The House of Representatives convened at 10:00 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  Dittrich  Hilstrom  Latz  Paulsen  Smith
Abrams  Dorman  Hilty  Lenczewski  Paymar  Soderstrom
Anderson, B.  Dorn  Holberg  Lesch  Pelowski  Solberg
Atkins  Eastlund  Hoppe  Liebling  Penas  Sykora
Beard  Eken  Hornstein  Lieder  Peppin  Thao
Bernardy  Ellison  Hortman  Lillie  Peterson, A.  Thissen
Blaine  Emmer  Hosch  Loeffler  Peterson, N.  Tingelstad
Bradley  Entenza  Howes  Magnus  Peterson, S.  Urda\h
Brod  Erhardt  Huntley  Mahoney  Poppe  Vandeveer
Buesgens  Erickson  Jaros  Mariani  Powell  Wagenius
Carlson  Finstad  Johnson, J.  Marquart  Rukavina  Walker
Charro\n  Fritz  Johnson, R.  McNamara  Ruth  Wardlow
Clark  Garofalo  Johnson, S.  Meslow  Ruud  Welti
Cornish  Gazelka  Juhnke  Moe  Sailer  Westerberg
Cox  Goodwin  Kahn  Mullery  Samuelson  Westrom
Cybart  Greiling  Kellher  Murphy  Scalze  Wilkin
Davids  Gunther  Klinzing  Nelson, M.  Seifert  Zellers
Davnie  Hackbarth  Knoblach  Nelson, P.  Sertich  Spk. Sviggum
Dean  Hamilton  Koenen  Newman  Severson
DeLaForest  Hansen  Kohls  Nornes  Sieben
Demmer  Hausman  Krinkie  Olson  Simon
Dempsey  Haws  Lanning  Otremba  Simpson
Dill  Heidgerken  Larson  Ozment  Slawik

A quorum was present.

Anderson, I., was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Dean 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 CHIEF CLERK

S. F. No. 2743 and H. F. No. 3110, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Westrom moved that the rules be so far suspended that S. F. No. 2743 be substituted for H. F. No. 3110 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2798 and H. F. No. 3542, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Westrom moved that the rules be so far suspended that S. F. No. 2798 be substituted for H. F. No. 3542 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3236 and H. F. No. 3376, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Magnus moved that S. F. No. 3236 be substituted for H. F. No. 3376 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 11, 2006

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 3285, relating to metropolitan land use planning; removing the requirement for metropolitan council review of school district capital improvement programs.
H. F. No. 2514, relating to securities; enacting and modifying the 2002 Uniform Securities Act of the National Conference of Commissioners on Uniform State Laws; prescribing criminal penalties.

H. F. No. 3712, relating to the environment; requiring disclosure regarding disposal of fluorescent lamps containing mercury; requiring mercury emissions reduction by public utilities.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2006 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<table>
<thead>
<tr>
<th>S. F. No.</th>
<th>H. F. No.</th>
<th>Session Laws Chapter No.</th>
<th>Time and Date Approved</th>
<th>Date Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2646</td>
<td>192</td>
<td></td>
<td>12:25 p.m. May 11</td>
<td>May 11</td>
</tr>
<tr>
<td>3285</td>
<td>194</td>
<td></td>
<td>12:30 p.m. May 11</td>
<td>May 11</td>
</tr>
<tr>
<td>2514</td>
<td>196</td>
<td></td>
<td>12:20 p.m. May 11</td>
<td>May 11</td>
</tr>
<tr>
<td>3712</td>
<td>201</td>
<td></td>
<td>11:10 a.m. May 11</td>
<td>May 11</td>
</tr>
</tbody>
</table>

Sincerely,

MARY KIFFMEYER
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 2743, 2798 and 3236 were read for the second time.
INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Abeler, Walker, Otremba and Goodwin introduced:

H. F. No. 4205, A bill for an act relating to health; providing for licensing of naturopathic doctors; providing criminal penalties; amending Minnesota Statutes 2004, sections 116J.70, subdivision 2a; 145.61, subdivision 2; 146.23, subdivision 7; 151.01, subdivision 23; 214.23, subdivision 1; 604A.01, subdivision 2; 604A.015; Minnesota Statutes 2005 Supplement, sections 144.335, subdivision 1; 148B.60, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 147E.

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

Gazelka, Jaros, Poppe, Huntley and Sviggum introduced:

H. F. No. 4206, A bill for an act relating to local option sales taxes; authorizing the city of Duluth to increase its food and beverage tax; authorizing each of the cities of Austin, Baxter, Brainerd, and Nisswa to impose a local sales tax; amending Laws 1980, chapter 511, section 1, subdivision 2, as amended.

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

Klinzing introduced:

H. F. No. 4207, A bill for an act proposing an amendment to the Minnesota Constitution, by adding an article XV; providing for limits on state and local spending and tax increases.

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

Klinzing and Charron introduced:

H. F. No. 4208, A bill for an act relating to taxes; individual income; conforming to marriage penalty relief in the standard deduction in Working Families Tax Relief Act of 2004; amending Minnesota Statutes 2005 Supplement, sections 290.01, subdivision 19a; 290.0675, subdivision 1.

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

Klinzing and Charron introduced:

H. F. No. 4209, A bill for an act relating to education finance; increasing funding for basic education revenue; amending Minnesota Statutes 2005 Supplement, section 126C.10, subdivision 2.

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

H. F. No. 4210, A bill for an act relating to education finance; increasing funding for early childhood family education; amending Minnesota Statutes 2005 Supplement, section 124D.135, subdivision 1.

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

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 Speaker pro tempore Smith.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

Pursuant to Joint Rule 3.02(a), the Conference Committee on S. F. No. 644 was discharged after adjournment on May 23, 2005 and the bill was laid on the table.

S. F. No. 644, A bill for an act relating to family law; requiring notification of noncustodial parents, corrections agents, local welfare agencies, and the court, of residence of a custodial parent with certain convicted persons; changing certain presumptions relating to paternity; disallowing certain convicted persons from becoming custodians of unrelated children; changing certain procedures for removal of a child's residence from Minnesota; requiring certain information in summary real estate disposition judgments; identifying pension plans subject to marital property division; authorizing the Department of Human Services to collect spousal maintenance; changing certain provisions concerning adoption communication or contact agreements; appropriating money; amending Minnesota Statutes 2004, sections 257.55, subdivision 1; 257.57, subdivision 2; 257.62, subdivision 5; 257C.03, subdivision 7; 259.24, subdivisions 1, 2a, 5, 6a; 259.58; 260C.201, subdivision 11; 260C.212, subdivision 4; 518.091, subdivision 1; 518.1705, subdivisions 4, 7; 518.175, subdivision 3; 518.179, by adding a subdivision; 518.18; 518.191, subdivision 2; 518.54, subdivisions 4a, 14, by adding a subdivision; 518.551, subdivision 1; 518.58, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 244; 257; 260C.

S. F. No. 644 has been taken from the table and a new Conference Committee has been appointed.

The Senate has appointed as such committee:

Senators Neuville, Betzold and Skoglund.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate
Holberg moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 644. The motion prevailed.

Mr. Speaker:

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

H. F. No. 2722, A bill for an act relating to homeowner’s insurance; regulating coverage for home-based adult foster care services; proposing coding for new law in Minnesota Statutes, chapter 65A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Solberg moved that the House concur in the Senate amendments to H. F. No. 2722 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2722, A bill for an act relating to homeowner’s insurance; regulating coverage for home-based adult foster care services; proposing coding for new law in Minnesota Statutes, chapter 65A.

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

The question was taken on the repassage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.
Mr. Speaker:

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

S. F. Nos. 2980, 3058 and 2994.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2980, A bill for an act relating to drivers' licenses; modifying definition of "conviction"; modifying content required on driver's license; allowing 60-day cancellation of driver's license when application information inadequate; making clarifying changes; amending Minnesota Statutes 2004, sections 171.01, subdivision 29; 171.14; Minnesota Statutes 2005 Supplement, section 171.07, subdivision 1.

The bill was read for the first time.

Holberg moved that S. F. No. 2980 and H. F. No. 3312, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3058, A bill for an act relating to higher education; determining instructional service base; providing adjustments for enrollments; regulating tuition paid by seniors for certain courses; determining resident tuition; defining certain terms; eliminating obsolete language; authorizing the office to enter into certain agreements; amending certain data classification provisions; providing for loan rehabilitation; providing for temporary total disability for certain loans; amending work-study payment eligibility; authorizing the Minnesota State Colleges and Universities Board of Trustees to control certain depository services; limiting approval of certain higher education degrees; requiring certain studies; authorizing construction of an academic building; amending Minnesota Statutes 2004, sections 135A.031, subdivision 7, by adding subdivisions; 135A.053, subdivision 2; 136A.15, by adding a subdivision; 136A.16, by adding a subdivision; 136A.162; 136A.1701, by adding a subdivision; 136A.233, subdivision 3; 136F.02, subdivision 1; 136F.42, subdivision 1; 136F.71, subdivision 2, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 135A.52, subdivisions 1, 2; 136A.1701, subdivision 12; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; repealing Minnesota Statutes 2004, sections 135A.031, subdivision 5; 135A.033; 136A.15, subdivision 5; 136A.1702; Minnesota Statutes 2005 Supplement, section 135A.031, subdivisions 3, 4; Minnesota Rules, parts 4850.0011, subparts 9, 10, 14, 27; 4850.0014, subpart 1.

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

S. F. No. 2994, A bill for an act relating to education; providing for prekindergarten through grade 12 education, including general education, education excellence, special education, facilities, accounting, and technology, state agencies, technical and conforming amendments, and early childhood education; providing for postsecondary education; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2004, sections 119A.50, subdivision 1; 119A.52; 119A.53; 119A.545; 120A.20, subdivision 1; 120A.22, subdivision 3; 120B.021, subdivision 1, by adding a subdivision; 120B.023; 120B.024; 121A.035; 121A.15, subdivision 10; 121A.17, subdivision 3; 122A.18, subdivision 2; 123A.06, subdivision 2; 123A.44; 123A.441; 123A.442; 123A.443; 123B.10, subdivision 1; 123B.77, subdivision 3, by adding a subdivision; 123B.90, subdivision 2; 123B.91, by adding a subdivision; 124D.02, subdivisions 2, 4; 124D.095, subdivision 3; 124D.096; 124D.10, subdivision 16; 124D.11, subdivision 9; 124D.13, subdivisions 2, 3; 124D.61; 124D.68, subdivision 3; 125A.02, subdivision 1; 125A.515,
subdivisions 1, 3, 5, 6, 7, 9, 10; 125A.62, subdivision 1; 125A.63, subdivision 4; 125A.65, subdivisions 3, 4, 6, 8, 10; 125A.69, subdivision 3; 125A.75, subdivision 1, by adding a subdivision; 126C.05, subdivision 1; 126C.10, subdivision 6, by adding subdivisions; 126C.44; 127A.41, subdivision 2; 135A.031, subdivision 7, by adding subdivisions; 135A.053, subdivision 2; 136A.15, by adding a subdivision; 136A.16, by adding a subdivision; 136A.162; 136A.1701, by adding a subdivision; 136A.233, subdivision 3; 136F.02, subdivision 1; 136F.42, subdivision 1; 136F.71, subdivision 2, by adding a subdivision; 169.01, subdivision 6; 169.447, subdivision 2; 169.4501, subdivisions 1, 2; 169.4502, subdivision 5; 169.4503, subdivision 20; 171.321, subdivisions 4, 5; 181.101; 245A.023; 245A.14, by adding a subdivision; 299F.30; 626.556, subdivisions 2b, 3c; Minnesota Statutes 2005 Supplement, sections 120B.021, subdivision 1a; 120B.11, subdivision 2; 120B.131, subdivision 2; 121A.17, subdivision 5; 122A.414, subdivisions 2b, 3; 123B.04, subdivision 2; 123B.76, subdivision 3; 123B.92, subdivisions 1, 5; 124D.095, subdivision 4; 124D.175; 124D.68, subdivision 2; 125A.11, subdivision 1; 125A.79, subdivision 1; 126C.10, subdivisions 24, 31; 126C.17, subdivision 9; 126C.43, subdivision 2; 127A.45, subdivision 10; 135A.52, subdivisions 1, 2; 626.556, subdivisions 2, 3; Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision 13; article 7, section 20, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 119A; 121A; 135A; 136A; repealing Minnesota Statutes 2004, sections 119A.51; 120A.20, subdivision 3; 121A.23; 123B.749; 125A.10; 125A.515, subdivision 2; 135A.031, subdivision 5; 135A.033; 136A.15, subdivision 5; 136A.1702; 169.4502, subdivision 15; 169.4503, subdivisions 17, 18, 26; Minnesota Statutes 2005 Supplement, section 135A.031, subdivisions 3, 4; Minnesota Rules, parts 4850.0011, subparts 9, 10, 14, 27; 4850.0014, subpart 1.

The bill was read for the first time.

Buesgens moved that S. F. No. 2994 and H. F. No. 3179, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

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

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 Tuesday, May 16, 2006:

H. F. Nos. 3761, 3288 and 3312; S. F. No. 930; H. F. No. 333; S. F. No. 3087; H. F. No. 3664; S. F. Nos. 2743 and 3199; H. F. No. 3442; and S. F. No. 2939.

CALENDAR FOR THE DAY

H. F. No. 3761 was reported to the House.

Seifert; Magnus; Buesgens; Peterson, A.; Gunther; Juhnke; Wilkin; Newman; Hamilton and Simpson moved to amend H. F. No. 3761, the fourth engrossment, as follows:

Page 20, after line 4, insert:

"Sec. 9. [174.11] AREA TRANSPORTATION PARTNERSHIPS."
Any staff or other direct representative of an agency of the state of Minnesota serving on the governing body of an area transportation partnership must be a non-voting member.

**EFFECTIVE DATE.** This section is effective June 1, 2006.

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 Seifert et al amendment and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Abrams and Lieder moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 5, lines 16 and 17, delete "as amended by this act."

Page 7, delete section 9
Page 12, line 2, delete "as amended by this act,"

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 Abrams and Lieder amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeler  Erhardt  Huntley  Liebling  Paymar  Simon
Abams    Fritz     Jaros     Lieder    Pelowski  Slawik
Atkins   Garofalo  Johnson, R.  Lillie    Peterson, A.  Solberg
Bernardy Goodwin  Johnson, S.  Loeffler  Peterson, N.  Thao
Carlson  Greiling  Kahn    Mariani  Peterson, S.  Thissen
Cox      Hansen   Kelliher  McNamara  Poppe     Tingelstad
Davnie   Hausman  Krinke   Meslow    Powell    Wagenius
Dittrich  Hilstrom Larson  Mullery    Ruud      Walker
Dorn     Hilty     Latz     Murphy    Samuelson
Ellison  Hornstein Lenczewski Nelson, M.  Scalze
Entenza  Hortman  Lesch    Newman    Sieben

Those who voted in the negative were:

Anderson, B.  Demmer  Hamilton  Kohls  Penas    Urdaal
Beard     Dempsey  Haws    Lanning  Peppin    Vandeveer
Blaine    Dill      Heidgerken Magnus  Rukavina  Wardlow
Bradley  Dorman   Holberg  Mahoney  Ruth      Welti
Brod      Eastlund  Hoppe   Marquart  Sailer    Westerberg
Buesgens Eken     Hosch   Moe       Seifert    Westrom
Charbon  Emmer    Howes   Nelson, P.  Sertich  Wilkin
Cornish  Erickson Johnson, J.  Nornes  Severson  Zellers
Cybart   Finstad  Juhnke   Olson    Simpson   Spk. Sviggum
David   Gazelka   Klinzing  Otremba  Smith
Dean     Gunther  Knoblach  Ozent  Soderstrom
DeLaForest Hackbarth  Koenen  Paulsen  Sykora

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

Abrams and Lieder moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 8, after line 12, insert:

"Sec. 12. ACTION CONCERNING BALLOT QUESTION."
If a court determines that the 2006 Legislature does not have authority to amend the proposed constitutional amendment under Laws 2005, chapter 88, article 3, section 9, as amended by this act, then it is the intent of the 2006 Legislature that the change to the ballot question under article 1, section 10 of this act nonetheless takes effect."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Urdahl moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 13, after line 9, insert:

"Sec. 2. [168.1299] SPECIAL "COMBAT DRUG ABUSE" PLATES.

Subdivision 1. General requirements and procedures. The registrar shall issue special "combat drug abuse" license plates to an applicant who:

(1) is an owner or joint owner of a passenger automobile;

(2) pays a fee of $10 to cover the costs of handling and manufacturing the plates;

(3) pays the registration tax required under section 168.013;

(4) pays the fees required under this chapter;

(5) pays an annual additional contribution of $30 for deposit in the chemical dependency treatment fund; and

(6) complies with laws and rules governing registration and licensing of vehicles and drivers.

Subd. 2. Design. The commissioner shall design the special plates in consultation with the commissioner of human services. The plates must bear a distinguishing number and the words "combat drug abuse."

Subd. 3. Plate transfers. Notwithstanding section 168.12, subdivision 1, on payment of a transfer fee of $5, plates issued under this section may be transferred to another passenger automobile owned or jointly owned by the person to whom the special plates were issued.

Subd. 4. Fees credited. The fees collected under this section, excluding contributions, must be deposited in the state treasury and credited to the highway user tax distribution fund.

Subd. 5. Chemical dependency fund. The commissioner shall deposit all contributions received under this section into the chemical dependency fund for the purposes of chapter 254B.

Subd. 6. Compliance with other law. License plates issued under this section are not subject to section 168.1293, except for the provisions of subdivision 2, clauses (2) and (3).
EFFECTIVE DATE. This section is effective when the requirements of section 168.1293, subdivision 2, clauses (2) and (3) are met, and expires on June 30, 2007 if those requirements are not met.

Renumber the sections in sequence and correct the internal references.

Amend the title accordingly.

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

CALL OF THE HOUSE

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

Abrams    Eken    Hornstein    Liebling    Penas    Soderstrom  
Atkins    Ellison    Hortman    Lieder    Peppin    Solberg    
Beard     Emmer    Huntley    Lillie    Peterson, A.    Sykora    
Blaine    Erhardt    Jaros    Loeffler    Magnus    Poppe    Thissen    
Bradley   Erickson    Johnson, J.    Mahoney    Powell    Tingelstad    
Brod      Finstad    Johnson, R.    Marquart    Rukavina    Updal    
Buesgens  Fritz    Johnson, S.    Meslow    Ruth    Vandevier    
Carlson   Garofalo    Juhnke    McNamara    Ruud    Wagenius    
Cox       Goodwin    Kahl    Moe    Sailer    Walker    
Cybart    Greiling    Kellihier    Murphy    Seifert    Westerberg    
Davids    Hackworth    Kline    Noloski    Seiberg    Westrom    
Davnie    Hamilton    Knoblach    Nelson, M.    Scalze    Welti    
Dean      Hansen    Koenen    Nelson, P.    Seigert    Westerveld    
DeLaForest Hausman    Kohls    Newman    Severson    Zellers    
Demmer    Heidgerken    Lanning    Noloski    Sieben    Spk. Siggum    
Dempsey   Heidgerken    Lanning    Olson    Sieben    
Dill      Hilstrom    Larson    Otemba    Simon    
Dittrich   Hilty    Latz    Ozment    Simpson    
Dorn      Holberg    Lenczewski    Paulsen    Slavik    
Eastlund  Hoppe    Lesch    Paymar    Smith    

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.

Cox and Erhardt moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 14, after line 19, insert:

"Sec. 5. Minnesota Statutes 2004, section 169.686, subdivision 1, is amended to read:

Subdivision 1. Seat belt requirement. (a) A properly adjusted and fastened seat belt, including both the shoulder and lap belt when the vehicle is so equipped, shall be worn by:

(1) the driver and passengers of a passenger vehicle or commercial motor vehicle;

(2) a passenger riding in the front seat of a passenger vehicle or commercial motor vehicle; and
(3) a passenger riding in any seat of a passenger vehicle who is older than three but younger than 11 years of age.

(b) A person who is 15 years of age or older and who violates paragraph (a), clause (1) or (2), is subject to a fine of $25. The driver of the passenger vehicle in which the violation occurred is subject to a $25 fine for a violation of paragraph (a), clause (2) or (3), by a child of the driver under the age of 15 or any child under the age of 11. A peace officer may not issue a citation for a violation of this section unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation other than a violation involving motor vehicle equipment. The Department of Public Safety shall not record a violation of this subdivision on a person's driving record."

Page 20, after line 4, insert:

"Sec. 9. Minnesota Statutes 2005 Supplement, section 171.05, subdivision 2b, is amended to read:

Subd. 2b. Instruction permit use by person under age 18. (a) This subdivision applies to persons who have applied for and received an instruction permit under subdivision 2.

(b) The permit holder may, with the permit in possession, operate a motor vehicle, but must be accompanied by and be under the supervision of a certified driver education instructor, the permit holder's parent or guardian, or another licensed driver age 21 or older. The supervisor must occupy the seat beside the permit holder.

(c) The permit holder may operate a motor vehicle only when every occupant under the age of 15 has a seat belt or child passenger restraint system properly fastened according to sections 169.685 and 169.686. A person who violates this paragraph is subject to a fine of $25. A peace officer may not issue a citation for a violation of this paragraph unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation as defined in section 171.04, subdivision 1. A passenger who is at least 15 years of age is subject to the requirements and penalty of section 169.686. The commissioner shall not record a violation of this paragraph on a person's driving record.

(d) The permit holder may not operate a vehicle while communicating over, or otherwise operating, a cellular or wireless telephone, whether handheld or hands free, when the vehicle is in motion. The permit holder may assert as an affirmative defense that the violation was made for the sole purpose of obtaining emergency assistance to prevent a crime about to be committed, or in the reasonable belief that a person's life or safety was in danger.

(e) The permit holder must maintain a driving record free of convictions for moving violations, as defined in section 171.04, subdivision 1, and free of convictions for violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53. If the permit holder drives a motor vehicle in violation of the law, the commissioner shall suspend, cancel, or revoke the permit in accordance with the statutory section violated.

Sec. 10. Minnesota Statutes 2005 Supplement, section 171.055, subdivision 2, is amended to read:

Subd. 2. Use of provisional license. (a) A provisional license holder may operate a motor vehicle only when every occupant under the age of 15 has a seat belt or child passenger restraint system properly fastened according to sections 169.685 and 169.686. A person who violates this paragraph is subject to a fine of $25. A peace officer may not issue a citation for a violation of this paragraph unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation as defined in section 171.04. A passenger who is at least 15 years of age is subject to the requirements and penalty of section 169.686. The commissioner shall not record a violation of this paragraph on a person's driving record.
(b) A provisional license holder may not operate a vehicle while communicating over, or otherwise operating, a cellular or wireless telephone, whether handheld or hands free, when the vehicle is in motion. The provisional license holder may assert as an affirmative defense that the violation was made for the sole purpose of obtaining emergency assistance to prevent a crime about to be committed, or in the reasonable belief that a person's life or safety was in danger.

(c) If the holder of a provisional license during the period of provisional licensing incurs (1) a conviction for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) a conviction for a crash-related moving violation as defined in section 171.04, or (3) more than one conviction for a moving violation that is not crash related, the person may not be issued a driver's license until 12 consecutive months have expired since the date of the conviction or until the person reaches the age of 18 years, whichever occurs first."

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 Cox and Erhardt amendment and the roll was called.

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

There were 40 yeas and 89 nays as follows:

Those who voted in the affirmative were:

- Cornish
- Fritz
- Jaros
- Lenczewski
- Nelson, P.
- Sieben
- Cox
- Greiling
- Johnson, R.
- Liebling
- Otremba
- Simon
- Dittrich
- Hansen
- Juhnke
- Lieder
- Paymar
- Thissen
- Eken
- Hausman
- Kahn
- Lillie
- Peterson, S.
- Wagenius
- Ellison
- Hornstein
- Kelliher
- Leffler
- Poppe
- Welti
- Entenza
- Hortman
- Larson
- Meslow
- Powell
- Erhardt
- Huntley
- Latz
- Murphy
- Ruud

Those who voted in the negative were:

- Abeler
- DeLaForest
- Hamilton
- Lanning
- Pelowski
- Soderstrom
- Abrams
- Demmer
- Haws
- Lesch
- Penas
- Solberg
- Atkins
- Dempsey
- Heidgerken
- Magnus
- Peppin
- Sykora
- Beard
- Dill
- Hilstrom
- Mahoney
- Peterson, A.
- Thao
- Bernardy
- Dorman
- Hilty
- Mariani
- Peterson, N.
- Tingelstad
- Blaine
- Dorn
- Holberg
- Marquart
- Rukavina
- Urdahl
- Bradley
- Eastlund
- Hoppe
- McNamara
- Ruth
- Vandeveer
- Brod
- Emmer
- Howes
- Moe
- Sailer
- Walker
- Buesgens
- Erickson
- Johnson, J.
- Mullery
- Samuelson
- Wardlow
- Carlson
- Finstad
- Johnson, S.
- Nelson, M.
- Scalze
- Westerberg
- Charron
- Garofalo
- Klinzing
- Newman
- Seifert
- Westrom
- Cybart
- Gazelka
- Knoblach
- Nornes
- Sertich
- Wilkin
- Davids
- Goodwin
- Koenen
- Olson
- Severson
- Zellers
- Davnie
- Gunther
- Kohls
- Ozment
- Simpson
- Spk. Sviggum
- Dean
- Hackbarth
- Krinkie
- Paulsen
- Smith

The motion did not prevail and the amendment was not adopted.
CALL OF THE HOUSE LIFTED

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

Mariani was excused between the hours of 1:00 p.m. and 4:05 p.m.

Juhnke moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 14, after line 19, insert:

"Sec. 5. Minnesota Statutes 2005 Supplement, section 169.01, subdivision 78, is amended to read:

Subd. 78. Recreational vehicle combination. (a) "Recreational vehicle combination" means a combination of vehicles consisting of a pickup truck as defined in section 168.011, subdivision 29, attached by means of a fifth-wheel coupling to a camper-semitrailer which has hitched to it a trailer carrying a watercraft as defined in section 86B.005, subdivision 18; off-highway motorcycle as defined in section 84.787, subdivision 7; motorcycle; motorized bicycle; snowmobile as defined in section 84.81, subdivision 3; all-terrain vehicle as defined in section 84.92, subdivision 8; motorized golf cart; or equestrian equipment or supplies.

(b) For purposes of this subdivision:

(1) A "fifth-wheel coupling" is a coupling between a camper-semitrailer and a towing pickup truck in which a portion of the weight of the camper-semitrailer is carried over or forward of the rear axle of the towing pickup.

(2) A "camper-semitrailer" is a trailer, other than a manufactured home as defined in section 327B.01, subdivision 13, designed for human habitation and used for vacation or recreational purposes for limited periods.

Sec. 6. Minnesota Statutes 2005 Supplement, section 169.81, subdivision 3c, is amended to read:

Subd. 3c. Recreational vehicle combination. Notwithstanding subdivision 3, a recreational vehicle combination may be operated without a permit if:

(1) the combination does not consist of more than three vehicles, and the towing rating of the pickup truck is equal to or greater than the total weight of all vehicles being towed;

(2) the combination does not exceed 70 feet in length;

(3) the middle vehicle in the combination does not exceed 28 feet in length;

(4) the operator of the combination is at least 18 years of age;

(5) the trailer carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, all-terrain vehicle, motorized golf cart, or equestrian equipment or supplies meets all requirements of law;

(6) the trailers in the combination are connected to the pickup truck and each other in conformity with section 169.82; and
(7) the combination is not operated within the seven-county metropolitan area, as defined in section 473.121, subdivision 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Cornish; Demmer; Fritz; Johnson, R.; Davids; Gunther; Poppe; Hamilton; Magnus; Simpson and Juhnke moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 14, after line 19, insert:

"Sec. 5.  Minnesota Statutes 2004, section 169.823, subdivision 1, is amended to read:

Subdivision 1. Pneumatic-tired vehicle. No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state:

(1) where the gross weight on any wheel exceeds 9,000 pounds, except that on designated local routes and state trunk highways the gross weight on any single wheel shall not exceed 10,000 pounds;

(2) where the gross weight on any single axle exceeds 18,000 pounds, except that on designated local routes and state trunk highways the gross weight on any single axle shall not exceed 20,000 pounds;

(3) where the maximum wheel load:

(i) on the foremost and rearmost steering axles, exceeds 600 pounds per inch of tire width or the manufacturer's recommended load, whichever is less; or

(ii) on other axles, exceeds 500 pounds per inch of tire width or the manufacturer's recommended load, whichever is less. This item applies to new vehicles manufactured after August 1, 1991. For vehicles manufactured before August 2, 1991, the maximum weight per inch of tire width is 600 pounds per inch or the manufacturer's recommended load, whichever is less, until August 1, 1996. After July 31, 1996, this item applies to all vehicles regardless of date of manufacture;

(4) where the gross weight on any axle of a tridem exceeds 15,000 pounds, except that for vehicles to which an additional axle has been added prior to June 1, 1981, the maximum gross weight on any axle of a tridem may be up to 16,000 pounds provided the gross weight of the tridem combination does not exceed 39,900 pounds where the first and third axles of the tridem are spaced nine feet apart;

(5) where the gross weight on any group of axles exceeds the weights permitted under sections 169.822 to 169.829 with any or all of the interior axles disregarded, and with an exterior axle disregarded if the exterior axle is a variable load axle that is not carrying its intended weight, and their gross weights subtracted from the gross weight of all axles of the group under consideration.

EFFECTIVE DATE. This section is effective the day following final enactment."
"Sec. 10. Minnesota Statutes 2004, section 169.87, subdivision 2, is amended to read:

Subd. 2. Seasonal load restriction. Except for portland cement concrete roads, between the dates set by the commissioner of transportation each year, the weight on any single axle shall not exceed five seven tons on a county highway, town road, or city street that has not been restricted as provided in subdivision 1. The gross weight on consecutive axles shall not exceed the gross weight allowed in sections 169.822 to 169.829 multiplied by a factor of five divided by nine. This reduction shall not apply to the gross vehicle weight.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Abrams to the Chair.

Hortman; Paymar; Erhardt; Nelson, P.; Ruud and Lenczewski moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 14, after line 19, insert:

"Sec. 5. Minnesota Statutes 2004, section 169.685, subdivision 5, is amended to read:

Subd. 5. Violation; petty misdemeanor. (a) Every motor vehicle operator, when transporting a child under the age of four six on the streets and highways of this state in a motor vehicle equipped with factory-installed seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's instructions, a child passenger restraint system meeting federal motor vehicle safety standards.

(b) No motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport a child under the age of four six in a seat of a motor vehicle equipped with a factory-installed seat belt, unless the child is properly fastened in the child passenger restraint system.

(c) Any motor vehicle operator who violates this subdivision is guilty of a petty misdemeanor and may be sentenced to pay a fine of not more than $50. The fine for the first violation may be waived or the amount reduced if the motor vehicle operator produces evidence that within 14 days after the date of the violation a child passenger restraint system meeting federal motor vehicle safety standards was purchased or obtained for the exclusive use of the operator.

(d) The fines collected for violations of this subdivision must be deposited in the state treasury and credited to a special account to be known as the Minnesota child passenger restraint and education account.

EFFECTIVE DATE. This section is effective for offenses committed on or after August 1, 2006."
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 Hortman et al amendment and the roll was called. There were 50 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abeler  Eken  Haws  Knoblach  Paymar  Simon
Atkins  Ellison  Hornstein  Larson  Pelowski  Slawik
Bernardy  Entenza  Horstman  Latz  Peterson, N.  Thissen
Carlson  Erhardt  Huntley  Lenczewski  Peterson, S.  Tingelstad
Cornish  Fritz  Jarek  Liebling  Poppe  Wagenius
Cox  Gazelka  Johnson, R.  Lieder  Powell
Davnie  Goodwin  Johnson, S.  Lillie  Ruud
Dittrich  Greiling  Kahn  Loeffler  Scalze
Dorn  Hausman  Kelliher  Nelson, P.  Sieben

Those who voted in the negative were:

Abrams  Dill  Holberg  Marquart  Peppin  Thao
Anderson, B.  Dorman  Hoppe  McNamara  Peterson, A.  Urdahl
Beard  Eastlund  Hosch  Meslow  Rukavina  Vanderveer
Blaine  Emmer  Howes  Moe  Ruth  Walker
Bradley  Erickson  Johnson, J.  Mullery  Sailer  Wardlow
Brod  Finstad  Juhnke  Murphy  Samuelson  Welti
Buesgens  Garofalo  Klinzing  Nelson, M.  Seifert  Westerberg
Charron  Gunther  Koenen  Newman  Severtich  Westrom
Cybart  Hackbath  Kohls  Nornes  Severson  Wilkin
Davids  Hamilton  Krinke  Olson  Simpson  Zellers
Dean  Hansen  Lanning  Otremba  Smith  Spk. Sviggum
DeLaForest  Heiderken  Lesch  Ozment  Soderstrom
Demmer  Hilstrom  Magnus  Paulsen  Solberg
Dempsey  Hilty  Mahoney  Penas  Sykora

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

The Speaker resumed the Chair.

Nelson, P., moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Pages 13 and 14, delete section 3
Page 14, delete section 4
Pages 19 and 20, delete sections 7 and 8

A roll call was requested and properly seconded.
The question was taken on the Nelson, P., amendment and the roll was called. There were 40 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Beard
Blaine
Bradley
Buesgens
Cornish
Cymbart
Davids
Dean
DeLaForest
Demmer
Dempsey
Eastlund
Emmer
Erickson
Garofalo
Gazelka
Hackbarth
Holberg
Hoppe
Howes
Johnson, J.
Klinzing
Kohls
Krinkie
Lanning
Meslow
Nelson, P.
Nornes
Ozment
Peppin
Peters
Ruth
Simpson
Soderstrom
Spk. Siggum

Those who voted in the negative were:

Abeler
Abrams
Anderson, B.
Atkins
Bernardy
Brod
Carlson
Charron
Cox
Davnie
Dill
Dittrich
Dorman
Dorn
Eken
Ellison
Hortman
Hosch
Huntley
Janos
Johnson, R.
Johnson, S.
Juhne
Kahn
Kellilier
Knoblauch
Koenen
Koenen
Latz
Leniczewski
Lesch
Lieder
Liebling
Loeffler
Magnus
Mahoney
Marquart
McNamara
Moe
Mullery
Murphy
Nelson, M.
Newman
Olson
Otremba
Paulsen
Paymar
Pelowski
Penas
Peterson, A.
Peterson, N.
Peterson, S.
Peterson, T.
Poppe
Powell
Rukavina
Rud
Rud
Sailer
Samuelson
Scalze
Seifert
Sertich
Severson
Sieben
Simon
Slawik
Smith
Solberg
Thao
Thissen
Tingelstad
Wagenius
Walker
Welti

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

Carlson; Nelson, M., and Hilstrom moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 22, after line 13, insert:

"Sec. 15. **CRYSTAL AIRPORT; REPORT.**

By February 1, 2007, the commissioner of transportation must submit a report to the legislature under Minnesota Statutes, section 3.195, and to the chairs and ranking minority members of the senate and house committees having jurisdiction over airport issues. The report must include:

(1) an economic analysis of the Crystal Airport, including local and regional economic impacts;

(2) an analysis of potential alternative uses of the land currently occupied by the Crystal Airport, including the costs and benefits of the alternative uses; and
(3) recommendations on which of the uses of the land currently occupied by the Crystal Airport would be of the greatest benefit to the general public."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Vandeveer; Garofalo; Solberg; Mariani; Krinkie; Atkins; Goodwin; Rukavina; Penas; Dean; Anderson, B.; Emmer; Entenza; Juhnke; Tingelstad and Charron moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 12, after line 5, insert:

"Section 1. [160.94] TOLL FACILITIES PROHIBITED.

Neither the commissioner nor a road authority may impose or authorize the imposition of a toll for the use of a bridge, highway, or highway lane. Any bridge, highway, or highway lane having a toll imposed on or before July 1, 2006 must have no toll imposed by July 1, 2013."

Page 22, after line 13, insert:

"Sec. 15. REPEALER.

Minnesota Statutes 2004, sections 160.84; 160.85; 160.86; 160.87; 160.88; 160.89; 160.90; 160.91; 160.92; and 160.93, are repealed."

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 Vandeveer et al amendment and the roll was called. There were 60 yeaes and 71 nays as follows:

Those who voted in the affirmative were:
Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>DeLaForest</th>
<th>Haws</th>
<th>Latz</th>
<th>Paymar</th>
<th>Simpson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Demmer</td>
<td>Heidgerken</td>
<td>Lesch</td>
<td>Peterson, A.</td>
<td>Slawik</td>
</tr>
<tr>
<td>Beard</td>
<td>Dempsey</td>
<td>Holberg</td>
<td>Lieder</td>
<td>Peterson, N.</td>
<td>Soderstrom</td>
</tr>
<tr>
<td>Blaine</td>
<td>Dill</td>
<td>Hoppe</td>
<td>Loeffler</td>
<td>Poppe</td>
<td>Sykora</td>
</tr>
<tr>
<td>Bradley</td>
<td>Dittrich</td>
<td>Howes</td>
<td>Magnus</td>
<td>Powell</td>
<td>Thissen</td>
</tr>
<tr>
<td>Brod</td>
<td>Dorman</td>
<td>Johnson, J.</td>
<td>McNamara</td>
<td>Ruth</td>
<td>Urdahl</td>
</tr>
<tr>
<td>Buesgens</td>
<td>Eastlund</td>
<td>Kahn</td>
<td>Meslow</td>
<td>Ruud</td>
<td>Wardlow</td>
</tr>
<tr>
<td>Charron</td>
<td>Erhardt</td>
<td>Kellher</td>
<td>Nelson, P.</td>
<td>Samuelson</td>
<td>Westerberg</td>
</tr>
<tr>
<td>Cornish</td>
<td>Finstad</td>
<td>Klinzing</td>
<td>Newman</td>
<td>Scalze</td>
<td>Wilkin</td>
</tr>
<tr>
<td>Cox</td>
<td>Gazelka</td>
<td>Knoblaeh</td>
<td>Nornes</td>
<td>Seifert</td>
<td>Zellers</td>
</tr>
<tr>
<td>Cybart</td>
<td>Gunther</td>
<td>Kohls</td>
<td>Ozment</td>
<td>Severson</td>
<td>Spk. Sviggum</td>
</tr>
<tr>
<td>Davids</td>
<td>Hamilton</td>
<td>Lanning</td>
<td>Paulsen</td>
<td>Simon</td>
<td></td>
</tr>
</tbody>
</table>

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

Larson offered an amendment to H. F. No. 3761, the fourth engrossment, as amended.

POINT OF ORDER

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

The Speaker called Davids to the Chair.

Peterson, A.; Juhnke; Koenen; Severson; Wardlow and Eken moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 14, after line 19, insert:

"Sec. 5. Minnesota Statutes 2004, section 169.06, subdivision 2, is amended to read:

Subd. 2. Placement and maintenance on trunk highway. (a) The commissioner shall place and maintain such traffic-control devices, conforming to the manual and specifications, upon all state trunk highways as the commissioner shall deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic. The commissioner may construct and maintain signs at the entrance of each city, which sign shall have placed thereon the name of the city and the population thereof, and for each eligible city an additional sign or signs as described in paragraph (c). The commissioner may construct and maintain other directional signs upon the trunk highways and such signs shall be uniform. The commissioner may authorize variations from the manual and specifications for the purpose of investigation and research into the use and development of traffic control devices. When such authorized variation pertains to the regulation of traffic, notice of the intended regulatory purpose shall be published in a qualified newspaper of general circulation in the area where the research is being conducted.

(b) No other authority shall place or maintain any traffic control device upon any highway under the jurisdiction of the commissioner except by the latter's permission."
(c) For each city containing a Minnesota National Guard or reserves armory or training and community center, the commissioner must allow placement of a sign stating that the city is the home of the specified military unit that is assigned to that armory or training and community center, including in military parlance the type of military unit. The sign must be furnished by a person or entity other than the Department of Transportation, and must be approved by the commissioner in consultation with the adjutant general of the national guard. The commissioner is authorized to accept and expend money from nonstate sources for the purpose of providing, installing, and maintaining the signs authorized by this paragraph.

**EFFECTIVE DATE.** This section is effective July 1, 2006.”

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 Peterson, A., et al amendment and the roll was called. There were 124 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bradley  Emmer  Larson  Thissen

The motion prevailed and the amendment was adopted.
Buesgens, Heidgerken, Zellers and Krinkie moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 7, line 17, strike "two sections" and insert "a section"

Page 7, line 20, strike "described in section 13"

Page 7, strike lines 24 to 27

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 Buesgens et al amendment and the roll was called. There were 36 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Anderson, B.       Dean          Entenza     Hornstein       Krinkie       Paymar
Bernardy           DeLaForest    Erickson    Johnson, S.    Larson        Peppin
Buesgens           Eastlund      Greiling    Klinzing       Liebling      Powell
Carlson            Eken          Hackbarth   Knoblach       Lieder        Vandeveer
Charron            Ellison       Hausman     Koenen         Murphy        Wagenius
Davids             Emmer         Heidgerken  Kohls          Olson         Zellers

Those who voted in the negative were:

Abeler             Dorn          Hosch       Mahoney        Peterson, N.  Smith
Abrams             Erhardt       Howes       Marquart       Peterson, S.  Soderstrom
Atkins             Finstad       Huntley     McNamara       Poppe         Sykora
Beard              Fritz         Jaros       Meslow         Rukavina      Thao
Blaine             Garofalo      Johnson, J. Hornstein     Ruth          Thissen
Bradley            Gazelska      Johnson, R. Hornstein     Ruud          Tinglestad
Brod               Goodwin       Juhne       Kirch          Nelson, M.    Sailer
Cornish            Gunther       Kahn        Nelson, P.     Samuelson    Walker
Cox                Hamilton      Kellther    Newman        Scalz          Wardlow
Cybart             Hansen       Lanning     Nornes         Seifert       Welti
Davnie             Haws          Latz        Otemba         Sertich       Westerberg
Demmer             Hilstrom      Lenczewski  Ozment         Severson      Westrom
Dempsey            Hilty         Lesch       Paulsen        Sieben        Wilkin
Dill               Holberg       Lillie      Pelowski       Simon         Spk. Sviggum
Dittrich           Hoppe         Loeffler    Penas          Simpson       Slawik
Dorman             Hortman      Magnus      Peterson, A.   Slawik

The motion did not prevail and the amendment was not adopted.
CALL OF THE HOUSE

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

Atkins  Dorn  Holberg  Latz  Paulsen  Smith
Beard  Eastlund  Hoppe  Lenczewski  Paymar  Soderstrom
Bernardy  Eken  Hornstein  Liebling  Penas  Solberg
Blaine  Ellison  Hortman  Lieder  Peppin  Sykora
Bradley  Emmer  Hosch  Lillie  Peterson, A.  Thao
Brod  Erhardt  Howes  Loeffler  Peterson, N.  Thissen
Buesgens  Erickson  Huntley  Magnus  Peterson, S.  Tingelstad
Carlson  Finstad  Jaros  Mahoney  Poppe  Urdaahl
Charron  Fritz  Johnson, J.  Marquart  Rukavina  Vandeveer
Cornish  Garofalo  Johnson, R.  McNamara  Ruud  Wagenius
Cox  Gazelka  Johnson, S.  Meslow  Ruud  Walker
Cybart  Goodwin  Juhnke  Moe  Sailer  Wardlow
David  Gunther  Kahn  Mullery  Samuelson  Weitl
Davnie  Hackbart  Kelliher  Murphy  Scalze  Westberg
Dean  Hamilton  Klinzing  Nelson, M.  Seifert  Westrom
DeLaForest  Hansen  Knoblaich  Nelson, P.  Sertich  Wilkin
Demmer  Hausman  Koenen  Newman  Severson  Zellers
Dempsey  Haws  Kohls  Nornes  Sieben  Spk. Svigum
Dill  Heidgerken  Krinke  Olson  Simon
Dittrich  Hilstrom  Lanning  Otremba  Simpson
Dorman  Hilty  Larson  Ozment  Slawik

Seifert 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.

Erhardt moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 3, delete subdivision 5

Page 4, line 8, delete "41,000" and insert "27,000"

Page 7, after line 13, insert:

"Sec. 9. Minnesota Statutes 2004, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. **Deposit of revenues.** (a) Money collected and received under this chapter must be deposited as provided in this subdivision.

(b) From July 1, 2002, to June 30, 2003, 32 percent of the money collected and received must be deposited in the highway user tax distribution fund, 20.5 percent must be deposited in the metropolitan area transit fund under section 16A.88, and 1.25 percent must be deposited in the greater Minnesota transit fund under section 16A.88. The remaining money must be deposited in the general fund."
From July 1, 2003, to June 30, 2007, 30 percent of the money collected and received must be deposited in the highway user tax distribution fund, 21.5 percent must be deposited in the metropolitan area transit fund account under section 16A.88, 1.43 percent must be deposited in the greater Minnesota transit fund account under section 16A.88, 0.65 percent must be deposited in the county state-aid highway fund, and 0.17 percent must be deposited in the municipal state-aid street fund. The remaining money must be deposited in the general fund.

On and after July 1, 2007, 38.25 percent of the money collected and received must be deposited in the highway user tax distribution fund, 20.5 percent must be deposited in the metropolitan area transit fund under section 16A.88, and 1.25 percent must be deposited in the greater Minnesota transit fund under section 16A.88. The remaining money must be deposited in the general fund.

From July 1, 2008, to June 30, 2009, 44.25 percent must be deposited in the highway user tax distribution fund, and 29.5 percent must be deposited in the transit fund. The remaining money must be deposited in the general fund.

From July 1, 2009, to June 30, 2010, 50.25 percent must be deposited in the highway user tax distribution fund, and 33.5 percent must be deposited in the transit fund. The remaining money must be deposited in the general fund.

From July 1, 2010, to June 30, 2011, 56.25 percent must be deposited in the highway user tax distribution fund, and 37.5 percent must be deposited in the transit fund. The remaining money must be deposited in the general fund.

On and after July 1, 2011, 60 percent must be deposited in the highway user tax distribution fund, and 40 percent must be deposited in the transit fund.

**EFFECTIVE DATE.** This section is effective upon adoption of the constitutional amendment proposed in Laws 2005, chapter 88, article 3, section 9, as amended by this act, by the people at the 2006 general election.”

Page 8, delete article 2

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Erhardt amendment and the roll was called. There were 59 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Atkins
Bernardy
Carlson
Cox
Davnie
Dill
Dorman
Dorn
Eken
Ellison
Entenza
Erhardt
Fritz
Goodwin
Greiling
Hansen
Hausman
Hilstrom
Hilty
Hornstein
Huntley
Jaros
Johnson, R.
Johnson, S.
Juhnke
Kahn
Kelliher
Koenen
Krinkie
Larson
Lenczewski
Lensch
Liebling
Lieder
Lillie
Loeffler
Those who voted in the negative were:

Abeler  Abrams  Anderson, B.  Beard  Blaine  Bradley  Brod  Buesgens  Charron  Cornish  Cybart  Davids
Dean  DeLaForest  Demmer  Dempsey  Dittrich  Eastlund  Emmer  Ericson  Finstad  Garofalo  Gazelka  Gunther
Hackbart  Hamilton  Haws  Heidgerken  Holberg  Hoppe  Hortman  Hosch  Howes  Johnson, J.  Klinzing  Knoblach
Kohls  Lanning  Latz  Magnus  McNamara  Meslow  Moe  Nelson, P.  Newman  Nornes  Olson  Ozment
Paulsen  Penas  Peppin  Peterson, N.  Powell  Ruud  Samuelson  Seifert  Severson  Simon  Simpson  Spk. Sviggum
Soderstrom  Sykora  Tintelstad  Udahl  VanEveer  Wardlow  Westerberg  Westrom  Wilkin  Zellers  Thissen

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

CALL OF THE HOUSE LIFTED

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

Abrams moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 21, after line 9, insert:

"Sec. 12. Minnesota Statutes 2005 Supplement, section 469.322, is amended to read:

469.322 DESIGNATION OF INTERNATIONAL ECONOMIC DEVELOPMENT ZONE.

(a) An area designated as a foreign trade zone may be designated by the foreign trade zone authority as an international economic development zone if within the zone a regional distribution center is being developed pursuant to section 469.323. The zone must consist of contiguous area of not less than 500 acres and not more than 1,000 acres. The designation authority under this section is limited to one zone.

(b) In making the designation, the foreign trade zone authority, in consultation with the Minnesota Department of Transportation and the Metropolitan Council, shall consider access to major transportation routes, consistency with current state transportation and air cargo planning, adequacy of the size of the site, access to airport facilities, present and future capacity at the designated airport, the capability to meet integrated present and future air cargo, security, and inspection services, and access to other infrastructure and financial incentives. The border of the international economic development zone must be no more than 60 miles distant or 90 minutes drive time from the border of the Minneapolis-St. Paul International Airport.

(c) Before final designation of the zone, the foreign trade zone authority, in consultation with the applicant, must conduct a transportation impact study based on the regional model and utilizing traffic forecasting and assignments. The results must be used to evaluate the effects of the proposed use on the transportation system and identify any
needed improvements. If the site is in the metropolitan area, the study must also evaluate the effect of the transportation impacts on the metropolitan transportation system plan as well as the comprehensive plans of the municipalities that would be affected. The authority shall provide copies of the study to the legislature under section 3.195 and to the chairs of the committees with jurisdiction over transportation and economic development. The applicant must pay the cost of the study.

(e) (d) Final zone designation must be made by June 30, 2006 2008.

(d) (e) Duration of the zone is a 12-year period beginning on January 1, 2007 2010.

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

Sec. 13. Minnesota Statutes 2005 Supplement, section 469.323, subdivision 2, is amended to read:

Subd. 2. Business plan. Before designation of an international economic development zone under section 469.322, the governing body of the foreign trade zone authority shall prepare a business plan. The authority shall file the business plan with the legislature under section 3.195 and provide copies to the chairs of committees with jurisdiction over transportation and economic development. The plan must include an analysis of the economic feasibility of the regional distribution center once it becomes operational and of the operations of freight forwarders and other businesses that choose to locate within the boundaries of the zone. The analysis must provide profitability models that:

(1) include the benefits of the incentives;

(2) estimate the amount of time needed to achieve profitability; and

(3) analyze the length of time incentives will be necessary to the economic viability of the regional distribution center.

If the governing body of the foreign trade authority determines that the models do not establish the economic feasibility of the project, the regional distribution center does not meet the development requirements of this section and section 469.322.

EFFECTIVE DATE. This section is effective the day following final enactment."
Sec. 9. Minnesota Statutes 2005 Supplement, section 171.055, subdivision 2, is amended to read:

Subd. 2. Use of provisional license. (a) A provisional license holder may operate a motor vehicle only when every occupant under the age of 18 has a seat belt or child passenger restraint system properly fastened. A person who violates this paragraph is subject to a fine of $25. A peace officer may not issue a citation for a violation of this paragraph unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation as defined in section 171.04. A passenger who is at least 15 years of age is subject to the requirements and penalty of section 169.686. The commissioner shall not record a violation of this paragraph on a person's driving record.

(b) A provisional license holder may not operate a vehicle while communicating over, or otherwise operating, a cellular or wireless telephone, whether handheld or hands free, when the vehicle is in motion. The provisional license holder may assert as an affirmative defense that the violation was made for the sole purpose of obtaining emergency assistance to prevent a crime about to be committed, or in the reasonable belief that a person's life or safety was in danger.

(c) During the first year after receiving the license, a provisional license holder who is under the age of 18 may not operate a motor vehicle:

(1) with more than one passenger under age 21, except for immediate family members; or

(2) between the hours of midnight and 5:00 a.m. unless accompanied by the holder's parent or guardian.

(d) If the holder of a provisional license during the period of provisional licensing incurs (1) a conviction for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) a conviction for a crash-related moving violation as defined in section 171.04, or (3) more than one conviction for a moving violation that is not crash related, the person may not be issued a driver's license until 12 consecutive months have expired since the date of the conviction or until the person reaches the age of 18 years, whichever occurs first. Violation of this paragraph is a petty misdemeanor subject to section 169.89, subdivision 2.

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 Nelson, P., et al amendment and the roll was called. There were 22 yeas and 110 nays as follows:

Those who voted in the affirmative were:

Abeler  Ellison  Hornstein  Larson  Ozment  Thissen
Cox  Erhardt  Hortman  Lenczewski  Peterson, S.  Wagenius
Davnie  Erickson  Kahn  Liebling  Powell
Dittrich  Hausman  Knoblach  Nelson, P.  Ruud

Those who voted in the negative were:

Abrams  Beard  Bradley  Carlson  Cybart  DeLaForest
Anderson, B.  Bernardy  Brod  Charron  Davids  Demmer
Atkins  Blaine  Buesgens  Cornish  Dean  Dempsey
The motion did not prevail and the amendment was not adopted.

The Speaker called Emmer to the Chair.

Simon, Erhardt and Newman moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 20, after line 4, insert:

"Sec. 9. [174.56] REPORT ON MAJOR HIGHWAY PROJECTS.

Subdivision 1. Report required. The commissioner of transportation shall submit a report on January 15, 2007, and on January 15 of each year thereafter, on the status of major highway projects under construction or planned during the year of the report and for the ensuing 15 years. For purposes of this section, a "major highway project" is a highway project that has a total cost for all segments that the commissioner estimates at the time of the report to be at least $10,000,000, and at least $50,000,000 in the metropolitan transportation district.

Subd. 2. Report contents. For each major highway project the report must include:

(1) a description of the project sufficient to specify its scope and location;

(2) a history of the project, including, but not limited to, previous official actions by the department and/or the appropriate area transportation partnership, the date on which the project was first included in the State Transportation Improvement Plan, the cost of the project at that time, the dates of environmental approval, the dates of municipal approval, the date of final geometric layout, and the date of establishment of any construction limits;

(3) the project's priority listing or rank within its construction district, if any, as well as the reasons for that listing or rank, the criteria used in prioritization or rank, any changes in that prioritization or rank since the project was first included in a department work plan, and the reasons for those changes; and

(4) past and potential future reasons for delay in letting or completion of the project."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.
Goodwin; Rukavina; Ellison; Hornstein; Nelson, M.; Eken; Paymar; Simon; Johnson, S.; Scalze; Lieder; Moe; Greiling and Hausman moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 22, after line 13, insert:

"Sec. 15. REPORT ON COMPARISON OF COSTS OF PUBLIC AND PRIVATE WORK ON TRUNK HIGHWAY CONSTRUCTION.

The commissioner of transportation shall submit, no later than September 1, an annual written report to the legislature, in compliance with Minnesota Statutes, sections 3.195 and 3.197, and shall submit the report to the chairs of the senate and house of representatives committees having jurisdiction over transportation. The report must identify:

(1) standard line item bid categories in trunk highway construction contracts, including culvert installation or replacement; roadway resurfacing; lane-mile cost of road construction; crack fill and seal; consultant fees; sign replacement; drainage repair; guardrail and fence replacement and repair; and striping;

(2) costs incurred in the previous fiscal year attributed to work performed by state employees in each identified category; and

(3) costs attributable in the previous fiscal year to work performed by private contractors in each identified category."

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 Goodwin et al amendment and the roll was called. There were 73 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Atkins Bernardy Carlson Davids Davnie Dempsey Dittrich Dorn Eken Ellison Entenza Fritz

Goodwin Greiling Hansen Hausman Heidgerken Hilty Hornstein Hortman Howes Huntley Lillie Loeffer Mahoney Mariani Marquart Moe McNamara Mullery Murphy Pelowski

Peterson, A. Peterson, S. Poppe Rukavina Ruud Sailer Samuelson Scalze Solberg Thao Thissen Vandevener Wagenius Walker Welti

Sertich Sieben Simon Slawik Smith

Those who voted in the negative were:

Abeler Abrams Anderson, B. Beard Brod Buesgens Charron Corinsh Cox DeLaForest Demmer Dorman Eastlund Emmer
Erhardt       Hamilton       Krinkie       Olson       Ruth       Udahl  
Erickson      Holberg       Lanning      Ozment      Seifert     Wardlow  
Finstad       Hoppe         Magnus       Paulsen     Severson    Westerberg  
Garofalo      Johnson, J.   Meslow       Penas       Simpson     Westrom  
Gazelka       Klinzing      Nelson, P.   Peppin      Soderstrom  Wilkin  
Gunther       Knoblach      Newman       Peterson, N.  Sykora      Zellers  
Hackbart     Kohls         Nornes       Powell      Tinglestad  

The motion prevailed and the amendment was adopted.

Vandeveer moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 12, after line 5, insert:

"Section 1. [160.94] TOLL FACILITIES PROHIBITED.

Neither the commissioner nor a road authority may impose or authorize the imposition of a toll for the use of a bridge, highway, or highway lane, except for:

(1) a bridge connecting a highway with an adjacent state or province; or

(2) any highway or highway lane having a toll imposed on or before July 1, 2006, under section 160.93."

Page 22, after line 13, insert:

"Sec. 16. REPEALER.

Minnesota Statutes 2004, sections 160.84; 160.85; 160.86; 160.87; 160.88; 160.90; 160.91; and 160.92, are repealed."

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 Vandeveer amendment and the roll was called. There were 73 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Anderson, B. Dorman Greiling Hosch Krinkie Marquart  
Atkins Dorn Gunther Huntley Larson Moe  
Bernardy Eken Gunther Jaros Lenczewski Mullery  
Carlson Ellison Hansen Johnson, R. Lesch Murphy  
Charron Emmer Hiilstrom Johnson, S. Liebling Nelson, M.  
Cornish Entenza Hilty Juhnke Lillie Nornes  
Davnie Fritz Holberg Kahn Loefler Olson  
Dean Garofalo Hornstein Kelhier Mahoney Otremba  
Dill Goodwin Hortman Koenen Mariani Paymar  


The motion prevailed and the amendment was adopted.

Krinkie, Dean and Olson moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 7, line 25, strike "60" and insert "80"

Page 7, line 26, strike "40" and insert "20"

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Abeler   DeLaForest   Gazelka   Klinzing   Peppin   Westrom
Blaine   Demmer      Haws      Knoblach   Powell   Wilkin
Brod     Dittrich    Hackbart  Koenen    Rukavina  Zellers
Buesgens Eastlund   Hamilton  Kohls     Ruth
Charron  Emmer      Heiderken  Krinke    Seifert   
Cybart   Erickson   Hoppe     Magnus   Severson   
Davids   Finstad    Hosch     Newman   Soderstrom
Dean     Garofalo   Howes     Olson     Vandeveer

Those who voted in the negative were:

Abeler   Carlson     Dittrich  Fritz     Hilstrom   Jaros
Abrams   Cornish    Dorn      Goodwin   Hilty      Johnson, J.
Atkins   Cox        Eken      Greiling  Holberg   Johnson, R.
Beard    Davnie     Ellison   Hansen   Hornstein Johnson, S.
Bernardy Demmer    Entenza  Hausman  Hortman    Juhnke
Bradley  Dempsey   Erhardt  Haws     Huntley    Kahn
The motion did not prevail and the amendment was not adopted.

Johnson, J., was excused for the remainder of today's session.

The Speaker resumed the Chair.

Rukavina and Erhardt moved to amend H. F. No. 3761, the fourth engrossment, as amended, as follows:

Page 13, after line 9, insert:

"Sec. 2. Minnesota Statutes 2004, section 161.315, is amended by adding a subdivision to read:

Subd. 7. **Minnesota based companies.** (a) The commissioner shall award a public contract made for construction, reconstruction, or maintenance of a road to a Minnesota based company when: (1) the public contract is at least $150,000,000; and (2) the total contractual obligation of the state for the entire project is at least $200,000,000.

(b) For purposes of this subdivision, "Minnesota based company" means a business, corporation, association, partnership, sole proprietorship, or other entity formed to do business as a contractor, subcontractor, or material supplier, whose principal place from which the trade or business is directed or managed is in Minnesota.

(c) Nothing in this subdivision restricts an award for a public contract when the conditions under paragraph (a) are not met."

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Atkins</th>
<th>Ellenson</th>
<th>Hausman</th>
<th>Howes</th>
<th>Koenen</th>
<th>Loeffler</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bernardy</td>
<td>Erhardt</td>
<td>Haws</td>
<td>Huntley</td>
<td>Larson</td>
<td>Mahoney</td>
</tr>
<tr>
<td>Carlson</td>
<td>Erhardt</td>
<td>Heidgerken</td>
<td>Jaros</td>
<td>Lenczewski</td>
<td>Marquart</td>
</tr>
<tr>
<td>Davnie</td>
<td>Finstad</td>
<td>Hilstrom</td>
<td>Johnson, R.</td>
<td>Lesch</td>
<td>Moe</td>
</tr>
<tr>
<td>Dill</td>
<td>Fritz</td>
<td>Hilty</td>
<td>Johnson, S.</td>
<td>Liebling</td>
<td>Mullery</td>
</tr>
<tr>
<td>Dittrich</td>
<td>Goodwin</td>
<td>Hornstein</td>
<td>Juhnke</td>
<td>Lieder</td>
<td>Murphy</td>
</tr>
<tr>
<td>Dorn</td>
<td>Greiling</td>
<td>Hortman</td>
<td>Kahn</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eken</td>
<td>Hansen</td>
<td>Hosch</td>
<td>Kelliher</td>
<td>Lillie</td>
<td>Nelson, M.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Those who voted in the negative were:

Abeler       Cybart       Gazelka       Magnus       Peterson, N.       Urdahl
Abrams       Davids       Gunther       McNamara       Powell       Vandeveer
Anderson, B.  Dean         Hackatharn  Meslow        Ritth        Wardlow
Beard         DeLaForest   Hamilton      Nelson, P.     Samuelson      Westerberg
Blaine        Demmer       Holberg       Newman        Seifert       Westrom
Bradley       Dempsey      Hoppe         Nornes         Severson       Wilkin
Brod          Dorman       Klinzing      Olson          Simpson       Zellers
Buesgens      Eastlund     Knoblauch     Ozmets         Soderstrom    Spk. Sviggum
Charreon      Emmer        Kohls         Paulsen        Sykora
Cornish       Erickson     Kringke       Penas          Thissen
Cox           Garofalo     Lanning       Peppin         Tinglestad

The motion prevailed and the amendment was adopted.

H. F. No. 3761, A bill for an act relating to transportation; authorizing sale of trunk highway bonds for capital improvements related to transportation; establishing transit fund and accounts; providing for treatment and allocation of tax proceeds related to motor vehicles; modifying proposed amendment to Minnesota Constitution and its proposed ballot question; setting certain court deadlines and procedures; modifying provisions relating to the town bridge account, town road construction and maintenance, old automobile liens, public highway contracts, allowable vehicle weights on highways, tow truck operators, impounded vehicles, highway signs, motorized golf carts, area transportation partnerships, the rail service improvement account, the tax attributable to fuel used by all-terrain vehicles, and a connector highway agreement; repealing authority for future toll facilities; requiring studies and reports; appropriating money; amending Minnesota Statutes 2004, sections 16A.88; 161.082, subdivision 2a; 161.315, by adding a subdivision; 168B.06, subdivision 1; 168B.07, by adding a subdivision; 169.06, subdivision 2; 169.823, subdivision 1; 169.824, subdivision 1; 169.829, subdivision 2; 169.86, by adding a subdivision; 169.87, subdivision 2; 222.50, subdivisions 6, 7; 296A.18, subdivision 4; 297A.94; 297B.09, subdivision 1; 471.345, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 168A.20, subdivision 5; 169.01, subdivision 78; 169.81, subdivision 3c; 169.824, subdivision 2; 297A.815, by adding a subdivision; 469.322; 469.323, subdivision 2; Laws 2005, chapter 88, article 3, sections 9; 10; proposing coding for new law in Minnesota Statutes, chapters 160; 167; 174; repealing Minnesota Statutes 2004, sections 160.84; 160.85; 160.86; 160.87; 160.88; 160.89; 160.90; 160.91; 160.92.

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 100 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Abeler       Blaine       Cornish       Demmer       Eastlund       Garofalo
Abrams       Bradley      Cox           Dempsey      Eken           Gazelka
Anderson, B.  Bradley      Cybart       Dill          Emmer         Goodwin
Atkins       Buesgens     Davids       Dittrich      Erickson      Gunther
Beard         Carlson      Dean          Dornman       Finstad       Hackatharn
Bernardy     Charron       DeLaForest   Dorn          Fritz          Hamilton
Those who voted in the negative were:

Davnie  Hilstrom  Kahns  Liebling  Rukavina  Walker
Ellison  Hilty  Kellher  Loeffler  Sertich
Entenza  Hornstein  Krinke  Mahoney  Sieben
Erhardt  Huntley  Larson  Mullery  Thao
Greiling  Jaros  Lenczowski  Nelson, M.  Thissen
Hausman  Johnson, S.  Lesch  Paymar  Wagenius

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3185:

Mahoney, Simpson and Wilkin.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3779:

Urdahl, Emmer and Rukavina.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 3058, A bill for an act relating to state government; clarifying the Iron Range Resources and Rehabilitation Board's funds expenditure approval process; authorizing the lease of certain lands; requiring a long-range plan by the board and commissioner; appropriating money; amending Minnesota Statutes 2004, sections 298.22, subdivisions 1, 8, by adding a subdivision; 298.2213, subdivision 4; 298.223, subdivisions 2, 3; Minnesota Statutes 2005 Supplement, sections 298.296, subdivision 1; 298.298.

Reported the same back with the following amendments:

Page 5, line 11, delete "$49,000,000" and insert "$12,500,000"
Page 5, line 14, delete "the day following final enactment" and insert "July 1, 2007"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1298, A bill for an act relating to environment; enacting the Minnesota Electronics Recycling Act of 2005; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 116H.

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

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 3058 was read for the second time.

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:

H. F. No. 3383, A bill for an act relating to the city of Grand Rapids; authorizing issuance of certain capital improvement bonds.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 762, A bill for an act relating to the environment; creating the Clean Water Legacy Act; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters in accordance with section 303(d) of the federal Clean Water Act; appropriating money; amending Laws 2005, chapter 20, article 1, section 39; proposing coding for new law in Minnesota Statutes, chapter 446A; proposing coding for new law as Minnesota Statutes, chapter 114D.
The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Frederickson, Hottinger and Skoe.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

Patrick E. Flahaven, Secretary of the Senate

Ozment moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 762. The motion prevailed.

Mr. Speaker:

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

H. F. No. 2892, A bill for an act relating to higher education; authorizing the Minnesota State Colleges and Universities Board of Trustees to construct an academic building in Mankato.

Patrick E. Flahaven, Secretary of the Senate

Dorn moved that the House refuse to concur in the Senate amendments to H. F. No. 2892, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 3302, A bill for an act relating to local government; modifying municipal and county planning and zoning provisions; providing standards for preliminary plat approval in a proposed development; amending Minnesota Statutes 2004, sections 394.25, subdivision 7; 462.358, subdivision 3b.

Patrick E. Flahaven, Secretary of the Senate

Brod moved that the House refuse to concur in the Senate amendments to H. F. No. 3302, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.
Mr. Speaker:

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

S. F. Nos. 3053, 3121 and 2833.

PATRICE DWORAK, First Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3053, A bill for an act relating to natural resources; providing for issuance of all-terrain vehicle safety certificate; requiring rulemaking to allow all-terrain vehicle or snowmobile use on privately owned land during legal shooting hours of a deer season; amending Minnesota Statutes 2005 Supplement, section 84.9256, subdivision 1.

The bill was read for the first time.

Hackbarth moved that S. F. No. 3053 and H. F. No. 3353, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3121, A bill for an act relating to financial institutions; regulating electronic financial terminals, and the expenses of organizing and incorporating banks; authorizing the investment of health savings accounts in transaction accounts; regulating the sale of forfeited vehicles by financial institutions as secured parties; amending Minnesota Statutes 2004, sections 47.62, subdivision 1; 169A.63, subdivision 11; Minnesota Statutes 2005 Supplement, sections 47.75, subdivision 1; 48.15, subdivision 4; repealing Minnesota Statutes 2004, sections 46.043; 47.62, subdivision 5.

The bill was read for the first time.

Hamilton moved that S. F. No. 3121 and H. F. No. 3688, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2833, A bill for an act relating to human services; changing certain in-service training requirements; requiring early childhood development training; changing certain first aid training requirements; allowing the use of mesh sided playpens or cribs under certain circumstances; establishing the Ramsey County child care pilot project; providing an exception for notification of a variance or set-aside; amending Minnesota Statutes 2004, sections 245A.023; 245A.14, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 245A.14, subdivision 12; 245A.146, subdivision 3; 245C.22, subdivision 7; 245C.24, subdivision 2; 245C.301.

The bill was read for the first time.

Abeler moved that S. F. No. 2833 and H. F. No. 2807, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CALENDAR FOR THE DAY

Paulsen moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.
ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2892:

Dorn, Nornes and Pelowski.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3302:

Brod, Hornstein and Charron.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 762:

Ozment, Penas and Juhnke.

MOTIONS AND RESOLUTIONS

Dittrich moved that her name be stricken as an author on H. F. No. 1298. The motion prevailed.

Nelson, P., moved that the name of Ruud be added as an author on H. F. No. 3050. The motion prevailed.

Abrams moved that the names of McNamara and Juhnke be added as authors on H. F. No. 3423. The motion prevailed.

Heidgerken moved that the name of Loeffler be added as an author on H. F. No. 3458. The motion prevailed.

Hornstein moved that the names of Dittrich and Larson be added as authors on H. F. No. 3718. The motion prevailed.

Seifert moved that the name of Nelson, P., be added as an author on H. F. No. 4094. The motion prevailed.

Vandeveer moved that the name of Nelson, P., be added as an author on H. F. No. 4119. The motion prevailed.

Krinkie moved that the name of Nelson, P., be added as an author on H. F. No. 4142. The motion prevailed.

Vandeveer moved that the name of Nelson, P., be added as an author on H. F. No. 4155. The motion prevailed.

Kohls moved that the name of Nelson, P., be added as an author on H. F. No. 4186. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, May 17, 2006. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, May 17, 2006.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives