The House of Representatives convened at 10:00 a.m. and was called to order by Gregory M. Davids, Speaker pro tempore.

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

A quorum was present.

Huntley was excused.

Blaine was excused until 12:25 p.m.  Olson was excused until 12:35 p.m.  Mariani was excused until 1:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day.  Charron 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

Seifert from the Committee on State Government Finance to which was referred:

H. F. No. 3693, A bill for an act relating to state government finance; appropriating money for the legislators' forum.

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

The report was adopted.

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

H. F. No. 3718, A bill for an act relating to transportation; requiring language that the state will purchase plug-in hybrid electric vehicles when commercially available to be inserted in certain bid documents; creating a task force.

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. 1940, A bill for an act relating to metropolitan government; requiring senate confirmation of the chair of the Metropolitan Airports Commission; providing a residency requirement and for terms of office for members of the Metropolitan Council and the Metropolitan Airports Commission; creating a nominating committee; modifying a reporting requirement; amending Minnesota Statutes 2004, sections 473.123, subdivisions 2a, 3; 473.604, subdivision 1; 473.621, subdivision 1b.

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

The report was adopted.

Seifert from the Committee on State Government Finance to which was referred:

S. F. No. 2634, A bill for an act relating to state employment; ratifying certain labor agreements and compensation plans.

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

The report was adopted.
SECOND READING OF HOUSE BILLS

H. F. No. 3718 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1940 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Latz introduced:

H. F. No. 4180, A bill for an act relating to courts; modifying the filing fee for a facsimile transmission; amending Minnesota Statutes 2004, section 357.021, by adding a subdivision.

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

Eken and Marquart introduced:

H. F. No. 4181, A bill for an act relating to local government aid; modifying the city aid base; amending Minnesota Statutes 2005 Supplement, section 477A.011, subdivision 36.

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

Ruud introduced:

H. F. No. 4182, A bill for an act relating to human services; establishing the Office of the Ombudsman for Kinship Care; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

The bill was read for the first time and referred to the Committee on Health Policy and Finance.
MESSAGES FROM THE SENATE

The following messages were 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. 2985, A bill for an act relating to funerals; prohibiting the disruption of a funeral, burial service, or memorial service; creating penalties and providing civil remedy; proposing coding for new law in Minnesota Statutes, chapter 609.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3111, A bill for an act relating to human services; providing for interstate contracts for chemical health services; amending Minnesota Statutes 2004, section 245.50, subdivisions 1, 2, 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3285, A bill for an act relating to metropolitan land use planning; removing the requirement for metropolitan council review of school district capital improvement programs; amending Minnesota Statutes 2004, sections 473.175; 473.851; 473.852, subdivision 4; 473.854; 473.856; 473.857, subdivisions 1, 3; 473.864.

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. 3087, 3059, 3551, 2374, 2660, 2939, 2982 and 3146.

PATRICK E. FLAHAVEN, Secretary of the Senate
FIRST READING OF SENATE BILLS

S. F. No. 3087, A bill for an act relating to child care; changing the requirement for use of child passenger restraint systems; amending Minnesota Statutes 2005 Supplement, section 245A.18, subdivision 2.

The bill was read for the first time.

Finstad moved that S. F. No. 3087 and H. F. No. 3368, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3059, A bill for an act relating to human services; making changes to continuing care provisions and elderly and disabled services; expanding sick leave benefits; amending Minnesota Statutes 2004, sections 144.0724, subdivisions 3, 4; 181.9413; 256B.434, by adding a subdivision; 256B.438, subdivision 4; Minnesota Statutes 2005 Supplement, sections 144A.071, subdivision 1a; 256B.434, subdivision 4.

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

S. F. No. 3551, A bill for an act relating to real estate appraisers; regulating trainees; modifying appraiser education, experience, and examination requirements; amending Minnesota Statutes 2004, section 82B.11, subdivisions 2, 3; Minnesota Statutes 2005 Supplement, sections 82B.095; 82B.13, subdivisions 1, 4, 5, by adding subdivisions; 82B.14.

The bill was read for the first time.

Soderstrom moved that S. F. No. 3551 and H. F. No. 3890, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2374, A bill for an act relating to dogs; modifying notice requirements for unlicensed dogs that are seized; amending Minnesota Statutes 2004, section 347.14, subdivision 2.

The bill was read for the first time.

Meslow moved that S. F. No. 2374 and H. F. No. 3691, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2660, A bill for an act relating to local government; modifying land dedication requirements; permitting the Minneapolis Park and Recreation Board and the Minneapolis City Council to impose a park dedication fee on new housing units; amending Minnesota Statutes 2004, section 462.358, subdivision 2b.

The bill was read for the first time.

Hornstein moved that S. F. No. 2660 and H. F. No. 3095, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.
S. F. No. 2939, A bill for an act relating to the city of Pennock; authorizing the city to acquire a certain parcel of real estate and appurtenant building and to expend city funds to improve the building; authorizing the city to convey the parcel to a private entity to be operated as a commercial establishment; authorizing the city to issue bonds.

The bill was read for the first time.

Juhnke moved that S. F. No. 2939 and H. F. No. 3446, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2982, A bill for an act relating to public safety; clarifying that unauthorized racing is considered reckless driving; prohibiting exhibition driving; amending Minnesota Statutes 2004, section 169.13.

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

S. F. No. 3146, A bill for an act relating to human services; modifying the definition of "completion date" for nursing home construction projects; removing the limit on certain nursing facility planned closure rate adjustments; modifying notice requirements for nursing home and board and care home resident relocation; modifying certain construction project rate adjustments; requiring weekly status reports; amending Minnesota Statutes 2004, sections 144A.161; 256B.434, by adding a subdivision; 256B.437, subdivision 3; Minnesota Statutes 2005 Supplement, sections 144A.071, subdivision 1a; 256B.0918, subdivisions 1, 3, 4; 256B.434, subdivision 4; Laws 2005, First Special Session chapter 4, article 9, section 5, subdivision 8.

The bill was read for the first time.

Samuelson moved that S. F. No. 3146 and H. F. No. 3483, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

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

RECESS

RECONVENED

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

FISCAL CALENDAR

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 4142.

H. F. No. 4142 was reported to the House.
Krinkie moved to amend H. F. No. 4142, the second engrossment, as follows:

Page 3, line 28, after "paid" insert ", and any land sales under section 2"

Page 3, line 34, delete "$1,260,000" and insert "$1,100,000"

Page 4, line 25, delete "$1,069,650" and insert "$907,900"

Page 5, line 4, delete "16A.152, " and insert "16A.1522, "

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

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

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<tr>
<th>Abeler</th>
<th>Dempsey</th>
<th>Hausman</th>
<th>Lanning</th>
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<td>Hansen</td>
<td>Krinkie</td>
<td>Otremba</td>
<td>Simon</td>
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Paulsen moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Marquart; Carlson; Johnson, R.; Rukavina; Dorman; Peterson, A.; Dill; Johnson, S.; Liebling; Kahn; Goodwin; Hilty; Latz; Moe; Hosch; Sailer; Bernardy; Haws; Eken; Slawik; Peterson, S.; Lesch; Greiling; Poppe; Fritz; Solberg; Hortman; Lieder; Otremba; Lillie; Kellilher; Hausman; Lenczewski and Scalze offered an amendment to H. F. No. 4142, the second engrossment, as amended.
POINT OF ORDER

Paulsen raised a point of order pursuant to rule 3.21 that the Marquart et al amendment was not in order. The Speaker ruled the point of order well taken and the Marquart et al amendment out of order.

Entenza appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 67 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Anderson, B.
Beard
Blaine
Bradley
Brod
Buesgens
Charron
Cornish
Cox
Cybart
Davids
Dean
DeLaForest
Demmer
Dempsey
Eastlund
Emmer
Erhardt
Erickson
Finstad
Garofalo
Gazelka
Gunther
Hackbarth
Hamilton
Heidgerken
Holberg
Hoppe
Howes
Johnson, J.
Klinzing
Knoblauch
Kohls
Krinkel
Lanning
Magnus
McNamara
Meslow
Nelson, P.
Newman
Nornes
Ols
Olson
Pepin
Peterson, N.
Vandeveer
Ruth
Samuelson
Seifert
Severson
Severson
Spk. Sviggum
Smith
Soderstrom
Sykora
Tingelstad
Urdahl

Those who voted in the negative were:

Anderson, I.
Atkins
Bernardy
Carlson
Clark
Davnie
Dill
Dittrich
Dorman
Dorn
Eken
Ellison
Entenza
Fritz
Goodwin
Greiling
Hansen
Hausman
Haws
Hilstrom
Hilty
Hornstein
Hortman
Hosch
Jaros
Liebling
Lieder
Lillie
Loeffler
Kahn
Kellher
Koenen
Kohls
Krinkie
Lenschowski
Lesch
Liebling
Lieder
Lillie
Peterson, A.
Peterson, S.
Mahoney
Marquart
Moe
Moo
Murphy
Nelson, M.
Nelson, M.
Nelson, M.
Nelson, M.
Otremba
Paymar
Pelowski
Peterson, A.
Peterson, S.
Poppe
Rukavina
Rukavina
Sailer
Scalze
Sertich
Sieben
Simon
Slawik
Solberg
Thao
Thissen
Wagenius
Walker
Welti

So it was the judgment of the House that the decision of the Speaker should stand.

Davnie moved to amend H. F. No. 4142, the second engrossment, as amended, as follows:

Page 1, line 7, after "amount" insert "; homeowners"

Page 1, line 12, after "homestead" insert "or $450, whichever is less"
"Subd. 1a. Eligibility; amount; renters. (a) An individual who is eligible for a property tax refund based on rent paid in 2005 under Minnesota Statutes, section 290A.04, subdivision 2a, and files a claim on or before August 15, 2006, is eligible for a property tax rebate under this section.

(b) On or before October 1, 2006, the commissioner of revenue shall pay the eligible renter a property tax rebate equal to 9 percent of the property tax refund allowed under section 290A.04, subdivision 2a, based on rent paid in 2005 and for which the renter files a claim on or before August 15, 2006.

(c) The amount allowed under paragraph (b) of this subdivision is not subject to the limitations on the maximum amount of a refund under Minnesota Statutes, section 290A.04, subdivision 2a."

A roll call was requested and properly seconded.

The question was taken on the Davnie amendment and the roll was called. There were 66 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Ellison  Hortman  Lenczewski  Murphy  Scalze
Atkins  Entenza  Hosch  Lesch  Nelson, M.  Sertich
Bernardy  Fritz  Jaros  Liebling  Otrema  Sieben
Carlson  Goodwin  Johnson, R.  Lieder  Paymar  Simon
Clark  Greiling  Johnson, S.  Lillie  Pelowski  Slavik
Davnie  Hansen  Juhnke  Loefler  Peterson, A.  Solberg
Dill  Hausman  Kahn  Mahoney  Peterson, S.  Thao
Dittrich  Haws  Kellifer  Mariani  Poppe  Wagensix
Dorman  Hilstrom  Koenen  Marquart  Rukavina  Wagensix
Dorn  Hilty  Larson  Moe  Ruud  Walker
Eken  Hornstein  Laiz  Mullery  Sailer  Welti

Those who voted in the negative were:

Abeler  Davids  Gunther  Lanning  Peterson, N.  Vandeveer
Abrams  Dean  Hackbarth  Magnus  Powell  Wardlow
Anderson, B.  DeLaForest  Hamilton  McNamara  Ruth  Westerberg
Beard  Demmer  Heidgerken  Meslow  Samuelson  Westrom
Blaine  Dempsey  Holberg  Nelson, P.  Seifert  Wilkin
Bradley  Eastlund  Hoppe  Newman  Severson  Zellers
Brod  Emmer  Howes  Nornes  Simpson  Spk. Sviggum
Buesgens  Erhardt  Johnson, J.  Olson  Smith  Smo
Charbon  Erickson  Klinzing  Ozment  Soderstrom  Smith
Cornish  Finstad  Knoblauch  Paulsen  Sykora  Spk. Sviggum
Cox  Garofalo  Kohls  Penas  Tinglestad
Cybart  Gazelka  Krinkie  Peppin  Urda

The motion did not prevail and the amendment was not adopted.
Bernardy, Sieben, Dorman, Atkins and Greiling offered an amendment to H. F. No. 4142, the second engrossment, as amended.

**POINT OF ORDER**

Paulsen raised a point of order pursuant to rule 3.21 that the Bernardy et al amendment was not in order. The Speaker ruled the point of order well taken and the Bernardy et al amendment out of order.

Bernardy appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

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

There were 68 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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<th>Abeler</th>
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<td>Kohls</td>
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</table>

Those who voted in the negative were:

| Anderson, I. | Entenza | Hosch | Liebling | Paymar | Simon |
| Atkins | Fritz | Jaros | Lieder | Pelowski | Slawk | |
| Bernardy | Goodwin | Johnson, R. | Lillie | Peterson, A. | Solberg | |
| Carlson | Greiling | Johnson, S. | Loeffler | Peterson, S. | Thao | |
| Clark | Hansen | Juhnke | Mahoney | Poppe | Thissen | |
| Davnie | Hausman | Kellifer | Mariani | Rukavina | Wagenius | |
| Dill | Haws | Koenen | Marquart | Ruud | Walker | |
| Dittrich | Hilstrom | Larson | Moe | Sailer | Welti | |
| Dorn | Hilty | Latz | Mullery | Scalze | | |
| Eken | Hornstein | Lenczewski | Nelson, M. | Sertich | | |
| Ellison | Hortman | Lesch | Otremba | Sieben | | |

So it was the judgment of the House that the decision of the Speaker should stand.
Marquart and Atkins offered an amendment to H. F. No. 4142, the second engrossment, as amended.

POINT OF ORDER

Krinkie raised a point of order pursuant to rule 3.21 that the Marquart and Atkins amendment was not in order. The Speaker ruled the point of order well taken and the Marquart and Atkins amendment out of order.

The Speaker called Abrams to the Chair.

H. F. No. 4142, A bill for an act relating to taxation; providing a property tax rebate; providing for the sale of certain state lands to offset administrative costs of the rebate; appropriating money.

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 86 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Abeler 
Abrams
Anderson, B.
Atkins 
Beard 
Blaine 
Bradley 
Brod 
Buesgens 
Carlson 
Charron 
Cornish 
Cox 
Cybart 
Davids
DeLaForest
Demmer
Dempsey
Dittrich
Eastlund
Emmer
Erhardt
Erickson
Finstad
Fritz
Garofalo
Gunther
Hackbarth
Hamilton
Holberg
Hoppe
Hortman
Hosch
Hoyes
Johnson, J.
Klinzing
Knoblauch
Kohls
Krinkie
Lanning
Latz
Liebling
Lillie
Magnus
McNamara
Meslow
Moe
Nelson, P.
Newman
Nornes
Olson
Otremba
Ozment
Pausen
Paymar
Pelowski
Penas
Peppin
Peterson, N.
Peterson, S.
Poppe
Powell
Ruth
Ruud
Sailer
Samuelson
Scalze
Seifert
Severson
Spk. Sviggum
Soderstrom
Sykora
Tingelstad
Urdahl
Wardlow
Welti
Westberg
Wilkin
Zellers

Those who voted in the negative were:

Anderson, I.
Bernardy
Clark
Davnie
Dill
Dorman
Dorn
Eken
Ellison
Entenza
Goodwin
Greiling
Hansen
Hausman
Haws
Heidgerken
Hilstrom
Hilty
Hornstein
Jaros
Johnson, R.
Johnson, S.
Juhnke
Kahn
Kelliher
Koenen
Koens
Larson
Lenschewski
Lesch
Lieder
Loeffler
Mahoney
Mariani
Marquart
Mullery
Murphy
Nelson, M.
Peterson, A.
Rukavina
Sertich
Sieben
Solberg
Thao
Thissen
Vandeveer
Wagenius
Walker

The bill was passed, as amended, and its title agreed to.
The Speaker resumed the Chair.

CALL OF THE HOUSE LIFTED

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

CALENDAR FOR THE DAY

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

MOTIONS AND RESOLUTIONS

Ruud moved that her name be stricken as an author on H. F. No. 854. The motion prevailed.

Sykora moved that the name of Simon be added as an author on H. F. No. 4173. The motion prevailed.

Knoblach moved that H. F. No. 2916, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, May 4, 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., Thursday, May 4, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives