The House of Representatives convened at 8:30 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Representative Mike Jaros, District 7B, Duluth, 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, Blaine, Demmer, Dorman, Gazelka, Hamilton, Holberg, Hosch, Klinzing, Latz, Mariani, Penas, Samuelson and Urdahl were excused.

A quorum was present.

Abeler, Blaine, Demmer, Dorman, Gazelka, Hamilton, Holberg, Hosch, Klinzing, Latz, Mariani, Penas, Samuelson and Urdahl were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Fritz moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
REPORTS OF STANDING COMMITTEES

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

H. F. No. 2843, A bill for an act relating to consumer protections; reducing identity theft and assisting its victims; providing penalties; amending Minnesota Statutes 2004, sections 13.05, subdivision 5; 138.17, subdivision 7; 609.527, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 325E.61, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapters 13; 13C; 325E; 325G.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

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

H. F. No. 2921, A bill for an act relating to the military; requiring leaves of absence for the immediate family members of a seriously injured or killed member of the armed forces; providing for and funding certain programs benefiting veterans; creating an individual income tax subtraction for military pensions; requiring educational fairness; appropriating money; amending Minnesota Statutes 2005 Supplement, sections 192.502, by adding a subdivision; 290.01, subdivision 19b; 290.091, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 181; 197.

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

The report was adopted.

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

H. F. No. 3308, A bill for an act relating to public safety; encouraging legal immigration; establishing a human trafficking task force; increasing penalties for trafficking crimes; increasing penalties for unlawful acts relating to drivers' licenses; creating the crime of fraudulent identification cards; establishing a special crimes unit to implement an illegal immigration enforcement strategy; requiring law enforcement to collect citizenship and immigration status data; requiring the Bureau of Criminal Apprehension to maintain citizenship and immigration data in the bureau's criminal history database; requiring the Bureau of Criminal Apprehension superintendent to periodically supply the special crimes unit with statistics on crimes committed by individuals with illegal alien status; providing tax credits for immigrants seeking citizenship; providing a fine against a Minnesota employer found to have knowingly hired an illegal immigrant for employment; providing criminal penalties for concealing the commission of crimes by use of encryption, gaining unauthorized access through a computer to financial personal data, and facilitating access to computer security systems for purposes of aiding another to commit a crime; establishing an immigration task force to examine immigration data, determine service needs and crimes committed by illegal immigrants, and recommend law enforcement's role in enforcing federal immigration laws, and to make a report; appropriating money; amending Minnesota Statutes 2004, sections 299C.10, by adding a subdivision; 609.527, by adding a subdivision; 609.652, subdivisions 1, 2, 3; 609.87, subdivisions 1, 11, by adding subdivisions; 609.891, subdivisions 1, 3; Minnesota Statutes 2005 Supplement, sections 299A.78, subdivisions 1, 2, 3; 299C.10, subdivision 1; 299C.11, subdivision 1; 609.282; 609.283; 609.527, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 181; 290; 299A; 299C; 609.

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

The report was adopted.
Paulsen from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3915, A bill for an act relating to agriculture; providing for a wild rice study.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

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

H. F. No. 3944, A bill for an act relating to human services; modifying child care assistance parent fees; amending Minnesota Statutes 2004, section 119B.12, subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

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


Reported the same back with the recommendation that the bill pass.

The report was adopted.

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

S. F. No. 2734, A bill for an act relating to natural and cultural resources; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts for natural and cultural resource purposes; creating an arts, humanities, museum, and public broadcasting fund; creating a heritage enhancement fund; creating a parks and trails fund; creating a clean water fund; establishing a Heritage Enhancement Council; establishing a Clean Water Council; amending Minnesota Statutes 2004, sections 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; Minnesota Statutes 2005 Supplement, section 10A.01, subdivision 35; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103F; 129D.

Reported the same back with the following amendments to the second unofficial engrossment:

Delete everything after the enacting clause and insert:

"ARTICLE 1

CONSTITUTIONAL AMENDMENT

Section 1. CONSTITUTIONAL AMENDMENT.

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a section will be added to article XI, to read:
Sec. 15. Beginning July 1, 2009, the sales and use tax receipts equal to the state sales and use tax of one-eighth of one percent on sales and uses taxable under the general state sales and use tax law, plus penalties and interest and reduced by any refunds, are dedicated to provide hunter and angler access and to improve, enhance, or protect game and fish habitat. The money dedicated under this section shall not be used as a substitute for traditional funding sources for the purposes specified, but the dedicated money shall supplement traditional sources of funding for those purposes. Easements in land acquired with money deposited in the game and fish preservation fund under this section must be open to public taking of game and fish during the open season.

Sec. 2. **SUBMISSION TO VOTERS.**

The proposed amendment shall be submitted to the people at the 2006 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to provide funding beginning July 1, 2009, to provide hunter and angler access and to improve, enhance, or protect game and fish habitat by dedicating the sales and use tax receipts equal to the state sales and use tax of one-eighth of one percent on taxable sales?"

Yes .......
No .......

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 apply to sales and uses occurring after June 30, 2009.

**ARTICLE 2**

**CONFORMING CHANGES**

Section 1. [84.946] **GAME AND FISH PRESERVATION FUND.**

The commissioner of finance shall create a game and fish preservation fund upon the effective date of article 1, section 3. The fund shall consist of revenue deposited under the Minnesota Constitution, article XI, section 15.

Sec. 2. [84.947] **GAME AND FISH PRESERVATION FUND; EXPENDITURE ALLOCATION.**

The commissioner of natural resources Budgetary Oversight Committee, under Minnesota Statutes, section 97A.055, subdivision 4b, shall allocate expenditures from the game and fish preservation fund. The recommendations must be for projects that provide hunter and angler access and to improve, enhance, or protect game and fish habitat.

Sec. 3. [84.992] **ACCESS TO MINNESOTA OUTDOORS.**

Subdivision 1. **Walk-in access plan.** (a) The commissioner shall create a walk-in public access plan under which the commissioner may encourage owners and operators of privately held land to voluntarily make that land available for walk-in access by the public for hunting and fishing under programs administered by the commissioner and funded by revenue created under the Minnesota Constitution, article XI, section 15.

(b) As part of the plan, the commissioner shall explore entering into contracts with the owners or lessees of land for the establishment of voluntary walk-in public access for the purposes of hunting, fishing, or other wildlife-dependent recreational activities.
In the plan, the commissioner must describe:

1. the benefits that private land will provide the public, such as hunting, fishing, bird watching, and related outdoor activities; and

2. the types of game, fish, and wildlife habitat improvements made to the land that will enhance public uses.

(d) The commissioner shall explore walk-in access programs in other states and to develop a walk-in program for public access to private lands for hunting, fishing, and related recreational activities.

Subd. 2. Preemption. Nothing in this section is intended to preempt other state laws, including trespass and liability laws.

Subd. 3. Report. Before implementation, the commissioner must present the walk-in plan to the house and senate committees with jurisdiction over natural resources policy and finance, with recommendations on program implementation, by December 31, 2008.

Sec. 4. Minnesota Statutes 2005 Supplement, section 97A.055, subdivision 4b, is amended to read:

Subd. 4b. Citizen oversight subcommittees. (a) The commissioner shall appoint subcommittees of affected persons to review the reports prepared under subdivision 4; review the proposed work plans and budgets for the coming year; propose changes in policies, activities, and revenue enhancements or reductions; review other relevant information; and make recommendations to the legislature and the commissioner for improvements in the management and use of money in the game and fish fund.

(b) The commissioner shall appoint the following subcommittees, each comprised of at least three affected persons:

1. a Fisheries Operations Subcommittee to review fisheries funding, excluding activities related to trout and salmon stamp funding;

2. a Wildlife Operations Subcommittee to review wildlife funding, excluding activities related to migratory waterfowl, pheasant, and turkey stamp funding and excluding review of the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c);

3. a Big Game Subcommittee to review the report required in subdivision 4, paragraph (a), clause (2);

4. an Ecological Services Operations Subcommittee to review ecological services funding;

5. a subcommittee to review game and fish fund funding of enforcement, support services, and Department of Natural Resources administration;

6. a subcommittee to review the trout and salmon stamp report and address funding issues related to trout and salmon;

7. a subcommittee to review the report on the migratory waterfowl stamp and address funding issues related to migratory waterfowl;

8. a subcommittee to review the report on the pheasant stamp and address funding issues related to pheasants; and
(9) a subcommittee to review the report on the turkey stamp and address funding issues related to wild turkeys.

(c) The chairs of each of the subcommittees shall form a Budgetary Oversight Committee to coordinate the integration of the subcommittee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; provide a forum to address issues that transcend the subcommittees; and submit a report for any subcommittee that fails to submit its report in a timely manner.

(d) The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance. In addition, the committee must review and decide on recommended expenditures from the game and fish preservation fund under section 84.946.

(e) Each subcommittee shall choose its own chair, except that the chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of any of the subcommittees.

(f) The Budgetary Oversight Committee must make recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance for outcome goals from expenditures.

(g) Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the Budgetary Oversight Committee and subcommittees do not expire until June 30, 2010. Expenses for performing their duties under this section are governed by section 15.059, subdivision 6.

Sec. 5. Minnesota Statutes 2004, section 297A.94, is amended to read:

297A.94 DEPOSIT OF REVENUES.

(a) Except as provided in this section and the Minnesota Constitution, article XI, section 15, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and
(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(e) For fiscal year 2001, 97 percent; for fiscal years 2002 and 2003, 87 percent; and for fiscal year 2004 and thereafter, 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

(f) The revenue dedicated under paragraph (e) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (e) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (e) must be allocated for field operations.

Sec. 6. EFFECTIVE DATE.

Sections 1, 2, 4, and 5 are effective July 1, 2009, if the constitutional amendment proposed in article 1 is adopted by the voters. Section 3 is effective the day following final enactment.

Delete the title and insert:

"A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution by adding a section to article XI; dedicating sales and use tax receipts equal to a rate of one-eighth of one percent on taxable sales and uses to provide angler and hunter access and to improve, enhance, or protect game and fish habitat; creating a game and fish preservation fund; providing for an outdoor walk-in public access plan; amending Minnesota Statutes 2004, section 297A.94; Minnesota Statutes 2005 Supplement, section 97A.055, subdivision 4b; proposing coding for new law in Minnesota Statutes, chapter 84."

With the recommendation that when so amended the bill pass.

The report was adopted.
SECOND READING OF HOUSE BILLS

H. F. Nos. 2843, 3915, 3944 and 3991 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 2734 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Thissen introduced:

H. F. No. 4159, A bill for an act relating to tax preparers; expanding the list of penalties that subject the names of tax preparers to publication by the commissioner of revenue; amending Minnesota Statutes 2005 Supplement, section 270C.446, subdivision 2.

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

Heidgerken introduced:


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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2959, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2004, sections 16A.11, subdivision 1; 16A.86, subdivisions 2, 4; 85.013, by adding a
subdivision; 123A.44; 123A.441; 123A.442; 123A.443; 136F.98, subdivision 1; 446A.12, subdivision 1; Minnesota Statutes 2005 Supplement, sections 116.182, subdivision 2; 116J.575, subdivision 1; Laws 2000, chapter 492, article 1, section 7, subdivision 21, as amended; Laws 2002, chapter 393, section 19, subdivision 2; Laws 2005, chapter 20, article 1, sections 7, subdivisions 14, 21; 19, subdivision 6; 20, subdivisions 2, 3; 23, subdivisions 3, 12; 27; proposing coding for new law in Minnesota Statutes, chapters 16B; 85; 116J; 446A.

The Senate has appointed as such committee:

Senators Langseth, Pappas, Skoglund, Metzen and Koering.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1287, 3238, 3615, 3256, 1070, 2840, 1040, 2532, 3213, 3319 and 2002.

PATRICK E. FLAHAVEN, Secretary of the Senate

**FIRST READING OF SENATE BILLS**

S. F. No. 1287, A bill for an act relating to real property; regulating causes of action arising out of construction defects in residential housing; providing for notice and opportunity to repair; amending Minnesota Statutes 2004, sections 60A.08, subdivision 6; 302A.781, by adding a subdivision; 322B.863, by adding a subdivision; 327A.02, by adding subdivisions.

The bill was read for the first time.

Severson moved that S. F. No. 1287 and H. F. No. 1375, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3238, A bill for an act relating to public safety; changing a requirement concerning combined local access surcharges; modifying requirements for 911 system service contracts; modifying reporting requirement of wireless 911 service providers; modifying provisions relating to payments for recurring 911 system costs; modifying provisions related to 911 system cost accounting requirements; amending Minnesota Statutes 2004, sections 237.49; 403.08, subdivision 7; 403.11, subdivisions 3b, 3c; 403.113, subdivision 3; Minnesota Statutes 2005 Supplement, sections 403.025, subdivision 7; 403.05, subdivision 3; 403.11, subdivisions 1, 3, 3a; 403.113, subdivision 1; repealing Minnesota Statutes 2004, section 403.08, subdivision 8.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Finance.
S. F. No. 3615, A bill for an act relating to human services; modifying child care assistance parent fees; amending Minnesota Statutes 2004, section 119B.12, subdivision 2.

The bill was read for the first time.

Slawik moved that S. F. No. 3615 and H. F. No. 3944, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3256, A bill for an act relating to liquor; prohibiting alcohol without liquid devices; proposing coding for new law in Minnesota Statutes, chapter 340A.

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

S. F. No. 1070, A bill for an act relating to traffic regulations; making seat belt violation a primary offense in all seating positions regardless of age; increasing the fine for seat belt violations; making technical changes; amending Minnesota Statutes 2004, sections 169.686, subdivision 1; 171.05, subdivision 2b; 171.055, subdivision 2.

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

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

The bill was read for the first time.

Hansen moved that S. F. No. 2840 and H. F. No. 3217, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1040, A bill for an act relating to civil actions; limiting liability for certain conduct of persons released from confinement; amending Minnesota Statutes 2004, section 604A.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147.

The bill was read for the first time.

Greiling moved that S. F. No. 1040 and H. F. No. 1106, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2532, A bill for an act relating to health; changing the expiration date for radiation therapy facility construction limitations; amending Minnesota Statutes 2004, section 144.5509.

The bill was read for the first time.

Powell moved that S. F. No. 2532 and H. F. No. 2810, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.
S. F. No. 3213, A bill for an act relating to state lands; conveying land; authorizing an agreement related to
Trunk Highway 60 construction; removing routes from state highway system; repealing Minnesota Statutes 2004,
section 161.115, subdivisions 173, 225.

The bill was read for the first time.

Westerberg moved that S. F. No. 3213 and H. F. No. 3202, now on the General Register, be referred to the Chief
Clerk for comparison. The motion prevailed.

S. F. No. 3319, A bill for an act relating to building officials; requiring competency criteria; proposing coding
for new law in Minnesota Statutes, chapter 16B.

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

S. F. No. 2002, A bill for an act relating to consumer protection; regulating identity theft; authorizing credit
blocks in cases of identity theft; authorizing a consumer to place a security freeze on the consumer's credit report;
providing notice of this right; providing protections against identity theft; providing Social Security number
protections; providing credit monitoring; providing for the adequate destruction of personal records; providing civil
and criminal penalties; regulating data warehouses; modifying notice requirements; amending Minnesota Statutes
2004, section 13.6905, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 325E.61, subdivisions
1, 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 13C; 325E; 325G.

The bill was read for the first time.

Kohls moved that S. F. No. 2002 and H. F. No. 2843, now on the General Register, be referred to the Chief
Clerk for comparison. The motion prevailed.

CALENDAR FOR THE DAY

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

MOTIONS AND RESOLUTIONS

Beard moved that the name of Dorn be added as an author on H. F. No. 1667. The motion prevailed.

Hortman moved that her name be stricken as an author on H. F. No. 2831. The motion prevailed.

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

Bernardy moved that the name of Simon be added as an author on H. F. No. 4156. The motion prevailed.

Lenczewski moved that H. F. No. 3308 be recalled from the Committee on Ways and Means and be re-referred
to the Committee on Taxes. The motion prevailed.
ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 10:00 a.m., Monday, April 24, 2006. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Monday, April 24, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives