

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

FOURTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 10, 2011

The House of Representatives convened at 3:00 p.m. and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by the Reverend Richard D. Buller, Valley Community Presbyterian Church, Golden Valley, 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	Davnie	Hancock	Kriesel	Mullery	Schomacker
Anderson, B.	Dean	Hansen	Lanning	Murdock	Scott
Anderson, D.	Dettmer	Hausman	Leidiger	Murphy, E.	Shimanski
Anderson, P.	Dittrich	Hayden	LeMieur	Murphy, M.	Simon
Anderson, S.	Doepke	Hilstrom	Lenczewski	Murray	Slawik
Anzelc	Downey	Hilty	Lesch	Myhra	Slocum
Atkins	Drazkowski	Holberg	Liebling	Nelson	Smith
Banaian	Eken	Hoppe	Lillie	Nornes	Stensrud
Barrett	Erickson	Hornstein	Loeffler	Norton	Swedzinski
Beard	Fabian	Hortman	Lohmer	O'Driscoll	Thissen
Benson, J.	Falk	Hosch	Loon	Paymar	Tillberry
Benson, M.	Franson	Howes	Mack	Pelowski	Torkelson
Bills	Fritz	Huntley	Mahoney	Peppin	Urdahl
Brynaert	Garofalo	Johnson	Mariani	Persell	Vogel
Buesgens	Gauthier	Kahn	Marquart	Petersen, B.	Wagenius
Carlson	Gottwalt	Kath	Mazorol	Peterson, S.	Ward
Champion	Greene	Kelly	McDonald	Poppe	Wardlow
Clark	Greiling	Kieffer	McElfatrick	Quam	Westrom
Cornish	Gruenhagen	Kiel	McFarlane	Rukavina	Winkler
Crawford	Gunther	Kiffmeyer	McNamara	Runbeck	Woodard
Daudt	Hackbarth	Knuth	Moran	Sanders	Spk. Zellers
Davids	Hamilton	Koenen	Morrow	Scalze	

A quorum was present.

Dill and Laine were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Hamilton from the Committee on Agriculture and Rural Development Policy and Finance to which was referred:

H. F. No. 12, A bill for an act relating to taxation; property; restoring green acres and agricultural classifications to pre-2008 status; amending Minnesota Statutes 2010, sections 273.111, subdivisions 3, 11a; 273.13, subdivision 23; repealing Minnesota Statutes 2010, sections 273.1108; 273.111, subdivisions 3a, 4, 8, 9, 9a, 11; 273.114; 273.1384, subdivision 2; Laws 2008, chapter 366, article 6, section 52.

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 273.111, is amended by adding a subdivision to read:

Subd. 2a. **Purpose.** The legislature finds that it is in the interest of the state to encourage and preserve farms by mitigating the property tax impact of increasing land values due to nonagricultural economic forces.

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

Sec. 2. Minnesota Statutes 2010, section 273.111, subdivision 9, is amended to read:

Subd. 9. **Additional taxes.** (a) Except as provided in paragraph (b), when real property which is being, or has been valued and assessed under this section no longer qualifies under subdivision 3, the portion no longer qualifying shall be subject to additional taxes, in the amount equal to the difference between the taxes determined in accordance with subdivision 4, and the amount determined under subdivision 5. Provided, however, that the amount determined under subdivision 5 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arm's-length transaction been used in lieu of the market value determined under subdivision 5. Such additional taxes shall be extended against the property on the tax list for the current year, provided, however, that no interest or penalties shall be levied on such additional taxes if timely paid, and provided further, that such additional taxes shall only be levied with respect to (1) the last three years that the said property has been valued and assessed under this section, for property originally enrolled on or before May 1, 2012, or (2) the last five years that the property has been valued and assessed under this section, for property originally enrolled after May 1, 2012.

(b) Real property that has been valued and assessed under this section prior to May 29, 2008, and that ceases to qualify under this section after May 28, 2008, and is withdrawn from the program before August 16, 2010, is not subject to additional taxes under this subdivision or subdivision 3, paragraph (c). If additional taxes have been paid under this subdivision with respect to property described in this paragraph prior to April 3, 2009, the county must repay the property owner in the manner prescribed by the commissioner of revenue.

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

Sec. 3. Minnesota Statutes 2010, section 273.114, subdivision 2, is amended to read:

Subd. 2. **Requirements.** Class 2a or 2b property that had been ~~assessed~~ properly classified under Minnesota Statutes 2006, section 273.111, or that is part of an agricultural homestead under Minnesota Statutes, section 273.13, subdivision 23, paragraph (a), is entitled to valuation and tax deferral under this section if:

(1) the land consists of at least ten acres;

~~(2) a conservation assessment plan for the land must be prepared by an approved plan writer and implemented during the period in which the land is subject to valuation and deferral under this section;~~

~~(3) the land must be enrolled for a minimum of eight years;~~

~~(4) (2) there are no delinquent property taxes on the land; and~~

~~(5) (3) the property is not also enrolled for valuation and deferment under section 273.111 or 273.112, or chapter 290C or 473H.~~

EFFECTIVE DATE. This section is effective for taxes payable in 2012 and thereafter.

Sec. 4. Minnesota Statutes 2010, section 273.114, subdivision 5, is amended to read:

Subd. 5. **Application and covenant agreement.** ~~(a)~~ Application for deferment of taxes and assessment under this section shall be filed by May 1 of the year prior to the year in which the taxes are payable. Any application filed under this subdivision and granted shall continue in effect for subsequent years until the ~~termination of the covenant agreement under paragraph (b)~~ property is transferred or sold, or otherwise removed from the program by the owner. The application must be filed with the assessor of the taxing district in which the real property is located on the form prescribed by the commissioner of revenue. ~~The assessor may require proof by affidavit or otherwise that the property qualifies under subdivision 2.~~

~~(b) The owner of the property must sign a covenant agreement that is filed with the county recorder and recorded in the county where the property is located. The covenant agreement must include all of the following:~~

~~(1) legal description of the area to which the covenant applies;~~

~~(2) name and address of the owner;~~

~~(3) a statement that the land described in the covenant must be kept as rural preserve land, which meets the requirements of subdivision 2, for the duration of the covenant;~~

~~(4) a statement that the landowner may terminate the covenant agreement by notifying the county assessor in writing three years in advance of the date of proposed termination, provided that the notice of intent to terminate may not be given at any time before the land has been subject to the covenant for a period of five years;~~

~~(5) a statement that the covenant is binding on the owner or the owner's successor or assigns and runs with the land; and~~

~~(6) a witnessed signature of the owner, agreeing by covenant, to maintain the land as described in subdivision 2.~~

~~(c) After a covenant under this section has been terminated, the land that had been subject to the covenant is ineligible for subsequent valuation under this section for a period of three years after the termination.~~

EFFECTIVE DATE. This section is effective for taxes payable in 2012 and thereafter.

Sec. 5. Minnesota Statutes 2010, section 273.114, subdivision 6, is amended to read:

Subd. 6. **Additional taxes.** Upon ~~termination of a covenant agreement in subdivision 5, paragraph (b)~~ voluntary withdrawal from the program or termination due to sale or transfer of the property, the land ~~to which the covenant applied~~ shall be subject to additional taxes in the amount equal to the difference between the taxes determined in accordance with subdivision 3 and the amount determined under subdivision 4, provided that the amount determined under subdivision 4 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arm's-length transaction been used in lieu of the market value determined under subdivision 4. The

additional taxes shall be extended against the property on the tax list for the current year, provided that no interest or penalties shall be levied on the additional taxes if timely paid and that the additional taxes shall only be levied with respect to the current year plus (1) two prior years that the property has been valued and assessed under this section, for property that had been enrolled under this section or section 273.111 on or before May 1, 2012, or (2) four prior years that the property had been valued and assessed under this section, for all other property.

EFFECTIVE DATE. This section is effective for taxes payable in 2012 and thereafter.

Sec. 6. **LAND REMOVED FROM PROGRAM.**

(a) Any class 2a land that had been properly enrolled in the Minnesota Agricultural Property Tax Law under Minnesota Statutes 2006, section 273.111, and that was removed from the program between May 21, 2008, and the effective date of this section must be reinstated to the program at the request of the owner provided that the request is made prior to September 1, 2011.

(b) Any class 2b land that had been properly enrolled in the Minnesota Agricultural Property Tax Law under Minnesota Statutes, section 273.111, and that was removed from the program between May 21, 2008, and the effective date of this section, and that applies for enrollment in the rural preserve program under Minnesota Statutes, section 273.114, prior to September 1, 2011, shall be regarded as if it had been enrolled under Minnesota Statutes, section 273.111, immediately prior to application for enrollment under Minnesota Statutes, section 273.114.

(c) If additional taxes have been paid by a property owner prior to the effective date of this section with respect to property described in paragraph (a) or (b), as a result of the property being removed from the program authorized under Minnesota Statutes 2006, section 273.111, the county must repay the property owner in the manner prescribed by the commissioner of revenue.

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

Sec. 7. **COVENANTS TERMINATED.**

Any covenants entered into in order to comply with the requirements of Minnesota Statutes 2010, section 273.114, subdivision 5, are terminated.

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

Sec. 8. **STUDY REQUIRED.**

The commissioner of revenue, in consultation with the Minnesota Association of Assessing Officers, the Department of Applied Economics at the University of Minnesota, and representatives of major farm groups within the state of Minnesota, must explore alternative methods for determining the taxable value of tillable and nontillable land enrolled in the green acres program under Minnesota Statutes, section 273.111, and the rural preserves program under Minnesota Statutes, section 273.114. The commissioner must make a report to the legislature by February 15, 2012, describing the methodologies intended to be used for assessment year 2012 and thereafter.

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

Sec. 9. **REPEALER.**

Minnesota Statutes 2010, section 273.114, subdivision 1, is repealed.

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

Delete the title and insert:

"A bill for an act relating to taxation; property; making changes to the green acres and rural preserve programs; amending Minnesota Statutes 2010, sections 273.111, subdivision 9, by adding a subdivision; 273.114, subdivisions 2, 5, 6; repealing Minnesota Statutes 2010, section 273.114, subdivision 1."

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

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

S. F. No. 4, A bill for an act relating to energy; regulating and monitoring decommissioning of nuclear power plants and disposal of used fuel; abolishing prohibition on issuing certificate of need for new nuclear power plant; amending Minnesota Statutes 2010, section 216B.243, subdivision 3b; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 216B.243, subdivision 3b, is amended to read:

Subd. 3b. ~~Nuclear power plant; new construction prohibited; relicensing~~ **Additional storage of spent nuclear fuel.** ~~(a) The commission may not issue a certificate of need for the construction of a new nuclear powered electric generating plant.~~

~~(b)~~ Any certificate of need for additional storage of spent nuclear fuel for a facility seeking a license extension shall address the impacts of continued operations over the period for which approval is sought.

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

Delete the title and insert:

"A bill for an act relating to energy; abolishing prohibition on issuing certificate of need for new nuclear power plant; amending Minnesota Statutes 2010, section 216B.243, subdivision 3b."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 4 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Smith introduced:

H. F. No. 438, A bill for an act relating to corrections; requiring state and local jail and prison inmates to be housed in publicly owned and operated jails and prisons; prohibiting the state and counties from contracting with private prisons; prohibiting renewal of the Prairie Correctional Facility contract; amending Minnesota Statutes 2010, section 241.01, subdivision 3a; proposing coding for new law in Minnesota Statutes, chapters 243; 641.

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

Smith introduced:

H. F. No. 439, A bill for an act relating to public safety; clarifying that an inmate convicted for assaulting a correctional officer must serve their sentence consecutive to the sentence for which they are imprisoned; amending Minnesota Statutes 2010, section 609.2232.

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

Smith introduced:

H. F. No. 440, A bill for an act relating to courts; clarifying placement of vehicle license plates; modifying failure to provide vehicle insurance for drivers and owners; modifying service of petition for certain election errors; requiring corrections agent to provide form regarding predatory offender duty to register; opening certain hearings concerning parents and children; clarifying certain fees and surcharges; modifying certain notary provisions; modifying certain appeals of referee orders; modifying certain lien filing and records; modifying certain service procedures and documents for domestic abuse; clarifying document copies for probate records; amending Minnesota Statutes 2010, sections 169.79, subdivision 6; 169.797, subdivision 4; 204B.44; 243.166, subdivision 2; 257.61; 257.70; 279.37, subdivision 8; 357.021, subdivision 6; 359.061, subdivisions 1, 2; 484.013, subdivisions 3, 6; 514.69; 514.70; 518B.01, subdivision 8; 525.091, subdivisions 1, 3; repealing Minnesota Statutes 2010, sections 359.061, subdivision 3; 525.091, subdivision 4; 626A.17.

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

Loon, Cornish, Johnson, Hoppe and Atkins introduced:

H. F. No. 441, A bill for an act relating to public safety; 911 telephone service; providing for collection of 911 fees from prepaid wireless telecommunications services; amending Minnesota Statutes 2010, sections 403.02, by adding a subdivision; 403.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 403.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Loon introduced:

H. F. No. 442, A bill for an act relating to education; repealing two percent set-aside for professional development; amending Minnesota Statutes 2010, sections 122A.414, subdivisions 1a, 4; 122A.60, subdivisions 1, 1a, 4; repealing Minnesota Statutes 2010, section 122A.61.

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

Mack; Garofalo; Myhra; Anderson, D., and Atkins introduced:

H. F. No. 443, A bill for an act relating to capital improvements; appropriating money for Cedar Avenue Bus Rapid Transitway (BRT) in Dakota and Hennepin Counties; authorizing the sale and issuance of state bonds.

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

Mazorol, Morrow, Hortman, Smith and Wardlow introduced:

H. F. No. 444, A bill for an act relating to secured transactions; enacting amendments to the Uniform Commercial Code Article 9 adopted by the National Conference of Commissioners on Uniform State Laws; making conforming changes; amending Minnesota Statutes 2010, sections 86B.820, subdivisions 10, 11; 168A.01, subdivisions 18, 19; 336.2A-103; 336.9-102; 336.9-105; 336.9-307; 336.9-311; 336.9-316; 336.9-317; 336.9-326; 336.9-406; 336.9-408; 336.9-502; 336.9-503; 336.9-507; 336.9-515; 336.9-516; 336.9-518; 514.963, subdivision 7; 514.965, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 336.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Dauids introduced:

H. F. No. 445, A bill for an act relating to taxation; authorizing use of pooled tax increments for development of market rate housing at certain locations; amending Minnesota Statutes 2010, section 469.1763, subdivision 2.

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

Abeler and Dauids introduced:

H. F. No. 446, A bill for an act relating to taxation; allowing a jobs credit for increasing employment; amending Minnesota Statutes 2010, section 290.06, by adding a subdivision.

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

Kelly, Cornish, Hilstrom, Lesch, Woodard, Kriesel, Gauthier, Fritz, Moran, Slocum and McDonald introduced:

H. F. No. 447, A bill for an act relating to vulnerable adults; modifying provisions governing investigations, reviews, and hearings; making the crime of criminal abuse of a vulnerable adult a registrable offense under the predatory offender registration law; changing terminology; increasing the criminal penalty for assaulting a vulnerable adult; providing criminal penalties; amending Minnesota Statutes 2010, sections 144.7065, subdivision

10; 243.166, subdivision 1b; 245C.28, by adding a subdivision; 256.021; 256.045, subdivision 4; 518.165, subdivision 5; 524.5-118, subdivision 2; 609.2231, by adding a subdivision; 609.224, subdivision 2; 626.557, subdivisions 9, 9a, 9c, 9d, 12b; 626.5571, subdivision 1; 626.5572, subdivision 13.

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

Simon introduced:

H. F. No. 448, A bill for an act relating to alcohol; allowing sales of specific clothing and memorabilia by an exclusive liquor store; amending Minnesota Statutes 2010, section 340A.412, subdivision 14.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Runbeck and Draskowski introduced:

H. F. No. 449, A bill for an act relating to taxation; repealing two percent contractor withholding; amending Minnesota Statutes 2010, section 289A.31, subdivision 5; repealing Minnesota Statutes 2010, section 290.92, subdivision 31.

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

Cornish introduced:

H. F. No. 450, A bill for an act relating to cultural heritage; appropriating money for rehabilitation of the Dodd Ford Bridge.

The bill was read for the first time and referred to the Legacy Funding Division.

Davids; Franson; Lohmer; Benson, M., and Westrom introduced:

H. F. No. 451, A bill for an act relating to taxation; conforming to federal tax treatment; amending Minnesota Statutes 2010, sections 289A.02, subdivision 7; 290.01, subdivisions 19, 31; 290A.03, subdivision 15.

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

Howes; Swedzinski; Anderson, S.; Daudt; Smith; Lohmer; Gottwalt and Dean introduced:

H. F. No. 452, A bill for an act relating to public safety; providing for display and consumer fireworks; amending Minnesota Statutes 2010, sections 624.20, subdivision 1; 624.21; 624.22, subdivision 2; repealing Minnesota Statutes 2010, section 624.20, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Kath introduced:

H. F. No. 453, A bill for an act relating to education; directing the Board of Teaching to incorporate professional reflection and growth in best teaching practices into its renewal requirements for a continuing teaching license; amending Minnesota Statutes 2010, section 122A.09, subdivision 4.

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

Kath introduced:

H. F. No. 454, A bill for an act relating to health; requiring ethics training from home health aides; instructing the commissioner of health to amend rules; amending Minnesota Statutes 2010, sections 144A.44, subdivision 1; 144A.45, subdivision 1.

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

Kath introduced:

H. F. No. 455, A bill for an act relating to public safety; expanding the fourth-degree assault crime and the assaulting a police horse crime to provide more protection to law enforcement assistants; amending Minnesota Statutes 2010, sections 609.02, by adding a subdivision; 609.2231, by adding a subdivision; 609.597.

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

Kath introduced:

H. F. No. 456, A bill for an act relating to health; permitting nursing home bed layaway in certain emergency circumstances; requiring commissioner of health to make recommendations on a mutual aid agreement process; amending Minnesota Statutes 2010, section 12A.10, by adding a subdivision.

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

Kath introduced:

H. F. No. 457, A bill for an act relating to education; allowing school districts and charter schools to also publish public information electronically; eliminating a requirement that superintendents identify expenditures related to the rate at which students pass statewide assessments; amending Minnesota Statutes 2010, sections 123A.15, subdivision 5; 123A.32, subdivision 5; 123B.29; 123B.38; 123B.51, subdivision 5; 123B.52, subdivisions 1, 1a; 123B.71, subdivision 12; 205A.07; 645.13; repealing Minnesota Statutes 2010, section 123B.143.

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

Poppe introduced:

H. F. No. 458, A bill for an act relating to capital improvements; appropriating money for the Turtle Creek flood mitigation project in the city of Austin; authorizing the sale and issuance of state bonds.

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

Fritz introduced:

H. F. No. 459, A bill for an act relating to highways; designating portion of marked Interstate Highway 35 as Deputy John W. Liebenstein Memorial Highway; amending Minnesota Statutes 2010, section 161.14, by adding a subdivision.

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

Peppin; Banaian; Sanders; Clark; Rukavina; Zellers; Beard; Hosch; Davnie; Anderson, B.; Fabian; Drazkowski; Holberg; Winkler; Nelson; O'Driscoll; McFarlane and Anderson, S., introduced:

H. F. No. 460, A bill for an act relating to State Fire Code; prohibiting sprinkler requirements in single-family dwellings; amending Minnesota Statutes 2010, section 299F.011, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Dittrich introduced:

H. F. No. 461, A bill for an act relating to state lands; requiring conveyance of certain surplus state land in Schmidt Wildlife Management Area.

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

Norton introduced:

H. F. No. 462, A bill for an act relating to health occupations; providing for a Nurse Licensure Compact; providing for appointments; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Norton introduced:

H. F. No. 463, A bill for an act relating to education; changing the deadline and penalty for reaching teacher collective bargaining agreements; amending Minnesota Statutes 2010, section 123B.05, subdivisions 2, 5.

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

Norton introduced:

H. F. No. 464, A bill for an act relating to education; changing deadline and process for reaching teacher collective bargaining agreements; amending Minnesota Statutes 2010, section 123B.05, subdivision 2; repealing Minnesota Statutes 2010, section 123B.05, subdivisions 3, 4.

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

Smith, Simon, Westrom, Johnson and Lesch introduced:

H. F. No. 465, A bill for an act relating to data practices; adding a provision to the safe at home program; providing for protective orders; proposing coding for new law in Minnesota Statutes, chapter 5B.

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

Morrow and Gauthier introduced:

H. F. No. 466, A bill for an act relating to veterans; appropriating money for a grant to the Minnesota Assistance Council for Veterans for continued outreach to homeless veterans in Minnesota.

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

Gruenhagen, Cornish, Westrom, Woodard and Knuth introduced:

H. F. No. 467, A bill for an act relating to public safety; directing the commissioner of corrections to implement a gardening program at state correctional facilities; proposing coding for new law in Minnesota Statutes, chapter 241.

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

Gruenhagen, Scott and Lohmer introduced:

H. F. No. 468, A bill for an act relating to health care; prohibiting the expenditure of state funds to comply with certain federal health care laws.

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

Gruenhagen, Cornish, Smith, Mullery and Johnson introduced:

H. F. No. 469, A bill for an act relating to public safety; providing for jurisdiction for petitions for harassment restraining orders; amending Minnesota Statutes 2010, section 609.748, subdivisions 2, 3a.

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

Gauthier, Ward, Davnie, Nelson, Greiling and Persell introduced:

H. F. No. 470, A bill for an act relating to education; providing for a more cost effective K-12 special education third-party billing process; amending Minnesota Statutes 2010, section 125A.21, subdivisions 2, 3; Laws 2009, chapter 79, article 5, section 60, as amended.

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

McNamara, Lillie, Cornish, Dill, Hancock and Urdahl introduced:

H. F. No. 471, A bill for an act relating to natural resources; appropriating money from the outdoor heritage fund; modifying certain outdoor heritage provisions; amending Minnesota Statutes 2010, section 97A.056, subdivision 2, by adding a subdivision; Laws 2009, chapter 172, article 1, section 2, subdivision 3.

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

Nornes, Draskowski, Dettmer, Bills, Murdock and Fabian introduced:

H. F. No. 472, A bill for an act relating to motor vehicles; establishing biennial inspection and filing fee charges for limited use farm trucks; making technical correction; amending Minnesota Statutes 2010, sections 168.002, by adding a subdivision; 168.33, subdivisions 7, 8a; 169.781, subdivision 5.

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

Smith introduced:

H. F. No. 473, A bill for an act relating to family law; providing for calculation of maintenance after child support; amending Minnesota Statutes 2010, sections 518.552, by adding a subdivision; 518A.29.

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

Smith, Woodard, Gauthier, Leidiger and LeMieur introduced:

H. F. No. 474, A bill for an act relating to public safety; allocating funds contained in fire safety account; amending Minnesota Statutes 2010, section 297I.06, subdivision 3.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 130, A bill for an act relating to state government finance; making appropriation reductions for fiscal year 2011, policy changes, and appropriation reductions for fiscal years 2012 and 2013; making changes to tax aids and credits and reducing payments; amending Minnesota Statutes 2010, sections 256B.766; 270A.03, subdivision 7; 273.1384, subdivision 6, by adding a subdivision; 289A.02, subdivision 7; 289A.50, subdivision 1; 290.01, subdivisions 6, 19, 19a, 19c, 31; 290A.03, subdivisions 11, 13, 15; 290C.07; 477A.0124, by adding a subdivision; 477A.013, subdivision 9, by adding a subdivision; 477A.03; Laws 2010, First Special Session chapter 1, article 5, sections 4; 5; proposing coding for new law in Minnesota Statutes, chapter 43A; repealing Minnesota Statutes 2010, sections 10A.322, subdivision 4; 13.4967, subdivision 2; 290.06, subdivision 23.

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

CAL R. LUDEMAN, Secretary of the Senate

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Dean from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Thursday, February 10, 2011:

S. F. No. 40; H. F. Nos. 1 and 55; and S. F. No. 139.

CALENDAR FOR THE DAY

S. F. No. 40 was reported to the House.

Garofalo moved to amend S. F. No. 40, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 63, the third engrossment:

"Section 1. Minnesota Statutes 2010, section 122A.16, is amended to read:

122A.16 HIGHLY QUALIFIED TEACHER DEFINED.

(a) A qualified teacher is one holding a valid license, under this chapter, to perform the particular service for which the teacher is employed in a public school.

(b) For the purposes of the federal No Child Left Behind Act, a highly qualified teacher is one who holds a valid license under this chapter, including under section 122A.245, among other sections, to perform the particular service for which the teacher is employed in a public school or who meets the requirements of a highly objective uniform state standard of evaluation (HOUSSE).

All Minnesota teachers teaching in a core academic subject area, as defined by the federal No Child Left Behind Act, in which they are not fully licensed may complete the following HOUSSE process in the core subject area for which the teacher is requesting highly qualified status by completing an application, in the form and manner described by the commissioner, that includes:

(1) documentation of student achievement as evidenced by norm-referenced test results that are objective and psychometrically valid and reliable;

(2) evidence of local, state, or national activities, recognition, or awards for professional contribution to achievement;

(3) description of teaching experience in the teachers' core subject area in a public school under a waiver, variance, limited license or other exception; nonpublic school; and postsecondary institution;

(4) test results from the Praxis II content test;

(5) evidence of advanced certification from the National Board for Professional Teaching Standards;

(6) evidence of the successful completion of course work or pedagogy courses; and

(7) evidence of the successful completion of high quality professional development activities.

Districts must assign a school administrator to serve as a HOUSSE reviewer to meet with teachers under this paragraph and, where appropriate, certify the teachers' applications. Teachers satisfy the definition of highly qualified when the teachers receive at least 100 of the total number of points used to measure the teachers' content expertise under clauses (1) to (7). Teachers may acquire up to 50 points only in any one clause (1) to (7). Teachers may use the HOUSSE process to satisfy the definition of highly qualified for more than one subject area.

(c) Achievement of the HOUSSE criteria is not equivalent to a license. A teacher must obtain permission from the Board of Teaching in order to teach in a public school.

Sec. 2. Minnesota Statutes 2010, section 122A.23, subdivision 1, is amended to read:

Subdivision 1. **Preparation equivalency.** When a license to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state university, or of the University of Minnesota, or of a liberal arts university, or a technical training institution, such license may also, in the discretion of the Board of Teaching or the commissioner of education, whichever has jurisdiction, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state. The diploma or degree must be granted by virtue of ~~the completion of~~ completing a course in teacher preparation essentially equivalent in content to that required by such Minnesota state university or the University of Minnesota or a liberal arts university in Minnesota or a technical training institution as preliminary to the granting of a diploma or a degree of the same rank and class. For purposes of granting a Minnesota teaching license to a person who receives a diploma or degree from a state-accredited, out-of-state teacher training program leading to licensure, the Board of Teaching must establish criteria and streamlined procedures to recognize the experience and professional credentials of the person holding the out-of-state diploma or degree and allow that person to demonstrate to the board his or her qualifications for receiving a Minnesota teaching license based on performance measures the board adopts under this section.

Sec. 3. **[122A.245] ALTERNATIVE TEACHER PREPARATION PROGRAM AND LIMITED-TERM TEACHER LICENSE.**

Subdivision 1. **Requirements.** (a) The Board of Teaching must approve qualified teacher preparation programs under this section that are a means to acquire a two-year limited-term license and to prepare for acquiring a standard license. The following entities are eligible to participate under this section:

(1) a school district or charter school that forms a partnership with a college or university that has a board-approved alternative teacher preparation program;

(2) a school district or charter school that forms a partnership with a nonprofit corporation formed under chapter 317A for an education-related purpose that has a board-approved teacher preparation program; or

(3) a board-approved teacher preparation program within a district.

(b) Before participating in this program, a candidate must:

(1) have a bachelor's degree;

(2) pass the reading, writing, and mathematics skills examination under section 122A.09, subdivision 4, paragraph (b); and

(3) obtain qualifying scores on applicable board-approved content area and pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

(c) The Board of Teaching must issue a two-year limited-term license to a person who enrolls in an alternative teacher preparation program.

Subd. 2. **Characteristics.** An alternative teacher preparation program under this section must include:

(1) a minimum 200-hour instructional phase that provides intensive preparation before the teacher candidate assumes classroom responsibilities;

(2) a research-based and results-oriented approach focused on best teaching practices to increase student proficiency and growth measured against state academic standards;

(3) strategies to combine pedagogy and best teaching practices to better inform teacher candidates' classroom instruction;

(4) assessment, supervision, and evaluation of teacher candidates to determine their specific needs throughout the program and to support their efforts to successfully complete the program;

(5) intensive, ongoing, and multiyear professional learning opportunities that accelerate teacher candidates' professional growth, support student learning, and provide a workplace orientation, professional staff development, and mentoring and peer review focused on standards of professional practice and continuous professional growth; and

(6) a requirement that teacher candidates demonstrate to the local site team under subdivision 5 their satisfactory progress toward acquiring a standard license from the Board of Teaching.

Subd. 3. **Program approval.** The Board of Teaching must approve alternative teacher preparation programs under this section based on board-adopted criteria that reflect best practices for alternative teacher preparation programs, consistent with this section. The board must permit teacher candidates to demonstrate mastery of pedagogy and content standards in school-based settings and through other nontraditional means.

Subd. 4. **Employment conditions.** Where applicable, teacher candidates with a limited-term license under this section are members of the local employee organization representing teachers and subject to the terms of the local collective bargaining agreement between the exclusive representative of the teachers and the school board. A collective bargaining agreement between a school board and the exclusive representative of the teachers must not prevent or restrict or otherwise interfere with a school district's ability to employ a teacher prepared under this section.

Subd. 5. **Approval for standard license.** A local site team that includes teachers and school administrators, and that may include postsecondary faculty under subdivision 1, paragraph (a), clause (1), or staff of a participating nonprofit corporation under subdivision 1, paragraph (a), clause (2), must evaluate the performance of the teacher candidate. The evaluation must be consistent with board-adopted performance measures, use the Minnesota state standards of effective practice and subject matter content standards for teachers established in rule, and include a report to the board recommending whether or not to issue the teacher candidate a standard license.

Subd. 6. **Applicants trained in other states.** A person who successfully completes another state's alternative teacher preparation program, consistent with section 122A.23, subdivision 1, may apply to the Board of Teaching for a standard license under subdivision 7.

Subd. 7. **Standard license.** The Board of Teaching must issue a standard license to an otherwise qualified teacher candidate under this section who successfully performs throughout a program under this section, successfully completes all required skills, pedagogy, and content area examinations under section 122A.09, subdivision 4, paragraphs (a) and (e), and is recommended for licensure under subdivision 5 or successfully demonstrates to the board his or her qualifications for licensure under subdivision 6.

Subd. 8. **Highly qualified teacher.** A person holding a valid limited-term license under this section is a highly qualified teacher and the teacher of record under section 122A.16.

Subd. 9. **Reports.** The Board of Teaching must submit an interim report on the efficacy of this program to the policy and finance committees of the legislature with jurisdiction over kindergarten through grade 12 education by February 15, 2013, and a final report by February 15, 2015.

EFFECTIVE DATE. This section is effective for the 2011-2012 school year and later.

Sec. 4. **REPEALER.**

Minnesota Statutes 2010, section 122A.24, is repealed.

EFFECTIVE DATE. This section is effective August 1, 2011."

Delete the title and insert:

"A bill for an act relating to education; amending teacher licensure provisions; establishing an alternative teacher preparation program and limited-term teacher license; requiring reports; amending Minnesota Statutes 2010, sections 122A.16; 122A.23, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2010, section 122A.24."

The motion prevailed and the amendment was adopted.

Garofalo and Erickson moved to amend S. F. No. 40, the second engrossment, as amended, as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2010, section 122A.09, subdivision 4, is amended to read:

Subd. 4. **License and rules.** (a) The board must adopt rules to license public school teachers and interns subject to chapter 14.

(b) The board must adopt rules requiring a person to successfully complete a skills examination in reading, writing, and mathematics as a requirement for initial teacher licensure. Such rules must require college and universities offering a board-approved teacher preparation program to provide remedial assistance to persons who did not achieve a qualifying score on the skills examination, including those for whom English is a second language.

(c) The board must adopt rules to approve teacher preparation programs. The board, upon the request of a postsecondary student preparing for teacher licensure or a licensed graduate of a teacher preparation program, shall assist in resolving a dispute between the person and a postsecondary institution providing a teacher preparation program when the dispute involves an institution's recommendation for licensure affecting the person or the person's credentials. At the board's discretion, assistance may include the application of chapter 14.

(d) The board must provide the leadership and ~~shall~~ adopt rules for the redesign of teacher education programs to implement a research based, results-oriented curriculum that focuses on the skills teachers need in order to be effective. The board shall implement new systems of teacher preparation program evaluation to assure program effectiveness based on proficiency of graduates in demonstrating attainment of program outcomes. Teacher preparation programs including alternative teacher preparation programs under section 122A.245, among other programs, must include a board-approved performance-based assessment that measures teacher candidates in three areas: planning for instruction and assessment; engaging students and supporting learning; and assessing student learning.

(e) The board must adopt rules requiring candidates for initial licenses to successfully complete an examination of general pedagogical knowledge and examinations of licensure-specific teaching skills. The rules shall be effective by September 1, 2001. The rules under this paragraph also must require candidates for initial licenses to teach prekindergarten or elementary students to successfully complete, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in comprehensive, scientifically based reading instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for initial licenses.

(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses.

(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.

(k) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.

(l) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

(m) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

(n) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in understanding the key warning signs of early-onset mental illness in children and adolescents.

EFFECTIVE DATE. This section is effective immediately and applies to individuals who complete a teacher preparation program by the end of the 2013-2014 school year or later.

Page 3, line 5, after "(a)" insert "To improve academic excellence, improve ethnic and cultural diversity in the classroom, and close the academic achievement gap,"

Page 3, line 7, after the first "license" insert ", which the board may renew one time for an additional one-year term,"

Page 3, line 10, after the semicolon insert "or"

Page 3, line 11, delete "that" and insert ", after consulting with a college or university with a board-approved teacher preparation program,"

Page 3, line 12, delete "formed" and insert "organized"

Page 3, line 13, delete "; or"

Page 3, line 14, delete everything before the period

Page 3, line 16, after "degree" insert "with a 3.0 or higher grade point average unless the board waives the grade point average requirement based on board-adopted criteria"

Page 4, line 18, after "A" insert "school board or its designee must appoint members to a" and after "teachers" insert a comma

Page 4, line 19, delete the first "and" and delete "that may include"

Page 4, line 21, delete "must" and insert "to"

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. 40, A bill for an act relating to education; amending teacher licensure provisions; establishing an alternative teacher preparation program and limited-term teacher license; requiring reports; amending Minnesota Statutes 2010, section 122A.16; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2010, section 122A.24.

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 72 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abeler	Crawford	Gruenhagen	Kriesel	McNamara	Scott
Anderson, B.	Daudt	Gunther	Lanning	Murdock	Shimanski
Anderson, D.	Dean	Hackbarth	Leidiger	Murray	Slocum
Anderson, P.	Dettmer	Hamilton	LeMieur	Myhra	Smith
Anderson, S.	Doepke	Hancock	Lohmer	Nornes	Stensrud
Banaian	Downey	Holberg	Loon	O'Driscoll	Swedzinski
Barrett	Drazkowski	Hoppe	Mack	Peppin	Torkelson
Beard	Erickson	Howes	Mariani	Petersen, B.	Vogel
Benson, J.	Fabian	Kelly	Mazorol	Quam	Wardlow
Benson, M.	Franson	Kieffer	McDonald	Runbeck	Westrom
Bills	Garofalo	Kiel	McElfrick	Sanders	Woodard
Buesgens	Gottwalt	Kiffmeyer	McFarlane	Schomacker	Spk. Zellers

Those who voted in the negative were:

Anzelc	Eken	Hilty	Lenczewski	Murphy, E.	Scalze
Atkins	Falk	Hornstein	Lesch	Murphy, M.	Simon
Brynaert	Fritz	Hortman	Liebling	Nelson	Slawik
Carlson	Gauthier	Hosch	Lillie	Norton	Thissen
Champion	Greene	Huntley	Loeffler	Paymar	Tillberry
Clark	Greiling	Johnson	Mahoney	Pelowski	Urdahl
Cornish	Hansen	Kahn	Marquart	Persell	Wagenius
Davids	Hausman	Kath	Moran	Peterson, S.	Ward
Davnie	Hayden	Knuth	Morrow	Poppe	Winkler
Dittrich	Hilstrom	Koenen	Mullery	Rukavina	

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

Buesgens and Huntley were excused for the remainder of today's session.

H. F. No. 1 was reported to the House.

Rukavina, Dill, Fabian and Anzelc moved to amend H. F. No. 1, the second engrossment, as follows:

Page 7, after line 4, insert:

"Sec. 6. Minnesota Statutes 2010, section 116D.04, subdivision 1a, is amended to read:

Subd. 1a. **Definitions.** For the purposes of this chapter, the following terms have the meanings given to them in this subdivision.

(a) "Natural resources" has the meaning given it in section 116B.02, subdivision 4.

(b) "Pollution, impairment or destruction" has the meaning given it in section 116B.02, subdivision 5.

(c) "Environmental assessment worksheet" means a brief document which is designed to set out the basic facts necessary to determine whether an environmental impact statement is required for a proposed action.

(d) "Governmental action" means activities, including projects wholly or partially conducted, permitted, assisted, financed, regulated, or approved by units of government including the federal government.

(e) "Governmental unit" means any state agency and any general or special purpose unit of government in the state including, but not limited to, watershed districts organized under chapter 103D, counties, towns, cities, port authorities, housing authorities, and economic development authorities established under sections 469.090 to 469.108, but not including courts, school districts, Iron Range resources and rehabilitation, and regional development commissions other than the Metropolitan Council."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Rukavina et al amendment and the roll was called. There were 100 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Brynaert	Drazkowski	Hamilton	Kieffer	Marquart
Anderson, D.	Carlson	Eken	Hancock	Kiel	Mazorol
Anderson, P.	Champion	Erickson	Hayden	Kiffmeyer	McDonald
Anderson, S.	Cornish	Fabian	Hilstrom	Koenen	McElpatrick
Anzelc	Crawford	Franson	Hilty	Kriesel	McFarlane
Atkins	Daudt	Fritz	Holberg	Lanning	McNamara
Banaian	Davids	Garofalo	Hoppe	Leidiger	Morrow
Barrett	Dean	Gauthier	Hortman	LeMieur	Murdock
Beard	Dettmer	Gottwalt	Hosch	Lohmer	Murphy, M.
Benson, J.	Dittrich	Gruenhagen	Howes	Loon	Murray
Benson, M.	Doepke	Gunther	Kath	Mack	Myhra
Bills	Downey	Hackbarth	Kelly	Mahoney	Nelson

Nornes	Petersen, B.	Sanders	Slawik	Urdahl	Winkler
O'Driscoll	Poppe	Schomacker	Smith	Vogel	Woodard
Pelowski	Quam	Scott	Stensrud	Ward	Spk. Zellers
Peppin	Rukavina	Shimanski	Swedzinski	Wardlow	
Persell	Runbeck	Simon	Torkelson	Westrom	

Those who voted in the negative were:

Abeler	Greiling	Kahn	Lillie	Murphy, E.	Slocum
Clark	Hansen	Knuth	Loeffler	Norton	Thissen
Davnie	Hausman	Lenczewski	Mariani	Paymar	Tillberry
Falk	Hornstein	Lesch	Moran	Peterson, S.	Wagenius
Greene	Johnson	Liebling	Mullery	Scalze	

The motion prevailed and the amendment was adopted.

Peterson, S., was excused for the remainder of today's session.

The Speaker called Davids to the Chair.

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

Wagenius moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 6, delete lines 31 to 36, and insert:

"(f) When adopting standards that are more stringent than similar federal standards for air quality, hazardous waste, solid waste, or water quality, the commissioner shall include an analysis of proposed standards in any statement of need and reasonableness for rules, including justification for why the standards are needed to protect public health and the environment, and a comparison to similar standards in border states and states within Environmental Protection Agency Region 5."

Page 7, delete lines 1 to 4

A roll call was requested and properly seconded.

Atkins moved that H. F. No. 1, as amended, be re-referred to the Committee on Commerce and Regulatory Reform.

A roll call was requested and properly seconded.

The question was taken on the Atkins motion and the roll was called. There were 55 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anzelc	Falk	Hortman	Lillie	Nelson	Thissen
Atkins	Fritz	Hosch	Loeffler	Norton	Tillberry
Benson, J.	Gauthier	Johnson	Mahoney	Paymar	Wagenius
Brynaert	Greene	Kahn	Mariani	Pelowski	Ward
Carlson	Greiling	Kath	Marquart	Persell	Winkler
Champion	Hansen	Knuth	Moran	Poppe	
Clark	Hausman	Koenen	Morrow	Scalze	
Davnie	Hayden	Lenczewski	Mullery	Simon	
Dittrich	Hilty	Lesch	Murphy, E.	Slawik	
Eken	Hornstein	Liebling	Murphy, M.	Slocum	

Those who voted in the negative were:

Abeler	Daudt	Gruenhagen	Kriesel	Murdock	Scott
Anderson, B.	Davids	Gunther	Lanning	Murray	Shimanski
Anderson, D.	Dean	Hackbarth	Leidiger	Myhra	Smith
Anderson, P.	Dettmer	Hamilton	LeMieur	Nornes	Stensrud
Anderson, S.	Doepke	Hancock	Lohmer	O'Driscoll	Swedzinski
Banaian	Downey	Holberg	Loon	Peppin	Torkelson
Barrett	Drazkowski	Hoppe	Mack	Petersen, B.	Urdahl
Beard	Erickson	Howes	Mazorol	Quam	Vogel
Benson, M.	Fabian	Kelly	McDonald	Rukavina	Wardlow
Bills	Franson	Kieffer	McElfatrick	Runbeck	Westrom
Cornish	Garofalo	Kiel	McFarlane	Sanders	Woodard
Crawford	Gottwalt	Kiffmeyer	McNamara	Schomacker	Spk. Zellers

The motion did not prevail.

The Speaker resumed the Chair.

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

The question recurred on the Wagenius amendment and the roll was called. There were 54 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeler	Falk	Hornstein	Lesch	Mullery	Scalze
Atkins	Fritz	Hortman	Liebling	Murphy, E.	Simon
Benson, J.	Gauthier	Hosch	Lillie	Murphy, M.	Slawik
Brynaert	Greene	Johnson	Loeffler	Nelson	Slocum
Carlson	Greiling	Kahn	Mahoney	Norton	Thissen
Champion	Hansen	Kath	Mariani	Paymar	Tillberry
Clark	Hausman	Knuth	Marquart	Pelowski	Wagenius
Davnie	Hayden	Koenen	Moran	Persell	Ward
Eken	Hilty	Lenczewski	Morrow	Poppe	Winkler

Those who voted in the negative were:

Anderson, B.	Daudt	Gruenhagen	Kriesel	Murdock	Scott
Anderson, D.	Davids	Gunther	Lanning	Murray	Shimanski
Anderson, P.	Dean	Hackbarth	Leidiger	Myhra	Smith
Anderson, S.	Dettmer	Hamilton	LeMieur	Nornes	Stensrud
Anzelc	Doepke	Hancock	Lohmer	O'Driscoll	Swedzinski
Banaian	Downey	Holberg	Loon	Peppin	Torkelson
Barrett	Drazkowski	Hoppe	Mack	Petersen, B.	Urdahl
Beard	Erickson	Howes	Mazorol	Quam	Vogel
Benson, M.	Fabian	Kelly	McDonald	Rukavina	Wardlow
Bills	Franson	Kieffer	McElfratrick	Runbeck	Westrom
Cornish	Garofalo	Kiel	McFarlane	Sanders	Woodard
Crawford	Gottwalt	Kiffmeyer	McNamara	Schomacker	Spk. Zellers

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

Holberg and Hilstrom moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 1, delete section 1

Page 7, after line 4, insert:

"Sec. 6. Minnesota Statutes 2010, section 116D.04, subdivision 2a, is amended to read:

Subd. 2a. **When prepared.** Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision-making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action. No mandatory environmental impact statement may be required for an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), that produces less than 125,000,000 gallons of ethanol annually and is located outside of the seven-county metropolitan area.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section.

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet in a manner to be determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30-day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after the close of the comment period. The board's chair may extend the 15-day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 25 individuals, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chair of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15-day period by not more than 15 additional days upon request of the responsible governmental unit.

(d) Except in an environmentally sensitive location where Minnesota Rules, part 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental review under this chapter and rules of the board, if:

(1) the proposed action is:

(i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

(ii) an expansion of an existing animal feedlot facility with a total cumulative capacity of less than 1,000 animal units;

(2) the application for the animal feedlot facility includes a written commitment by the proposer to design, construct, and operate the facility in full compliance with Pollution Control Agency feedlot rules; and

(3) the county board holds a public meeting for citizen input at least ten business days prior to the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot facility unless another public meeting for citizen input has been held with regard to the feedlot facility to be permitted. The exemption in this paragraph is in addition to other exemptions provided under other law and rules of the board.

(e) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(f) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition, the permits which will be required for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(g) The responsible governmental unit shall, to the extent practicable, avoid duplication and ensure coordination between state and federal environmental review and between environmental review and environmental permitting. Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement.

(h) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60

days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement.

(i) An environmental impact statement prepared by a project proposer is not adequate unless all data collected, created, maintained, or received, or disseminated related to the preparation of the environmental impact statement is submitted to the responsible governmental unit or board with the proposed statement. This paragraph does not require submission of data that was not used to prepare the statement, or data that constitutes a trade secret, is proprietary in nature, or otherwise is protected by law."

Page 7, delete section 8

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

Atkins moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 1, delete section 1

Pages 7 and 8, delete sections 8 and 9

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Atkins amendment and the roll was called. There were 55 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Hosch	Loeffler	Norton	Thissen
Anderson, P.	Falk	Johnson	Mahoney	Paymar	Tillberry
Anzelc	Fritz	Kahn	Mariani	Pelowski	Wagenius
Atkins	Gauthier	Kath	Marquart	Persell	Ward
Benson, J.	Greene	Knuth	Moran	Poppe	Winkler
Brynaert	Greiling	Koenen	Morrow	Rukavina	
Carlson	Hansen	Lenczewski	Mullery	Scalze	
Champion	Hausman	Lesch	Murphy, E.	Simon	
Clark	Hilty	Liebling	Murphy, M.	Slawik	
Davnie	Hornstein	Lillie	Nelson	Slocum	

Those who voted in the negative were:

Anderson, B.	Dean	Hackbarth	Lanning	Murray	Smith
Anderson, D.	Dettmer	Hamilton	Leidiger	Myhra	Stensrud
Anderson, S.	Doepke	Hancock	LeMieur	Nornes	Swedzinski
Banaian	Downey	Holberg	Lohmer	O'Driscoll	Torkelson
Barrett	Drazkowski	Hoppe	Loon	Peppin	Urdahl
Beard	Erickson	Hortman	Mack	Petersen, B.	Vogel
Benson, M.	Fabian	Howes	Mazorol	Quam	Wardlow
Bills	Franson	Kelly	McDonald	Runbeck	Westrom
Cornish	Garofalo	Kieffer	McElfatrick	Sanders	Woodard
Crawford	Gottwalt	Kiel	McFarlane	Schomacker	Spk. Zellers
Daudt	Gruenhagen	Kiffmeyer	McNamara	Scott	
Davids	Gunther	Kriesel	Murdock	Shimanski	

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

Falk, Eken and Morrow moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 7, delete section 7

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 Falk et al amendment and the roll was called. There were 54 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anzelc	Falk	Hortman	Liebling	Murphy, E.	Scalze
Atkins	Fritz	Hosch	Lillie	Murphy, M.	Simon
Benson, J.	Gauthier	Johnson	Loeffler	Nelson	Slawik
Brynaert	Greene	Kahn	Mahoney	Norton	Slocum
Carlson	Greiling	Kath	Mariani	Paymar	Thissen
Champion	Hansen	Knuth	Marquart	Pelowski	Tillberry
Clark	Hausman	Koenen	Moran	Persell	Wagenius
Davnie	Hilty	Lenczewski	Morrow	Poppe	Ward
Eken	Hornstein	Lesch	Mullery	Rukavina	Winkler

Those who voted in the negative were:

Abeler	Benson, M.	Doepke	Gruenhagen	Kelly	Lohmer
Anderson, B.	Bills	Downey	Gunther	Kieffer	Loon
Anderson, D.	Cornish	Drazkowski	Hackbarth	Kiel	Mack
Anderson, P.	Crawford	Erickson	Hamilton	Kiffmeyer	Mazorol
Anderson, S.	Daudt	Fabian	Hancock	Kriesel	McDonald
Banaian	Davids	Franson	Holberg	Lanning	McElfatrick
Barrett	Dean	Garofalo	Hoppe	Leidiger	McFarlane
Beard	Dettmer	Gottwalt	Howes	LeMieur	McNamara

Murdock	O'Driscoll	Runbeck	Shimanski	Torkelson	Westrom
Murray	Peppin	Sanders	Smith	Urdahl	Woodard
Myhra	Petersen, B.	Schomacker	Stensrud	Vogel	Spk. Zellers
Nornes	Quam	Scott	Swedzinski	Wardlow	

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

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

Hortman moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 7, reinstate line 20

Page 7, line 21, reinstate the stricken "undertaken" and delete "the Court of Appeals" and before the period, insert "when a permit from a local unit of government is required for the proposed action or by the Court of Appeals when no local permits are required for the proposed action. The Court of Appeals shall, whenever possible, conduct its proceedings near where the project has been proposed"

The motion prevailed and the amendment was adopted.

H. F. No. 1, A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; amending Minnesota Statutes 2010, sections 84.027, by adding a subdivision; 115.07; 116.03, by adding a subdivision; 116.07, subdivision 2; 116D.04, subdivisions 1a, 2a, 3a, 10; 116D.045, subdivisions 1, 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 82 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Davids	Gunther	Kriesel	Morrow	Shimanski
Anderson, D.	Dean	Hackbarth	Lanning	Murdock	Smith
Anderson, P.	Dettmer	Hamilton	Leidiger	Murray	Stensrud
Anderson, S.	Doepke	Hancock	LeMieur	Myhra	Swedzinski
Anzelc	Downey	Holberg	Lenczewski	Nornes	Torkelson
Banaian	Drazkowski	Hoppe	Lohmer	O'Driscoll	Urdahl
Barrett	Eken	Hosch	Loon	Peppin	Vogel
Beard	Erickson	Howes	Mack	Petersen, B.	Ward
Benson, J.	Fabian	Kath	Marquart	Quam	Wardlow
Benson, M.	Franson	Kelly	Mazorol	Rukavina	Westrom
Bills	Fritz	Kieffer	McDonald	Runbeck	Woodard
Cornish	Garofalo	Kiel	McElpatrick	Sanders	Spk. Zellers
Crawford	Gottwalt	Kiffmeyer	McFarlane	Schomacker	
Daudt	Gruenhagen	Koenen	McNamara	Scott	

Those who voted in the negative were:

Abeler	Falk	Hortman	Loeffler	Nelson	Simon
Atkins	Greene	Johnson	Mahoney	Norton	Slawik
Brynaert	Greiling	Kahn	Mariani	Paymar	Slocum
Carlson	Hansen	Knuth	Moran	Pelowski	Thissen
Champion	Hausman	Lesch	Mullery	Persell	Tillberry
Clark	Hilty	Liebling	Murphy, E.	Poppe	Wagenius
Davnie	Hornstein	Lillie	Murphy, M.	Scalze	Winkler

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

Gunther, McFarlane, Paymar and Rukavina were excused for the remainder of today's session.

H. F. No. 55, A bill for an act relating to state lands; modifying stream easement acquisition provisions; modifying state park, state forest, and land exchange provisions; adding to and deleting from state parks and state forests; authorizing public and private sales, conveyances, and exchanges of certain state land; amending Minnesota Statutes 2010, sections 84.0272, subdivision 2; 85.012, subdivision 40; 89.021, by adding a subdivision; 89.032, subdivision 2; 94.342, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 90 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Abeler	Dauids	Hancock	Lanning	Myhra	Simon
Anderson, B.	Dean	Hilty	Leidiger	Nelson	Slawik
Anderson, D.	Dettmer	Holberg	LeMieur	Nornes	Smith
Anderson, P.	Doepke	Hoppe	Lohmer	Norton	Stensrud
Anderson, S.	Downey	Hortman	Loon	O'Driscoll	Swedzinski
Anzelc	Drazkowski	Hosch	Mack	Pelowski	Thissen
Banaian	Eken	Howes	Marquart	Peppin	Torkelson
Barrett	Erickson	Kath	Mazorol	Petersen, B.	Urdahl
Beard	Fabian	Kelly	McDonald	Poppe	Vogel
Benson, M.	Franson	Kieffer	McElfatrick	Quam	Wagenius
Bills	Garofalo	Kiel	McNamara	Runbeck	Ward
Brynaert	Gottwalt	Kiffmeyer	Morrow	Sanders	Wardlow
Cornish	Gruenhagen	Knuth	Murdock	Schomacker	Westrom
Crawford	Hackbarth	Koenen	Murphy, M.	Scott	Woodard
Daudt	Hamilton	Kriesel	Murray	Shimanski	Spk. Zellers

Those who voted in the negative were:

Atkins	Davnie	Hansen	Lenczewski	Mahoney	Scalze
Benson, J.	Falk	Hausman	Lesch	Mariani	Slocum
Carlson	Fritz	Hornstein	Liebling	Moran	Tillberry
Champion	Greene	Johnson	Lillie	Mullery	Winkler
Clark	Greiling	Kahn	Loeffler	Murphy, E.	

The bill was passed and its title agreed to.

S. F. No. 139 was reported to the House.

Drazkowski moved to amend S. F. No. 139 as follows:

Page 1, after line 13, insert:

"Sec. 4. Minnesota Statutes 2010, section 326B.106, subdivision 13, is amended to read:

Subd. 13. **Lead certification.** When issuing permits in compliance with the State Building Code to a residential building contractor, residential remodeler, manufactured home installer, or residential roofer licensed under section 326B.805, municipalities must verify lead certification qualifications of the licensee required under subdivision 14 for renovations performed on residential property constructed prior to 1978. Municipalities may charge a surcharge for verification of this certification under section 326B.815, subdivision 2. The state or any political subdivision must not impose a fee for the same or similar certification as required under Code of Federal Regulations, title 40, section 745.89.

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.

S. F. No. 139, A bill for an act relating to residential construction; providing for lead poisoning prevention; modifying effective dates; amending Laws 2010, chapter 321, sections 1; 2; 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 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Champion	Falk	Hoppe	Lanning	McDonald
Anderson, B.	Clark	Franson	Hornstein	Leidiger	McElpatrick
Anderson, D.	Cornish	Fritz	Hortman	LeMieur	McNamara
Anderson, P.	Crawford	Garofalo	Hosch	Lenczewski	Morrow
Anderson, S.	Daudt	Gottwalt	Howes	Lesch	Mullery
Anzelc	Dauids	Greene	Johnson	Liebling	Murdock
Atkins	Davnie	Greiling	Kahn	Lillie	Murphy, E.
Banaian	Dean	Gruenhagen	Kath	Loeffler	Murphy, M.
Barrett	Dettmer	Hackbarth	Kelly	Lohmer	Murray
Beard	Doepke	Hamilton	Kieffer	Loon	Myhra
Benson, J.	Downey	Hancock	Kiel	Mack	Nelson
Benson, M.	Drazkowski	Hansen	Kiffmeyer	Mahoney	Nornes
Bills	Eken	Hausman	Knuth	Mariani	Norton
Brynaert	Erickson	Hilty	Koenen	Marquart	O'Driscoll
Carlson	Fabian	Holberg	Kriesel	Mazorol	Pelowski

Peppin	Runbeck	Shimanski	Stensrud	Urdahl	Westrom
Persell	Sanders	Simon	Swedzinski	Vogel	Winkler
Petersen, B.	Scalze	Slawik	Thissen	Wagenius	Woodard
Poppe	Schomacker	Slocum	Tillberry	Ward	Spk. Zellers
Quam	Scott	Smith	Torkelson	Wardlow	

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

MOTIONS AND RESOLUTIONS

Murray moved that the name of Koenen be added as an author on H. F. No. 103. The motion prevailed.

Fritz moved that the name of Benson, J., be added as an author on H. F. No. 133. The motion prevailed.

Cornish moved that the name of Paymar be added as an author on H. F. No. 141. The motion prevailed.

Fritz moved that the name of Abeler be added as an author on H. F. No. 285. The motion prevailed.

Greiling moved that the name of Clark be added as an author on H. F. No. 345. The motion prevailed.

Peterson, S., moved that the name of Clark be added as an author on H. F. No. 365. The motion prevailed.

Smith moved that the name of Slocum be added as an author on H. F. No. 370. The motion prevailed.

Moran moved that the name of Slocum be added as an author on H. F. No. 373. The motion prevailed.

Kahn moved that the name of Slocum be added as an author on H. F. No. 374. The motion prevailed.

Dettmer moved that the name of Falk be added as an author on H. F. No. 384. The motion prevailed.

Benson, J., moved that the names of Slocum and Tillberry be added as authors on H. F. No. 388. The motion prevailed.

Howes moved that the name of Ward be added as an author on H. F. No. 394. The motion prevailed.

Simon moved that the name of Slocum be added as an author on H. F. No. 406. The motion prevailed.

Downey moved that the name of Kahn be added as an author on H. F. No. 418. The motion prevailed.

McElfatrick moved that the name of Erickson be added as an author on H. F. No. 430. The motion prevailed.

Dittrich moved that the names of Abeler and Simon be added as authors on H. F. No. 435. The motion prevailed.

Gruenhagen moved that H. F. No. 468 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Health and Human Services Reform. The motion prevailed.

Dean introduced:

House Concurrent Resolution No. 1, A House concurrent resolution adopting deadlines for the 2011 regular session.

SUSPENSION OF RULES

Dean moved that the rules be so far suspended that House Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 1

A House concurrent resolution adopting deadlines for the 2011 regular session.

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring:

(a) In fulfillment of Joint Rule 2.03, the deadlines in this resolution apply to the 2011 regular session.

(b) The deadlines in this paragraph do not apply to the House Committees on Capital Investment, Ways and Means, Taxes, or Rules and Legislative Administration, or to the Senate Committees on Capital Investment, Finance, Taxes, or Rules and Administration.

(1) The third deadline, 11:59 p.m., Friday, March 25, 2011, is for finance committees and divisions of the House and Senate to report omnibus appropriation bills to the House Committee on Ways and Means and the Senate Committee on Finance, other than a bill appropriating money for the acquisition and betterment of public lands and buildings and other public improvements of a capital nature, or an omnibus tax bill.

(2) The first deadline, 11:59 p.m., Friday, April 29, 2011, is for committees to act favorably on bills in the house of origin.

(3) The second deadline, 11:59 p.m., Friday, May 6, 2011, is for committees to act favorably on bills, or companions of bills, that met the first deadline in the other house.

(c) A committee has until the second deadline to act favorably on a bill, or the companion of a bill, that by the first deadline was referred to a finance committee.

(d) The omnibus appropriation bills are the following:

(1) A bill appropriating money for education from early childhood through grade 12;

(2) A bill appropriating money for higher education;

(3) A bill appropriating money for health and human services;

(4) A bill appropriating money for the state's agriculture and rural economic development;

(5) A bill appropriating money for jobs and economic growth and development;

(6) A bill in the House appropriating money for protection and improvement of the state's environment, energy, and natural resources;

(7) A bill in the Senate appropriating funds for the environment and natural resources;

(8) A bill in the Senate appropriating funds for commerce and consumer protection;

(9) A bill in the Senate appropriating funds for energy, utilities, and telecommunications;

(10) A bill appropriating money for the Department of Transportation and other agencies;

(11) A bill in the House appropriating money for the judiciary;

(12) A bill in the House appropriating money for public safety;

(13) A bill in the House appropriating money for state government;

(14) A bill in the Senate appropriating money for state government innovation and veterans;

(15) A bill in the Senate appropriating money for the judiciary and public safety;

(16) A bill appropriating money for the payment of claims against the State of Minnesota that may have been allowed by the Finance Committee of the Senate or the Ways and Means Committee of the House;

(17) A bill appropriating money for the acquisition and betterment of public lands and buildings and other public improvements of a capital nature; and

(18) The omnibus tax bill.

(e) When a committee in either house acts favorably on a bill after a deadline established in this resolution, the bill must be referred in the Senate to the Committee on Rules and Administration or in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Either rules committee, when reporting a bill referred to the committee in accordance with Joint Rule 2.03 and this resolution, may waive the application of the rule and resolution to subsequent actions on that bill by other committees.

Dean moved that House Concurrent Resolution No. 1 be now adopted. The motion prevailed and House Concurrent Resolution No. 1 relating to deadlines was adopted.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, February 14, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, February 14, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives