	Clark	Dittrich	Falk

Faust	Howes	Liebling	Murphy, M.	Rukavina	Thissen
Fritz	Huntley	Lieder	Nelson	Ruud	Tillberry
Gardner	Jackson	Lillie	Newton	Sailer	Urdahl
Greiling	Johnson	Loeffler	Norton	Scalze	Wagenius
Hansen	Juhnke	Mahoney	Obermueller	Sertich	Ward
Hausman	Kahn	Mariani	Olin	Simon	Welti
Haws	Kalin	Marquart	Paymar	Slawik	Winkler
Hayden	Kath	Masin	Pelowski	Slocum	Spk. Kelliher
Hilstrom	Knuth	McFarlane	Persell	Smith	
Hilty	Koenen	Morgan	Peterson	Solberg	
Hornstein	Laine	Morrow	Poppe	Sterner	
Hortman	Lenczewski	Mullery	Reinert	Swails	
Hosch	Lesch	Murphy, E.	Rosenthal	Thao	

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

S. F. No. 3134, A bill for an act relating to government operations; describing how to fold the state flag; defining certain powers of the Council on Black Minnesotans; requiring fiscal notes to include information about job creation; limiting requirements for approval by individual legislators in the disposal process for certain state-owned buildings; increasing threshold requirements for deposit of agency receipts; imposing requirements on agencies for contracts over a certain amount; requiring state chief information officer to develop standards for enhanced public access to state electronic records; clarifying use of fees in the combined charities campaign; transferring membership in the Workers' Compensation Reinsurance Association from the commissioner of management and budget to the commissioner of administration; eliminating and modifying fees for certain filings with the secretary of state; authorizing grants to counties for voting equipment and vote-counting equipment; establishing the Commission on Service Innovation; allowing contiguous counties to establish a home rule charter commission; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 1.141, by adding subdivisions; 3.9225, subdivision 5; 3.98, subdivision 2; 16A.275; 16B.24, subdivision 3; 16E.04, subdivision 2; 16E.05, by adding a subdivision; 43A.50, subdivision 2; 79.34, subdivision 1; 318.02, subdivision 1; 557.01; proposing coding for new law in Minnesota Statutes, chapters 3; 16C; proposing coding for new law as Minnesota Statutes, chapter 372A; repealing Laws 2005, chapter 162, section 34, subdivision 2, as amended.

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 90 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Abeler	Doty	Hosch	Lieder	Norton	Sertich
Anzelc	Eken	Howes	Lillie	Obermueller	Simon
Atkins	Falk	Huntley	Loeffler	Olin	Slawik
Benson	Faust	Jackson	Mahoney	Otremba	Slocum
Bigham	Fritz	Johnson	Mariani	Paymar	Smith
Bly	Gardner	Juhnke	Marquart	Pelowski	Solberg
Brown	Greiling	Kahn	Masin	Persell	Swails
Brynaert	Hansen	Kalin	McNamara	Peterson	Thao
Bunn	Hausman	Kath	Morgan	Poppe	Thissen
Carlson	Haws	Knuth	Morrow	Reinert	Tillberry
Champion	Hayden	Koenen	Mullery	Rosenthal	Wagenius
Clark	Hilstrom	Laine	Murphy, E.	Rukavina	Ward
Davnie	Hilty	Lenczewski	Murphy, M.	Ruud	Welti
Dill	Hornstein	Lesch	Nelson	Sailer	Winkler
Dittrich	Hortman	Liebling	Newton	Scalze	Spk. Kelliher

Those who voted in the negative were:

Anderson, B.	Demmer	Gottwalt	Kohls	Peppin	Urdahl
Anderson, P.	Dettmer	Gunther	Lanning	Sanders	Westrom
Anderson, S.	Doepke	Hackbarth	Loon	Scott	Zellers
Beard	Downey	Hamilton	Mack	Seifert	
Brod	Drazkowski	Holberg	Magnus	Severson	
Buesgens	Eastlund	Hoppe	McFarlane	Shimanski	
Cornish	Emmer	Kelly	Murdock	Sterner	
Dean	Garofalo	Kiffmeyer	Nornes	Torkelson	

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

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

### MOTIONS AND RESOLUTIONS

Lanning moved that the name of Gottwalt be added as an author on H. F. No. 2062. The motion prevailed.

Hilstrom moved that the name of Sterner be added as an author on H. F. No. 2699. The motion prevailed.

Dittrich moved that the name of Laine be added as an author on H. F. No. 3475. The motion prevailed.

Ward moved that his name be stricken and the name of Benson be added as chief author on H. F. No. 3675. The motion prevailed.

Winkler moved that the name of Loeffler be added as an author on H. F. No. 3829. The motion prevailed.

Hayden moved that the name of Liebling be added as an author on H. F. No. 3842. The motion prevailed.

Hayden moved that the name of Liebling be added as an author on H. F. No. 3843. The motion prevailed.

Hansen moved that the name of Sterner be added as an author on H. F. No. 3854. The motion prevailed.

### ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 12:00 noon, Saturday, May 15, 2010. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and Speaker pro tempore Pelowski declared the House stands adjourned until 12:00 noon, Saturday, May 15, 2010.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

