STATE OF MINNESOTA

EIGHTY-FOURTH SESSION — 2005

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FIFTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 5, 2005

The House of Representatives convened at 11:45 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

The roll was called and the following members were present:

Abeler  Dill  Hilstrom  Larson  Opatz  Sieben
Abrams  Dittrich  Hilty  Latz  Otremba  Simon
Anderson, B.  Dorman  Holberg  Lenczewski  Ozment  Simpson
Anderson, I.  Dorn  Hoppe  Lesch  Paulsen  Slawik
Atkins  Eastlund  Hornstein  Liebling  Paymar  Smith
Beard  Eken  Hortman  Lieder  Pelowski  Soderstrom
Bernardy  Emmer  Hosch  Lillie  Peñas  Solberg
Blaine  Entenza  Howes  Loefler  Peppin  Sykora
Bradley  Erdahl  Huntley  Magnus  Peterson, A.  Thao
Brod  Erickson  Jaros  Mahoney  Peterson, N.  Thissen
Buesgens  Finstad  Johnson, J.  Mariani  Peterson, S.  Tingelstad
Carlson  Fritz  Johnson, R.  Marquart  Poppe  Urdaal
Charron  Garofalo  Johnson, S.  McNamara  Powell  Vandeveer
Cornish  Gazelka  Juhnke  Meslow  Rukavina  Wagenius
Cox  Goodwin  Kahn  Moe  Ruth  Walker
Cybart  Greiling  Kelliher  Mullery  Ruud  Wardlow
Davids  Gunther  Klinzing  Murphy  Sailer  Welti
Davnie  Hackbart  Knoblauch  Nelson, M.  Samuelson  Westerberg
Dean  Hamilton  Koenen  Nelson, P.  Scalze  Westrom
DeLaForest  Hansen  Kohls  Newman  Seifert  Wilkin
Demmer  Hausman  Krinkie  Nornes  Sertich  Zellers
Dempsey  Heidgerken  Lanning  Olson  Severson  Spk. Sviggum

A quorum was present.

Clark was excused.

Ellison was excused until 4:20 p.m.

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

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 514, A bill for an act relating to gaming; establishing a lottery board; regulating card clubs and establishing a director of card clubs; amending Minnesota Statutes 2004, sections 240.03; 240.04, by adding a subdivision; 240.23; 240.30, subdivisions 2, 7; 349A.01, by adding a subdivision; 349A.08, subdivision 7; 349A.11; 349A.14; proposing coding for new law in Minnesota Statutes, chapter 349A.

Reported the same back with the following amendments:

Page 6, after line 11, insert:

"Sec. 3. Minnesota Statutes 2004, section 240.155, subdivision 1, is amended to read:

Subdivision 1. [REIMBURSEMENT ACCOUNT CREDIT.] Money received by the commission as reimbursement for the costs of services provided by veterinarians, stewards, and medical testing of horses must be deposited in the state treasury and credited to a racing reimbursement account, except as provided under subdivision 2. Receipts are appropriated to the commission to pay the costs of providing the services. Receipts deposited under section 240.30, subdivision 9, are appropriated to the commission for the costs of regulation of card club activities under section 240.03."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "appropriating money;"

Page 1, line 5, before "240.23" insert "240.155, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 874, A bill for an act relating to elections; providing for approval and purpose of certain voting equipment; appropriating money; amending Minnesota Statutes 2004, sections 201.022, by adding a subdivision; 206.80; proposing coding for new law in Minnesota Statutes, chapter 206.

Reported the same back with the following amendments:

Page 3, after line 22, insert:

"Sec. 5. [206.845] [BALLOT RECORDING AND COUNTING SECURITY.]

Subdivision 1. [PERMITTED AND PROHIBITED MODES OF TRANSFER.] Ballot recording and counting systems must be secured physically and electronically against unauthorized access. Except for wired connections within the polling place, ballot recording and counting systems must not be connected to, or operated on, directly or
indirectly, any electronic network including internal office networks, LANs, the Internet, or World Wide Web. Wireless communications may not be used in any way in a vote recording or vote counting system. Wireless, device-to-device capability is not allowed. No connection by modem is allowed.

Transfer of information from the ballot recording or counting system to another system for network or broadcast must be made by disk, tape, or other physical means of communication other than direct or indirect electronic connection of the vote recording or vote counting system.

Subd. 2. [TRANSMIT TO CENTRAL REPORTING LOCATION.] After the close of the polls, counties employing precinct ballot counting devices may telephonically or electronically transmit the accumulated tally for each device to a central reporting location. Before making a telephonic or electronic transmission, the precinct election officer must create a printed record of the results of the election for that precinct as provided by rules of the secretary of state. During the canvassing period the results transmitted telephonically or electronically must be considered unofficial until a complete reconciliation of the results has been performed.”

Page 5, after line 8, insert:

“Subd. 4. [SURPLUS VOTING EQUIPMENT TO BE MADE AVAILABLE.] (a) If any county or municipality purchases or receives new voting system equipment under this section, it may make any equipment being replaced available on a first-come, first-served basis at no charge for transfer to any other county or municipality which has not previously used that type or model of equipment. A county receiving equipment under this subdivision may also make any equipment being replaced similarly available to any other county or municipality.

(b) The secretary of state shall establish, for information only, a page on its Web site on which counties making equipment available pursuant to this subdivision must post the basic specifications of the equipment along with contact information for the staff person in the county or municipality responsible for the equipment. All transfer transactions are strictly between and among the counties and municipalities.

Sec. 7. [FEDERAL FUNDS FOR ACCESS BY DISABLED INDIVIDUALS.] The secretary of state is authorized to apply for funds pursuant to sections 261 to 265 of the Help America Vote Act, Public Law 107-252, to assure access for individuals with disabilities. No further appropriation by the legislature is required, for the receipt of those funds from the federal Department of Health and Human Services or for the distribution to local units of government of those funds by the secretary of state for that purpose, notwithstanding contrary provisions in Laws 2003, First Special Session chapter 7, section 1.”

Page 6, line 17, delete “7” and insert “9”

Renumber the sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 514 and 874 were read for the second time.
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.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Charron, Meslow and Slawik introduced:

H. F. No. 2501, A bill for an act relating to child care; making improvements to child care services; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Anderson, I.; Dill and Penas introduced:

H. F. No. 2502, A resolution memorializing the President and Congress to prohibit the importation of pseudoephedrine from other countries into the United States.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Anderson, I., moved that the rule therein be suspended and an urgency be declared so that H. F. No. 2502 be given its second and third readings and be placed upon its final passage. The motion did not prevail.

H. F. No. 2502 was referred to the Committee on Public Safety Policy and Finance.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

The following House File was introduced:

Anderson, B., introduced:

H. F. No. 2503, A bill for an act relating to highways; designating I-94 as 88th Infantry (Blue Devils) Division Highway; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.
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. 1422, A bill for an act relating to the operation of state government; making changes to health and human services programs; changing licensing and state-operated services provisions; changing provisions in state health care programs, changing MinnesotaCare to a forecasted program and changing eligibility requirements and payments, allowing transfer of excess health care access funds to the general fund, allowing the commissioner to withhold for delinquent nursing home provider surcharges, allowing reduction of excess assets for MA and changing other MA provisions, reducing payments to managed care plans, establishing medical necessity standards for state health care programs, allowing the state to recover payment for long-term care from trusts and life estates or joint tenancy interests, and establishing a health services policy committee and medication therapy management; establishing a value-based nursing facility reimbursement system and changing other provisions for nursing facilities; changing continuing care for the elderly and disabled provisions and establishing the Minnesota partnership for long-term care programs, increasing rate reimbursement for ICF/MR facilities, health care services, and provider rate increases, requiring a study for dental access, establishing an interagency work group on disability services; changing provisions for mental health services, allowing payment for mental health telemedicine, providing treatment foster care services and transitional youth intensive rehabilitative mental health services; modifying health policy, establishing a Health Information Technology and Infrastructure Advisory Committee, establishing a rural pharmacy planning and transition grant program, requiring a report from physicians and facilities performing abortions, classifying data in abortion notification reports, providing education on shaking infants and children, establishing a voluntary trauma system, trauma registry, and trauma advisory council, establishing a cancer drug repository program, prohibiting family grant funds to subsidize abortion services, promoting positive abortion alternatives, establishing the unborn child pain prevention act, providing education on postpartum depression, adjusting certain fees, providing civil and criminal penalties; making forecast adjustments; appropriating money; and providing for alternative funding; amending Minnesota Statutes 2004, sections 13.3806, by adding a subdivision; 16A.724; 103L.101, subdivision 6; 103L.208, subdivisions 1, 2; 103L.235, subdivision 1; 103L.601, subdivision 2; 144.122; 144.147, subdivisions 1, 2, 4; 144.148, subdivision 1; 144.1483; 144.1501, subdivisions 1, 2, 3, 4; 144.226, subdivisions 1, 4, 6; 144.3831, subdivision 1; 144.551, subdivision 1; 144.562, subdivision 2; 144.9504, subdivision 2; 144.98, subdivision 3; 144A.071, subdivision 4a; 144A.073, by adding a subdivision; 144E.101, by adding a subdivision; 145.56, subdivisions 2, 5; 145.924; 145.9268; 146A.11, subdivision 1; 147A.08; 150A.22; 157.011, by adding a subdivision; 157.15, by adding a subdivision; 157.16, subdivisions 2, 3, by adding subdivisions; 157.20, subdivisions 2, 2a; 214.01, subdivision 2; 214.06, subdivision 1, by adding a subdivision; 245.4661, subdivisions 2, 6; 245.4885, subdivisions 1, 2, by adding a subdivision; 245A.10, subdivision 5; 245C.10, subdivisions 2, 3; 245C.32, subdivision 2; 246.0136, subdivision 1; 252.27, subdivision 2a; 253.20; 253B.02, subdivision 7; 256.01, subdivision 2; 256.019, subdivision 1; 256.045, subdivisions 3, 3a; 256.046, subdivision 1; 256.9657, by adding a subdivision; 256.969, subdivisions 3a, 26; 256B.02, subdivision 12; 256B.04, by adding a subdivision; 256B.056, subdivisions 5, 5a, 5b, 7, by adding subdivisions; 256B.057, subdivision 9; 256B.0575; 256B.0595, subdivision 2; 256B.06, subdivision 4; 256B.0621, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 256B.0625, subdivisions 2, 3a, 13, 13a, 13c, 13e, 13f, 17, by adding subdivisions; 256B.0644; 256B.0645, subdivision 2; 256B.0913, subdivisions 2, 4; 256B.0916, by adding a subdivision; 256B.0943, subdivision 3; 256B.095; 256B.0951, subdivision 1; 256B.0952, subdivision 5; 256B.0953, subdivision 1; 256B.15, subdivision 1; 256B.19, subdivision 1; 256B.195, subdivision 3; 256B.32, subdivision 1; 256B.431, subdivisions 28, 29, 35, by adding subdivisions; 256B.432, subdivisions 1, 2, 5, by adding subdivisions;
Bradley moved that the House refuse to concur in the Senate amendments to H. F. No. 1422, 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 that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 4.

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

P ATRICE D WORAK , First Assistant Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 4

A bill for an act relating to agriculture; increasing minimum ethanol content required for gasoline sold in the state; establishing a petroleum replacement goal; amending Minnesota Statutes 2004, section 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

May 2, 2005

The Honorable James P. Metzen
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 4, report that we have agreed upon the items in dispute and recommend as follows:
That the House recede from its amendments and that S. F. No. 4 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM ETHANOL CONTENT REQUIRED.] (a) Except as provided in subdivisions 10 to 14, a person responsible for the product shall ensure that all gasoline sold or offered for sale in Minnesota must contain at least 10.0 percent denatured ethanol by volume.

(b) For purposes of enforcing the minimum ethanol requirement of paragraph (a), a gasoline/ethanol blend will be construed to be in compliance if the ethanol content, exclusive of denaturants and permitted contaminants, comprises not less than 9.2 percent by volume and not more than 10.0 percent by volume of the blend as determined by an appropriate United States Environmental Protection Agency or American Society of Testing Materials standard method of analysis of alcohol/ether content in motor fuels.

(c) The provisions of this subdivision are suspended during any period of time that subdivision 1a, paragraph (a), is in effect.

Sec. 2. Minnesota Statutes 2004, section 239.791, is amended by adding a subdivision to read:

Subd. 1a. [MINIMUM ETHANOL CONTENT REQUIRED.] (a) Except as provided in subdivisions 10 to 14, on August 30, 2013, and thereafter, a person responsible for the product shall ensure that all gasoline sold or offered for sale in Minnesota must contain at least 20 percent denatured ethanol by volume.

(b) For purposes of enforcing the minimum ethanol requirement of paragraph (a), a gasoline/ethanol blend will be construed to be in compliance if the ethanol content, exclusive of denaturants and permitted contaminants, comprises not less than 18.4 percent by volume and not more than 20 percent by volume of the blend as determined by an appropriate United States Environmental Protection Agency or American Society of Testing Materials standard method of analysis of alcohol content in motor fuels.

(c) No motor fuel shall be deemed to be a defective product by virtue of the fact that the motor fuel is formulated or blended pursuant to the requirements of paragraph (a) under any theory of liability except for simple or willful negligence or fraud. This paragraph does not preclude an action for negligent, fraudulent, or willful acts. This paragraph does not affect a person whose liability arises under chapter 115, water pollution control; 115A, waste management; 115B, environmental response and liability; 115C, leaking underground storage tanks; or 299J, pipeline safety; under public nuisance law for damage to the environment or the public health; under any other environmental or public health law; or under any environmental or public health ordinance or program of a municipality as defined in section 466.01.

(d) This subdivision expires on December 31, 2010, if by that date:

(1) the commissioner of agriculture certifies and publishes the certification in the State Register that at least 20 percent of the volume of gasoline sold in the state is denatured ethanol; or

(2) federal approval has not been granted for the use of E20 as gasoline. The United States Environmental Protection Agency's failure to act on an application shall not be deemed approval of the use of E20, or a waiver under section 211(f)(4) of the Clean Air Act, United States Code, title 42, section 7545, subsection (f), paragraph (4).
Sec. 3. [239.7911] [PETROLEUM REPLACEMENT PROMOTION.]

Subdivision 1. [PETROLEUM REPLACEMENT GOAL.] The petroleum replacement goal of the state of Minnesota is that at least 20 percent of the liquid fuel sold in the state is derived from renewable sources by December 31, 2015.

Subd. 2. [PROMOTION OF RENEWABLE LIQUID FUELS.] (a) The commissioner of agriculture, in consultation with the commissioners of commerce and the Pollution Control Agency, shall identify and implement activities necessary for the widespread use of renewable liquid fuels in the state. Beginning November 1, 2005, and continuing through 2015, the commissioners, or their designees, shall work with representatives from the renewable fuels industry, petroleum retailers, refiners, automakers, small engine manufacturers, and other interested groups, to develop annual recommendations for administrative and legislative action.

(b) The activities of the commissioners under this subdivision shall include, but not be limited to:

(1) developing recommendations for incentives for retailers to install equipment necessary for dispensing renewable liquid fuels to the public;

(2) obtaining federal approval for the use of E20 as gasoline;

(3) developing recommendations for ensuring that motor vehicles and small engine equipment have access to an adequate supply of fuel;

(4) working with the owners and operators of large corporate automotive fleets in the state to increase their use of renewable fuels; and

(5) working to maintain an affordable retail price for liquid fuels.

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

Sec. 4. [REPORT ON E20 FUEL.]

The commissioner of agriculture, in consultation with the commissioners of employment and economic development and the Pollution Control Agency, shall review the information and data collected in the evaluation of any federal waiver request for the use of E20 fuel in Minnesota. The commissioner shall use existing budgetary and staff resources in conducting the review. The review must include:

(1) issues involving the use of E20 fuel if such fuel is mandated in Minnesota;

(2) effects of E20 on development of Minnesota's ethanol industry; and

(3) effects of E20 on Minnesota consumers.

The commissioner shall present an initial report to the legislative committees having jurisdiction over agriculture and environment policy and finance on the findings of the review to the legislature by January 15, 2009, and present an updated report to those committees on January 15, 2011.

Sec. 5. [SMALL ENGINE REPORT.]

The commissioner of commerce, in consultation with the commissioner of agriculture, shall:
(1) solicit information from national experts and stakeholders, which may include the United States Consumer Product Safety Commission, and review scientific studies on the use of E20 gasoline in motorcycles, outboard engines, snowmobiles, lawn and garden products, and other consumer equipment powered by small spark-ignited engines;

(2) inventory and assess the availability of gasoline not blended with ethanol throughout the state for exempt uses under Minnesota Statutes, section 239.791, subdivisions 10 to 14, and make recommendations for addressing those areas in which the commissioner finds unblended gasoline is not readily available to consumers;

(3) develop recommendations for notifying consumers as to the availability of gasoline not blended with ethanol in the state, and the appropriate use of gasoline blended with ethanol in small spark-ignited engines found in motorcycles, outboard engines, snowmobiles, and lawn and garden products; and

(4) by January 15, 2008, report to the agriculture and environmental policy committees of the house of representatives and senate on information and activities required under clauses (1) to (3)."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring studies and reports;"

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

Senate Conferees: DALLAS C. SAMS, JIM VICKERMAN AND STEVE DILLE.

House Conferees: GREGORY M. DAVIDS, ROD HAMILTON AND AL JUHNKE.

Davids moved that the report of the Conference Committee on S. F. No. 4 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 4, A bill for an act relating to agriculture; increasing minimum ethanol content required for gasoline sold in the state; establishing a petroleum replacement goal; amending Minnesota Statutes 2004, section 239.791, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 100 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, I.
Atkins
Beard
Bernardy
Blaine
Bradley
Brod
Carlson
Cornish
Cox
Davids
Dean
Demmer
Dempsey
Dill
Dorman
Dorn
Eastlund
Eken
Entenza
Finstad
Fritz
Garofalo
Gazelka
Goodwin
Greiling
Hamilton
Hansen
Heidgerken
Hilty
Hornstein
Hortman
Hosch
Howes
Huntley
Jaros
Johnson, J.
Johnson, R.
Johnson, S.
Juhnke
Kelliher
Knoblach
Koening
Those who voted in the negative were:

Abrams  DeLaForest  Hoppe  Lesch  Powell  Wagenius
Anderson, B.  Dittrich  Kahn  Mariani  Ruud  Wilkin
Buesgens  Emmer  Klinzing  Olson  Sieben
Charron  Hausman  Kohls  Paulsen  Smith
Cybart  Hilstrom  Krinkie  Paymar  Thao
Davnie  Holberg  Lenczewski  Peppin  Vandeveer

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

**FISCAL CALENDAR**

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 1420.

H. F. No. 1420 was reported to the House.

Ozment moved to amend H. F. No. 1420, the fourth engrossment, as follows:

Page 39, lines 29 and 32, reinstate the stricken "constables" and delete "peace officers"

Page 40, lines 10 and 13, reinstate the stricken "constables" and delete "peace officers"

Page 40, line 11, strike "or" and insert a comma and after "municipality" insert ", or security guard as defined in section 626.88"

The motion prevailed and the amendment was adopted.

Peterson, A., moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 3, line 18, delete "$4,467,000" and insert "$4,587,000" and delete "$4,197,000" and insert "$4,317,000"

Page 3, line 32, delete the first "$80,000" and insert "$200,000" and delete the second "$80,000" and insert "$200,000"

Page 5, line 17, delete "$6,420,000" and insert "$6,300,000" and delete "$7,424,000" and insert "$7,304,000"
Page 6, after line 8, insert:"
The commissioner is instructed to implement administrative staff cost reductions of not less than $120,000 the first year and $120,000 the second year."

A roll call was requested and properly seconded.

The question was taken on the Peterson, A., amendment and the roll was called. There were 63 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Otrema moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 52, delete lines 32 to 34

The motion prevailed and the amendment was adopted.
Mariani; Peterson, A.; Otremba and Fritz moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Pages 61 to 65, delete sections 84 to 86

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mariani et al amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Anderson, I.
Atkins
Bernardy
Carlson
Cox
Davnie
Dill
Dittrich
Dorn
Eken
Entenza
Fritz
Goodwin
Greiling
Hansen
Hausman
Hilstrom
Hilty
Hornstein
Hosch
Huntley
Jaros
Johnson, R.
Johnson, S.
Kelliher
Koenen
Larson
Lenczewski
Lesch
Liebling
Lieder
Lillie
Loeffler
Mahoney
Mariani
Moe
Murphy
Nelson, M.

Those who voted in the negative were:

Anderson, B.
Beard
Blaine
Bradley
Brod
Buesgens
Charrao
Cornish
Cybart
Davids
Dean
DeLaForest
Demmer
Dempsey
Dorman
Eastlund
Emmer
Erhardt
Erickson
Finstad
Garofalo
Gazelska
Gunther
Hacketth
Hamilton
Heidgerken
Holberg
Hoppe
Howes
Johnson, J.
Juhnke
Klinzing
Knoblach
Kohls
Kringle
Lanning
Lesch
Lieder
Lillie
Lohan
Liel
Lesch
Lindahl
Linneman
Listug
Lopes

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

Moe moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 61, line 29, delete “any member” and insert “a majority of the members”

Page 64, line 25, delete “any member” and insert “a majority of the members”

The motion did not prevail and the amendment was not adopted.
Ruth, Cornish, Urdahl, Ozment, Gunther, Lieder, Juhnke, Blaine and Penas moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 51, after line 18, insert:

"Sec. 69. Minnesota Statutes 2004, section 223.17, subdivision 6, is amended to read:

Subd. 6. [FINANCIAL STATEMENTS.] For the purpose of fixing or changing the amount of a required bond or for any other proper reason, the commissioner shall require an annual financial statement from a licensee which has been prepared in accordance with generally accepted accounting principles and which meets the following requirements:

(a) The financial statement shall include, but not be limited to the following: (1) a balance sheet; (2) a statement of income (profit and loss); (3) a statement of retained earnings; (4) a statement of changes in financial position; and (5) a statement of the dollar amount of grain purchased in the previous fiscal year of the grain buyer.

(b) The financial statement shall be accompanied by a reviewed financial statement or audit prepared by an independent public accountant or a compilation report prepared by a grain commission firm approved by the commissioner, in accordance with standards established by the American Institute of Certified Public Accountants. Grain buyers purchasing less than 150,000 bushels of grain per calendar year may submit a compiled financial statement prepared by an independent public accountant.

(c) The financial statement shall be accompanied by a certification by the chief executive officer or the chief executive officer's designee of the licensee, under penalty of perjury, that the financial statement accurately reflects the financial condition of the licensee for the period specified in the statement.

Only one financial statement must be filed for a chain of warehouses owned or operated as a single business entity, unless otherwise required by the commissioner. Any grain buyer having a net worth in excess of $500,000,000 need not file the financial statement required by this subdivision but must provide the commissioner with a certified net worth statement. All financial statements filed with the commissioner are private or nonpublic data as provided in section 13.02."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Johnson, R., moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 61, line 23, after "recommendations" insert "on the environmental or agricultural effects from specific provisions in the ordinance"

Page 61, line 27, after the first comma insert "social."

Page 64, line 19, after "recommendations" insert "on the environmental or agricultural effects from specific provisions in the ordinance"

Page 64, line 23, after the first comma insert "social."

A roll call was requested and properly seconded.
The question was taken on the Johnson, R., amendment and the roll was called. There were 64 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Fritz        Jaros     Liebling  Otremba  Sieben
Atkins       Goodwin      Johnson, R. Lieder    Paymar    Simon
Bernardy    Greiling      Johnson, S. Lillie    Pelowski  Slayik
Carlson     Hansen        Juhnke    Loeffler  Peterson, A. Solberg
Cox          Hausman      Kahn      Mahoney  Peterson, S. Thao
Davnie      Hilstrom      Kelliher  Mariani  Poppe     Thissen
Dill         Hilty         Koenen    Moe       Rukavina Wagenius
Dittrich    Hornstein     Larson    Mullery  Ruud      Walker
Dorn         Hortman      Latz      Murphy   Sailer    Welti
Eken         Hosch        Lenzewski Nelson, M. Scalze
Entenza     Huntley       Lesch     Opatz     Sertich

Those who voted in the negative were:

Abeler       Dean         Gunther   Lanning  Peppin    Udahl
Abrams       DeLaForest   Hackbarth Magnus    Peterson, N. Vandeveer
Anderson, B. Demmer     Hamilton Marquart  Ruth      Powell    Warlow
Beard        Dempsey      Heidgerken McNamara Meslow    Samuelson Westrom
Blaine       Dorman       Holberg   Meslow    Nelson, P. Seifert  Wilkin
Bradley      Eastlund     Hoppe     Nelson, P. Newman  Severson Zellers
Brod         Emmer        Howes     Newman    Nornes    Simpson Spk. Sviggum
Buesgens     Erhardt      Johnson, J. Olse     Olson     Smith
Charro       Erickson     Klinzing  Olson     Olse     Smith
Cornish      Finstad      Knoblahc  Ozmant    Ozerstom Soderstrom
Cybart       Garofalo     Kohls     Paulsen  Paulsen  Sykora
Davids       Gazelka      Krinkie   Penas     Tinglestad

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

The Speaker called Emmer to the Chair.

Eken moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 48, after line 31, insert:

"Sec. 66. Minnesota Statutes 2004, section 116.07, subdivision 7a, is amended to read:

Subd. 7a. [NOTICE OF APPLICATION FOR LIVESTOCK FEEDLOT PERMIT.] (a) A person who applies to the Pollution Control Agency or a county board for a permit to construct or expand a feedlot with a capacity of 500 animal units or more shall, within ten days of applying for the permit and not less than 20 business days before the date on which a permit is issued, provide notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed feedlot. The notice may be delivered by first class mail, in person, by the publication in a newspaper the local newspapers of general circulation within the affected area and must include"
information on the type of livestock and the proposed capacity of the feedlot. Notification under this subdivision is
satisfied under an equal or greater notification requirement of a county conditional use permit. A person must also
send a copy of the notice by first class mail to the clerk of the township in which the feedlot is proposed within ten
days of applying for the permit and not less than 20 business days before the date on which a permit is issued.

(b) The agency or a county board must verify that notice was provided as required under paragraph (a) prior to
issuing a permit."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Ozment moved to amend the Eken amendment to H. F. No. 1420, the fourth engrossment, as amended, as
follows:

Page 1, lines 14 and 15, delete the new language and reinstate the stricken language

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 69 yeas and
63 nays as follows:

Those who voted in the affirmative were:

Abeler          Davids          Gazelka         Kohls          Ozment       Sykora
Abrams          Dean            Gunther         Krinkie        Penas         Tingelstad
Anderson, B.    DeLaForest     Hackbart        Lanning        Peppin        Udahl
Beard           Demmer          Hamilton        Magnus         Peterson, N.    Vandeveer
Blaine          Dempsey         Heidgerken      Marquart       Powell        Wardlow
Bradley         Dorman          Holberg         McNamara       Ruth          Westerberg
Brod            Eastlund        Hoppe           Meslow         Samuelson     Wilkin
Buesgens        Emmer           Howes           Nelson, P.     Severson      Zellers
Cornish         Erickson        Juhnke          Nornes         Smith         
Cox             Finsad          Klinzing        Olson          Soderstrom    
Cybart          Garofalo        Knoblach        Opatz          Solberg

Those who voted in the negative were:

Anderson, I.    Eken            Hilty           Kahn           Lieder        Nelson, M.
Atkins          Entenza        Hornstein       Kelliher       Lillie         Otremba
Bernardy        Fritz           Hortman         Koenen         Loeffler       Paulsen
Carlson         Goodwin        Hosch           Larson         Mahoney       Paymar
Davnie          Grelling        Huntley         Latz           Mariani        Pelowski
Dill            Hansen          Jaros           Lenczewski     Moe           Peterson, A.
Ditrich         Hausman        Johnson, R.    Lesch           Mullery        Peterson, S.
Dorn            Hilstrom        Johnson, S.    Liebling       Murphy        Poppe
The motion prevailed and the amendment to the amendment was adopted.

Blaine moved to amend the Eken amendment, as amended, to H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 1, line 10, delete the new language

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Anderson, B.
Beard
Blaine
Bradley
Brod
Buesgens
Charron
Cornish
Cybart

Davids
Dean
DeLaForest
Demmer
Dempsey
Dorman
Eastlund
Emmer
Erhardt
Erickson
Finstad

Garofalo
Gazelka
Gunther
Hackbarth
Hamilton
Heidgerken
Holberg
Hoppe
Howes
Johnson, J.

Knoblach
Kohls
Krinke
Lanning
Magnus
McNamara
Nelson, P.
Newman
Nornes
Olson
Ozment

Paulsen
Penas
Peppin
Petterson, N.
Powell
Ruth
Samuelson
Seifert
Severson
Simpson
Smith

Soderstrom
Sykora
Tingelstad
Urdahl
Vandeveer
Wardlow
Westerberg
Wilk
Zellers

Spk. Sviggum

Those who voted in the negative were:

Anderson, I.
Atkins
Bernardy
Carlson
Davnie
Dill
Dittrich
Dorn
Eken
Entenza
Fritz

Goodwin
Greiling
Hansen
Hausman
Hilstrom
Hilty
Hornstein
Hortman
Hosch
Huntley
Jaros

Johnson, R.
Johnson, S.
Juhnke
Kahn
Kelliker
Koenen
Larson
Latz
Lenczewski
Lesch
Liebling

Lieder
Lillie
Loeffler
Mahoney
Mariani
Marquart
Meslow
Moe
Mullery
Murphy
Nelson, M.

Opatz
Otrema
Paymar
Pelowski
Peterson, A.
Peterson, S.
Poppe
Rukavina
Ruud
Sailer
Scalze

Sertich
Sieben
Simon
Sailer
Welti

The motion prevailed and the amendment to the amendment, as amended, was adopted.

The Speaker resumed the Chair.
Eken further modified his amendment, as amended, to H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 1, line 15, strike "a" and insert "the official" and after "newspaper" insert "of the affected townships"

The question recurred on the Eken amendment, as amended, and the roll was called. There were 113 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeler    Dorn    Hortman    Lenczewski    Opatz    Sieben
Abrams    Eastlund    Hosch    Lesch    Otremba    Simon
Anderson, B.    Eken    Howes    Liebling    Ozment    Simpson
Anderson, I.    Emmer    Huntley    Lieder    Paulsen    Slawik
Atkins    Entenza    Jaros    Lillie    Paymar    Smith
Beard    Erhardt    Johnson, J.    Loeffler    Pelowski    Soderstrom
Bernardy    Finstad    Johnson, R.    Mahoney    Penas    Solberg
Blaine    Fritz    Johnson, S.    Mariani    Peterson, A.    Sykora
Brod    Gazelka    Juhnke    Marquart    Peterson, S.    Thao
Carlson    Greiling    Kahn    McNamara    Poppe    Thissen
Charroon    Gunther    Kelliher    Meslow    Powell    Tingelstad
Cornish    Hackbart    Klinzing    Moe    Rukavina    Urdahl
Cox    Hansen    Knoblach    Mullery    Ruud    Wagenius
Davids    Hausman    Koenen    Murphy    Sailer    Walker
Davnie    Heidgerken    Kohls    Nelson, M.    Samuelson    Wardlow
DeLaForest    Hilstrom    Krinkie    Nelson, P.    Scalze    Welti
Dempsey    Hilty    Lanning    Newman    Seifert    Westerberg
Dill    Hoppe    Larson    Nornes    Sertich    Westrom
Dittrich    Hornstein    Latz    Olson    Severson

Those who voted in the negative were:

Bradley    Dean    Erickson    Holberg    Peterson, N.    Wilkin
Buesgens    Demmer    Garofalo    Magnus    Ruth    Zellers
Cybart    Dorman    Hamilton    Peppin    Vandeveer    Spk. Sviggum

The motion prevailed and the amendment, as amended, was adopted.

Hansen, Ozment and Juhnke moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 67, line 12, delete "and"

Page 67, line 16, delete the period and insert "; and"

(4) methods of inspection and monitoring for compliance with fertilizer regulations to protect against the theft of anhydrous ammonia for production of methamphetamine.

The motion prevailed and the amendment was adopted.
Atkins and Urdahl moved to amend H. F. No. 1420, the fourth engrossment, as amended, as follows:

Page 65, line 28, delete the first comma and insert "or"

Page 65, lines 28 and 29, delete ", or a health condition associated with weight gain or obesity and"

Page 66, lines 4 and 5, delete ", if the violation is knowing and willful."

Page 66, delete lines 7 to 9

The motion prevailed and the amendment was adopted.

H. F. No. 1420, A bill for an act relating to agriculture; appropriating money for agricultural purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; providing for the issuance of state bonds; amending Minnesota Statutes 2004, sections 13.643, by adding a subdivision; 17.03, subdivision 13; 17.117, subdivision 11, by adding a subdivision; 17.452, by adding a subdivision; 17.982, subdivision 1; 17.983, subdivisions 1, 3; 17B.03, subdivision 1; 18B.08, subdivision 4; 18B.26, subdivision 3; 18B.31, subdivision 5; 18B.315, subdivision 6; 18B.32, subdivision 6; 18B.33, subdivision 7; 18B.34, subdivision 5; 18C.141, subdivisions 1, 3, 5; 18C.425, subdivision 6; 18E.03, subdivision 2; 18G.03, subdivision 1; 18G.10, subdivisions 5, 7; 18H.02, subdivisions 21, 22, 23, 32, 34, by adding a subdivision; 18H.05; 18H.06; 18H.07, subdivisions 1, 2, 3; 18H.09; 18H.13, subdivision 1; 18H.15; 18H.18, subdivision 1; 19.64, subdivision 1; 25.341, subdivision 2; 25.39, subdivisions 1, 4; 31.94; 35.02, subdivision 1; 35.03; 35.05; 35.155; 38.01; 38.16; 41A.09, subdivisions 2a, 3a; 41B.046, subdivision 5; 41B.049, subdivisions 2, 4; 116.07, subdivision 7a; 174.52, subdivision 5; 223.17, subdivisions 3, 6; 231.08, by adding subdivisions; 231.09; 231.11; 231.16; 231.18, subdivisions 3, 5; 232.22, subdivision 3; 236.02, subdivision 4; 327.23, subdivision 2, by adding a subdivision; 394.25, subdivision 3c; 462.355, subdivision 4; 462.357, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16C; 25; 35; 41B; 156; 231; 583; 604; repealing Minnesota Statutes 2004, sections 17.451; 17.452, subdivisions 6, 6a, 7, 10, 11, 12, 13a, 14, 15, 16; 17.983, subdivision 2; 18B.065, subdivision 5; 18H.02, subdivisions 15, 19; 19.64, subdivision 4a; 35.0661, subdivision 4; 41B.046, subdivision 3; Laws 1986, chapter 398, article 1, section 18, as amended; Minnesota Rules, parts 1560.7700; 1560.7750; 1560.7800; 1560.7850; 1560.7900; 1560.8000; 1560.8100; 1560.8200; 1560.8300; 1560.8400; 1560.8500; 1560.8600; 1560.8700; 1560.8800.

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 104 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Anderson, B.
Anderson, I.
Atkins
Beard
Bernardy
Blaine
Bradley
Brod
Buesgens
Charrow
Cornish
Cox
Cybart
Davids
Dean
DeLaForest
Demmer
Dempsey
Dill
Dittrich
Dorman
Dorn
Eastlund
Eken
Emmer
Erhardt
Erickson
Finstad
Fritz
Garofalo
Gazelka
Gunther
Hackbart
Hamilton
Hansen
Heidgerken
Hilty
Holberg
Hoppe
Hosch
Howes
Johnson, J.
Johnson, R.
Juhnke
Juhauskas
Klinzing
Klopfenstiel
Koenen
Kohls
Krinkie
Lanning
Larson
Latz
Lenczewski
Lieder
Lillie
Magnus
Marquart
McNamara
Those who voted in the negative were:

Carlson  Davnie  Entenza  Greiling  Hausman
            Hilstrom  Hornstein  Huntley  Jaros  Hilty
            Johnson, S.  Kahl  Lesch  Liebling  Loeffler
            Mahoney  Mariani  Mullery  Nelson, M.  Oeflker
            Otremba  Peterson, A.  Sieben  Thao  Wagenius
            Wandel  Zellers

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1481:

Seifert, DeLaForest, Blaine, Hilty and Solberg.

FISCAL CALENDAR

Pursuant to rule 1.22, Knoblach requested immediate consideration of H. F. No. 902.

H. F. No. 902 was reported to the House.

Ozment moved to amend H. F. No. 902, the fourth engrossment, as follows:

Page 49, after line 32, insert:

"(d) Off-highway motorcycles operating in closed course competition events are excluded from the requirements of this subdivision."

The motion prevailed and the amendment was adopted.

Ozment moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 104, line 36, after "in" insert "each of the months of"
The motion prevailed and the amendment was adopted.

Juhnke, Ozment, Hosch and Heidgerken moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 71, after line 8, insert:

"Sec. 52. Minnesota Statutes 2004, section 85.015, subdivision 5, is amended to read:

Subd. 5. [GLACIAL LAKES TRAIL, KANDIYOHI, POPE, AND DOUGLAS COUNTIES.] (a) The trail shall originate at Kandiyohi County Park on the north shore of Green Lake in Kandiyohi County and thence extend northwesterly to Sibley State Park, thence northwesterly to Glacial Lakes State Park in Pope County, thence northeasterly to Lake Carlos State Park in Douglas County, and there terminate.

(b) Trails may be established that extend the Glacial Lakes Trail system from New London to Cold Spring.

(c) The trail shall be developed primarily for riding and hiking."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hackbarth, Dill and Howes moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 11, line 4, delete "5,724,000" and insert "8,724,000"

Page 11, line 5, delete "5,724,000" and insert "8,724,000"

Page 55, line 5, after "grants-in-aid" insert ", trail maintenance, grooming."

Page 57, delete section 39

Adjust totals accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.
Cox moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 11, delete line 62

Page 12, delete lines 1 to 6

A roll call was requested and properly seconded.

The question was taken on the Cox amendment and the roll was called. There were 54 yeas and 78 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dorn</th>
<th>Hoppe</th>
<th>Latz</th>
<th>Meslow</th>
<th>Ruud</th>
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<td>Abrams</td>
<td>Ellison</td>
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<td>Lenczewski</td>
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<td>Atkins</td>
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<td>Lesch</td>
<td>Nelson, M.</td>
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<td>Bernardy</td>
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<td>Huntley</td>
<td>Liebling</td>
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<td>Carlson</td>
<td>Goodwin</td>
<td>Johnson, R.</td>
<td>Lieder</td>
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<tr>
<td>Cox</td>
<td>Greiling</td>
<td>Johnson, S.</td>
<td>Lillie</td>
<td>Pelowski</td>
<td>Thissen</td>
</tr>
<tr>
<td>Davnie</td>
<td>Hansen</td>
<td>Kahn</td>
<td>Loefler</td>
<td>Peterson, A.</td>
<td>Wagenius</td>
</tr>
<tr>
<td>DeLaForest</td>
<td>Haasman</td>
<td>Kelliher</td>
<td>Mahoney</td>
<td>Peterson, S.</td>
<td>Walker</td>
</tr>
<tr>
<td>Dittrich</td>
<td>Hilty</td>
<td>Larson</td>
<td>Mariani</td>
<td>Poppe</td>
<td>Welti</td>
</tr>
</tbody>
</table>

Those who voted in the negative were:

| Anderson, B. | Dempsey | Hamilton | Lanning | Penas | Smith |
| Anderson, I. | Dill | Heidgerken | Magnus | Peppin | Soderstrom |
| Beard | Dorman | Holberg | Marquart | Peterson, N. | Solberg |
| Blaine | Eastlund | Hosch | McNamara | Powell | Sykora |
| Bradley | Eken | Howes | Moe | Rukavina | Tingelstad |
| Brod | Emmer | Jaros | Murphy | Ruth | Urdahl |
| Buesgens | Erickson | Johnson, J. | Nelson, P. | Sailer | Vandevier |
| Charron | Finstad | Juhnke | Newman | Samuelson | Wardlow |
| Cornish | Fritz | Klinzing | Nornes | Seifert | Westerberg |
| Cybart | Garofalo | Knoblach | Olson | Sertich | Westrom |
| Davids | Gazelka | Koenen | Otrema | Severson | Wilkin |
| Dean | Gaither | Kohls | Ozment | Simpson | Zellers |
| Demmer | Hackbarth | Krinkie | Paulsen | Slawik | Spk. Sviggum |

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

Cox moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 44, after line 17, insert:

"Sec. 19. Minnesota Statutes 2004, section 84.773, is amended by adding a subdivision to read:

Subd. 1a. [MUFFLERS.] (a) No person shall operate an off-highway vehicle unless it is equipped with a muffler having a spark arrestor approved by the United States Forest Service as described under Code of Federal Regulations, title 36, section 261.52, paragraph (j)."
(b) Off-highway vehicles shall not be sold, offered for sale, or operated in this state unless equipped so that overall noise emission does not exceed a sound level limitation of not more than 96 decibels on the A scale from a distance of 20 inches using test procedures and instrumentation as set forth in the Society of Automotive Engineers' Standard, SAE J1287, June 1988, or, if different procedures or instrumentation are used, a noise level equivalent to that level.

(c) No noise suppressing system or muffler on an off-highway vehicle shall be equipped with a cutout, bypass, or similar device and no person shall modify or alter that system or its operation in any manner that will amplify or increase the noise emitted by the vehicle's motor to exceed the noise limits established in this subdivision, except for organized events as authorized by sections 84.795, subdivision 7; 84.804, subdivision 5; and 84.928, subdivision 5."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Cox amendment and the roll was called. There were 43 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Carlson  Hansen  Kelliher  Loeffler  Peterson, S.  Wagenius
Cox    Hausman  Larson  Mahoney  Poppe  Walker
Davnie  Hornstein  Latz  Mariani  Ruud  Welti
Dempsey  Huntley  Lenczewski  Mullery  Scalze
Ellison  Jaros  Lesch  Nelson, M.  Sieben
Entenza  Johnson, R.  Liebling  Newman  Slawik
Erhardt  Johnson, S.  Lieder  Paymar  Thao
Greiling  Kahn  Lillie  Pelowski  Thissen

Those who voted in the negative were:

Abeler  DeLaForest  Gunther  Koenen  Ozment  Simpson
Abrams  Demmer  Hackbarth  Kohls  Paulsen  Smith
Anderson, B.  Dill  Hamilton  Krinke  Penas  Soderstrom
Anderson, I.  Dittrich  Heidgerken  Lanning  Peppin  Solberg
Atkins  Dorman  Hilstrom  Magnus  Peterson, A.  Sykora
Beard  Dorn  Hilty  Marquart  Peterson, N.  Tingelstad
Blaine  Eastlund  Holberg  McNamara  Powell  Udahl
Bradley  Eken  Hoppe  Meslow  Rukavina  Vandeveer
Brod  Emmer  Hertman  Moe  Ruth  Wardlow
Buesgens  Erickson  Hosch  Murphy  Sailer  Westerberg
Charron  Finstad  Howes  Nelson, P.  Samuelson  Wilkin
Cornish  Fritz  Johnson, J.  Olson  Seifert  Zellers
Cybart  Garofalo  Juhnke  Opatz  Severson  Spk. Sviggum
Davids  Gazelka  Klinzing  Otremba  Simon
Dean  Goodwin  Knoblach  O zapta

The motion did not prevail and the amendment was not adopted.
The Speaker called Opatz to the Chair.

Westrom, Magnus and Rukavina moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 126, line 34, after the period, insert "In the event a boat trailer is forfeited, the proceeds of the sale must be transferred to the court with jurisdiction over the designated offense for the purpose of paying fines or restitution on behalf of the defendant."

A roll call was requested and properly seconded.

The question was taken on the Westrom et al amendment and the roll was called. There were 53 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Hosch  Magnus  Ozment  Soderstrom
Anderson, B.  Dill  Howes  Marquart  Pelowski  Solberg
Anderson, I.  Dittrich  Jaros  Nelson, M.  Peterson, A.  Sykora
Atkins  Ellison  Juhnke  Nelson, P.  Rukavina  Tingelstad
Beard  Finstad  Knoblach  Newman  Sailer  Vandeveer
Bradley  Fritz  Koenen  Nornes  Samuelson  Westerberg
Brod  Hamilton  Krinkie  Olson  Seifert  Westrom
Charron  Hansen  Lanning  Opatz  Sertich  Zellers
Demmer  Holberg  Latz  Otremba  Simpson

Those who voted in the negative were:

Abrams  Eastlund  Hilstrom  Lenczewski  Paymar  Smith
Bernardy  Eken  Hilty  Lesch  Penas  Thao
Blaine  Emmer  Hoppe  Liebling  Peppin  Thissen
Buesgens  Entenza  Hornstein  Lieder  Peterson, N.  Urdahl
Carlson  Erhardt  Hortman  Lillie  Peterson, S.  Wagenius
Cornish  Erickson  Huntley  Loeffler  Poppe  Walker
Cox  Garofalo  Johnson, J.  Mahoney  Powell  Wardlow
Cybart  Gazelka  Johnson, R.  Mariani  Ruth  Welti
Davids  Goodwin  Johnson, S.  McNamara  Ruud  Wilkin
Davnie  Greiling  Kahn  Meslow  Scalze
Dean  Gunther  Kellher  Moe  Severson
DeLaForest  Hackbart  Klinzing  Mullery  Sieben
Dorman  Hausman  Kohls  Murphy  Simon
Dorn  Heidgerken  Larson  Paulsen  Slawik

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

Rukavina moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 10, after line 33, insert:
"At least 50 percent of any full-time equivalent reductions in the forestry division must be made in the St. Paul office. This requirement may not be met by leaving vacancies unfilled."

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

The Speaker resumed the Chair.

Anderson, B., moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 117, line 10, after the period insert:

"No money may be distributed by the council under this section until the amount and the recipient of each proposed distribution are specified in a law passed by the legislature and signed by the governor."

Solberg and Juhnke moved to amend the Anderson, B., amendment to H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 1, after line 7, insert:

"Pages 112 to 114, delete sections 128 to 130
Page 114, line 14, delete "11" and insert "21"
Page 114, line 15, after "members" insert ", 7 citizens and 7 members each from the senate and house of representatives"
Page 114, line 16, after "Each" insert "citizen"
Page 114, line 18, delete "six" and insert "four"
Page 114, line 22, delete "prospective" and insert "citizen"
Page 114, line 25, delete "Prior"
Page 114, delete lines 26 to 28
Page 114, after line 28, insert:

"(c) The legislative members of the council must consist of the chairs of the house and senate committees on environment and natural resources or designees appointed for the terms of the chairs, the chairs of the house and senate committees on environment and natural resources finance or designees appointed for the terms of the chairs, the chairs of the house and senate committees on governmental operations or designees appointed for the terms of the chairs, the chairs of the house Ways and Means and Senate Finance Committees or designees appointed for the terms of the chairs, three minority members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, and three minority members of the house appointed by the speaker."
Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission.

Page 114, line 29, delete "(c)" and insert "(d)"

Page 114, line 32, delete "eight" and insert "twelve"

Page 114, line 34, delete "governor" and insert "council members"

Page 115, line 12, delete "eight" and insert "twelve"

Page 116, delete lines 2 to 14 and renumber subdivisions

Pages 116 to 118, delete sections 133 to 135

Pages 118 and 119, delete section 137

Page 119, delete lines 19 to 21

Page 120, line 34, strike "peer review panelist"

Page 121, line 8, delete the colon and insert "does not comply with Minnesota Statutes, section 10A.07."

Page 121, delete lines 9 to 23

Page 121, delete the new language on lines 35 and 36

Page 122, delete line 1"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 69 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, I.
Atkins
Bernardy
Carlson
Davnie
Dill
Dittrich
Dorman
Dorn
Eken
Ellison

Entenza
Erhardt
Fritz
Goodwin
Greiling
Hansen
Heidgerken
Hausman
Hilstrom
Hilty
Hornstein
Hortman

Hosch
Huntley
Jaros
Johnson, R.
Johnson, S.
Juhnke
Kahn
Koenen
Kahlen
Larson
Latz
Lenczewski

Lesch
Liebling
Lieder
Lillie
Leffler
Mahoney
Mariani
Marquart
Moe
Mullery
Murphy
Nelson, M.

Opatz
Oremba
Paymar
Pelowski
Peterson, A.
Peterson, S.
Rukavina
Rud
Sailer
Scalze
Sertich

Sieben
Simon
Slawik
Solberg
Thao
Thissen
Wagenius
Walker
Welti

Those who voted in the negative were:

Abrams
Anderson, B.
Beard
Blaine
Bradley
Brod
Buesgens
Charron
Cornish
Cox
Cybart
DeLaForest
David
Dean
Demmer
Dempsey
Eastlund
Emmer
The motion prevailed and the amendment to the amendment was adopted.

Anderson, B., requested that his amendment, as amended, to H. F. No. 902, the fourth engrossment, as amended, be withdrawn. The request was granted.

Emmer moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 47, delete section 22

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 45 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abrams  Dalness  Gazelka  Kohls  Ruth  Westerberg
Anderson, B.  Dean  Gunther  Krinkie  Seifert  Wilkin
Blaine  DeLaForest  Hamilton  Magnus  Severson  Zellers
Bradley  Demmer  Holberg  Newman  Soderstrom  Spk. Sviggum
Brod  Dorman  Hoppe  Olson  Sykora  Spk. Sviggum
Buesgens  Emmer  Johnson, J.  Paulsen  Sykora  Spk. Sviggum
Charroux  Erickson  Klinzing  Peppin  Vandeveer  Spk. Sviggum
Cybart  Finstad  Knoblach  Powell  Wardlow  Spk. Sviggum

Those who voted in the negative were:

Abeler  Dempsey  Garofalo  Hornstein  Kahn  Lieder
Anderson, I.  Dittrich  Goodwin  Hortman  Kelliher  Lillie
Akins  Dorn  Greiling  Hosch  Koenen  Loeffler
Beard  Eastlund  Hackbard  Howes  Lanning  Mahoney
Bernardy  Eken  Hansen  Huntley  Larson  Mariani
Carlson  Ellison  Hausman  Jaros  Latz  Marquart
Cornish  Entenza  Heidgerken  Johnson, R.  Lenczowski  McNamara
Cox  Erhardt  Hilstrom  Johnson, S.  Lesch  Moe
Davnie  Fritz  Hilty  Juhnke  Liebling  Moe
The motion did not prevail and the amendment was not adopted.

The Speaker called Abrams to the Chair.

Hack Barth moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 114, line 13, delete everything after "created" and insert "as an advisory council under section 15.059. The council shall consist of eight citizen members and eight legislative members. The legislative members shall consist of the chairs and ranking members of the committees of the house of representatives and the senate with jurisdiction over environment and natural resources policy and finance, or their designees."

Page 114, delete line 14

Page 114, line 15, delete "members."

Page 114, line 15, after "of" insert "citizens"

Page 114, line 16, after "Each" insert "citizens"

Page 114, line 18, delete "six" and insert "four"

Page 114, line 19, delete "at least"

Page 114, line 22, after "prospective" insert "citizen"

Page 114, line 30, after the first "of" insert "citizens"

Page 114, line 31, delete "15.0575" and insert "15.059" and after the period, insert "This advisory council does not expire." and after "A" insert "citizen"

Page 114, line 32, delete "eight" and insert "twelve"

Page 114, line 34, after "a" insert "citizen"

Page 115, line 12, delete "eight" and insert "twelve"

Page 116, line 30, delete everything after "(a)" and insert "For the fiscal biennium beginning July 1, 2007, and each biennium thereafter, the amount of the environment and natural resources trust fund that is available for appropriation under the terms of the Minnesota Constitution, article XI, section 14, shall be appropriated by a law passed by the legislature and signed by the governor to the commissioner of finance for expenditures to be made
according to the provisions of this paragraph. The council shall submit its recommendations under section 116P.08, subdivision 3. The governor shall approve or disapprove each council recommendation. The commissioner of finance shall allocate and expend funds for the council recommendations that the governor has approved, in accordance with the terms of the approved recommendation.

Page 116, delete lines 31 to 36

Page 117, delete line 1

Page 117, line 31, delete "decisions" and insert "recommendations to the governor"

Page 156, line 25, after "chair" insert "and one member"

Page 156, line 26, delete "three" and insert "two"

Page 156, line 27, delete "three" and insert "two" and after the semicolon, insert "and"

Page 156, line 28, delete "; and" and insert a period

Page 156, delete line 29

A roll call was requested and properly seconded.

The question was taken on the Hackbarth amendment and the roll was called. There were 62 yeas and 70 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Cybart</th>
<th>Gazelka</th>
<th>Krinkie</th>
<th>Peterson, N.</th>
<th>Vandeveer</th>
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</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Davids</td>
<td>Gunther</td>
<td>Lanning</td>
<td>Powell</td>
<td>Wardlow</td>
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<tr>
<td>Anderson, B.</td>
<td>Dean</td>
<td>Hackbarth</td>
<td>Magnus</td>
<td>Ruth</td>
<td>Westerberg</td>
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<td>Beard</td>
<td>Demmer</td>
<td>Hamilton</td>
<td>McNamara</td>
<td>Samuelson</td>
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<td>Blaine</td>
<td>Dempsey</td>
<td>Holberg</td>
<td>Meslow</td>
<td>Seifert</td>
<td>Wilkin</td>
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<tr>
<td>Bradley</td>
<td>Dorman</td>
<td>Hoppe</td>
<td>Nelson, P.</td>
<td>Severson</td>
<td>Zellers</td>
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<tr>
<td>Brod</td>
<td>Eastlund</td>
<td>Howes</td>
<td>Nornes</td>
<td>Smith</td>
<td>Spk. Sviggum</td>
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<tr>
<td>Buesgens</td>
<td>Emmer</td>
<td>Johnson, J.</td>
<td>Ozmint</td>
<td>Soderstrom</td>
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<tr>
<td>Charron</td>
<td>Erickson</td>
<td>Klinzing</td>
<td>Paulsen</td>
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<td>Cornish</td>
<td>Finstad</td>
<td>Knoblach</td>
<td>Penas</td>
<td>Sykora</td>
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<tr>
<td>Cox</td>
<td>Garofalo</td>
<td>Kohls</td>
<td>Peppin</td>
<td>Urdahl</td>
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</tr>
</tbody>
</table>

Those who voted in the negative were:

| Anderson, I. | Eken | Heidgerken | Johnson, S. | Liebling | Murphy |
| Atkins     | Ellison | Hilstrom | Juhnke | Lieder | Nelson, M. |
| Bernardy  | Entenza | Hilty | Kahn | Lillie | Newman |
| Carlson   | Erhardt | Hornstein | Kelliher | Loeffler | Olson |
| Davnie    | Fritz | Hortman | Koenen | Mahoney | Opatz |
| DeLaForest | Goodwin | Hosch | Larson | Mariani | Otremba |
| Dill      | Greiling | Huntley | Latz | Marquart | Paymar |
| Dittrich  | Hansen | Jaros | Lenczewski | Moe | Pelowski |
| Dorn      | Hausman | Johnson, R. | Lesch | Mullery | Peterson, A. |
The motion did not prevail and the amendment was not adopted.

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

The Speaker resumed the Chair.

Heidgerken and Urdahl moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Page 10, line 38, delete "19,279,000" in both places, and insert "22,579,000" in both places

Page 10, line 39, delete "13,336,000" and insert "17,488,000" and delete "13,424,000" and insert "17,576,000"

Page 10, after line 52, insert:

"$3,300,000 from the general fund and $4,152,000 from the natural resources fund in each year of the 2006-2007 biennium are for grants to local units of government for the acquisition and operation of regional parks outside of the seven county metropolitan area."

Page 18, delete lines 17 to 33

A roll call was requested and properly seconded.

The question was taken on the Heidgerken and Urdahl amendment and the roll was called. There were 40 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Anderson, I. Emmer Knoblach Newman Rukavina Soderstrom
Brod Erickson Koenen Nornes Ruth Urdahl
Demmer Finstad Lanning Olson Sailer Welti
Dempsey Hamilton Liebling Opatz Seifert Westrom
Dill Heidgerken Magnus Otrema Sertich Spk. Sviggum
Dorman Hosch Marquart Peterson, A. Severson
Eken Juhkne Moe Poppe Simpson

Those who voted in the negative were:

Abeler Beard Bradley Charron Cybart Dean
Abrams Bernardy Buesgens Cornish Davids DeLaForest
Anderson, B. Blaine Carlson Cox Davnie Dittrich
The motion did not prevail and the amendment was not adopted.

Solberg and Juhnke moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Pages 112 to 114, delete sections 128 to 130

Page 114, line 14, delete "11" and insert "21"

Page 114, line 15, after "members" insert ", 7 citizens and 7 members each from the senate and house of representatives"

Page 114, line 16, after "Each" insert "citizen"

Page 114, line 18, delete "six" and insert "four"

Page 114, line 22, delete "prospective" and insert "citizen"

Page 114, line 25, delete "Prior"

Page 114, delete lines 26 to 28

Page 114, after line 28, insert:

"(c) The legislative members of the council must consist of the chairs of the house and senate committees on environment and natural resources or designees appointed for the terms of the chairs, the chairs of the house and senate committees on environment and natural resources finance or designees appointed for the terms of the chairs, the chairs of the house and senate committees on governmental operations or designees appointed for the terms of the chairs, the chairs of the house Ways and Means and Senate Finance Committees or designees appointed for the terms of the chairs, three minority members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, and three minority members of the house appointed by the speaker.

Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission."

Page 114, line 29, delete "(c)" and insert "(d)"

Page 114, line 32, delete "eight" and insert "twelve"
A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Anderson, I.  Fritz  Huntley  Lesch  Nelson, M.  Scalze
Bernardy  Goodwin  Jaros  Liebling  Opatz  Sertich
Carlson  Greiling  Johnson, R.  Liede  Otremba  Sieben
Davnie  Hansen  Johnson, S.  Liller  Paymar  Simon
Dill  Hausman  Juhnke  Loeffler  Pellowski  Slawik
Dittrich  Heiderken  Kahn  Mahoney  Peterson, A.  Solberg
Dorn  Hilstrom  Kelliher  Mariani  Peterson, S.  Thao
Eken  Hilty  Koenen  Marquart  Poppe  Thissen
Ellison  Hornstein  Larson  Moe  Rukavina  Wagenius
Entenza  Hortman  Latz  Mullery  Ruud  Walker
Erhardt  Hosch  Lenczowski  Murphy  Sailer  Welti

Those who voted in the negative were:

Abeler  Charron  Dempsey  Gunther  Knoblach  Newman
Abrams  Cornish  Dorman  Hackbart  Kohls  Nornes
Anderson, B.  Cox  Eastlund  Hamilton  Klinkie  Olson
Beard  Cybart  Emmer  Holberg  Lanning  Osten
Blaine  Davids  Erickson  Hoppe  Magnus  Paulsen
Bradley  Dean  Finstad  Howes  McNamara  Penas
Brod  DeLaForest  Garofalo  Johnson, J.  Meslow  Peppin
Buesgens  Demmer  Gazelka  Klinzing  Nelson, P.  Peterson, N.
The motion did not prevail and the amendment was not adopted.

Cox moved to amend H. F. No. 902, the fourth engrossment, as amended, as follows:

Pages 152 and 153, delete section 163

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Cox amendment and the roll was called. There were 56 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abeler  Fritz  Huntley  Liebling  Paulsen  Thao
Abrams  Goodwin  Jaros  Lille  Paymar  Thissen
Bernardy  Greiling  Johnson, R.  Loeffler  Peterson, A.  Tingelstad
Carlson  Hansen  Johnson, S.  Mahoney  Peterson, S.  Wagenius
Cox  Hausman  Kahn  Mariani  Poppe  Walker
Davnie  Hilstrom  Kelliber  Meslow  Ruud  Wels
Dittrich  Hoppe  Larson  Moe  Scalze
Ellison  Hornstein  Latz  Mullery  Sieben
Entenza  Hortman  Lenczewski  Nelson, M.  Simon
Erhardt  Howes  Lesch  Opatz  Slawik

Those who voted in the negative were:

Anderson, B.  Demmer  Hackbarth  Lanning  Penas  Soderstrom
Anderson, I.  Dempsey  Hamilton  Lieder  Peppin  Solberg
Beard  Dill  Heidgerken  Magnus  Peterson, N.  Sykora
Blaine  Dorman  Hilty  Marquart  Powell  Urdahl
Bradley  Dorn  Holberg  McNamara  Rukavina  Vandeveer
Brod  Eastlund  Hosch  Murphy  Sailer  Wardlow
Buesgens  Eken  Johnson, J.  Nelson, P.  Sattler  Westerberg
Charron  Emmer  Juhnke  Newman  Samuelson  Westrom
Cornish  Erickson  Klinzing  Nornes  Seifert  Wilkin
Cybart  Finstad  Knobilach  Olson  Sertich  Zellers
Davids  Garofalo  Koenen  Otrema  Severson  Spk. Sviggum
Dean  Gazelka  Kohls  Ozment  Simpson
DeLaForest  Gunther  Krinkie  Pelowski  Smith

The motion did not prevail and the amendment was not adopted.
H. F. No. 902, A bill for an act relating to state government; appropriating money for environmental and natural resources purposes; establishing and modifying certain programs; reorganizing environmental agencies; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 2004, sections 15.01; 16A.125, subdivision 5; 84.027, subdivisions 12, 15, by adding a subdivision; 84.0274, by adding subdivisions; 84.0911, subdivision 2; 84.631; 84.775, subdivision 1; 84.788, subdivision 3, by adding a subdivision; 84.789, by adding a subdivision; 84.791, subdivisions 1, 2; 84.798, subdivision 1, by adding a subdivision; 84.804, subdivision 3; 84.82, subdivision 2, by adding a subdivision; 84.8205, subdivisions 1, 3, 4, 6; 84.83, subdivision 3; 84.86, subdivision 1; 84.91, subdivision 1; 84.922, subdivision 2, by adding a subdivision; 84.925, subdivision 1, by adding a subdivision; 84.9256, subdivision 1; 84.9257; 84.926; 84.928, subdivisions 1, 2; 84D.03, subdivision 4; 85.015, subdivision 5; 85.054, subdivision 1; 85.055, subdivision 2, by adding a subdivision; 85.42; 85.43; 86B.415, subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision; 88.17, subdivision 1, by adding subdivisions; 88.6435, subdivision 4; 89.039, subdivision 1; 89.19, subdivision 2; 89.36, subdivision 2; 89.37, subdivision 4; 92.03, subdivision 4; 93.22, subdivision 1; 94.342, subdivisions 1, 3, 4, 5; 94.343, subdivisions 1, 3, 7, 8, 10, by adding subdivisions; 97A.055, subdivision 4b; 97A.061, by adding a subdivision; 97A.071, subdivision 2; 97A.075, subdivision 3; 97A.135, subdivision 2a; 97A.4742, subdivision 4; 97A.485, subdivisions 6, 7; 97A.551, by adding a subdivision; 97B.015, subdivisions 1, 2, 5, 7; 97B.020; 97B.025; 97C.085; 97C.327; 97C.395, subdivision 1; 103F.535, subdivision 1; 103G.271, subdivision 6; 103G.301, subdivision 2; 103G.615, subdivision 2; 103L.681, subdivision 11; 115.06, subdivision 4; 115.551; 115A.03, subdivisions 21, 32a; 115A.06, subdivision 5; 115A.07, subdivision 1; 115A.072, subdivision 1; 115A.12; 115A.15, subdivision 7; 115A.38, subdivision 1; 115A.545, subdivision 1; 115A.929; 116.03, subdivision 1; 116.07, subdivision 4b; 116P.02, by adding a subdivision; 116P.03; 116P.04, subdivision 5; 116P.05, subdivision 2; 116P.07; 116P.08, subdivisions 3, 5, 6, 7, by adding subdivisions; 116P.09; 116P.10; 116P.11; 116P.12, subdivision 2; 116P.15, subdivision 2; 168.1296, subdivision 1; 169A.63, subdivision 6; 216B.2424, subdivisions 1, 2, 5a, 6, 8, by adding a subdivision; 282.08; 282.38, subdivision 1; 282.39, subdivision 2; 297H.13, subdivision 2; 349.12, subdivision 25; 473.197, subdivisions 1, 2, 3, 5; 473.801, subdivision 6.

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 68 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeler  Dean  Gazelka  Kohls  Peppin  Vandeveer
 Abrams  DeLaForest  Gunther  Krinkle  Peterson, N.  Wardlow
 Anderson, B.  Demmer  Hackath  Lanning  Powell  Westber
 Beard  Dempsey  Heidergen  Magnus  Samuelson  Westrom
 Blaine  Dill  Holberg  McNamara  Seifert  Wilkin
 Bradley  Dorman  Hoppe  Nelson, P.  Severson  Zellers
 Brod  Eastlund  Howes  Newman  Simpson  Spk. Sviggum
 Buesgens  Emmer  Knoblach  Nornes  Smith  Tingelstad
 Charron  Erhardt  Johnson, J.  Ozment  Soderstrom  Sykora
 Cornish  Erickson  Juhnke  Paulsen  Tingelstad
 Cybart  Finstad  Klinzing  Peppin  Tingelstad
 Davids  Garofalo
Those who voted in the negative were:

- Anderson, I.
- Bernardy
- Carlson
- Cox
- Davnie
- Dittrich
- Dorn
- Eken
- Ellison
- Entenza
- Fritz
- Goodwin
- Greiling
- Johnson, R.
- Johnson, S.
- Kahn
- Kelliher
- Koenen
- Larson
- Latz
- Lenzewski
- Liebling
- Lieder
- Lillie
- Loeffler
- Mahoney
- Mariani
- Marquart
- Moe
- Mullery
- Murphy
- Nelson, M.
- Olson
- Opatz
- Otremba
- Paymar
- Pelowski
- Pet, A.
- Peterson, S.
- Poppe
- Rukavina
- Ruud
- Sailer
- Sertich
- Sieben
- Simon
- Slawik
- Solberg
- Thao
- Thissen
- Wagenius
- Walker
- Welti

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

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

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Supplemental Calendar for the Day for Thursday, May 5, 2005:

- H. F. Nos. 1809 and 1669; S. F. No. 1335; and H. F. No. 987.

**CALENDAR FOR THE DAY**

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

**MOTIONS AND RESOLUTIONS**

- Davids moved that the name of Poppe be added as an author on H. F. No. 79. The motion prevailed.
- Cybart moved that the name of Otremba be added as an author on H. F. No. 455. The motion prevailed.
- Abeler moved that the names of Tingelstad and Samuelson be added as authors on H. F. No. 770. The motion prevailed.
- Slawik moved that the name of Poppe be added as an author on H. F. No. 976. The motion prevailed.
- Holberg moved that the name of Erickson be added as an author on H. F. No. 1948. The motion prevailed.
- Knoblach moved that his name be stricken as an author on H. F. No. 1949. The motion prevailed.
- Beard moved that his name be stricken as an author on H. F. No. 2481. The motion prevailed.
Cornish introduced:

House Resolution No. 13, A House resolution recognizing the week of May 15, 2005, as Police Week and May 15, 2005, as Peace Officers Memorial Day.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 9:30 a.m., Friday, May 6, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:30 a.m., Friday, May 6, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives