The House of Representatives convened at 9:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Robert Griggs, St. Louis Park, Minnesota.

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

The roll was called and the following members were present:

Abeler    Dill    Haws    Lenczewski    Olin    Simpson
Anderson, B.  Dittrich  Heidgerken  Liebling  Olson    Slavik
Anderson, S.  Dominguez  Hilstrom  Lieder    Otremba  Slocum
Anzelc    Doty    Hilty    Lillie      Ozment    Smith
Atkins    Drazkowski  Holberg  Loeffler      Paulsen  Solberg
Benson    Eastlund  Hoppe    Madore    Paymar    Swails
Benns     Eken      Hornstein  Magnus    Pelowski  Thao
Bigham    Emmer     Hortman  Mahoney      Peppin    Thissen
Bly       Erhardt    Horoch    Mariani    Peterson, A.  Tillberry
Brod      Erickson  Howes    Marquart    Peterson, N.  Tingelstad
Brown     Faust     Huntley  Masin       Peterson, S.  Tschumper
Brynaert  Finstad  Jaros    McFarlane  Poppe     Urdahl
Buesgens  Fritz     Johnson  McNamara  Rukavina  Wagenius
Bunn      Gardner   Juhnke   Moe       Ruth     Ward
Carlson   Garofalo  Kahn     Morgan    Ruud     Wardlow
Clark     Gottwald  Kalin    Morrow    Sailer    Welti
Cornish   Greiling  Knuth    Mullery    Scalze    Westrom
Davnie    Gunther   Koenen  Murphy, E.  Seifert    Winkler
Dean      Hackbart  Kohls    Murphy, M.  Sertich  Wollschlager
DeLaForest Hamilton  Kranz    Nelson    Severson  Zellers
Demmer    Hansen    Laine    Nornes    Shimanski  Spk. Kelliher
Dettmer   Hausman   Lanning  Norton    Simon

A quorum was present.

Beard, Lesch and Walker were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peppin 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. 2795 and H. F. No. 3134, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Thissen moved that the rules be so far suspended that S. F. No. 2795 be substituted for H. F. No. 3134 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2942 and H. F. No. 3349, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rukavina moved that the rules be so far suspended that S. F. No. 2942 be substituted for H. F. No. 3349 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2965 and H. F. No. 3448, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Tingelstad moved that the rules be so far suspended that S. F. No. 2965 be substituted for H. F. No. 3448 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3683 and H. F. No. 3902, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Juhnke moved that the rules be so far suspended that S. F. No. 3683 be substituted for H. F. No. 3902 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

April 17, 2008

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

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. 1314, relating to commerce; regulating the advertising and conducting of certain live musical performances or productions.

H. F. No. 2599, relating to local government; increasing amount that counties may appropriate for Memorial Day observances.

H. F. No. 3138, relating to state government; requiring the legislative auditor to establish a compensation plan for employees of the auditor, subject to legislative review and approval; ratifying state labor contracts.

H. F. No. 3357, relating to municipal boundary adjustments; providing for changes in municipal boundaries; imposing powers and duties on the chief administrative law judge.

Sincerely,

TIM PAWLENTY
Governor

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

The Honorable Margaret Anderson Kelliher
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 2008 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 2008</th>
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</table>
The Honorable Margaret Anderson Kelliher  
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 2008 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:

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Sincerely,  
MARK RITCHIE  
Secretary of State
Sincerely,

MARK RITCHIE
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 3034, A bill for an act relating to construction professions; modifying provisions relating to the electrical, plumbing, water conditioning, boiler, and high-pressure piping professions; amending Minnesota Statutes 2006, sections 299F.011, subdivision 3; 326.244, subdivision 1; 327.32, subdivision 1; 327.33, by adding subdivisions; 327A.04, subdivision 2; 327A.07; 327B.06, subdivision 1; Minnesota Statutes 2007 Supplement, sections 16B.64, subdivision 8; 181.723, subdivision 2; 183.60, subdivision 2; 326.01, subdivisions 4b, 5; 326.2415, subdivisions 2, 6; 326.242, subdivisions 2, 3d, 5, 12, by adding subdivisions; 326.244, subdivision 5; 326.37, subdivision 1a; 326.3705, subdivision 1; 326.40, subdivisions 2, 3, by adding a subdivision; 326.47, subdivision 2; 326.48, subdivisions 1, 2, 2a, 2b, 5; 326.50; 326.505, subdivisions 1, 2, 8; 326.62; 326.84, subdivision 1; 326.841; 326.86, subdivision 1; 326.87, subdivision 5; 326.93, subdivision 4; 326.94, subdivision 2; 326.97, subdivision 1a; 326B.082, subdivisions 8, 10, 11, 12, 13; 326B.083, subdivision 3; 326B.42, by adding a subdivision; 326B.89, subdivisions 5, 6, 12, 14; 327B.04, subdivision 4; Laws 2007, chapter 140, article 4, section 12; repealing Minnesota Statutes 2006, section 16B.69; Minnesota Statutes 2007 Supplement, sections 326.2411; 326.372; 326.471; Laws 2007, chapter 9, section 1; Laws 2007, chapter 135, article 4, sections 2; 8; article 6, section 3; Laws 2007, chapter 140, article 12, section 9; Minnesota Rules, part 3800.3510.

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

The report was adopted.

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

H. F. No. 3292, A bill for an act relating to education; managing school trust fund lands; improving the returns for school trust fund lands; redefining the mission of the Permanent School Fund Advisory Committee; providing a report; amending Minnesota Statutes 2006, sections 16A.06, by adding a subdivision; 84.027, by adding a subdivision; 127A.30.

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

The report was adopted.
Carlson from the Committee on Finance to which was referred:

H. F. No. 3380, A bill for an act relating to human services; revising requirements for county-based purchasing for state health care programs; amending Minnesota Statutes 2006, sections 13.461, by adding a subdivision; 256B.69, subdivision 5a, by adding subdivisions; 256B.692, subdivision 2, by adding a subdivision; 256L.12, subdivision 9; Minnesota Statutes 2007 Supplement, section 256B.69, subdivision 4; Laws 2005, First Special Session chapter 4, article 8, section 84, as amended.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2007 Supplement, section 256B.69, subdivision 4, is amended to read:

Subd. 4. Limitation of choice. (a) The commissioner shall develop criteria to determine when limitation of choice may be implemented in the experimental counties. The criteria shall ensure that all eligible individuals in the county have continuing access to the full range of medical assistance services as specified in subdivision 6.

(b) The commissioner shall exempt the following persons from participation in the project, in addition to those who do not meet the criteria for limitation of choice:

(1) persons eligible for medical assistance according to section 256B.055, subdivision 1;

(2) persons eligible for medical assistance due to blindness or disability as determined by the Social Security Administration or the state medical review team, unless:

(i) they are 65 years of age or older; or

(ii) they reside in Itasca County or they reside in a county in which the commissioner conducts a pilot project under a waiver granted pursuant to section 1115 of the Social Security Act;

(3) recipients who currently have private coverage through a health maintenance organization;

(4) recipients who are eligible for medical assistance by spending down excess income for medical expenses other than the nursing facility per diem expense;

(5) recipients who receive benefits under the Refugee Assistance Program, established under United States Code, title 8, section 1522(e);

(6) children who are both determined to be severely emotionally disturbed and receiving case management services according to section 256B.0625, subdivision 20, except children who are eligible for and who decline enrollment in an approved preferred integrated network under section 245.4682;

(7) adults who are both determined to be seriously and persistently mentally ill and received case management services according to section 256B.0625, subdivision 20;

(8) persons eligible for medical assistance according to section 256B.057, subdivision 10; and

(9) persons with access to cost-effective employer-sponsored private health insurance or persons enrolled in a non-Medicare individual health plan determined to be cost-effective according to section 256B.0625, subdivision 15."
Children under age 21 who are in foster placement may enroll in the project on an elective basis. Individuals excluded under clauses (1), (6), and (7) may choose to enroll on an elective basis. The commissioner may enroll recipients in the prepaid medical assistance program for seniors who are (1) age 65 and over, and (2) eligible for medical assistance by spending down excess income.

(c) The commissioner may allow persons with a one-month spenddown who are otherwise eligible to enroll to voluntarily enroll or remain enrolled, if they elect to prepay their monthly spenddown to the state.

(d) The commissioner may require those individuals to enroll in the prepaid medical assistance program who otherwise would have been excluded under paragraph (b), clauses (1), (3), and (8), and under Minnesota Rules, part 9500.1452, subpart 2, items H, K, and L.

(e) Before limitation of choice is implemented, eligible individuals shall be notified and after notification, shall be allowed to choose only among demonstration providers. The commissioner may assign an individual with private coverage through a health maintenance organization, to the same health maintenance organization for medical assistance coverage, if the health maintenance organization is under contract for medical assistance in the individual's county of residence. After initially choosing a provider, the recipient is allowed to change that choice only at specified times as allowed by the commissioner. If a demonstration provider ends participation in the project for any reason, a recipient enrolled with that provider must select a new provider but may change providers without cause once more within the first 60 days after enrollment with the second provider.

(f) An infant born to a woman who is eligible for and receiving medical assistance and who is enrolled in the prepaid medical assistance program shall be retroactively enrolled to the month of birth in the same managed care plan as the mother once the child is enrolled in medical assistance unless the child is determined to be excluded from enrollment in a prepaid plan under this section.

(g) The commissioner shall assign an eligible individual, in the absence of a specific managed care plan choice by the individual, to the county-based purchasing health plan in Olmsted, Winona, Houston, Fillmore, and Mower Counties.

**EFFECTIVE DATE.** This section is effective upon federal approval.

Sec. 2. Laws 2005, First Special Session chapter 4, article 8, section 84, as amended by Laws 2006, chapter 264, section 15, is amended to read:

Sec. 84. **SOLE-SOURCE OR SINGLE-PLAN MANAGED CARE CONTRACT.**

(a) Notwithstanding Minnesota Statutes, section 256B.692, subdivision 6, clause (1), paragraph (c), the commissioner of human services shall approve a county-based purchasing health plan proposal, submitted on behalf of Cass, Crow Wing, Morrison, Todd, and Wadena Counties, that requires county-based purchasing on a single-plan basis contract if the implementation of the single-plan purchasing proposal does not limit an enrollee's provider choice or access to services and all other requirements applicable to health plan purchasing are satisfied. The commissioner shall continue, until December 31, 2010, single health plan purchasing arrangements with county-based purchasing entities in the service areas in existence on May 1, 2006, including arrangements for which a proposal was submitted by May 1, 2006, on behalf of Cass, Crow Wing, Morrison, Todd, and Wadena Counties, in response to a request for proposals issued by the commissioner.

(b) Notwithstanding Minnesota Statutes, section 256B.692, subdivision 6, clause (1)(c), the commissioner of human services shall approve a county-based purchasing health plan proposal submitted on behalf of Winona, Houston, Fillmore, and Mower Counties for medical assistance, MinnesotaCare, general assistance medical care,
and other prepaid health care programs administered by the commissioner of human services if the implementation of the proposal does not limit an enrollee's provider choice or access to services, and all other requirements applicable to health plan purchasing are satisfied.

(c) The commissioner shall develop a plan to reopen all counties for competitive reprocurement every five years, beginning in 2011.

(d) The commissioner shall consider, and may approve, contracting on a single-health plan basis with county-based purchasing plans, or with other qualified health plans that have coordination arrangements with counties, to serve persons with a disability who voluntarily enroll, in order to promote better coordination or integration of health care services, social services and other community-based services, provided that all requirements applicable to health plan purchasing, including those in Minnesota Statutes, section 256B.69, subdivision 23, are satisfied. By January 15, 2007, the commissioner shall report to the chairs of the appropriate legislative committees in the house and senate an analysis of the advantages and disadvantages of using single health plan purchasing to serve persons with a disability who are eligible for health care programs. The report shall include consideration of the impact of federal health care programs and policies for persons who are eligible for both federal and state health care programs and shall consider strategies to improve coordination between federal and state health care programs for those persons.

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3437, A bill for an act relating to natural resources; providing a process for designating star lakes and rivers; allowing for placement of star lake and river signs on highways; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 103B; 173.

Reported the same back with the following amendments:

Page 3, line 32, after the period, insert "The Department of Transportation must bill the cost of the signs erected under this section to the requester."

Page 4, delete section 4

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.
Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 3498, A bill for an act relating to public safety; authorizing compensation for members of Firefighter Training and Education Board; amending Minnesota Statutes 2006, section 299N.02, subdivision 2.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 3587, A bill for an act relating to state government; specifying the development of budget recommendations and requiring state agencies to provide information; amending Minnesota Statutes 2006, section 3.885, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 3.885, is amended by adding a subdivision to read:

Subd. 10. Budget development. The commission or appropriate committee of the house of representatives or senate may develop budget recommendations to present to the legislature. If the commission or committees proceed with the development of budget recommendations, state agencies must provide requested information. That information includes the base budget, information on how the base budget is determined and how it is allocated, recommendations from agency staff for changes in the base level appropriations to improve agency operations and efficiency or to improve or increase efficiency of programs operated by the agency, and responses to proposals for reductions in agency budgets.

Sec. 2. Minnesota Statutes 2006, section 3.885, is amended by adding a subdivision to read:

Subd. 11. Subcommittee on Government Accountability. The commission must form a Subcommittee on Government Accountability under section 3.3056 to review recommendations from the commissioner of finance under section 16A.10, subdivision 1c, and to review recommendations from the commissioners of finance and administration on how to improve the use of Minnesota Milestones and other statewide goals and indicators in state planning and budget documents. The subcommittee shall consider testimony from representatives from the following organizations and agencies: (1) nonprofit organizations involved in the preparation of Minnesota Milestones; (2) the University of Minnesota and other higher education institutions; (3) the Department of Finance and other state agencies; and (4) other legislators. The subcommittee shall report to the commission by February 1 of each odd-numbered year with long-range recommendations for the further implementation and uses of Minnesota Milestones and other government accountability improvements.

Sec. 3. Minnesota Statutes 2006, section 3.987, subdivision 1, is amended to read:

Subdivision 1. Local impact notes. The commissioner of finance shall coordinate the development of a local impact note for any proposed legislation introduced after June 30, 1997, or any rule proposed after December 31, 1999, upon request of the chair or the ranking minority member of either legislative Tax or Finance Committee or the house Committee on Ways and Means. Upon receipt of a request to prepare a local impact note, the commissioner must notify the authors of the proposed legislation or, for an administrative rule, the head of the relevant executive agency or department, that the request has been made. The local impact note must be made
available to the public upon request. If the action is among the exceptions listed in section 3.988, a local impact note need not be requested nor prepared. The commissioner shall make a reasonable and timely estimate of the local fiscal impact on each type of political subdivision that would result from the proposed legislation. The commissioner of finance may require any political subdivision or the commissioner of an administrative agency of the state to supply in a timely manner any information determined to be necessary to determine local fiscal impact. The political subdivision, its representative association, or commissioner shall convey the requested information to the commissioner of finance with a signed statement to the effect that the information is accurate and complete to the best of its ability. The political subdivision, its representative association, or commissioner, when requested, shall update its determination of local fiscal impact based on actual cost or revenue figures, improved estimates, or both. Upon completion of the note, the commissioner must provide a copy to the authors of the proposed legislation, as well as the chair and ranking minority member of all committees to which a bill is referred, or, for an administrative rule, to the head of the relevant executive agency or department.

Sec. 4. Minnesota Statutes 2006, section 16A.10, subdivision 1, is amended to read:

Subdivision 1. **Budget format.** In each even-numbered calendar year the commissioner shall prepare budget forms and instructions for all agencies, including guidelines for reporting agency performance measures, subject to the approval of the governor. In addition to review required under subdivision 1c, the commissioner shall request and receive advisory recommendations from the chairs of the senate Finance Committee and house of representatives Ways and Means Committee before adopting a format for the biennial budget document. By June 15, the commissioner shall send the proposed budget forms to the appropriations and finance committees. The committees have until July 15 to give the commissioner their advisory recommendations on possible improvements. To facilitate this consultation, the commissioner shall establish a working group consisting of executive branch staff and designees of the chairs of the senate Finance and house of representatives Ways and Means Committees. The commissioner must involve this group in all stages of development of budget forms and instructions. The budget format must show actual expenditures and receipts for the most recent fiscal year, estimated expenditures and receipts for the current fiscal year, and estimates for each fiscal year of the next biennium. Estimated expenditures must be classified by funds and character of expenditures and may be subclassified by programs and activities. Agency revenue estimates must show how the estimates were made and what factors were used. Receipts must be classified by funds, programs, and activities. Expenditure and revenue estimates must be based on the law in existence at the time the estimates are prepared.

Sec. 5. Minnesota Statutes 2006, section 16A.10, subdivision 1a, is amended to read:

Subd. 1a. **Purpose of performance data.** Performance data shall be presented in the budget proposal to:

(1) provide information so that the legislature can determine the extent to which state programs are successful;

(2) encourage agencies to develop clear goals and objectives for their programs; and

(3) strengthen accountability to Minnesotans by providing a record of state government’s performance in providing effective and efficient services; and

(4) provide information so that the legislature can determine the extent to which agency resources are being used to achieve performance goals.

Sec. 6. Minnesota Statutes 2006, section 16A.10, subdivision 1c, is amended to read:

Subd. 1c. **Performance measures for change items.** For each change item in the budget proposal requesting new or increased funding, the budget document must present proposed performance measures that can be used to determine if the new or increased funding is accomplishing its goals. To the extent possible, each budget change
item must identify relevant Minnesota Milestones and other statewide goals and indicators related to the proposed initiative. By June 15 of each even-numbered year, the commissioner must report to the Subcommittee on Government Accountability established under section 3.885, subdivision 10, regarding the format and process to be used for the presentation and selection of Minnesota Milestones and other statewide goals and indicators. By July 15 of each even-numbered year, the subcommittee must approve the format and process for use in the preparation of the budget documents.

Sec. 7. [16A.107] CASH FLOW FORECAST.

Within 30 days after the November forecast of state revenue and expenditures under section 16A.103, the commissioner shall deliver to the governor and the legislature a forecast of cash flow for the general fund, showing the expected maximum and minimum cash balance in the fund for each month of the forecast period.

Sec. 8. Minnesota Statutes 2006, section 16A.11, is amended by adding a subdivision to read:

Subd. 8. Deficiency requests. By January 15 of each year, the commissioner of finance must notify the chair of the senate Finance Committee and the chair of the house Ways and Means Committee of any budget change requests requiring priority attention to eliminate budget shortfalls likely to occur before the end of the legislative session, or for which legislative inaction would result in the suspension of agency or program operations.

Sec. 9. [43A.015] DUTIES AND RIGHTS OF EXECUTIVE EMPLOYEES.

(a) Except as provided in paragraph (b), executive branch state employees are expected during their work hours to be nonpartisan resources to all decision makers, and to provide timely, professional assistance to both executive and legislative decision makers and their staff in understanding the current service and finance system and the potential impact of changes on these systems. Workload concerns related to these requests shall be mediated, if necessary, by management staff in a manner that does not advantage any particular set of decision makers, but allows for balanced support and adequate attention to the ongoing responsibilities of the agency. This section does not authorize or require an employee to disclose data that is not public data under chapter 13.

(b) If an executive branch employee's responsibilities include advocating for the appointing authority's policy goals or political goals, these responsibilities must be included in a position description that is available to the public. A managerial employee must not request an executive branch state employee to advocate policy or political goals during hours of work, except according to the employee's position description.

Sec. 10. Minnesota Statutes 2007 Supplement, section 181.932, subdivision 1, is amended to read:

Subdivision 1. Prohibited action. An employer shall not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because:

(a) the employee, or a person acting on behalf of an employee, in good faith, reports a violation or suspected violation of any federal or state law or rule adopted pursuant to law to an employer or to any governmental body or law enforcement official;

(b) the employee is requested by a public body or office to participate in an investigation, hearing, inquiry;

(c) the employee refuses an employer's order to perform an action that the employee has an objective basis in fact to believe violates any state or federal law or rule or regulation adopted pursuant to law, and the employee informs the employer that the order is being refused for that reason;
(d) the employee, in good faith, reports a situation in which the quality of health care services provided by a health care facility, organization, or health care provider violates a standard established by federal or state law or a professionally recognized national clinical or ethical standard and potentially places the public at risk of harm; or

(e) a public employee communicates the findings of a scientific or technical study that the employee, in good faith, believes to be truthful and accurate, including reports to a governmental body or law enforcement official; or

(f) an employee in the executive branch of state government communicates information that the employee, in good faith, believes to be truthful and accurate, and that relates to improving services provided by the executive branch, to: (1) a legislator or an employee in the legislative branch; or (2) an elected official in the executive branch.

The disclosures protected pursuant to this section do not authorize the disclosure of data otherwise protected by law.

Sec. 11. Laws 2005, First Special Session chapter 1, article 4, section 121, subdivision 4, as amended by Laws 2007, chapter 29, section 1, subdivision 4, is amended to read:

Subd. 4. Duties. The commission shall have the following duties:

(1) to present to the governor and legislature a plan for grants to pay for capital improvements on Minnesota's historic public and private buildings, to be known as sesquicentennial grants;

(2) to seek funding for activities to celebrate the 150th anniversary of statehood, and to form partnerships with private parties to further this mission;

(3) to present an annual report to the governor and legislature outlining progress made towards the celebration of the sesquicentennial; and

(4) to encourage all activities celebrating the sesquicentennial to be as energy efficient as practicable; and

(5) to solicit input and suggestions from communities throughout the state during the sesquicentennial celebration regarding the selection and use of Minnesota Milestones goals and indicators.

Sec. 12. WORKING GROUP FOR MINNESOTA MILESTONES PROCESS AND INDICATORS.

By June 1, 2008, the commissioner of finance shall convene a working group of state agency staff, legislative staff, and other interested parties to assist in the preparation of recommendations for the Minnesota Milestones report required under Minnesota Statutes, section 16A.10, subdivision 1c. The working group shall consider collaborative opportunities with community organizations and higher education institutions. The working group expires 30 days after the commissioner has submitted recommendations required under Minnesota Statutes, section 16A.10, subdivision 1c."

Delete the title and insert:

“A bill for an act relating to state government; specifying budget development; establishing a Subcommittee on Government Accountability; aligning performance goals and agency resources; requiring a cash flow forecast; requiring certain duties and establishing certain rights for executive employees; amending Minnesota Statutes 2006, sections 3.885, by adding subdivisions; 3.987, subdivision 1; 16A.10, subdivisions 1, 1a, 1c; 16A.11, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 181.932, subdivision 1; Laws 2005, First Special Session chapter 1, article 4, section 121, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 43A.”

With the recommendation that when so amended the bill pass.

The report was adopted.
Carlson from the Committee on Finance to which was referred:

H. F. No. 3685, A bill for an act relating to environment; modifying toxic chemical release reporting requirements; amending Minnesota Statutes 2006, section 299K.08, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 3729, A bill for an act relating to energy; establishing Legislative Energy Commission; abolishing Legislative Electric Energy Task Force; making conforming correction; appropriating money; amending Minnesota Statutes 2006, section 216B.2424, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 2006, section 216C.051, subdivisions 3, 4a, 6, 7, 8; Minnesota Statutes 2007 Supplement, section 216C.051, subdivisions 2, 8a, 9.

Reported the same back with the following amendments:

Page 1, line 24, delete "task force" and insert "commission"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 3955, A bill for an act relating to human services; modifying regulations of certain home care service providers; promoting community-based care for older adults through the establishment of community consortiums; requiring reports; amending Minnesota Statutes 2006, section 144A.45, subdivision 1, by adding a subdivision.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 4100, A bill for an act relating to transportation; establishing driver and vehicle services technology account; imposing technology surcharge; adjusting certain fees; amending Minnesota Statutes 2006, sections 168.013, by adding a subdivision; 168A.29, as amended; 299A.705, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 171.06, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 19, delete "$7.25" and insert "$8"
Page 2, line 4, delete "$6.50" and insert "$7.25"

Page 2, line 9, delete "$8.25" and insert "$9"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

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

S. F. No. 2706, A bill for an act relating to energy; providing for development and application of building energy usage performance standards; amending Minnesota Statutes 2006, section 16B.325; Minnesota Statutes 2007 Supplement, section 216B.241, subdivision 1e, by adding a subdivision.

Reported the same back with the recommendation that the first unofficial engrossment pass.

The report was adopted.

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

S. F. No. 2786, A bill for an act relating to occupations; modifying effective dates for restricted plumber licenses; amending Minnesota Statutes 2007 Supplement, section 326.402, subdivisions 1, 3.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3034, 3292, 3380, 3437, 3587, 3729 and 3955 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2795, 2942, 2965, 3683, 2706 and 2786 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Zellers, Simpson, Emmer, Brod, Gottwalt, Finstad, Eastlund, Gunther, Erickson, Drazkowski, Nornes, Wardlow, Severson, Kohls, Demmer and McNamara introduced:

H. F. No. 4208, A bill for an act relating to taxation; modifying the provisions of the international economic development zone; repealing the corporate franchise tax; amending Minnesota Statutes 2006, sections 272.02, subdivision 83; 290.06, subdivision 2c, as amended; 290.067, subdivision 1; 290.0671, subdivision 1; 290.091,
subdivision 2, as amended; 297A.68, subdivision 41; 469.321, subdivision 6; 469.322; 469.324; 469.327, subdivisions 1, 2; 469.328, subdivision 1; 469.329; Minnesota Statutes 2007 Supplement, section 290.01, subdivision 19b, as amended; repealing Minnesota Statutes 2006, sections 289A.08, subdivision 3; 289A.26; 290.01, subdivisions 19c, 19d; 290.014, subdivision 5; 290.02; 290.06, subdivision 1; 290.0921; 290.0922; 290.093; 290.21; 290.34; 290.36; 290.371; 290.432; 469.321, subdivisions 2, 3, 7, 8, 9; 469.3215; 469.323; 469.325; 469.326.

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

Davnie, Greiling, Mariani, Morrow, Slawik and Anzelc introduced:

H. F. No. 4209, A bill for an act relating to education finance; expanding the tax levy for school district judgments; amending Minnesota Statutes 2006, section 126C.43, subdivision 3.

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

Davnie introduced:

H. F. No. 4210, A bill for an act relating to taxation; increasing area of homeless TIF district in Minneapolis; amending Laws 2006, chapter 259, article 10, section 14, subdivision 1.

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

Kahn, Greiling, Westrom and Davnie introduced:

H. F. No. 4211, A bill for an act relating to housing; requiring heating facilities in rental property; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 504B.

The bill was read for the first time and referred to the Housing Policy and Finance and Public Health Finance Division.

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

RECESS
RECONVENCED

The House reconvened and was called to order by Speaker pro tempore Thissen.

Thao was excused between the hours of 10:35 a.m. and 12:05 p.m.

The following Conference Committee Report was received:
CONFERENCE COMMITTEE REPORT ON H. F. NO. 3662

A bill for an act relating to local government; providing for a public hearing and public testimony before making an appointment to fill a vacancy on a county board; amending Minnesota Statutes 2006, section 375.101, by adding a subdivision.

April 21, 2008

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 3662 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 3662 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2007 Supplement, section 375.101, subdivision 4, is amended to read:

Subd. 4. Option for filling vacancies; appointment. Except as provided in subdivision 3, and as an alternative to the procedure provided in subdivisions 1 and 2, any other vacancy in the office of county commissioner may be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. If the vacancy occurs before the first day to file affidavits of candidacy for the next county general election and more than two years remain in the unexpired term, a special election shall be held in conjunction with the county general election. The appointed person shall serve until the qualification of the successor elected to fill the unexpired part of the term at that special election. If the vacancy occurs on or after the first day to file affidavits of candidacy for the county general election, or when less than two years remain in the unexpired term, there shall be no special election to fill the vacancy and the appointed person shall serve the remainder of the unexpired term and until a successor is elected and qualifies at the county general election. If one year or more remains in the unexpired term, a special election must be held under subdivision 1. If less than one year remains in the unexpired term, the county board may appoint a person to fill the vacancy for the remainder of the unexpired term, unless the vacancy occurs within 90 days of the next county general election, in which case an appointment shall not be made and the vacancy must be filled at the general election. The person elected to fill a vacancy at the general election takes office immediately in the same manner as for a special election under subdivision 1, and serves the remainder of the unexpired term and the new term for which the election was otherwise held.

Sec. 2. Minnesota Statutes 2006, section 375.101, is amended by adding a subdivision to read:

Subd. 5. County boards. Before making an appointment to fill a vacancy under subdivision 4, the county board must hold a public hearing not more than 30 days after the vacancy occurs with public notice given in the same manner as for a special meeting of the county board. At the public hearing the board must invite public testimony from persons residing in the district in which the vacancy occurs relating to the qualifications of prospective appointees to fill the vacancy. Before making an appointment, the board also must notify public officials in the affected district on the appointment, including town board and city council members, and must enter into the record at the board meeting in which the appointment is made the names and addresses of the public officials notified. If
after the public hearing, the board is unable or decides not to make an appointment under subdivision 4, it must hold a special election under subdivision 1, but the time period in which the election must be held begins to run from the date of the public hearing."

Delete the title and insert:

"A bill for an act relating to local government; providing for a public hearing and public testimony before making an appointment to fill a vacancy on a county board; changing the time period in which an appointment may be made; amending Minnesota Statutes 2006, section 375.101, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 375.101, subdivision 4."

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

House Conferees: BILL HILTY, WILL MORGAN AND LARRY HOWES.

Senate Conferees: TONY LOUREY, RICK E. OLSEEN AND BETSY L. WERGIN.

Hilty moved that the report of the Conference Committee on H. F. No. 3662 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3662, A bill for an act relating to local government; providing for a public hearing and public testimony before making an appointment to fill a vacancy on a county board; amending Minnesota Statutes 2006, section 375.101, by adding a subdivision.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, S.
Anzic
Atkins
Benson
Bills
Bigham
Bly
Brod
Brown
Brynaert
Buesgens
Bunn
Carlson
Clark
Cornish
Davnie
Dean
DeLaForest
Demmer
Dettmer
Dill
Ditrich
Dominguez
Doty
Drazkowski
Eastlund
Eken
Emmer
Erhardt
Erickson
Faust
Finstad
Fritz
Gardner
Garofalo
Gottwald
Greiling
Gunter
Hackbarth
Hamilton
Hansen
Hausman
Haws
Heidgerken
Hilstrom
Hilty
Hilz
Holberg
Hoppe
Hornstein
Hortman
Hosch
Hoyes
Hunley
Jaros
Johnson
Juhnke
Kahn
Kalin
Knuth
Koenen
Kohls
Kranz
Laine
Lanning
Leng
Lenciesski
Liebling
Lieder
Lillie
Loeffler
Madore
Magnus
Mauno
Maihoney
Maihoney
Mariani
Marquist
Pelowski
Peas
Pepin
Peterson, A.
Peterson, N.
Petersen, S.
Peterson, A.
Peterson, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
Petersen, A.
Petersen, N.
Petersen, S.
The bill was repassed, as amended by Conference, and its title agreed to.

**FISCAL CALENDAR**

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 3722.

H. F. No. 3722, A bill for an act relating to economic development; providing military reservist economic injury loans; defining terms; appropriating money; amending Minnesota Statutes 2007 Supplement, section 116L.17, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dill  Haws  Lenczewski  Olin  Simpson  Solberg  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Anderson, B.  Dittrich  Heidgerken  Liebling  Olson  Slawik  Solberg  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Anderson, S.  Dominguez  Hilstrom  Lieder  Otremba  Slucum  Smith  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Anzelc  Doty  Hilty  Lillie  Ozment  Smith  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Atkins  Drazkowski  Holberg  Loefler  Pausen  Solberg  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Benson  Eastlund  Hoppe  Madore  Paymar  Solberg  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Beres  Eken  Hornstein  Magnus  Pelowski  Solberg  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Bigham  Emmer  Hortman  Mahoney  Peppin  Solberg  Swails  Tingelstad  Wardlow  Winkler  Spk. Kelliher
Bly  Bly  Hofs  Mariani  Peterson, A.  Tangstad  Wardlow  Winkler  Spk. Kelliher
Brod  Erickson  Howes  Marquart  Peterson, N.  Tangstad  Wardlow  Winkler  Spk. Kelliher
Brown  Faust  Huntley  Masin  Peterson, S.  Tangstad  Wardlow  Winkler  Spk. Kelliher
Brynaert  Finstad  Jaros  McFarlane  Poppe  Wagenius  Wardlow  Winkler  Spk. Kelliher
Buesgens  Fritz  Johnson  McNamara  Rukavina  Wagenius  Wardlow  Winkler  Spk. Kelliher
Bunn  Gardner  Juhnke  Moe  Ruth  Wagenius  Wardlow  Winkler  Spk. Kelliher
Carlson  Garofalo  Kahn  Morgan  Ruud  Wieland  Winkler  Spk. Kelliher
Clark  Gottwalt  Kalin  Morrow  Sailer  Westrom  Winkler  Spk. Kelliher
Cornish  Greiling  Knuth  Mullery  Seifert  Winkler  Spk. Kelliher
Davnie  Gunther  Koenen  Murphy, E.  Seier  Winkler  Spk. Kelliher
Dean  Hackbart  Kohls  Murphy, M.  Se intox  Zellers  Winkler  Spk. Kelliher
DeLaForest  Hamilton  Krantz  Nelson  Severson  Winkler  Spk. Kelliher
Demmer  Hansen  Laine  Nornes  Shimanski  Winkler  Spk. Kelliher
Dettmer  Hausman  Lanning  Norton  Simon  Winkler  Spk. Kelliher

The bill was passed and its title agreed to.

**FISCAL CALENDAR**

Pursuant to rule 1.22, Solberg requested immediate consideration of S. F. No. 3337.
S. F. No. 3337 was reported to the House.

Hilty moved to amend S. F. No. 3337, the unofficial engrossment, as follows:

Page 1, delete section 1

Page 14, line 3, delete "International" and insert "Intergovernmental"

Page 15, delete section 23

Page 15, line 26, delete "sections 115.071 and" and insert "section"

Page 16, line 2, after the period, insert "The options for reducing emissions must include phasing out specific consumer products containing high global warming potential gases where that is cost-effective."

Page 16, delete section 26

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kohls moved that S. F. No. 3337, the unofficial engrossment, as amended, be re-referred to the Committee on Public Safety and Civil Justice. The motion did not prevail.

Nornes moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 8, delete lines 3 to 14

A roll call was requested and properly seconded.

The question was taken on the Nornes amendment and the roll was called. There were 46 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Anderson, B.    Demmer     Gottwalt    Kohls    Olson    Simpson
Anderson, S.    Dettmer    Gunther    Kranz    Paulsen    Smith
Berns           Drazkowski Hack Barth Lanning Peppin    Urdahl
Brod            Eastlund    Hamilton    Magnus    Poppe    Wardlow
Buesgens        Emmer     Heidgerken McFarlane    Ruth    Westrom
Cornish         Erickson   Holberg    McNamara Seifert    Zellers
Dean            Finstad    Hoppe      Nornes    Severson
DeLaForest      Garofalo   Howes      Olin      Shimanski

Those who voted in the negative were:

...
Those who voted in the negative were:

Abeler    Dominguez    Hortman    Lillie    Norton    Slawik
Anzelc    Doty          Hosch      Loeffler   Otremba   Slocum
Atkins    Eken          Huntley    Madore     Ozment    Solberg
Benson    Erhardt       Jaros      Mahoney   Paymar     Swails
Bigham    Faust         Johnson    Mariani    Pelowski  Thissen
Bly       Fritz         Juhnke     Marquart   Peterson, A.  Tillberry
Brown     Gardner       Kahn       Masin      Peterson, N.  Tschumper
Brynaert  Greiling      Kalin      Moe        Peterson, S.  Wagenius
Bunn      Hansen        Knuth      Morgan     Ruud       Ward
Carlson   Hausman       Koenen     Morrow     Sailer     Welti
Clark     Haws          Laine      Mullery    Scalze     Winkler
Davnie    Hilstrom      Lenczewski Murphy, E.  Sertich    Wollschlager
Dill      Hilty         Liebling   Murphy, M. Sertich    Wollschlager
Dittrich  Hornstein    Lieder     Nelson     Simon      Spk. Kelliher

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

Westrom; Peterson, A., and Heidgerken moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 12, after line 1, insert:

"Sec. 17. [216F.012] SIZE ELECTION.

(a) Owners of wind energy conversion systems that consist of single ownership units with a nameplate capacity less than five megawatts and a combined nameplate capacity of less than 25 megawatts, as determined under section 216F.011, may elect to be classified as a small wind energy conversion system or a large wind energy conversion system under this chapter.

(b) This section expires July 1, 2012."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hackbarth moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 10, after line 16, insert:

"Sec. 14. Minnesota Statutes 2006, section 216B.243, subdivision 3b, is amended to read:

Subd. 3b. Nuclear power plant; new construction prohibited; relicensing. (a) The commission may not issue a certificate of need for the construction of a new nuclear-powered electric generating plant, unless the federal Price-Anderson Act is reviewed."

...
(b) Any certificate of need for additional storage of spent nuclear fuel for a facility seeking a license extension shall address the impacts of continued operations over the period for which approval is sought."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

Kahn moved to amend the Hackbarth amendment to S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 1, line 7, after "unless" and insert "the limitation on the liability in"

Page 1, line 8, delete "reviewed" and insert "repealed"

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 43 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Atkins  Gardner  Hortman  Liebling  Mullery  Tillberry
Bigham  Greiling  Jaros  Lillie  Murphy, E.  Tschumper
Bly  Hackbarth  Johnson  Madore  Murphy, M.  Wagenius
Brynaert  Hansen  Kahl  Mariani  Peterson, A.
Clark  Hauserman  Kalin  McFarlane  Rukavina
Davnie  Hilstrom  Knuth  Moe  Sailer
Dominguez  Hilty  Laine  Morgan  Sertich
Eken  Hornstein  Lenczewski  Morrow  Thao

Those who voted in the negative were:

Abeler  Dettmer  Hamilton  Magnus  Peppin  Solberg
Anderson, B.  Dill  Haws  Mahoney  Peterson, N.  Swails
Anderson, S.  Dittrich  Heidgerken  Marquart  Peterson, S.  Thissen
Anzelc  Doty  Holberg  Masin  Poppe  Tingelstad
Benson  Drazkowski  Hoppe  McNamara  Ruth  Udahl
Berns  Eastlund  Hoech  Nelson  Ruud  Ward
Brod  Emmer  Howes  Nornes  Scalze  Wielw
Brown  Erhardt  Huntley  Norton  Seifert  Westrom
Buesgens  Erickson  Juhnke  Olin  Severson  Winkler
Bunn  Faust  Koenen  Olson  Shimanski  Wollschlager
Carlson  Finstad  Kohls  Otremba  Simon  Zellers
Cornish  Fritz  Kranz  Ozment  Simpson
Dean  Garofalo  Lanning  Paulsen  Slawik
DeLaForest  Gottwald  Lieder  Paymar  Slocum
Demmer  Gunther  Loeffler  Pelowski  Smith

The motion did not prevail and the amendment to the amendment was not adopted.
The question recurred on the Hackbarth amendment and the roll was called. There were 52 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Dettmer  Gottwalt  Kohls  Paulsen  Smith
Anderson, S.  Drazkowski  Gunther  Lanning  Pelowski  Tingelstad
Berns  Eastlund  Hackbarth  Magnus  Peppin  Urda
Brod  Emmer  Hamilton  McFarlane  Peterson, N.  Wardlow
Buesgens  Erhardt  Heidgerken  McNamara  Ruth  Westrom
Cornish  Erickson  Holberg  Nornes  Seifert  Wollschlager
Dean  Faust  Hoppe  Olson  Severson  Zellers
DeLaForest  Finstad  Howes  Otremba  Shimanski
Demmer  Garofalo  Koenen  Ozment  Simpson

Those who voted in the negative were:

Abeler  Dominguez  Huntley  Madore  Paymar  Thao
Anzelc  Doty  Jaros  Mahoney  Peterson, A.  Thissen
Atkins  Eken  Johnson  Mariani  Peterson, S.  Tillberry
Benson  Fritz  Juhnke  Marquart  Poppe  Tschumper
Bigham  Gardner  Kahn  Masin  Rukavina  Wagenius
Bly  Greiling  Kalin  Moe  Ruud  Ward
Bly  Hanson  Knuth  Morgan  Sailer  Welti
Brynaert  Hausman  Kranz  Morrow  Scalze  Winkler
Bunn  Haws  Laine  Mullery  Sertich  Spk. Kelliher
Carlson  Hilstrom  Lenczewski  Murphy, E.  Simon
Clark  Hilty  Liebling  Murphy, M.  Slawik
Davnie  Hornstein  Lieder  Nelson  Slocum
Dill  Hortman  Lillie  Norton  Solberg
Dittrich  Hosch  Loeffler  Olin  Swails

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

Emmer moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 13, delete section 20
Page 14, delete sections 21 and 22
Page 15, line 26, delete "Sections 216H.10 to" and insert "Section"
Page 15, delete section 25
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 86 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Demmer  Gunther  Kohls  Paulsen  Urdahl
Anderson, S.  Dettmer  Hackbarth  Kranz  Peppin  Wardlow
Berns  Drazkowski  Hamilton  Lanning  Ruth  Westrom
Brod  Eastlund  Heiderken  Magnus  Seifert  Wollschlager
Buesgens  Emmer  Holberg  McFarlane  Severson  Zellers
Cornish  Erickson  Hoppe  McNamara  Shimanski
Dean  Finstad  Hosch  Nornes  Simpson
DeLaForest  Gottwalt  Howes  Olson  Smith

Those who voted in the negative were:

Abeler  Doty  Huntley  Mahoney  Paymar  Swails
Anzelc  Eken  Jaros  Mariani  Pelowski  Thao
Atkins  Erhardt  Johnson  Marquart  Peterson, A.  Thissen
Benson  Faust  Juhnke  Masin  Peterson, N.  Tillberry
Bigham  Fritz  Kahn  Moe  Peterson, S.  Tingelstad
Bly  Gardner  Kalin  Morgan  Poppe  Tschumper
Brown  Garofalo  Knuth  Morrow  Rukavina  Wagenius
Brynaert  Greiling  Koenen  Mullery  Ruud  Ward
Bunn  Hansen  Laine  Murphy, E.  Sailer  Welti
Carlson  Hausman  Lenczewski  Murphy, M.  Scalze  Winkler
Clark  Haws  Liebling  Nelson  Sertich  Spk. Kelliher
Davnie  Hilstrom  Lieder  Norton  Simon
Dill  Hilty  Lillie  Olin  Slawik
Dittrich  Hornstein  Loeffler  Otremba  Slocum
Dominguez  Hortman  Madore  Ozment  Solberg

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

Kohls moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 5, lines 18 and 24, reinstate the stricken "objectives" and insert "and standards" and delete "obligations"

The motion prevailed and the amendment was adopted.

Erickson moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 14, line 4, before the period, insert "and other authoritative reports"

A roll call was requested and properly seconded.
The question was taken on the Erickson amendment and the roll was called. There were 43 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, S.
Berns
Brod
Buesgens
Cornish
Dean
DeLaForest
Demmer
Dettmer
Drazkowski
Eastlund
Emmer
Erickson
Garofalo
Gottwald
Gunther
Hackbarth
McFarlane
Hamilton
Hackbarth
Hamilton
Heidgerken
Hoppe
Howes
Kohls
Lanning
Magnus
Nornes
Simpson
Olson
Smith
Tingelstad
Peppin
Urdahl

Those who voted in the negative were:

Anzelc
Atkins
Benson
Bigham
Bly
Brown
Brynaert
Bunn
Carlson
Clark
Davnie
Dill
Dittrich
Dominguez
Doty
Eken
Erhardt
Faust
Fritz
Gardner
Greiling
Hansen
Haasman
Haws
Hilstrom
Hilty
Hornein
Hortman
Hosch
Hunter
Jaros
Johnson
Juhnke
Kahn
Kaln
Kalin
Knuth
Koenen
Kranz
Laine
Lenczewski
Liebling
Lieder
Liede
Loeffler
Madore
Mahoney
Mariani
Marquart
Masin
McNamara
Moe
Morgan
Morrow
Mullery
Murphy, E.
Murphy, M.
Nelson
Norton
Olin
Otrempa
Ozment
Paymar
Pelowski
Peterson, A.
Peterson, N.
Peterson, S.
Poppe
Rukavina
Ruud
Sailer
Scalze
Sertich
Simon
Slawik
Solberg
Swails
Thao
Thissen
Tillberry
Tschumper
Wagenius
Ward
Welti
Winkler
Wollschlager
Spk. Kelliher

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

Hilty moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 13, line 5, after "regular" delete the comma

Page 13, line 6, delete "mandated"

The motion prevailed and the amendment was adopted.

Olson; Anderson, B.; Shimanski and Erickson moved to amend S. F. No. 3337, the unofficial engrossment, as amended, as follows:

Page 14, delete section 21 and insert:

“Sec. 21. [216H.13] GLOBAL WARMING CLIMATE CHANGE POLICY ISSUES; REQUIRED PUBLIC HEARINGS.

(a) By July 1, 2010, the Pollution Control Agency must hold at least three public hearings in each Congressional district in this state, during which equal time for expert testimony on the scientific evidence with respect to the global warming climate change issues and related policy options is provided to both proponents and opponents. Public testimony must also be allowed. Each meeting must last a minimum of two hours.”
(b) The hearings in paragraph (a) are contingent on private funding being contributed equally from both proponents and opponents.

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 Olson et al amendment and the roll was called. There were 37 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Demmer  Garofalo  Kohls  Seifert  Westrom
Anderson, S.  Dettinger  Gottwalt  Lanning  Severson  Zellers
Berns  Drazkowski  Gunther  Nornes  Shimanski  Simpson
Brod  Eastlund  Hackbarth  Olson  Smith
Buesgens  Emmer  Hamilton  Paulsen  Smith
Cornish  Erickson  Heidgerken  Peppin  Urda  Schell
DeLaForest  Finstad  Holberg  Ruth  Wardlow

Those who voted in the negative were:

Abeler  Doty  Howes  Madore  Olin  Slocum
Anzelc  Eken  Huntley  Magnus  Otrema  Solberg
Atkins  Erhardt  Jaros  Mahoney  Ozment  Swails
Benson  Faust  Johnson  Mariani  Paymar  Thao
Bigham  Fritz  Juhnke  Marquart  Pelowski  Thissen
Bly  Gardner  Kahn  Masin  Peterson, A.  Tillberry
Brown  Greiling  Kain  McFarlane  Peterson, N.  Tingelstad
Brynaert  Hansen  Knuth  McNamara  Peterson, S.  Tschumper
Bunn  Hausman  Koenen  Moe  Poppe  Wagenius
Carlson  Haws  Kranz  Morgan  Rukavina  Ward
Clark  Hilstrom  Laine  Morrow  Ruud  Welti
Davnie  Hilty  Lenczewski  Mullery  Sailer  Winkler
Dean  Hoppe  Liebling  Murphy, E.  Scalze  Wollschlager
Dill  Hornstein  Lieder  Murphy, M.  Sertich  Spk. Kelliher
Dittrich  Hortman  Lillie  Nelson  Simon  Spk. Kelliher
Dominguez  Hosch  Loeffler  Norton  Slawik

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

The Speaker called Thissen to the Chair.

S. F. No. 3337, A bill for an act relating to energy; creating coordinated process for reducing greenhouse gas emissions; proposing coding for new law in Minnesota Statutes, chapter 216H.

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 109 yeas and 22 nays as follows:

Those who voted in the affirmative were:

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<tr>
<th>Abeler</th>
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<th>Hosch</th>
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<td>Anderson, S.</td>
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<td>Atkins</td>
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<td>Murphy, E.</td>
<td>Scalze</td>
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<td>Carlson</td>
<td>Hausman</td>
<td>Lanning</td>
<td>Murphy, M.</td>
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<td>Clark</td>
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<td>Cornish</td>
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<td>Davnie</td>
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<td>Dill</td>
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<td>Dittrich</td>
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<td>Dominguez</td>
<td>Hortman</td>
<td>Magnus</td>
<td>Paulsen</td>
<td>Solberg</td>
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</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Anderson, B.</th>
<th>DeLaForest</th>
<th>Emmer</th>
<th>Hackbarth</th>
<th>Olson</th>
<th>Wardlow</th>
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<td>Brod</td>
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<td>Seifert</td>
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<td>Dean</td>
<td>Eastlund</td>
<td>Garofalo</td>
<td>Kohls</td>
<td>Shimanski</td>
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The bill was passed, as amended, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich 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 Wednesday, April 23, 2008:

H. F. Nos. 3195, 2996, 3090, 3486 and 3800; and S. F. Nos. 2942, 3331, 2967, 3564, 3069, 2996, 3360, 3455, 3672, 3098, 3756, 3755 and 3443.

Erhardt was excused between the hours of 1:15 p.m. and 4:20 p.m.

CALENDAR FOR THE DAY

H. F. No. 3195 was reported to the House.
Knuth moved to amend H. F. No. 3195, the third engrossment, as follows:

Page 1, line 13, delete "December 1, 2008" and insert "January 15, 2009"

Page 2, delete line 23, and insert "The report must be submitted to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy and environmental policy by January 15, 2009."

Page 3, line 23, delete "job loss" and insert "jobs"

Page 4, line 1, delete "1" and insert "15"

Page 4, line 4, delete "(a)"

Page 4, line 15, delete the second "and"

Page 4, line 16, delete the period and insert "; and"

Page 4, line 17, delete everything before "directed" and insert "(7) a scenario in which a majority of expenditures is" and delete "paragraph (a)."

The motion prevailed and the amendment was adopted.

Erickson moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 3, after line 34, insert:

"(d) The study must include a summary of findings from credible scientists, researchers, and higher educational institutions that attribute causes other than human activity as causes of climate change."

Page 4, line 1, delete "(d)" and insert "(e)"

A roll call was requested and properly seconded.

The question was taken on the Erickson amendment and the roll was called. There were 46 yeas and 84 nays as follows:

Those who voted in the affirmative were:

| Anderson, B. | Demmer | Gotzwalt | Hosch | Olson | Simpson |
| Anderson, S. | Dettmer | Gunther | Howes | Paulsen | Smith |
| Berns | Drazkowski | Hackbarth | Kohls | Peppin | Urdaahl |
| Brod | Eastlund | Hamilton | Lanning | Ruth | Wardlow |
| Buesgens | Emmer | Haws | Magnus | Scalze | Westrom |
| Cornish | Erickson | Heidgerken | McFarlane | Seifert | Zellers |
| Dean | Finstad | Holberg | Murphy, E. | Severson | |
| DeLaForest | Garofalo | Hoppe | Nornes | Nornes | Nornes |

Those who voted in the negative were:

| Abeler | Benson | Brown | Carlson | Dill | Doty |
| Anzelc | Bigham | Brynaert | Clark | Dittrich | Eken |
| Atkins | Bly | Bunn | Davnie | Dominguez | Faust |
The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Brod moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 1, delete section 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 Brod amendment and the roll was called. There were 41 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Dettmer  Garofalo  Hoppe  Olin  Shimanski
Brod            Dill    Gottwald  Howes  Olson    Simpson
Buesgens        Drazkowski  Gunther  Kohls  Paulsen  Smith
Cornish        Eastlund  Hackbarth  Lanning  Peppin  Wardlow
Dean            Emmer  Hamilton  Magnus  Ruth  Westrom
DelLaForest  Erickson  Heidgerken  McFarlane  Seifert  Zellers
Demmer        Finstad  Holberg  Nornes  Severson

Those who voted in the negative were:

Abeler          Brown    Doty    Haws    Johnson    Lenczewski
Anderson, S.  Brynaert   Eken    Hilstrom  Juhnke    Liebling
Anzelc          Bunn     Faust    Hilty    Kahn      Lieder
Atkins          Carlson  Fratz    Hornstein  Kalin    Lillie
Benson          Clark    Gardner  Hortman  Knuth    Loeffler
Berns            Davnie  Greiling  Hosch   Koenen    Madore
Bigham          Dittrich  Hansen  Huntley  Kranz    Mahoney
Bly             Dominguez  Hausman  Jaros    Laine    Mariani
The motion did not prevail and the amendment was not adopted.

Howes moves to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, delete line 12 and insert "approved by a majority vote of the Iron Range Resources and Rehabilitation Board."

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

McNamara moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, line 12, after "legislature" insert "and the legislatures of at least two states bordering Minnesota"

A roll call was requested and properly seconded.

The question was taken on the McNamara amendment and the roll was called. There were 48 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abeler  DeLaForest  Finstad  Hoppe  McNamara  Seifert
Anderson, B.  Demmer  Garofalo  Howes  Nornes  Severson
Anderson, S.  Dettmer  Gottwalt  Juhnke  Olin  Shimanski
Berens  Dill  Gunther  Koenen  Olson  Simpson
Brod  Drazkowski  Hackbart  Kohls  Paulsen  Urdahl
Buesgens  Eastlund  Hamilton  Lanning  Peppin  Wardlow
Cornish  Emmer  Heidgerken  Magnus  Peterson, N.  Westrom
Dean  Erickson  Holberg  McFarlane  Ruth  Zellers

Those who voted in the negative were:

Anzelc  Carlson  Fritz  Hornstein  Knuth  Madore
Atkins  Clark  Gardner  Hortman  Kranz  Mahoney
Benson  Davnie  Greiling  Hosch  Kranz  Laine
Brigham  Dittrich  Hansen  Huntley  Lenczewski  Marquart
Bly  Dominguez  Hausman  Jaros  Liebling  Masin
Brown  Doty  Haws  Johnson  Lieder  Moe
Brynaert  Eken  Hilstrom  Kahn  Lillie  Morgan
Bunn  Faust  Hilty  Kalin  Loeffler  Morrow

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

Magnus, Hamilton and Lanning moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, after line 12, insert:

"(d) Any cap and trade agreements entered into may not limit greenhouse gas emissions from municipal utilities or cooperative electric associations selling electricity in Minnesota."

A roll call was requested and properly seconded.

The question was taken on the Magnus et al amendment and the roll was called. There were 51 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Finstad  Hosch  Olin  Tschumper
Anderson, B.  Dettmer  Garofalo  Howes  Olson  Urdahl
Anderson, S.  Dill  Gottwalt  Juhnke  Otrema  Ward
Anzelc  Doty  Gunther  Koenen  Peppin  Wardlow
Bly  Drazkowski  Hackbarth  Kohls  Rukavina  Westrom
Brod  Eastlund  Hamilton  Lanning  Seifert  Zellers
Buesgens  Emmer  Heidgerken  Magnus  Severson
Cornish  Erickson  Holberg  McFarlane  Shimanski
DeLaForest  Faust  Hoppe  Nornes  Simpson

Those who voted in the negative were:

Atkins  Eken  Johnson  Mariani  Paulsen  Slocum
Benson  Fritz  Kahl  Marquart  Paymar  Smith
Berns  Gardner  Kalin  Masin  Pelowski  Solberg
Bigham  Greiling  Knuth  McNamara  Peterson, A.  Swails
Brown  Hansen  Kranz  Moe  Peterson, N.  Thao
Brynaert  Hausman  Laine  Morgan  Peterson, S.  Thissen
Bunn  Haws  Lenczewski  Morrow  Poppe  Tillberry
Carlson  Hilstrom  Liebling  Mullery  Ruud  Tingelstad
Clark  Hilty  Lieder  Murphy, E.  Sailer  Wagenius
Davnie  Hornstein  Lilie  Murphy, M.  Scalze  Welti
Dean  Hortman  Loeffler  Nelson  Sertich  Winkler
Dittrich  Huntley  Madore  Norton  Simon  Wollschlager
Dominguez  Jaros  Mahoney  Ozment  Slawik  Spk. Kelliher

The motion did not prevail and the amendment was not adopted.
Hoppe moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, line 4, after "legislators" insert ", three representatives from the business community, and three representatives from organized labor"

Page 2, line 6, after "legislators" insert "and business and labor representatives"

A roll call was requested and properly seconded.

Mahoney moved to amend the Hoppe amendment to H. F. No. 3195, the third engrossment, as amended, as follows:

Page 1, line 2, delete ", three representatives from the business"

Page 1, line 3, delete "community."

Page 1, line 4, delete "and business"

The motion prevailed and the amendment to the amendment was adopted.

Hoppe withdrew his amendment, as amended, to H. F. No. 3195, the third engrossment, as amended.

Emmer and Magnus moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, after line 12, insert:

"Sec. 4. [216H.13] CAP AND TRADE PROGRAM; TERMINATION.

If the Department of Commerce determines that implementing a cap and trade program results in energy prices increasing to a level exceeding 30 percent of median family income in Minnesota, the cap and trade program is terminated without further action by the legislature."

A roll call was requested and properly seconded.

The question was taken on the Emmer and Magnus amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler        Brown        Dettmer        Erickson        Hamilton        Juhnke
Anderson, B.  Buesgens     Dill           Finstad         Heidgerken     Koenen
Anderson, S.  Cornish       Dittrich       Garofalo        Holberg         Kohls
Anzelc        Dean          Drazkowski     Gottwald       Hoppe          Kranz
Berns         DeLaForest     Eastlund       Gunther        Hosch          Lanning
Brod          Demmer        Emmer          Hackbarth      Howes          Liebling
Those who voted in the negative were:

Andersen, S., and Bunn moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 4, line 9, after "emissions" insert ", including telecommuting tax credits"

The motion prevailed and the amendment was adopted.

Olson and Erickson moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 3, after line 34, insert:

"(d) The study must consider greenhouse gas emissions in developing countries such as China and India compared to emissions in the United States and Minnesota, to confirm possible effects from expanded trade with those developing countries and increased resulting emissions."

Page 4, line 1, delete "(d)" and insert "(e)"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.
The motion did not prevail and the amendment was not adopted.

Mahoney, Hoppe and Knuth moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, line 4, after "legislators" insert "two representatives from the non-energy-related business community, and three representatives from organized labor"

Page 2, line 6, after "legislators" insert "and business and labor representatives"

The motion prevailed and the amendment was adopted.

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

Magnus moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, after line 12, insert:
"Sec. 4. **[216H.13] CAP AND TRADE PROGRAM; TERMINATION.**

If the cost to Minnesota consumers and businesses of implementing a cap and trade program exceeds $5 billion annually, as estimated by the Department of Commerce, the cap and trade program is terminated without further action by the legislature."

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 Magnus amendment and the roll was called. There were 43 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abeler  Dill  Hackbarth  Lanning  Ruth  Welti
Anderson, B.  Drazkowski  Hamilton  Liebling  Seifert  Westrom
Anderson, S.  Eastlund  Heidgerken  Magnus  Severson  Zellers
Buesgens  Emmer  Holberg  McFarlane  Shimanski
Cornish  Erickson  Hoppe  Nornes  Simpson
DeLaForest  Finstad  Hosch  Olin  Smith
Demmer  Gottwald  Howes  Olson  Urdahl
Dettmer  Gunther  Kohls  Peppin  Wardlow

Those who voted in the negative were:

Anzelc  Dominguez  Huntley  Mahoney  Paulsen  Solberg
Atkins  Doty  Jaros  Mariani  Paymar  Swails
Benson  Eken  Johnson  Marquart  Pelowski  Thao
Berns  Faust  Juhnke  Masin  Peterson, A.  Tillberry
Bigham  Fritz  Kahn  McNamara  Peterson, N.  Tinglestad
Bly  Gardner  Kalin  Moe  Peterson, S.  Tschumper
Brod  Garofalo  Knuth  Morgan  Poppe  Wagenius
Brown  Greiling  Koenen  Morrow  Rukavina  Ward
Brynaert  Hansen  Kranz  Mullery  Ruud  Winkler
Bunn  Hausman  Laine  Murphy, E.  Sailer  Wollschlager
Carlson  Haws  Lenczewski  Murphy, M.  Scalze  Spk. Kelliher
Clark  Hilstrom  Lieder  Nelson  Sertich
Davnie  Hilty  Lillie  Norton  Simon
Dean  Hornstein  Loeffler  Otremba  Slawik
Dittrich  Hortman  Madore  Ozment  Slocum

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

Emmer moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 3, line 29, delete "and"

Page 3, line 31, before the period, insert "; and
(11) an estimate of greenhouse gas emissions from publicly-owned buses containing fewer than six fare-paying passengers"

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

DeLaForest moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, delete line 12 and insert "the Minnesota corporate tax rate is lowered sufficiently to offset producer cost increases estimated in the study conducted under section 4, subdivision 2, paragraph (b), clauses (1) and (2)."

A roll call was requested and properly seconded.

The question was taken on the DeLaForest amendment and the roll was called. There were 46 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abeler  Dean  Erickson  Holberg  Olson  Simpson
Anderson, B.  DeLaForest  Finstad  Hoppe  Paulsen  Smith
Anderson, S.  Demmer  Garofalo  Howes  Peppin  Urdahl
Berns  Dettmer  Gottwalt  Kohls  Ruth  Wardlow
Brod  Dittrich  Gunther  Lanning  Scalze  Westrom
Brown  Drazkowski  Hackbart  Magnus  Seifert  Zellers
Buesgens  Eastlund  Hamilton  McFarlane  Severson
Cornish  Emmer  Heidgerken  Nornes  Shimanski

Those who voted in the negative were:

Anzelc  Faust  Johnson  Mariani  Ozment  Solberg
Atkins  Fritz  Juhnke  Marquart  Paymar  Swails
Benson  Gardner  Kahn  Masin  Pelowski  Thao
Bigham  Greiling  Kalin  McNamara  Peterson, A.  Tillberry
Bly  Hansen  Knuth  Moe  Peterson, N.  Tingelstad
Brynaert  Hausman  Koenen  Morgan  Peterson, S.  Tschumper
Bunn  Haws  Laine  Morrow  Poppe  Wagensius
Carlson  Hilstrom  Lenczewski  Mullery  Rukavina  Ward
Clark  Hilty  Liebling  Murphy, E.  Ruud  Welti
Davnie  Hornstein  Lieder  Murphy, M.  Sailer  Winkler
Dill  Hortman  Lillie  Nelson  Sertich  Wollschlager
Dominguez  Hosch  Loeffer  Norton  Simon  Spk. Kelliher
Doty  Huntley  Madore  Olin  Slawik  Spk. Kelliher
Eken  Jaros  Mahoney  Otrema  Slocum  Spk. Kelliher

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

Kranz was excused for the remainder of today’s session.
Gunther moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, after line 12, insert:

"Sec. 4. [216H.13] POST-IMPLEMENTATION COST STUDY.

Beginning one year after the initial implementation of a statewide cap and trade program, and each year thereafter, the Department of Commerce shall submit a study to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy and environmental policy that estimates the annual economic cost to Minnesota consumers and businesses resulting from the implementation of the cap and trade program."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Knuth moved to amend the Gunther amendment to H. F. No. 3195, the third engrossment, as amended, as follows:

Page 1, line 8, after "cost" insert "and benefit"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Gunther amendment, as amended, to H. F. No. 3195. The motion prevailed and the amendment, as amended, was adopted.

Kohls moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, line 12, after "by" insert "an affirmative vote of two-thirds of the members of both houses of"

A roll call was requested and properly seconded.

The question was taken on the Kohls amendment and the roll was called. There were 40 yeas and 88 nays as follows:

Those who voted in the affirmative were:

- Anderson, B.
- Anderson, S.
- Brod
- Buesgens
- Cornish
- Dean
- DeLaForest
- Demmer
- Dettmer
- Dill
- Drazkowski
- Eastlund
- Emmer
- Erickson
- Finstad
- Gottwald
- Hackbarth
- Hamilton
- Heidgerken
- Holberg
- Howes
- Lanning
- Magnus
- McFarlane
- Nornes
- Peppin
- Peppin
- Ruth
- Seifert
- Severson
- Shimanski
- Smith
- Smith
- Urdahl
- Wardlow
- Westrom
- Zellers
Those who voted in the negative were:

Abelew  Doty  Huntley  Mahoney  Ozment  Stocum
Anzelc  Eken  Jaros  Mariani  Paulsen  Solberg
Atkins  Faust  Johnson  Marquart  Paymar  Swails
Benson  Fritz  Juhnke  Masin  Pelowski  Thao
Berns  Gardner  Kahn  McNamara  Peterson, A.  Tillberry
Bigham  Garofalo  Kalin  Moe  Peterson, N.  Tingelstad
Bly  Greiling  Knuth  Morgan  Peterson, S.  Tschumper
Brown  Hansen  Koenen  Morrow  Poppe  Wagenius
Brynaert  Hausman  Laine  Mullery  Rukavina  Ward
Bunn  Haws  Lenczewski  Murphy, E.  Ruud  Welti
Carlson  Hilstorm  Liebling  Murphy, M.  Sailer  Winkler
Clark  Hilty  Lieder  Nelson  Scalze  Wollenschlager
Davnie  Hornstein  Lillie  Norton  Sertich  Spk. Kelliher
Dittrich  Hortman  Loeffler  Olin  Simon
Dominguez  Hosch  Madore  Otrema  Slawik

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

Magnus, Kohls and Brod moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 2, line 12, after "legislature" insert "and by a statewide referendum"

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

Peppin moved to amend H. F. No. 3195, the third engrossment, as amended, as follows:

Page 3, after line 34, insert:

"(d) The study must consider the public health impacts as well as greenhouse gas reductions associated with the use of compact fluorescent light bulbs (CFL)."

A roll call was requested and properly seconded.

The question was taken on the Peppin amendment and the roll was called. There were 42 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Dean  Erickson  Heidgerken  McFarlane  Severson
Anderson, S.  DeLaForest  Finstad  Holberg  Nornes  Shimanski
Berns  Demmer  Garofalo  Hoppe  Olson  Simpson
Brod  Dettmer  Gottwald  Howes  Paulsen  Smith
Buesgens  Drazkowski  Gunther  Kohls  Pepin  Wardlow
Bunn  Eastlund  Hackbarth  Lanning  Ruth  Westrom
Cornish  Emmer  Hamilton  Magnus  Seifert  Zellers
Those who voted in the negative were:

Abeler  Eken  Johnson  Marquart  Pelowski  Thao
Anzelc  Faust  Juhnke  Masin  Peterson, A.  Tillberry
Atkins  Fritz  Kahn  McNamara  Peterson, N.  Tingelstad
Benson  Gardner  Kalin  Moe  Peterson, S.  Tschumper
Bigham  Greiling  Knuth  Morgan  Poppe  Urdahl
Bly  Hansen  Koenen  Morrow  Rukavina  Wagenius
Brown  Hausman  Laine  Mullery  Ruud  Ward
Brynaert  Haws  Lenczewski  Murphy, E.  Sailer  Welti
Carlson  Hilstrom  Liebling  Murphy, M.  Scalze  Winkler
Clark  Hilty  Lieder  Nelson  Sertich  Wollschlager
Davnie  Hornstein  Lillie  Norton  Simon  Spk. Kelliher
Dill  Hortman  Loeffler  Olin  Slawik
Dittrich  Hosch  Madore  Otremba  Slocum
Dominguez  Huntley  Mahoney  Ozment  Solberg
Doty  Jaros  Mariani  Paymar  Swails

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

H. F. No. 3195, A bill for an act relating to environment; establishing an intent to participate in a cap and trade program for greenhouse gas emissions; requiring studies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216H.

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 91 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Abeler  Doty  Huntley  Mahoney  Paulsen  Swails
Anderson, S.  Eken  Jaros  Mariani  Paymar  Thao
Atkins  Erhardt  Johnson  Marquart  Pelowski  Tillberry
Benson  Faust  Juhnke  Masin  Peterson, A.  Tingelstad
Berns  Fritz  Kahn  McFarlane  Peterson, N.  Tschumper
Bigham  Gardner  Kalin  McNamara  Peterson, S.  Wagenius
Bly  Greiling  Knuth  Moe  Poppe  Ward
Brown  Gunther  Koenen  Morgan  Ruth  Welti
Brynaert  Hansen  Laine  Morrow  Ruud  Winkler
Bunn  Hausman  Lanning  Mullery  Sailer  Wollschlager
Carlson  Haws  Lenczewski  Murphy, E.  Scalze  Spk. Kelliher
Clark  Hilstrom  Liebling  Murphy, M.  Sertich
Cornish  Hilty  Lieder  Nelson  Simon
Davnie  Hornstein  Lillie  Norton  Slawik
Dittrich  Hortman  Loeffler  Otremba  Slocum
Dominguez  Hosch  Madore  Ozment  Smith

Those who voted in the negative were:

Anderson, B.  Buesgens  Demmer  Drazkowski  Erickson  Gottwalt
Anzelc  Dean  Dettmer  Eastlund  Finstad  Hackbart
Brod  DeLaForest  Dill  Emmer  Garofalo  Hamilton
The bill was passed, as amended, and its title agreed to.

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


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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Abeler  Dittrich  Hilty  Lieder  Olin  Solberg
Andersen, S.  Dominguez  Holberg  Lillie  Otremba  Swails
Anzelc  Doty  Hornstein  Loeffler  Ozment  Thao
Atkins  Eastlund  Hoppe  Madore  Paymar  Tillberry
Benson  Eken  Hortman  Magnus  Pelowski  Tinglestad
Bers  Erhardt  Hosch  Mahoney  Peterson, A.  Tschumper
Bigham  Faust  Howes  Mariani  Peterson, N.  Urdahl
Bly  Finstad  Huntley  Marquart  Peterson, S.  Wagenius
Brod  Fritz  Jaros  Masin  Poppe  Ward
Brown  Gardner  Johnson  McFarlane  Rukavina  Wardlow
Brynaert  Garofalo  Juhnke  McNamara  Ruth  Welti
Bunn  Gottwald  Kahn  Moe  Ruud  Winkler
Carlson  Greiling  Kalin  Morgan  Sailer  Wolschlager
Clark  Gunther  Knuth  Morrow  Scalz  Zellers
Cornish  Hamilton  Koenen  Mullery  Sertich  Spk. Kelliher
Davnie  Hansen  Kohls  Murphy, E.  Simon  Severson
Dean  Hauserman  Laine  Murphy, M.  Nelson  Slawik
DeLaForest  Haws  Lanning  Nornes  Slocum  Smith
Demmer  Heidgerken  Lenczewski  Olin  Otremba  Swails
Dill  Hilstrom  Liebling  Peppin  Peppin  Simpson

Those who voted in the negative were:

Anderson, B.  Drazkowski  Hackbart  Seifert  Westrom
Buesgens  Emmer  Olson  Shimanski  Westrom
Dettmer  Erickson  Peppin  Simpson

The bill was passed and its title agreed to.
Sertich moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3662, A bill for an act relating to local government; providing for a public hearing and public testimony before making an appointment to fill a vacancy on a county board; amending Minnesota Statutes 2006, section 375.101, by adding a subdivision.

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

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

Madam Speaker:

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

S. F. Nos. 3370 and 3363.

COLLEEN J. PACHECO, Second Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3370, A bill for an act relating to elections; providing for assessment and payment of certain costs; amending Minnesota Statutes 2006, section 211B.37.

The bill was read for the first time.

Kalin moved that S. F. No. 3370 and H. F. No. 3702, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3363, A bill for an act relating to state government; improving access to budget information by members of the legislature; specifying the development of budget recommendations and requiring state agencies to provide information; establishing a subcommittee of the Legislative Commission on Planning and Fiscal Policy; requiring disclosure of status of fiscal note requests; providing for appeal of fiscal note conclusions; modifying state budget
requirements; incorporating Minnesota Milestones goals and indicators in budget preparation; requiring commissioner of finance to adjust for projected inflation in forecasting state expenditures; requiring a forecast of cash flow for the general fund; providing deadline for modifying budget after February forecast; specifying format for detailed budget estimates of expenditures; imposing deadline for notice of deficiency requests; providing a process to increase the budget reserve; requiring state agencies with certain information and telecommunications technology projects to register with the Office of Enterprise Technology and requiring the office to monitor progress on the projects; requiring the Office of Enterprise Technology to report to the legislature regarding its approval process for state agency technology requests and assistance provided to state agencies in developing agency information systems plans; providing additional whistleblower protection to state employees; providing additional duties for the Sesquicentennial Commission; establishing a working group; eliminating obsolete requirements; amending Minnesota Statutes 2006, sections 3.885, subdivisions 4, 5, by adding subdivisions; 3.98, subdivision 4, by adding a subdivision; 3.987, subdivision 1, as amended; 13.605, subdivision 1; 16A.10, subdivisions 1, 1c, 2, by adding a subdivision; 16A.103, subdivisions 1a, 1b; 16A.11, subdivisions 1, 3, by adding a subdivision; 16E.01, subdivision 3; 16E.03, subdivision 1; 16E.04, subdivision 2; Minnesota Statutes 2007 Supplement, sections 16A.152, subdivision 2; 181.932, subdivision 1; Laws 2005, First Special Session chapter 1, article 4, section 121, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 2006, section 16A.152, subdivision 1b.

The bill was read for the first time.

Solberg moved that S. F. No. 3363 and H. F. No. 3587, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

MOTIONS AND RESOLUTIONS

Severson moved that the name of Holberg be added as an author on H. F. No. 1261. The motion prevailed.

Brod moved that the name of Ward be added as an author on H. F. No. 2172. The motion prevailed.

Paymar moved that the name of Loeffler be added as an author on H. F. No. 2996. The motion prevailed.

Walker moved that the name of Abeler be added as an author on H. F. No. 3564. The motion prevailed.

Moe moved that the names of Dettmer, Drazkowski and Olin be added as authors on H. F. No. 3935. The motion prevailed.

Benson moved that the name of Laine be added as an author on H. F. No. 4116. The motion prevailed.

Morrow moved that the name of Laine be added as an author on H. F. No. 4196. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Solberg announced his intention to place S. F. No. 3683 and H. F. No. 3034 on the Fiscal Calendar for Thursday, April 24, 2008.
Sertich moved that when the House adjourns today it adjourn until 9:00 a.m., Thursday, April 24, 2008. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Thursday, April 24, 2008.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives