

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

 THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 4, 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 David Neil, Mazeppa and Zumbro Falls Methodist Church, Mazeppa, 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	Dean	Hancock	Kriesel	Morrow	Scalze
Anderson, B.	Dettmer	Hansen	Lanning	Mullery	Schomacker
Anderson, D.	Dill	Hausman	Leidiger	Murdock	Scott
Anderson, P.	Dittrich	Hayden	LeMieur	Murphy, E.	Shimanski
Anderson, S.	Doepke	Hilstrom	Lenczewski	Murphy, M.	Simon
Anzelc	Downey	Hilty	Lesch	Murray	Slawik
Banaian	Drazkowski	Holberg	Liebling	Myhra	Slocum
Barrett	Eken	Hoppe	Lillie	Nelson	Smith
Beard	Erickson	Hornstein	Loeffler	Nornes	Stensrud
Benson, J.	Fabian	Hortman	Lohmer	Norton	Swedzinski
Benson, M.	Falk	Hosch	Loon	O'Driscoll	Thissen
Bills	Franson	Howes	Mack	Paymar	Tillberry
Brynaert	Fritz	Huntley	Mahoney	Pelowski	Torkelson
Buesgens	Garofalo	Johnson	Mariani	Peppin	Urdahl
Carlson	Gauthier	Kahn	Marquart	Persell	Vogel
Champion	Gottwalt	Kath	Mazorol	Petersen, B.	Wagenius
Clark	Greene	Kelly	McDonald	Peterson, S.	Ward
Cornish	Greiling	Kieffer	McElfrick	Poppe	Wardlow
Crawford	Gruenhagen	Kiel	McFarlane	Quam	Westrom
Daudt	Gunther	Kiffmeyer	McNamara	Rukavina	Winkler
Davids	Hackbarth	Knuth	Melin	Runbeck	Woodard
Davnie	Hamilton	Koenen	Moran	Sanders	Spk. Zellers

A quorum was present.

Atkins 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

Peppin from the Committee on Government Operations and Elections reported on the following appointment which had been referred to the committee by the Speaker:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

DAVID P. SWENSON

Reported the same back with the recommendation that the appointment be confirmed.

Peppin moved that the report of the Committee on Government Operations and Elections relating to the appointment of David P. Swenson to the Campaign Finance and Public Disclosure Board be now adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Peppin moved that the House, having advised, do now consent to and confirm the appointment of David P. Swenson, 800 LaSalle Avenue, Suite 2800, Minneapolis, Minnesota 55402, in the county of Hennepin, effective December 20, 2010, to complete a four-year term that expires on January 2, 2012. The motion prevailed and the appointment of David P. Swenson was confirmed by the House.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Swedzinski, Daudt, Gottwalt, Wardlow, Banaian, Hancock, Vogel, Torkelson and Gruenhagen introduced:

H. F. No. 1351, A bill for an act relating to health; providing for freedom of choice in health care; specifying state policy related to the Patient Protection and Affordable Care Act; prohibiting the state of Minnesota and political subdivisions from enforcing, implementing, or funding provisions of the act; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Gunther; Buesgens; Beard; Hackbarth; Hoppe; McNamara; Hamilton; Garofalo; Leidiger; Bills; McFarlane; Anderson, P.; Torkelson; Erickson; Holberg; Cornish and Kriesel introduced:

H. F. No. 1352, A bill for an act relating to gambling; authorizing the director of the State Lottery to establish gaming machines; imposing a tax on gaming machine revenue; providing powers and duties to the director; establishing a Minnesota future fund and an industry improvement fund; amending Minnesota Statutes 2010, sections 240.13, by adding a subdivision; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 116J; 297A; 349A; repealing Minnesota Statutes 2010, section 240.30, subdivision 8.

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

Dittrich, Ward and Lenczewski introduced:

H. F. No. 1353, A bill for an act relating to the permanent school fund; creating an independent authority to manage, supervise, and administer Minnesota's permanent school trust lands; amending Minnesota Statutes 2010, sections 16A.06, subdivision 11; 16A.125, subdivision 5; 84.027, subdivision 18; 84.085, subdivision 1; 92.12, subdivision 1; 92.121; 92.13; 93.2236; 94.342, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 128E.

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

Lesch; Murphy, M.; Lanning; Kahn and Smith introduced:

H. F. No. 1354, A bill for an act relating to retirement; St. Paul Teachers Retirement Fund Association; revising postretirement adjustment procedures; reducing refund interest rate; terminating interest payments on reemployed annuitant savings accounts; lowering deferred annuity augmentation rate; amending Minnesota Statutes 2010, sections 354A.29, by adding subdivisions; 354A.37; 356.47, subdivision 3; repealing Minnesota Statutes 2010, section 354A.29, subdivision 3.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Rukavina and Gunther introduced:

H. F. No. 1355, A bill for an act relating to State Lottery; authorizing director of the State Lottery to establish video lottery terminals; providing duties and powers to director of the State Lottery; providing for use of video lottery revenues; modifying certain lawful gambling taxes; making clarifying, conforming, and technical changes; amending Minnesota Statutes 2010, sections 297A.94; 297E.02, subdivision 1; 299L.02, subdivision 1; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349.15, subdivision 1; 349A.01, subdivisions 10, 11, 12, by adding subdivisions; 349A.04; 349A.06, subdivisions 1, 5, 8, 10, by adding subdivisions; 349A.08, subdivisions 1, 5, 8; 349A.09, subdivision 1; 349A.10, subdivisions 2, 3, 4, 6; 349A.11, subdivision 1; 349A.12, subdivisions 1, 2; 349A.13; 541.20; 541.21; 609.651, subdivision 1; 609.75, subdivisions 3, 4; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A; repealing Minnesota Statutes 2010, sections 297E.01, subdivision 7; 297E.02, subdivisions 4, 6, 7.

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

Kahn; Murphy, E., and Winkler introduced:

H. F. No. 1356, A bill for an act relating to health; requiring certain information be provided to patients seeking in vitro fertilization therapy or donating gametes; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Kahn introduced:

H. F. No. 1357, A bill for an act relating to consumer protection; requiring certain disclosures for direct-to-consumer genetic testing; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Kahn, Loeffler, Clark, Hayden and Mullery introduced:

H. F. No. 1358, A bill for an act relating to economic development; providing for transition activities and termination of a neighborhood revitalization program in a city of the first class; amending Minnesota Statutes 2010, section 469.1831, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Barrett; Hayden; Gruenhagen; Anderson, D.; Crawford; Woodard; Gottwalt; Lohmer; Kriesel; Sanders and Kelly introduced:

H. F. No. 1359, A bill for an act relating to public safety; adding certain stimulants and hallucinogens as Schedule I controlled substances; providing for penalties; amending Minnesota Statutes 2010, section 152.02, subdivision 2.

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

Torkelson introduced:

H. F. No. 1360, A bill for an act relating to environment; modifying the Environmental Quality Board and eliminating and reassigning duties; amending Minnesota Statutes 2010, sections 17.114, subdivision 3; 18B.045; 18E.06; 103A.204; 103B.101, subdivision 9; 103B.151; 103B.315, subdivision 5; 103F.751; 103H.151, subdivision 4; 103H.175, subdivision 3; 115B.20, subdivision 6; 116C.24, subdivision 2; 116C.842, subdivisions 1a, 2a; 116C.91, subdivision 2; 116D.11, subdivisions 2, 3; 216C.052, subdivision 1; 216C.18, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116D; repealing Minnesota Statutes 2010, sections 40A.122; 103A.403; 103A.43; 103F.614; 115A.32; 115A.33; 115A.34; 115A.35; 115A.36; 115A.37; 115A.38; 115A.39; 116C.02; 116C.03, subdivisions 1, 2, 2a, 3a, 4, 5, 6; 116C.04, subdivisions 1, 2, 3, 4, 7, 10, 11; 116C.06; 116C.08; 116C.71, subdivisions 1c, 2a; 116C.721; 116C.722; 116C.724, subdivisions 2, 3; 473H.15.

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

Buesgens and Nelson introduced:

H. F. No. 1361, A bill for an act relating to motor vehicles; modifying definition of public impound lot; amending Minnesota Statutes 2010, section 168B.011, subdivision 12.

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

Kieffer, Mahoney, Gunther and Nelson introduced:

H. F. No. 1362, A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; requiring rulemaking; amending Minnesota Statutes 2010, sections 14.48, subdivisions 2, 3; 14.49; 14.50; 176.106, subdivisions 1, 3, 5, 6, 7, 8, 9; 176.238, subdivision 6; 176.305, subdivisions 1, 1a; 176.307; 176.341, subdivision 4.

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

Scalze and Peterson, S., introduced:

H. F. No. 1363, A bill for an act relating to local government; establishing Metrodome Task Force.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Hornstein introduced:

H. F. No. 1364, A bill for an act relating to taxation; exempting qualified plug-in electric drive vehicles from sales tax on motor vehicles; amending Minnesota Statutes 2010, sections 297B.01, by adding a subdivision; 297B.03.

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

Loon and Hornstein introduced:

H. F. No. 1365, A bill for an act relating to transportation; allowing use of HOV lanes by electric vehicles; amending Minnesota Statutes 2010, section 160.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Schomacker and Beard introduced:

H. F. No. 1366, A bill for an act relating to taxation; providing an alternative fuel infrastructure credit; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Banaian introduced:

H. F. No. 1367, A bill for an act relating to transportation; establishing a Mississippi River bikeway trail; modifying description of Veterans Memorial Highway; regulating left turns; authorizing commissioner of transportation to pursue federal financing and local government participation for rail service improvement; amending Minnesota Statutes 2010, sections 161.14, subdivision 66; 169.06, subdivisions 5, 7; 222.50, subdivision 4; 222.51; 222.53; proposing coding for new law in Minnesota Statutes, chapter 160; repealing Minnesota Statutes 2010, section 222.48, subdivision 3a.

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

Drazkowski introduced:

H. F. No. 1368, A resolution memorializing the Congress of the United States not to reauthorize the No Child Left Behind Act.

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

Hamilton, Cornish, Davids, Urdahl, Dettmer and Anderson, P., introduced:

H. F. No. 1369, A bill for an act relating to agriculture; imposing penalties and remedies for certain offenses; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Paymar introduced:

H. F. No. 1370, A bill for an act relating to data practices; permitting sharing of law enforcement data in certain circumstances; amending Minnesota Statutes 2010, sections 13.82, by adding a subdivision; 13.84, by adding subdivisions.

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

Mullery introduced:

H. F. No. 1371, A bill for an act relating to public safety; data practices; permitting certain law enforcement incident data to be submitted to a federal database; prohibiting local law enforcement agencies from submitting incident information to the federal government; amending Minnesota Statutes 2010, section 299C.40, subdivision 5, by adding a subdivision.

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 messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 934, A bill for an act relating to education; providing for policy and funding for family, adult, and prekindergarten through grade 12 education including general education, academic excellence, special education, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, and forecast adjustments; requiring reports; requiring studies; appropriating money; amending Minnesota Statutes 2010, sections 13D.02, by adding a subdivision; 16A.152, subdivision 2; 93.22, subdivision 1; 93.2236; 120A.41; 120B.023, subdivision 2; 120B.07; 120B.30, subdivision 1, by adding a subdivision; 120B.35, subdivision 1; 120B.36, subdivision 1; 122A.40, subdivisions 5, 6, 7, 8, 9, 10, 11, by adding subdivisions; 122A.41, subdivisions 2, 3, 4, 5, 6, 14, by adding a subdivision; 122A.414, subdivisions 1a, 2, 2a, 2b, 4; 122A.416; 122A.60; 122A.61, subdivision 1; 123A.55; 123B.02, subdivision 15; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.54; 123B.59, subdivision 5; 123B.75, subdivision 5; 124D.10, subdivision 3; 124D.19, subdivision 3; 124D.531, subdivision 1; 124D.86, subdivision 3; 125A.07; 125A.21, subdivisions 2, 3, 5,

7; 125A.515, by adding a subdivision; 125A.69, subdivision 1; 125A.76, subdivision 1; 125A.79, subdivision 1; 126C.10, subdivisions 1, 2, 2a, 3, 7, 8, 8a, 13a, 14, by adding a subdivision; 126C.126; 126C.20; 126C.40, subdivision 1; 126C.44; 127A.33; 127A.441; 127A.45, subdivision 2; 179A.16, subdivision 1; 179A.18, subdivisions 1, 3; 298.28, subdivisions 2, 4; Laws 2009, chapter 79, article 5, section 60, as amended; Laws 2009, chapter 96, article 1, section 24, subdivisions 2, as amended, 3, 4, as amended, 5, as amended, 6, as amended, 7, as amended; article 2, section 67, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, 9, as amended; article 3, section 21, subdivisions 3, 4, as amended; article 4, section 12, subdivision 6, as amended; article 5, section 13, subdivisions 2, 3, 4, as amended; article 6, section 11, subdivisions 3, as amended, 4, as amended, 8, as amended, 12, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 122A; 124D; 179A; repealing Minnesota Statutes 2010, sections 122A.61; 123B.05; 123B.59, subdivisions 6, 7; 124D.86, subdivisions 1, 1a, 2, 4, 5, 6; 126C.10, subdivision 5; 127A.46; 129C.10, subdivisions 1, 2, 3, 3a, 4, 6, 7, 8; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; 179A.18, subdivision 2; Laws 2009, chapter 88, article 12, section 23.

CAL R. LUDEMAN, Secretary of the Senate

Garofalo moved that the House refuse to concur in the Senate amendments to H. F. No. 934, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce 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. 1101, A bill for an act relating to higher education; amending postsecondary education provisions; requiring reports; changing Minnesota college savings plan matching grants; making technical changes; modifying definitions; setting requirements for credit transfer; providing stable undergraduate tuition rates; modifying achieve scholarship program; modifying contract and salary provisions; prohibiting use of certain public funds to support human cloning; requiring a study of graduate education in for-profit sector; repealing certain provisions related to equipment and apparel; appropriating money; amending Minnesota Statutes 2010, sections 15A.081, subdivision 7c; 135A.51, subdivision 2; 136A.121, subdivision 6; 136F.40, subdivision 2; 136G.01; 136G.03, subdivisions 1, 18, 27; 136G.05, subdivisions 1, 6, 8; proposing coding for new law in Minnesota Statutes, chapters 136F; 137; 145; repealing Minnesota Statutes 2010, sections 135A.26; 136G.11, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 181.986; Laws 2009, chapter 95, article 2, section 39.

CAL R. LUDEMAN, Secretary of the Senate

Nornes moved that the House refuse to concur in the Senate amendments to H. F. No. 1101, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce 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. 1140, A bill for an act relating to government finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers and tort claims; authorizing an account and certain contingent appropriations; providing for use of revenues from metropolitan

transportation area sales tax; reducing funding for 2010 state road construction; authorizing temporary transfers from metropolitan livable communities fund accounts, right-of-way loan acquisition fund for transit operating deficits, and Metropolitan Council operating budget; establishing direct appropriation from transit assistance fund; establishing an account; modifying various provisions related to transportation finance and policy; modifying provisions related to licensing drivers; mandating and amending legislative reports; making technical and clarifying changes; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 16A.88; 162.06, subdivision 1; 162.12, subdivision 1; 168.12, subdivision 5; 171.06, subdivision 2; 171.0701; 171.13, subdivision 1, by adding a subdivision; 174.93; 297A.992, subdivision 5, by adding a subdivision; Laws 2009, chapter 36, article 1, section 3, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 171.

CAL R. LUDEMAN, Secretary of the Senate

Beard moved that the House refuse to concur in the Senate amendments to H. F. No. 1140, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place S. F. No. 887 on the Fiscal Calendar for Tuesday, April 5, 2011.

CALENDAR FOR THE DAY

S. F. No. 488, A bill for an act relating to employment; modifying overtime requirements for certain air carrier employees; amending Minnesota Statutes 2010, section 177.25, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Norton	Petersen, B.	Sanders	Slawik	Tillberry	Wardlow
O'Driscoll	Peterson, S.	Scalze	Slocum	Torkelson	Westrom
Paymar	Poppe	Schomacker	Smith	Urdahl	Winkler
Pelowski	Quam	Scott	Stensrud	Vogel	Woodard
Peppin	Rukavina	Shimanski	Swedzinski	Wagenius	Spk. Zellers
Persell	Runbeck	Simon	Thissen	Ward	

The bill was passed and its title agreed to.

H. F. No. 52, A bill for an act relating to local government; providing for variances from city, county, and town zoning controls and ordinances; amending Minnesota Statutes 2010, sections 394.27, subdivision 7; 462.357, subdivision 6.

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

The question was taken on the passage of the bill and the roll was called. There were 79 yeas and 52 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was passed and its title agreed to.

S. F. No. 119, A bill for an act relating to human services; creating a certification for community paramedics; amending Minnesota Statutes 2010, sections 144E.001, by adding a subdivision; 144E.28, 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 93 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hayden	LeMieur	Myhra	Shimanski
Anderson, B.	Dittrich	Holberg	Liebling	Nornes	Simon
Anderson, D.	Doepke	Hoppe	Lillie	Norton	Slawik
Anderson, P.	Downey	Hortman	Lohmer	O'Driscoll	Smith
Anderson, S.	Drazkowski	Hosch	Loon	Paymar	Stensrud
Banaian	Erickson	Howes	Mack	Pelowski	Swedzinski
Barrett	Fabian	Huntley	Mazorol	Peppin	Torkelson
Beard	Falk	Kath	McDonald	Persell	Urdahl
Benson, M.	Franson	Kelly	McElfatrick	Petersen, B.	Vogel
Bills	Garofalo	Kieffer	McFarlane	Poppe	Wardlow
Buesgens	Gottwalt	Kiel	McNamara	Quam	Westrom
Cornish	Gruenhagen	Kiffmeyer	Morrow	Runbeck	Woodard
Crawford	Gunther	Knuth	Murdock	Sanders	Spk. Zellers
Daudt	Hackbarth	Kriesel	Murphy, E.	Scalze	
Dauids	Hamilton	Lanning	Murphy, M.	Schomacker	
Dean	Hancock	Leidiger	Murray	Scott	

Those who voted in the negative were:

Anzelc	Dill	Hausman	Lenczewski	Moran	Tillberry
Benson, J.	Eken	Hilstrom	Lesch	Mullery	Wagenius
Brynaert	Fritz	Hilty	Loeffler	Nelson	Ward
Carlson	Gauthier	Hornstein	Mahoney	Peterson, S.	Winkler
Champion	Greene	Johnson	Mariani	Rukavina	
Clark	Greiling	Kahn	Marquart	Slocum	
Davnie	Hansen	Koenen	Melin	Thissen	

The bill was passed and its title agreed to.

H. F. No. 529, A bill for an act relating to building codes; requiring equivalent load-bearing capacity for panels used in agricultural building roofs; amending Minnesota Statutes 2010, sections 326B.106, by adding a subdivision; 326B.121, subdivision 1.

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 124 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, P.	Banaian	Benson, J.	Brynaert	Clark
Anderson, B.	Anderson, S.	Barrett	Benson, M.	Carlson	Cornish
Anderson, D.	Anzelc	Beard	Bills	Champion	Crawford

Daudt	Gottwalt	Kath	Mack	Nelson	Simon
Davids	Greene	Kelly	Mahoney	Nornes	Slawik
Davnie	Gruenhagen	Kieffer	Mariani	Norton	Slocum
Dean	Gunther	Kiel	Marquart	O'Driscoll	Smith
Dettmer	Hamilton	Kiffmeyer	Mazorol	Paymar	Stensrud
Dill	Hancock	Knuth	McDonald	Pelowski	Swedzinski
Dittrich	Hayden	Koenen	McElfrick	Persell	Thissen
Doepke	Hilstrom	Kriesel	McFarlane	Petersen, B.	Tillberry
Downey	Hilty	Lanning	McNamara	Peterson, S.	Torkelson
Drazkowski	Holberg	Leidiger	Melin	Poppe	Urdahl
Eken	Hoppe	LeMieur	Moran	Quam	Vogel
Erickson	Hornstein	Lenczewski	Morrow	Rukavina	Ward
Fabian	Hortman	Lesch	Mullery	Runbeck	Westrom
Falk	Hosch	Liebling	Murdock	Sanders	Winkler
Franson	Howes	Lillie	Murphy, E.	Scalze	Woodard
Fritz	Huntley	Loeffler	Murphy, M.	Schomacker	Spk. Zellers
Garofalo	Johnson	Lohmer	Murray	Scott	
Gauthier	Kahn	Loon	Myhra	Shimanski	

Those who voted in the negative were:

Buesgens	Hackbarth	Hausman	Wagenius
Greiling	Hansen	Peppin	Wardlow

The bill was passed and its title agreed to.

H. F. No. 954 was reported to the House.

Westrom moved to amend H. F. No. 954 as follows:

Page 2, line 8, after the period, insert "The resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided in paragraph (b)."

Page 2, line 9, delete "30" and insert "60" and delete "second publication" and insert "county board adopts the resolution"

Page 2, after line 16, insert:

"**Subd. 5. Reverting to elected offices.** (a) The county board may adopt a resolution to provide for the election of an office made an appointed position under this section, but not until at least three years after the office was made an appointed position. The county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and before formally adopting the resolution, the county board must provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment hearing, the county board may adopt the resolution. The resolution must be approved by at least 60 percent of the members of the county board and is effective August 1 following adoption of the resolution.

(b) The question of whether an office made an appointed position under this section must be made an elected office must be placed on the ballot at the next general election if (1) the position has been an appointed position for at least three years, (2) a petition signed by at least ten percent of the registered voters of the county is filed with the office of the county auditor-treasurer by August 1 of the year in which the general election is held and (3) the

petition meets the requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071, and any rules adopted to implement that section. If a majority of the voters of the county voting on the question vote in favor of making the office an elected position, the election for that office must be held at a the next regular or special election."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Westrom amendment and the roll was called. There were 49 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Downey	Greene	Lenczewski	Petersen, B.	Tillberry
Anzalc	Drazkowski	Hilty	Lohmer	Rukavina	Ward
Banaian	Eken	Hortman	Marquart	Runbeck	Wardlow
Benson, J.	Erickson	Hosch	McElfratrick	Schomacker	Westrom
Buesgens	Falk	Kahn	Melin	Shimanski	
Daudt	Franson	Kieffer	Murphy, M.	Simon	
Davids	Fritz	Kiffmeyer	Norton	Slocum	
Dettmer	Gauthier	Koenen	Paymar	Swedzinski	
Dill	Gottwalt	LeMieur	Peppin	Thissen	

Those who voted in the negative were:

Abeler	Dean	Holberg	Liebling	Murdock	Scott
Anderson, D.	Dittrich	Hoppe	Lillie	Murphy, E.	Slawik
Anderson, P.	Doepke	Hornstein	Loeffler	Murray	Smith
Anderson, S.	Fabian	Howes	Loon	Myhra	Stensrud
Barrett	Garofalo	Huntley	Mack	Nelson	Torkelson
Benson, M.	Greiling	Johnson	Mahoney	Nornes	Urdahl
Bills	Gunther	Kath	Mariani	O'Driscoll	Vogel
Brynaert	Hackbarth	Kelly	Mazorol	Pelowski	Wagenius
Carlson	Hamilton	Kiel	McDonald	Persell	Winkler
Champion	Hancock	Knuth	McFarlane	Peterson, S.	Woodard
Clark	Hansen	Kriesel	McNamara	Poppe	Spk. Zellers
Cornish	Hausman	Lanning	Moran	Quam	
Crawford	Hayden	Leidiger	Morrow	Sanders	
Davnie	Hilstrom	Lesch	Mullery	Scalze	

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

The Speaker called Holberg to the Chair.

H. F. No. 954, A bill for an act relating to counties; providing a process for making certain county offices appointive in Kittson County.

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 68 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeler	Davnie	Hamilton	Lanning	Murdock	Schomacker
Anderson, D.	Dean	Hancock	Loeffler	Murray	Scott
Anderson, P.	Dittrich	Hausman	Loon	Myhra	Simon
Banaian	Doepke	Holberg	Mack	Nelson	Swedzinski
Barrett	Downey	Hoppe	Mahoney	Nornes	Torkelson
Beard	Fabian	Hornstein	Mariani	O'Driscoll	Vogel
Benson, M.	Garofalo	Hortman	Mazorol	Persell	Woodard
Brynaert	Gottwalt	Howes	McElfatrick	Petersen, B.	Spk. Zellers
Buesgens	Greene	Kelly	McFarlane	Peterson, S.	
Carlson	Greiling	Kiel	McNamara	Quam	
Cornish	Gunther	Knuth	Morrow	Sanders	
Crawford	Hackbarth	Kriesel	Mullery	Scalze	

Those who voted in the negative were:

Anderson, B.	Drazkowski	Hilty	Lenczewski	Norton	Stensrud
Anderson, S.	Eken	Hosch	Lesch	Paymar	Thissen
Anzelc	Erickson	Huntley	Liebling	Pelowski	Tillberry
Benson, J.	Falk	Johnson	Lillie	Peppin	Urdahl
Bills	Franson	Kahn	Lohmer	Poppe	Wagenius
Champion	Fritz	Kath	Marquart	Rukavina	Ward
Clark	Gauthier	Kieffer	McDonald	Runbeck	Wardlow
Daudt	Gruenhagen	Kiffmeyer	Melin	Shimanski	Westrom
Davids	Hansen	Koenen	Moran	Slawik	Winkler
Dettmer	Hayden	Leidiger	Murphy, E.	Slocum	
Dill	Hilstrom	LeMieur	Murphy, M.	Smith	

The bill was passed and its title agreed to.

H. F. No. 323, A bill for an act relating to real estate professionals; regulating the provision of broker price opinions on residential real estate; amending Minnesota Statutes 2010, sections 82.55, by adding subdivisions; 82.81, subdivision 9; 82B.021, subdivision 19; 82B.035, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 82.

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

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

Those who voted in the affirmative were:

Abeler	Barrett	Carlson	Davnie	Drazkowski	Garofalo
Anderson, B.	Beard	Champion	Dean	Eken	Gottwalt
Anderson, D.	Benson, J.	Clark	Dettmer	Erickson	Greene
Anderson, P.	Benson, M.	Cornish	Dill	Fabian	Greiling
Anderson, S.	Bills	Crawford	Dittrich	Falk	Gruenhagen
Anzelc	Brynaert	Daudt	Doepke	Franson	Gunther
Banaian	Buesgens	Davids	Downey	Fritz	Hackbarth

Hamilton	Kahn	Lillie	Morrow	Petersen, B.	Stensrud
Hancock	Kath	Loeffler	Mullery	Peterson, S.	Swedzinski
Hansen	Kelly	Lohmer	Murdock	Poppe	Thissen
Hausman	Kieffer	Loon	Murphy, E.	Quam	Tillberry
Hayden	Kiel	Mack	Murphy, M.	Rukavina	Torkelson
Hilstrom	Kiffmeyer	Mahoney	Murray	Runbeck	Urdahl
Hilty	Knuth	Mariani	Myhra	Sanders	Vogel
Holberg	Koenen	Marquart	Nelson	Scalze	Wagenius
Hoppe	Kriesel	Mazorol	Nornes	Schomacker	Ward
Hornstein	Lanning	McDonald	Norton	Scott	Wardlow
Hortman	Leidiger	McElfrick	O'Driscoll	Shimanski	Westrom
Hosch	LeMieur	McFarlane	Paymar	Simon	Winkler
Howes	Lenczewski	McNamara	Pelowski	Slawik	Woodard
Huntley	Lesch	Melin	Peppin	Slocum	Spk. Zellers
Johnson	Liebling	Moran	Persell	Smith	

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 382 was reported to the House.

Hoppe and Simon moved to amend H. F. No. 382 as follows:

Page 34, after line 15, insert:

"Sec. 17. Minnesota Statutes 2010, section 317A.255, subdivision 1, is amended to read:

Subdivision 1. **Conflict; procedure when conflict arises.** (a) A contract or other transaction between a corporation and: (1) its director or a member of the family of its director; (2) a director of a related organization, or a member of the family of a director of a related organization; or (3) an organization in or of which the corporation's director, or a member of the family of its director, is a director, officer, or legal representative or has a material financial interest; is not void or voidable because the director or the other individual or organization are parties or because the director is present at the meeting of the members or the board or a committee at which the contract or transaction is authorized, approved, or ratified, if a requirement of paragraph (b) is satisfied.

(b) A contract or transaction described in paragraph (a) is not void or voidable if:

(1) the contract or transaction was, and the person asserting the validity of the contract or transaction has the burden of establishing that the contract or transaction was, fair and reasonable as to the corporation when it was authorized, approved, or ratified;

(2) the material facts as to the contract or transaction and as to the director's interest are fully disclosed or known to the members and the contract or transaction is approved in good faith by two-thirds of the members entitled to vote, not counting any vote that the interested director might otherwise have, or the unanimous affirmative vote of all members, whether or not entitled to vote;

(3) the material facts as to the contract or transaction and as to the director's interest are fully disclosed or known to the board or a committee, and the board or committee authorizes, approves, or ratifies the contract or transaction in good faith by a majority of the directors or committee members currently holding office, provided that the interested director or directors may not vote and are not considered present for purposes of a quorum. If, as a result, the number of remaining directors is not sufficient to reach a quorum, a quorum for the purpose of considering the contract or transaction is the number of remaining directors or committee members, ~~not counting any vote that the interested director might otherwise have, and not counting the director in determining the presence of a quorum;~~ or

(4) the contract or transaction is a merger or consolidation described in section 317A.601."

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. 382, A bill for an act relating to commerce; amending statutes regarding receiverships, assignments for the benefit of creditors, and nonprofit corporations; amending Minnesota Statutes 2010, sections 302A.753, subdivisions 2, 3; 302A.755; 302A.759, subdivision 1; 302A.761; 308A.945, subdivisions 2, 3; 308A.951; 308A.961, subdivision 1; 308A.965; 308B.935, subdivisions 2, 3; 308B.941; 308B.951, subdivision 1; 308B.955; 316.11; 317A.255, subdivision 1; 317A.753, subdivisions 3, 4; 317A.755; 317A.759, subdivision 1; 322B.836, subdivisions 2, 3; 322B.84; 462A.05, subdivision 32; 469.012, subdivision 2i; 540.14; 559.17, subdivision 2; 576.04; 576.06; 576.08; 576.09; 576.11; 576.121; 576.123; 576.144; 576.15; 576.16; proposing coding for new law in Minnesota Statutes, chapters 576; 577; repealing Minnesota Statutes 2010, sections 302A.759, subdivision 2; 308A.961, subdivision 2; 308B.951, subdivisions 2, 3; 317A.759, subdivision 2; 576.01; 577.01; 577.02; 577.03; 577.04; 577.05; 577.06; 577.08; 577.09; 577.10.

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

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

Those who voted in the affirmative were:

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

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

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

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

MOTIONS AND RESOLUTIONS

Rukavina moved that the name of Greene be added as an author on H. F. No. 150. The motion prevailed.

Lillie moved that the name of Greene be added as an author on H. F. No. 252. The motion prevailed.

Kelly moved that the name of Greene be added as an author on H. F. No. 447. The motion prevailed.

Paymar moved that the name of Greene be added as an author on H. F. No. 547. The motion prevailed.

Smith moved that the names of Dettmer and Brynaert be added as authors on H. F. No. 556. The motion prevailed.

Loeffler moved that the name of Greene be added as an author on H. F. No. 605. The motion prevailed.

Gauthier moved that his name be stricken as an author on H. F. No. 853. The motion prevailed.

Simon moved that the name of Greene be added as an author on H. F. No. 877. The motion prevailed.

McNamara moved that the name of Greene be added as an author on H. F. No. 882. The motion prevailed.

Morrow moved that the name of Greene be added as an author on H. F. No. 888. The motion prevailed.

Hamilton moved that the names of Benson, M., and McFarlane be added as authors on H. F. No. 905. The motion prevailed.

Kahn moved that the name of Greene be added as an author on H. F. No. 965. The motion prevailed.

McFarlane moved that the name of Greene be added as an author on H. F. No. 995. The motion prevailed.

Howes moved that the name of Nornes be added as an author on H. F. No. 1006. The motion prevailed.

Ward moved that the name of Doepke be added as an author on H. F. No. 1162. The motion prevailed.

Hornstein moved that the name of Hansen be added as an author on H. F. No. 1206. The motion prevailed.

Hayden moved that the names of Norton and Poppe be added as authors on H. F. No. 1257. The motion prevailed.

Peterson, S., moved that her name be stricken as an author on H. F. No. 1334. The motion prevailed.

Mack moved that the name of Dettmer be added as an author on H. F. No. 1334. The motion prevailed.

Torkelson moved that the name of Hancock be added as an author on H. F. No. 1344. The motion prevailed.

Norton moved that H. F. No. 462 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Government Operations and Elections. The motion prevailed.

Dauids moved that H. F. No. 1231 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Taxes. The motion prevailed.

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

Thissen moved that S. F. No. 760 be recalled from the Committee on Ways and Means and be re-referred to the Committee on Health and Human Services Finance.

A roll call was requested and properly seconded.

The question was taken on the Thissen motion and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 934:

Garofalo, Erickson, Kelly, Doepke and Fabian.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1101:

Nornes, Dettmer, Daudt, Mazorol and Hancock.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1140:

Beard; Murdock; Westrom; Benson, M., and Leidiger.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Tuesday, April 5, 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., Tuesday, April 5, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives