

STATE OF MINNESOTA

EIGHTY-SECOND SESSION — 2002

 NINETY-THIRD DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 2, 2002

The House of Representatives convened at 12:00 noon and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Pat Handlson, First Presbyterian Church, Hastings, 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	Dorman	Hilty	Larson	Osskopp	Solberg
Abrams	Dorn	Holberg	Leighton	Osthoff	Stanek
Anderson, B.	Eastlund	Holsten	Lenczewski	Otremba	Stang
Anderson, I.	Entenza	Howes	Leppik	Ozment	Swapinski
Bakk	Erhardt	Huntley	Lieder	Paulsen	Swenson
Bernardy	Erickson	Jacobson	Lindner	Pawlenty	Sykora
Biernat	Evans	Jaros	Lipman	Paymar	Thompson
Blaine	Finseth	Jennings	Mahoney	Pelowski	Tingelstad
Boudreau	Folliard	Johnson, J.	Mares	Penas	Tuma
Bradley	Fuller	Johnson, R.	Mariani	Peterson	Vandever
Buesgens	Gerlach	Johnson, S.	Marko	Pugh	Wagenius
Carlson	Gleason	Jordan	Marquart	Rhodes	Walker
Cassell	Goodno	Juhnke	McElroy	Rifenberg	Walz
Clark, J.	Goodwin	Kahn	McGuire	Rukavina	Wasiluk
Clark, K.	Gray	Kalis	Milbert	Ruth	Westerberg
Daggett	Greiling	Kelliher	Molnau	Seagren	Westrom
Davids	Gunther	Kielkucki	Mullery	Seifert	Wilkin
Davnie	Haas	Knoblach	Murphy	Sertich	Winter
Dawkins	Hackbarth	Koskinen	Ness	Skoe	Wolf
Dehler	Harder	Krinkie	Nornes	Skoglund	Workman
Dempsey	Hausman	Kubly	Olson	Slawik	Spk. Sviggum
Dibble	Hilstrom	Kuisle	Opatz	Smith	

A quorum was present.

Mulder was excused.

Bishop was excused until 12:35 p.m. Schumacher was excused until 12:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Milbert 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. 1811 and H. F. No. 1763, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Olson moved that the rules be so far suspended that S. F. No. 1811 be substituted for H. F. No. 1763 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2150 and H. F. No. 1683, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Paulsen moved that the rules be so far suspended that S. F. No. 2150 be substituted for H. F. No. 1683 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2950 and H. F. No. 3283, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Mahoney moved that the rules be so far suspended that S. F. No. 2950 be substituted for H. F. No. 3283 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3030 and H. F. No. 3434, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rhodes moved that the rules be so far suspended that S. F. No. 3030 be substituted for H. F. No. 3434 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3098 and H. F. No. 3166, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Abeler moved that the rules be so far suspended that S. F. No. 3098 be substituted for H. F. No. 3166 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 SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that H. F. No. 2570, Chapter No. 283 of the 2002 Session of the State Legislature, vetoed by the Governor, having been reconsidered and repassed by the House of Representatives and the Senate, the objections of the Governor notwithstanding, is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2002</i>	<i>Date Filed 2002</i>
	2570***	283		March 27

Sincerely,

MARY KIFFMEYER
Secretary of State

[NOTE: ***H. F. No. 2570, Chapter No. 283, was reconsidered and repassed by the House of Representatives and Senate, the objections of the Governor notwithstanding.]

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

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2002 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:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2002</i>	<i>Date Filed 2002</i>
2890		299	3:38 p.m. March 27	March 27
2793		300	3:38 p.m. March 27	March 27
3244		301	3:37 p.m. March 27	March 27

3034	302	3:38 p.m. March 27	March 27
2814	303	3:36 p.m. March 27	March 27
2673	304	3:39 p.m. March 27	March 27
3278	305	3:35 p.m. March 27	March 27

Sincerely,

MARY KIFFMEYER
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 1, 2002

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

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 1224, relating to health; creating registration for medical response units.

Sincerely,

JESSE VENTURA
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 Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2002 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:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2002</i>	<i>Date Filed 2002</i>
2697		306	9:08 a.m. April 1	April 1
3315		307	9:07 a.m. April 1	April 1
3145		308	9:14 a.m. April 1	April 1
	1224	310	9:04 a.m. April 1	April 1
2542		311	9:09 a.m. April 1	April 1

Sincerely,

MARY KIFFMEYER
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 1811, 2150, 2950, 3030 and 3098 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Davids introduced:

H. F. No. 3708, A bill for an act relating to waters; modifying water appropriation permit requirements; amending Minnesota Statutes 2001 Supplement, section 103G.271, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Huntley introduced:

H. F. No. 3709, A bill for an act relating to insurance; regulating health coverage for certain persons.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the repassage by the Senate of the following House File, notwithstanding the veto by the Governor:

H. F. No. 2570, A bill for an act relating to insurance; regulating automobile glass claims practices; amending Minnesota Statutes 2000, sections 72A.201, subdivision 6; 325F.783; repealing Minnesota Statutes 2000, section 72A.202.

The enrolled copy of H. F. No. 2570 with all of the signatures of the officers of the Senate and the House together with the Governor's objections, is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2618, A bill for an act relating to crimes; requiring public employees and officers to make prompt reports of certain unlawful actions; authorizing providing certain data to the state auditor for audit or law enforcement purposes notwithstanding provisions of the data practices act; amending Minnesota Statutes 2000, sections 6.715, subdivision 3, by adding a subdivision; 13.82, subdivision 17; 609.456, subdivision 1; Minnesota Statutes 2001 Supplement, section 13.43, subdivision 2.

The Senate has appointed as such committee:

Senators Knutson, Betzold and Price.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2680.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2680

A bill for an act relating to energy codes; adding a member to the construction codes advisory council; changing certain requirements; providing for adoption of a new energy code; amending Minnesota Statutes 2000, sections 16B.617; 16B.70, subdivision 1; Minnesota Statutes 2001 Supplement, section 16B.76, subdivision 1.

March 22, 2002

The Honorable Don Samuelson
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2680, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 2680 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 16B.617, is amended to read:

16B.617 [ENERGY CODE RULES REMAIN IN EFFECT.]

(a) Notwithstanding Laws 1999, chapter 135, section 9, Minnesota Rules, chapter 7670, does not expire on April 15, 2000, but remains in effect for residential buildings not covered by Minnesota Rules, chapter 7676. The provisions of Minnesota Rules, chapter 7670, that apply to category 1 buildings govern new, detached single one- and two-family R-3 occupancy residential buildings. All new, detached single one- and two-family R-3 occupancy buildings subject to Minnesota Rules, chapter 7670, submitting an application for a building permit after April 14, 2000, must meet the requirements for category 1 buildings, as set out in Minnesota Rules, chapter 7670. ~~All new detached single one- and two-family R-3 occupancy buildings having fuel burning equipment using nonsolid fuels for space heating, service water heating, or hearth products must install direct vent, power vent, or sealed combustion equipment. All new detached single one- and two-family R-3 occupancy buildings must have a mechanical ventilation system which replaces, by direct or indirect means, air from habitable rooms with outdoor air. If any single exhaust device over 300 cubic feet per minute is installed, sealed combustion space heating equipment or an alternative make-up air source must be used.~~

(b) As an alternative to compliance with paragraph (a), compliance with Minnesota Rules, chapters 7672 and 7674, is optional for a contractor or owner.

(c) The department of administration, building codes and standards division (BCSD), shall issue a report to the legislature by December 1, 2001, addressing the cost benefit, as well as air quality, building durability, moisture, enforcement, enforceability, and liability regarding implementation of Minnesota Rules, chapters 7670, 7672, and 7674. The report must include a feasibility study of establishing new criteria for category 2 detached single one- and two-family R-3 occupancy buildings that are energy efficient, enforceable, and provide sufficient nonmechanical ventilation or permeability for a home to maintain good air quality, building durability, and adequate release of moisture.

(d) This section expires when the commissioner of administration adopts a new energy code in accordance with section 4.

Sec. 2. Minnesota Statutes 2000, section 16B.70, subdivision 1, is amended to read:

Subdivision 1. [COMPUTATION.] To defray the costs of administering sections 16B.59 to ~~16B.75~~ 16B.76, a surcharge is imposed on all permits issued by municipalities in connection with the construction of or addition or alteration to buildings and equipment or appurtenances after June 30, 1971, ~~as follows:~~ The commissioner may use any surplus in surcharge receipts to award grants for code research and development and education.

If the fee for the permit issued is fixed in amount the surcharge is equivalent to one-half mill (.0005) of the fee or 50 cents, whichever amount is greater. For all other permits, the surcharge is as follows:

(1) if the valuation of the structure, addition, or alteration is \$1,000,000 or less, the surcharge is equivalent to one-half mill (.0005) of the valuation of the structure, addition, or alteration;

(2) if the valuation is greater than \$1,000,000, the surcharge is \$500 plus two-fifths mill (.0004) of the value between \$1,000,000 and \$2,000,000;

(3) if the valuation is greater than \$2,000,000, the surcharge is \$900 plus three-tenths mill (.0003) of the value between \$2,000,000 and \$3,000,000;

(4) if the valuation is greater than \$3,000,000, the surcharge is \$1,200 plus one-fifth mill (.0002) of the value between \$3,000,000 and \$4,000,000;

(5) if the valuation is greater than \$4,000,000, the surcharge is \$1,400 plus one-tenth mill (.0001) of the value between \$4,000,000 and \$5,000,000; and

(6) if the valuation exceeds \$5,000,000, the surcharge is \$1,500 plus one-twentieth mill (.00005) of the value that exceeds \$5,000,000.

Sec. 3. [ENERGY CODE.]

Notwithstanding Minnesota Statutes, section 16B.617, the commissioner of administration, in consultation with the construction codes advisory council, shall explore and review the availability and appropriateness of any model energy codes related to the construction of single one- and two-family residential buildings. In consultation with the council, the commissioner shall take steps to adopt the chosen code with all necessary and appropriate amendments.

The commissioner may not adopt all or part of a model energy code relating to the construction of residential buildings without research and analysis that addresses, at a minimum, air quality, building durability, moisture, enforcement, enforceability cost benefit, and liability. The research and analysis must be completed in cooperation with practitioners in residential construction and building science and an affirmative recommendation by the construction codes advisory council.

Sec. 4. [EFFECTIVE DATE.]

Notwithstanding any contrary provision of Minnesota Statutes, section 16B.617, paragraph (a), the commissioner of administration may adopt appropriate provisions addressing combustion air and make-up air in residential construction as part of the mechanical code. Section 1 is effective when rules containing these provisions are adopted. Sections 2 and 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to energy codes; changing certain requirements; providing for adoption of a new energy code; amending Minnesota Statutes 2000, sections 16B.617; 16B.70, subdivision 1."

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

Senate Conferees: WARREN LIMMER, DEANNA L. WIENER AND JAMES P. METZEN.

House Conferees: LYNDA BOUDREAU, FRAN BRADLEY AND TIM MAHONEY.

Boudreau moved that the report of the Conference Committee on S. F. No. 2680 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2680, A bill for an act relating to energy codes; adding a member to the construction codes advisory council; changing certain requirements; providing for adoption of a new energy code; amending Minnesota Statutes 2000, sections 16B.617; 16B.70, subdivision 1; Minnesota Statutes 2001 Supplement, section 16B.76, subdivision 1.

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 118 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Leighton	Osthoff	Stanek
Abrams	Dorn	Holsten	Lenczewski	Otremba	Stang
Anderson, B.	Eastlund	Howes	Leppik	Ozment	Swapinski
Anderson, I.	Entenza	Huntley	Lieder	Paulsen	Swenson
Bakk	Erhardt	Jacobson	Lindner	Pawlenty	Sykora
Bernardy	Erickson	Jennings	Lipman	Pelowski	Thompson
Biernat	Finseth	Johnson, J.	Mahoney	Penas	Tingelstad
Blaine	Folliard	Johnson, R.	Mares	Peterson	Tuma
Boudreau	Fuller	Johnson, S.	Marko	Pugh	Vandever
Bradley	Gerlach	Jordan	Marquart	Rhodes	Walz
Buesgens	Gleason	Juhnke	McElroy	Rifenberg	Wasiluk
Carlson	Goodno	Kahn	Milbert	Rukavina	Westerberg
Cassell	Goodwin	Kalis	Molnau	Ruth	Westrom
Clark, J.	Gunther	Kelliher	Mullery	Seagren	Wilkin
Daggett	Haas	Kielkucki	Murphy	Seifert	Winter
Davids	Hackbarth	Knoblach	Ness	Sertich	Wolf
Davnie	Harder	Krinkie	Nornes	Skoe	Workman
Dawkins	Hausman	Kubly	Olson	Skoglund	Spk. Sviggum
Dehler	Hilstrom	Kuisle	Opatz	Smith	
Dempsey	Hilty	Larson	Osskopp	Solberg	

Those who voted in the negative were:

Clark, K.	Evans	Jaros	Paymar	Wagenius
Dibble	Greiling	Koskinen	Slawik	Walker

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

Mr. Speaker:

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

S. F. No. 2908, A bill for an act relating to data privacy; regulating electronic mail solicitations; protecting privacy of Internet consumers; regulating use of information about Internet users; providing penalties; proposing coding for new law in Minnesota Statutes, chapters 325F; 325M.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Senators Kelley, S. P.; Foley and Limmer.

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

Pawlenty 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. 2908. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2739.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2739

A bill for an act relating to liquor; exempting hotel honor bars from hours of sale restrictions; modifying minimum distance from specified state universities; authorizing the cities of Proctor, Albert Lea, Eden Prairie, West St. Paul, Brainerd, and Coon Rapids to issue on-sale licenses; amending Minnesota Statutes 2000, section 340A.504, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 340A.412, subdivision 4; Laws 1999, chapter 202, section 12.

March 21, 2002

The Honorable Don Samuelson
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2739, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment

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

Senate Conferees: JAMES P. METZEN, LINDA SCHEID AND GRACE S. SCHWAB.

House Conferees: DOUG STANG, GREGORY M. DAVIDS AND MATT ENTENZA.

Stang moved that the report of the Conference Committee on S. F. No. 2739 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2739, A bill for an act relating to liquor; exempting hotel honor bars from hours of sale restrictions; modifying minimum distance from specified state universities; authorizing the cities of Proctor, Albert Lea, Eden Prairie, West St. Paul, Brainerd, and Coon Rapids to issue on-sale licenses; amending Minnesota Statutes 2000, section 340A.504, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 340A.412, subdivision 4; Laws 1999, chapter 202, section 12.

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 102 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abrams	Dibble	Holsten	Kuisle	Opatz	Stanek
Anderson, I.	Dorn	Howes	Larson	Otremba	Stang
Bakk	Entenza	Huntley	Leighton	Ozment	Swenson
Biernat	Erhardt	Jacobson	Lenczewski	Paulsen	Sykora
Blaine	Folliard	Jennings	Leppik	Paymar	Thompson
Boudreau	Fuller	Johnson, J.	Lieder	Pelowski	Tingelstad
Bradley	Gerlach	Johnson, R.	Lipman	Penas	Tuma
Buesgens	Gleason	Johnson, S.	Mahoney	Peterson	Vandever
Carlson	Goodno	Jordan	Mares	Pugh	Walker
Cassell	Goodwin	Juhnke	Marko	Rhodes	Walz
Clark, J.	Gunther	Kahn	McElroy	Rifenberg	Wasiluk
Daggett	Haas	Kalis	Milbert	Rukavina	Westerberg
Davids	Hackbarth	Kelliher	Molnau	Ruth	Westrom
Davnie	Harder	Kielkucki	Mullery	Seifert	Wilkin
Dawkins	Hausman	Knoblach	Murphy	Sertich	Winter
Dehler	Hilstrom	Koskinen	Ness	Skoe	Wolf
Dempsey	Hilty	Kubly	Nornes	Solberg	Spk. Sviggum

Those who voted in the negative were:

Abeler	Erickson	Jaros	Osskopp	Slawik
Anderson, B.	Evans	Krinkie	Osthoff	Smith
Bernardy	Finseth	Lindner	Pawlenty	Swapinski
Clark, K.	Greiling	Marquart	Seagren	Wagenius
Eastlund	Holberg	Olson	Skoglund	Workman

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

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. 2706, A bill for an act relating to traffic regulations; modifying traffic laws relating to emergency vehicles; imposing misdemeanor penalty for intentionally obstructing emergency vehicle during emergency duty; making clarifying changes; amending Minnesota Statutes 2000, sections 169.03, subdivision 2; 169.20, subdivision 5a; Minnesota Statutes 2001 Supplement, section 169.20, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Entenza moved that the House concur in the Senate amendments to H. F. No. 2706 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2706, A bill for an act relating to traffic regulations; modifying traffic laws relating to emergency vehicles; imposing misdemeanor penalty for intentionally obstructing emergency vehicle during emergency duty; making clarifying changes; amending Minnesota Statutes 2000, sections 169.03, subdivision 2; 169.20, subdivision 5a; Minnesota Statutes 2001 Supplement, section 169.20, subdivision 5.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Leighton	Ozment	Swapinski
Abrams	Dorn	Holsten	Lenczewski	Paulsen	Swenson
Anderson, B.	Eastlund	Howes	Leppik	Pawlenty	Sykora
Anderson, I.	Entenza	Huntley	Lieder	Paymar	Thompson
Bakk	Erhardt	Jacobson	Lindner	Pelowski	Tingelstad
Bernardy	Erickson	Jaros	Lipman	Penas	Tuma
Biernat	Evans	Jennings	Mahoney	Peterson	Vandever
Blaine	Finseth	Johnson, J.	Mares	Pugh	Wagenius
Boudreau	Folliard	Johnson, R.	Marko	Rhodes	Walker
Bradley	Fuller	Johnson, S.	Marquart	Rifenberg	Walz
Buesgens	Gerlach	Jordan	McElroy	Rukavina	Wasiluk
Carlson	Gleason	Juhnke	Milbert	Ruth	Westerberg
Cassell	Goodno	Kahn	Molnau	Seagren	Westrom
Clark, J.	Goodwin	Kalis	Mullery	Seifert	Wilkin
Clark, K.	Greiling	Kelliher	Murphy	Sertich	Winter
Daggett	Gunther	Kielkucki	Ness	Skoe	Wolf
Davids	Haas	Knoblach	Nornes	Skoglund	Workman
Davnie	Hackbarth	Koskinen	Olson	Slawik	Spk. Sviggum
Dawkins	Harder	Krinkie	Opatz	Smith	
Dehler	Hausman	Kubly	Osskopp	Solberg	
Dempsey	Hilstrom	Kuisele	Osthoff	Stanek	
Dibble	Hilty	Larson	Otremba	Stang	

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 File, herewith transmitted:

S. F. No. 3431.

PATRICE DWORAK, First Assistant Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3431, A bill for an act relating to employment; regulating eligibility for unemployment compensation benefits; providing for a special assessment for interest on federal loans; providing for extended unemployment compensation benefits; providing for unemployment insurance and workforce development fund taxes; providing

extended benefits for airline industry, Fingerhut Companies, Inc., Farmland Foods Company, Potlatch Corporation, Harsco, Incorporated, and SPX-DeZurik employees; making housekeeping changes related to the department of trade and economic development; repealing certain authority given to city of Chisago relating to annexation arguments; requiring an OSHA ergonomics standard; prohibiting employers from charging certain expenses to employees; regulating redevelopment grants; allowing foster parents to take certain leaves; providing certain youth employment to construct early childhood program facilities; reinstating a repealed law; providing unemployment benefits to certain employees doing food service contract work for school districts; requiring the public utilities commission to study criteria for certain energy source acquisitions; requiring a study on unemployment trust fund solvency by the unemployment insurance advisory council; regulating use of state dislocated worker program grants; amending Minnesota Statutes 2000, sections 48.24, subdivision 5; 116J.565, subdivision 1; 116J.58, subdivision 1; 116J.9665, subdivisions 1, 4, 6; 116M.14, subdivision 4; 116M.18, subdivisions 2, 3, 4, 4a, 5, 8, by adding a subdivision; 119A.45; 181.9412, by adding a subdivision; 268.035, subdivision 24; 268.051, subdivision 8; 268.085, subdivision 8; 298.22, subdivision 7, by adding a subdivision; Minnesota Statutes 2001 Supplement, sections 116L.17, subdivision 5; 268.022, subdivision 1; 268.035, subdivision 4; 268.07, subdivisions 1, 2; Laws 2001, First Special Session chapter 4, article 1, section 2, subdivision 5; Laws 2001, First Special Session chapter 4, article 2, section 31; proposing coding for new law in Minnesota Statutes, chapter 181; repealing Minnesota Statutes 2000, sections 116J.9672; 116J.9673; Laws 2001, First Special Session chapter 5, article 3, section 88.

The bill was read for the first time.

McElroy moved that S. F. No. 3431 and H. F. No. 3648, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Tuesday, April 2, 2002:

S. F. Nos. 3322, 2949, 3298, 2533, 1811, 3054, 3352 and 2678; H. F. No. 2970; S. F. Nos. 2674 and 2150; H. F. No. 3183; S. F. No. 2516; H. F. No. 2965; S. F. Nos. 1555, 3168, 3015 and 3246; H. F. No. 3690; S. F. Nos. 3028, 2457, 3172, 2988, 2650, 2989 and 3238; H. F. No. 3379; S. F. Nos. 2957, 3114, 2592, 2363, 3345, 2540, 3380, 3075, 3133 and 2960; H. F. No. 3073; and S. F. No. 2727.

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

RECESS

RECONVENED

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

CALENDAR FOR THE DAY

S. F. No. 3322, A bill for an act relating to the metropolitan council; providing for the external use of existing service capacity; modifying the depreciation rate when assuming ownership of existing facilities; repealing obsolete rules; amending Minnesota Statutes 2000, sections 473.129, by adding a subdivision; 473.511, subdivision 4; repealing Minnesota Rules, parts 5900.0100; 5900.0200; 5900.0300; 5900.0400; 5900.0500; 5900.0600; 5900.0700;

5900.0800; 5900.0900; 5900.1000; 5900.1100; 5900.1200; 5900.1300; 5900.1400; 5900.1500; 5900.1600; 5900.1700; 5900.1800; 5900.1900; 5900.2000; 5900.2100; 5900.2200; 5900.2300; 5900.2400; 5900.2500; 5900.2600; 5900.2700; 5900.2800; 5900.2900; 5900.3000; 5900.3100; 5900.3200; 5900.3300; 5900.3400; 5900.3500; 5900.3600; 5900.3700; 5900.3800; 5900.3900; 5900.4000; 5900.4100; 5900.4200; 5900.4300; 5900.4400; 5900.4500; 5900.4600; 5900.4700; 5900.4800; 5900.4900; 5900.5000; 5900.5100; 5900.5200; 5900.5300; 5900.5400; 5900.5500; 5900.5600; 5900.5700; 5900.5800; 5900.5900; 5900.6000; 5900.6100; 5900.6200; 5900.6300; 5900.6400; 5900.6500; 5900.6800; 5900.6900; 5900.7000; 5900.7100; 5900.7200; 5900.7300; 5900.7400; 5900.7500.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Hilstrom	Larson	Osskopp	Solberg
Abrams	Dorman	Hilty	Leighton	Osthoff	Stanek
Anderson, B.	Dorn	Holberg	Lenczewski	Otremba	Stang
Anderson, I.	Eastlund	Holsten	Leppik	Ozment	Swapinski
Bakk	Entenza	Hoves	Lieder	Paulsen	Swenson
Bernardy	Erhardt	Huntley	Lindner	Pawlenty	Sykora
Biernat	Erickson	Jacobson	Lipman	Paymar	Thompson
Bishop	Evans	Jennings	Mahoney	Pelowski	Tingelstad
Blaine	Finseth	Johnson, J.	Mares	Penas	Tuma
Boudreau	Folliard	Johnson, R.	Mariani	Peterson	Vandever
Bradley	Fuller	Johnson, S.	Marko	Pugh	Wagenius
Buesgens	Gerlach	Jordan	Marquart	Rhodes	Walker
Carlson	Gleason	Juhnke	McElroy	Rifenberg	Walz
Cassell	Goodno	Kahn	McGuire	Ruth	Wasiluk
Clark, J.	Goodwin	Kalis	Milbert	Schumacher	Westerberg
Clark, K.	Gray	Kelliher	Molnau	Seagren	Westrom
Daggett	Greiling	Kielkucki	Mullery	Seifert	Wilkin
Davids	Gunther	Knoblach	Murphy	Sertich	Winter
Davnie	Haas	Koskinen	Ness	Skoe	Wolf
Dawkins	Hackbarth	Krinkie	Nornes	Skoglund	Workman
Dehler	Harder	Kubly	Olson	Slawik	Spk. Sviggum
Dempsey	Hausman	Kuisle	Opatz	Smith	

The bill was passed and its title agreed to.

S. F. No. 2949 was reported to the House.

Knoblach and Holberg offered an amendment to S. F. No. 2949.

POINT OF ORDER

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

S. F. No. 2949, A bill for an act relating to government data; background checks; expanding what is considered to be public criminal history data; modifying procedures for certain background checks; authorizing criminal history checks for certain liquor license applicants; clarifying use of data collected on employees of certain license holders; amending Minnesota Statutes 2000, sections 13.87, subdivision 1; 171.321, subdivision 3; 299C.68, subdivision 5; 326.336, subdivision 1; 340A.301, subdivision 2; 340A.402.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hilty	Larson	Osthoff	Solberg
Abrams	Dorn	Holberg	Leighton	Otremba	Stanek
Anderson, B.	Eastlund	Holsten	Lenczewski	Ozment	Stang
Anderson, I.	Entenza	Howes	Leppik	Paulsen	Swapinski
Bakk	Erhardt	Huntley	Lieder	Pawlenty	Swenson
Bernardy	Erickson	Jacobson	Lindner	Paymar	Sykora
Biernat	Evans	Jaros	Lipman	Pelowski	Thompson
Blaine	Finseth	Jennings	Mahoney	Penas	Tingelstad
Boudreau	Folliard	Johnson, J.	Mares	Peterson	Tuma
Bradley	Fuller	Johnson, R.	Mariani	Pugh	Vandever
Buesgens	Gerlach	Johnson, S.	Marko	Rhodes	Wagenius
Carlson	Gleason	Jordan	Marquart	Rifenberg	Walker
Cassell	Goodno	Juhnke	McGuire	Rukavina	Walz
Clark, J.	Goodwin	Kahn	Milbert	Ruth	Wasiluk
Clark, K.	Gray	Kalis	Molnau	Schumacher	Westerberg
Daggett	Greiling	Kelliher	Mullery	Seagren	Westrom
Davids	Gunther	Kielkucki	Murphy	Seifert	Wilkin
Davnie	Haas	Knoblach	Ness	Sertich	Winter
Dawkins	Hackbarth	Koskinen	Nornes	Skoe	Wolf
Dehler	Harder	Krinkie	Olson	Skoglund	Workman
Dempsey	Hausman	Kubly	Opatz	Slawik	Spk. Sviggum
Dibble	Hilstrom	Kuisle	Osskopp	Smith	

The bill was passed and its title agreed to.

The Speaker called Paulsen to the Chair.

S. F. No. 3298 was reported to the House.

Larson moved to amend S. F. No. 3298, the unofficial engrossment, as follows:

Page 16, after line 21, insert:

"Sec. 13. [171.3216] [ACTIONS ON SCHOOL BUS ENDORSEMENT.]

In addition to any authority granted under section 171.3215, the commissioner may cancel a school bus driver's endorsement on a driver's license of any person if the commissioner determines that the person has been convicted

of a series of offenses of law, or of a single gross misdemeanor offense, that the commissioner determines shows evidence that the person represents a risk to public safety."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Osskopp and Kuisle offered an amendment to S. F. No. 3298, the unofficial engrossment, as amended.

POINT OF ORDER

Kahn raised a point of order pursuant to rule 3.21 that the Osskopp and Kuisle amendment was not in order. Speaker pro tempore Paulsen ruled the point of order not well taken and the Osskopp and Kuisle amendment in order.

Kahn requested a division of the Osskopp and Kuisle amendment to S. F. No. 3298, the unofficial engrossment, as amended.

Kahn further requested that the second portion of the divided Osskopp and Kuisle amendment be voted on first.

The second portion of the Osskopp and Kuisle amendment to S. F. No. 3298, the unofficial engrossment, as amended, reads as follows:

Page 21, after line 27, insert:

"Sec. 24. [PORT OF MINNEAPOLIS; RESTRICTIONS.]

Subd. 2. [RESTRICTION.] The city of Minneapolis may not adopt or enforce any zoning ordinance or other zoning determination that would have the effect of forcing the closing or relocation of commercial and industrial activities along the upper harbor of the Mississippi river that are extensively dependent on commercial river transportation."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Biernat moved to amend the second portion of the Osskopp and Kuisle amendment to S. F. No. 3298, the unofficial engrossment, as amended, as follows:

Page 1, line 11, delete "city" and insert "cities" and after "Minneapolis" insert ", St. Paul, South St. Paul, Cottage Grove, Newport, and Hastings"

A roll call was requested and properly seconded.

The question was taken on the Biernat amendment to the second portion of the Osskopp and Kuisle amendment and the roll was called.

Pursuant to rule 2.05, Speaker pro tempore Paulsen excused Holsten from voting on the Biernat amendment to the second portion of the Osskopp and Kuisle amendment to S. F. No. 3298, the unofficial engrossment, as amended.

There were 26 yeas and 105 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dibble	Jaros	Koskinen	Rukavina	Walker
Bakk	Evans	Johnson, S.	Lenczewski	Sertich	
Biernat	Gleason	Juhnke	Lieder	Skoe	
Clark, K.	Gray	Kahn	McGuire	Skoglund	
Davnie	Greiling	Kelliher	Mullery	Wagenius	

Those who voted in the negative were:

Abeler	Dorn	Howes	Mahoney	Pawlenty	Swenson
Abrams	Eastlund	Huntley	Mares	Paymar	Sykora
Anderson, B.	Entenza	Jacobson	Mariani	Pelowski	Thompson
Bernardy	Erhardt	Jennings	Marko	Penas	Tingelstad
Bishop	Erickson	Johnson, J.	Marquart	Peterson	Tuma
Blaine	Finseth	Johnson, R.	McElroy	Pugh	Vandever
Boudreau	Folliard	Jordan	Milbert	Rhodes	Walz
Bradley	Fuller	Kalis	Molnau	Rifenberg	Wasiluk
Buesgens	Gerlach	Kielkucki	Murphy	Ruth	Westerberg
Carlson	Goodno	Knoblach	Ness	Schumacher	Westrom
Cassell	Goodwin	Krinkie	Nornes	Seagren	Wilkin
Clark, J.	Gunther	Kubly	Olson	Seifert	Winter
Daggett	Haas	Kuisle	Opatz	Slawik	Wolf
Dauids	Hackbarth	Larson	Osskopp	Smith	Workman
Dawkins	Harder	Leighton	Osthoff	Solberg	Spk. Sviggum
Dehler	Hilstrom	Leppik	Otremba	Stanek	
Dempsey	Hilty	Lindner	Ozment	Stang	
Dorman	Holberg	Lipman	Paulsen	Swapinski	

The motion did not prevail and the Biernat amendment to the second portion of the Osskopp and Kuisle amendment was not adopted.

The question recurred on the second portion of the Osskopp and Kuisle amendment and the roll was called.

Pursuant to rule 2.05, Speaker pro tempore Paulsen excused Holsten from voting on the second portion of the Osskopp and Kuisle amendment to S. F. No. 3298, the unofficial engrossment, as amended.

There were 69 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Daggett	Gerlach	Jacobson	Lipman	Ozment
Anderson, B.	Dauids	Goodno	Jaros	Mahoney	Paulsen
Bishop	Dempsey	Gunther	Jennings	Mares	Pawlenty
Blaine	Dorman	Haas	Jordan	Molnau	Rifenberg
Boudreau	Eastlund	Hackbarth	Kielkucki	Ness	Rukavina
Bradley	Erhardt	Harder	Knoblach	Nornes	Ruth
Buesgens	Erickson	Holberg	Krinkie	Olson	Schumacher
Cassell	Finseth	Howes	Kuisle	Osskopp	Seifert
Clark, J.	Fuller	Huntley	Lindner	Osthoff	Sertich

Smith	Swenson	Tuma	Westerberg	Wolf
Solberg	Sykora	Vandevier	Westrom	Workman
Stang	Tingelstad	Walz	Wilkin	Spk. Sviggum

Those who voted in the negative were:

Abrams	Dorn	Johnson, J.	Lenczewski	Otremba	Swapinski
Anderson, I.	Entenza	Johnson, R.	Leppik	Paymar	Thompson
Bakk	Evans	Johnson, S.	Lieder	Pelowski	Wagenius
Bernardy	Folliard	Juhnke	Mariani	Penas	Walker
Biernat	Gleason	Kahn	Marko	Peterson	Wasiluk
Carlson	Goodwin	Kalis	Marquart	Pugh	Winter
Clark, K.	Gray	Kelliher	McGuire	Rhodes	
Davnie	Greiling	Koskinen	Milbert	Skoe	
Dawkins	Hausman	Kubly	Mullery	Skoglund	
Dehler	Hilstrom	Larson	Murphy	Slawik	
Dibble	Hilty	Leighton	Opatz	Stanek	

The motion prevailed and the second portion of the Osskopp and Kuisle amendment was adopted.

The first portion of the Osskopp and Kuisle amendment to S. F. No. 3298, the unofficial engrossment, as amended, reads as follows:

Page 21, after line 27, insert:

"Sec. 24. [PORT OF MINNEAPOLIS.]

Subdivision 1. [FINDING.] The legislature finds that the continued use of the upper harbor of the Mississippi river in the city of Minneapolis for commercial navigation relieves transportation demand on highways and railroads in the metropolitan area, is a necessary element of the transportation system of the region, and is therefore of statewide significance."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the first portion of the Osskopp and Kuisle amendment was adopted.

Abeler; Folliard; Westerberg; Bernardy; Dawkins; Evans; Ozment; Thompson; Leppik; Rhodes; Johnson, S.; Cassell; Nornes; Biernat; Goodwin and Tingelstad moved to amend S. F. No. 3298, the unofficial engrossment, as amended, as follows:

Page 1, after line 30, insert:

"Section 1. [123B.885] [DIESEL SCHOOL BUSES; OPERATION OF ENGINE; PARKING.]

Subdivision 1. [OPERATION OF ENGINE.] All operators of diesel school buses must minimize, to the extent possible, the idling of school bus engines and exposure of children to diesel exhaust fumes.

Subd. 2. [PARKING.] Diesel school buses must be parked and loaded at sufficient distance from school air intake systems to avoid diesel fumes from being drawn into the systems, unless, in the judgment of the school board, alternative locations block traffic, impair student safety, or are not cost-effective."

Re-number sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 3298, A bill for an act relating to transportation; regulating public works contracts; allowing commissioner of transportation to acquire land to preserve transportation corridors; providing reimbursement to fire departments for expenses incurred in extinguishing certain motor vehicle fires; modifying provisions regulating disposition of impounded vehicles; allowing limited use of highway shoulders by buses and vanpools; requiring parked vehicle to be parallel with curb; allowing limited regulation by local governments of train whistles; modifying motor carrier provisions to reduce certain regulatory obligations; requiring commissioner of transportation to adopt rules to implement and administer training program for tow truck operators; modifying budget reduction of department of transportation construction district 1; providing cities and towns authority to collect unpaid bills for certain emergency services from nonresidents; removing sunset provision relating to determining city populations for state-aid street purposes; requiring commissioner to retain Stillwater Bridge project in transportation improvement program; requiring commissioner to prepare new signal agreement in city of Anoka; providing for resolution of dispute relating to Camp Coldwater Springs; establishing vanpool demonstration project, highway corridor-protection demonstration project, and commuter rail station working group; allowing use of trunk highway funds for certain transit operations; exempting certain federal funds from statutory matching requirements; making clarifying changes; providing for fees; appropriating money for various projects and activities; amending Minnesota Statutes 2000, sections 161.20, subdivision 2; 161.465; 168B.051, subdivisions 1a, 2; 169.35, subdivision 1; 169.86, subdivision 5; 221.0252, subdivision 3; 221.0314, by adding a subdivision; 221.0355, subdivisions 2, 3; 221.221, subdivision 4; 221.605, subdivision 1; 366.011; 366.012; Minnesota Statutes 2001 Supplement, sections 117.51; 161.162, subdivision 2; 169.825, subdivision 11; 221.221, subdivision 2; Laws 2001, First Special Session chapter 8, article 1, section 2, subdivision 7; Laws 2001, First Special Session chapter 8, article 1, section 8; Laws 2001, First Special Session chapter 8, article 2, section 6; proposing coding for new law in Minnesota Statutes, chapters 15; 168; 169; 174; 299A; repealing Minnesota Statutes 2000, section 221.0313.

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.

Pursuant to rule 2.05, Speaker pro tempore Paulsen excused Holsten from voting on final passage of S. F. No. 3298, as amended.

There were 110 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler	Bishop	Carlson	Dawkins	Eastlund	Folliard
Abrams	Blaine	Cassell	Dehler	Entenza	Fuller
Anderson, B.	Boudreau	Clark, J.	Dempsey	Erhardt	Gerlach
Bakk	Bradley	Daggett	Dorman	Erickson	Goodno
Bernardy	Buesgens	Davids	Dorn	Finseth	Goodwin

Gunther	Jordan	Lipman	Osthoff	Seifert	Vandever
Haas	Juhnke	Mahoney	Otremba	Sertich	Walz
Hackbarth	Kalis	Mares	Ozment	Skoe	Wasiluk
Harder	Kielkucki	Marko	Paulsen	Slawik	Westerberg
Hilstrom	Knoblach	Marquart	Pawlenty	Smith	Westrom
Hilty	Krinkie	McElroy	Pelowski	Solberg	Wilkin
Holberg	Kubly	Milbert	Penas	Stanek	Winter
Howes	Kuile	Molnau	Peterson	Stang	Wolf
Huntley	Larson	Murphy	Pugh	Swapinski	Workman
Jacobson	Leighton	Ness	Rhodes	Swenson	Spk. Sviggum
Jaros	Lenczewski	Nornes	Rukavina	Sykora	
Jennings	Leppik	Olson	Ruth	Thompson	
Johnson, J.	Lieder	Opatz	Schumacher	Tingelstad	
Johnson, R.	Lindner	Osskopp	Seagren	Tuma	

Those who voted in the negative were:

Anderson, I.	Dibble	Greiling	Kelliher	Mullery	Wagenius
Biernat	Evans	Hausman	Koskinen	Paymar	Walker
Clark, K.	Gleason	Johnson, S.	Mariani	Rifenberg	
Davnie	Gray	Kahn	McGuire	Skoglund	

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

S. F. No. 2533, A bill for an act relating to corrections; authorizing counties to collect room, board, and other related correctional expenses for offenders who have been convicted of a crime and confined in a county jail, workhouse, or correctional farm in certain instances; amending Minnesota Statutes 2000, section 641.12, subdivision 3.

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 108 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Holsten	Lenczewski	Otremba	Solberg
Abrams	Eastlund	Howes	Leppik	Ozment	Stanek
Anderson, B.	Entenza	Jacobson	Lieder	Paulsen	Stang
Bernardy	Erhardt	Jennings	Lindner	Pawlenty	Swenson
Biernat	Erickson	Johnson, J.	Lipman	Pelowski	Sykora
Bishop	Finseth	Johnson, R.	Mahoney	Penas	Thompson
Blaine	Folliard	Johnson, S.	Mares	Peterson	Tingelstad
Boudreau	Fuller	Jordan	Marko	Pugh	Tuma
Bradley	Gerlach	Juhnke	Marquart	Rhodes	Vandever
Buesgens	Gleason	Kalis	McElroy	Rifenberg	Walz
Carlson	Goodno	Kielkucki	McGuire	Ruth	Wasiluk
Cassell	Goodwin	Knoblach	Milbert	Schumacher	Westerberg
Clark, J.	Gunther	Koskinen	Molnau	Seagren	Westrom
Daggett	Haas	Krinkie	Ness	Seifert	Wilkin
Davids	Hackbarth	Kubly	Nornes	Skoe	Winter
Dehler	Harder	Kuile	Olson	Skoglund	Wolf
Dempsey	Hilstrom	Larson	Opatz	Slawik	Workman
Dorman	Holberg	Leighton	Osskopp	Smith	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Dawkins	Hausman	Kahn	Paymar	Wagenius
Bakk	Dibble	Hilty	Mariani	Rukavina	Walker
Clark, K.	Evans	Huntley	Mullery	Sertich	
Davnie	Greiling	Jaros	Murphy	Swapinski	

The bill was passed and its title agreed to.

S. F. No. 3054, A bill for an act relating to the environment; modifying provisions relating to petrofund contractors and consultants; modifying application requirements for certain petrofund reimbursements; amending Minnesota Statutes 2000, sections 115C.02, subdivisions 5a, 5b; 115C.11.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Holberg	Lenczewski	Ozment	Swapinski
Abrams	Dorn	Holsten	Leppik	Paulsen	Swenson
Anderson, B.	Eastlund	Howes	Lieder	Pawlenty	Sykora
Anderson, I.	Entenza	Huntley	Lindner	Paymar	Thompson
Bakk	Erhardt	Jacobson	Lipman	Pelowski	Tingelstad
Bernardy	Erickson	Jaros	Mahoney	Penas	Tuma
Biernat	Evans	Jennings	Mares	Peterson	Vandever
Bishop	Finseth	Johnson, J.	Mariani	Pugh	Wagenius
Blaine	Folliard	Johnson, R.	Marko	Rhodes	Walker
Boudreau	Fuller	Johnson, S.	Marquart	Rifenberg	Walz
Bradley	Gerlach	Jordan	McElroy	Rukavina	Wasiluk
Buesgens	Gleason	Juhnke	McGuire	Ruth	Westerberg
Carlson	Goodno	Kahn	Milbert	Schumacher	Westrom
Cassell	Goodwin	Kalis	Molnau	Seagren	Wilkin
Clark, J.	Gray	Kelliher	Mullery	Seifert	Winter
Clark, K.	Greiling	Kielkucki	Murphy	Sertich	Wolf
Daggett	Gunther	Knoblach	Ness	Skoe	Workman
Davids	Haas	Koskinen	Nornes	Skoglund	Spk. Sviggum
Davnie	Hackbarth	Krinkie	Olson	Slawik	
Dawkins	Harder	Kubly	Opatz	Smith	
Dehler	Hausman	Kuisle	Osskopp	Solberg	
Dempsey	Hilstrom	Larson	Osthoff	Stanek	
Dibble	Hilty	Leighton	Otremba	Stang	

The bill was passed and its title agreed to.

S. F. No. 3352, A bill for an act relating to the environment; amending provisions of the Dry Cleaner Environmental Response and Reimbursement Law; amending Minnesota Statutes 2000, sections 115B.48, subdivision 5; 115B.49, subdivision 4.

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 125 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hilty	Lenczewski	Ozment	Stanek
Abrams	Dorn	Holsten	Leppik	Paulsen	Stang
Anderson, I.	Eastlund	Howes	Lieder	Pawlenty	Swapinski
Bakk	Entenza	Huntley	Lindner	Paymar	Swenson
Bernardy	Erhardt	Jacobson	Mahoney	Pelowski	Sykora
Biernat	Evans	Jaros	Mares	Penas	Thompson
Bishop	Finseth	Jennings	Mariani	Peterson	Tingelstad
Blaine	Folliard	Johnson, J.	Marko	Pugh	Tuma
Boudreau	Fuller	Johnson, R.	Marquart	Rhodes	Vandever
Bradley	Gerlach	Johnson, S.	McElroy	Rifenberg	Wagenius
Carlson	Gleason	Jordan	McGuire	Rukavina	Walker
Cassell	Goodno	Juhnke	Milbert	Ruth	Walz
Clark, J.	Goodwin	Kahn	Molnau	Schumacher	Wasiluk
Clark, K.	Gray	Kalis	Mullery	Seagren	Westerberg
Daggett	Greiling	Kelliher	Murphy	Seifert	Westrom
Davids	Gunther	Knoblach	Ness	Sertich	Wilkin
Davnie	Haas	Koskinen	Nornes	Skoe	Winter
Dawkins	Hackbarth	Kubly	Opatz	Skoglund	Wolf
Dehler	Harder	Kuisle	Osskopp	Slawik	Workman
Dempsey	Hausman	Larson	Osthoff	Smith	Spk. Sviggum
Dibble	Hilstrom	Leighton	Otremba	Solberg	

Those who voted in the negative were:

Anderson, B.	Erickson	Kielkucki	Lipman
Buesgens	Holberg	Krinkie	Olson

The bill was passed and its title agreed to.

S. F. No. 2678, A bill for an act relating to natural resources; making technical changes and clarifications; modifying certain requirements for nonresident youth small game hunting; modifying requirements for firearms safety certificate; modifying prohibitions of hunting while under the influence; providing for taking unprotected birds; making certain stamp exemptions; modifying certain report requirements; amending Minnesota Statutes 2000, sections 86B.311, subdivision 5; 97A.015, subdivisions 16, 17; 97A.085, subdivision 7; 97A.451, subdivision 3a; 97B.020; 97B.065, subdivisions 1, 3, 4; 97B.066, subdivision 1; 97B.651; 97B.655, subdivision 1; 97B.715, subdivision 1; 97B.801; 97C.031; 97C.317; 169A.03, subdivision 3; Minnesota Statutes 2001 Supplement, section 97C.305, subdivision 2; Laws 1989, chapter 335, article 1, section 21, subdivision 8.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, I.	Biernat	Boudreau	Carlson	Clark, K.
Abrams	Bakk	Bishop	Bradley	Cassell	Daggett
Anderson, B.	Bernardy	Blaine	Buesgens	Clark, J.	Davids

Davnie	Greiling	Kahn	Marquart	Peterson	Thompson
Dawkins	Gunther	Kalis	McElroy	Pugh	Tingelstad
Dehler	Haas	Kelliher	McGuire	Rhodes	Tuma
Dempsey	Hackbarth	Kielkucki	Milbert	Rifenberg	Vandever
Dibble	Harder	Knoblach	Molnau	Rukavina	Wagenius
Dorman	Hausman	Koskinen	Mullery	Ruth	Walker
Dorn	Hilstrom	Krinkie	Murphy	Schumacher	Walz
Eastlund	Hilty	Kubly	Ness	Seagren	Wasiluk
Entenza	Holberg	Kuisle	Nornes	Seifert	Westerberg
Erhardt	Holsten	Larson	Olson	Sertich	Westrom
Erickson	Howes	Leighton	Opatz	Skoe	Wilkin
Evans	Huntley	Lenczewski	Osskopp	Skoglund	Winter
Finseth	Jacobson	Leppik	Osthoff	Slawik	Wolf
Folliard	Jaros	Lieder	Otremba	Smith	Workman
Fuller	Jennings	Lindner	Ozment	Solberg	Spk. Sviggum
Gerlach	Johnson, J.	Lipman	Paulsen	Stanek	
Gleason	Johnson, R.	Mahoney	Pawlenty	Stang	
Goodno	Johnson, S.	Mares	Paymar	Swapinski	
Goodwin	Jordan	Mariani	Pelowski	Swenson	
Gray	Juhnke	Marko	Penas	Sykora	

The bill was passed and its title agreed to.

H. F. No. 2970 was reported to the House.

Hackbarth moved to amend H. F. No. 2970, the first engrossment, as follows:

Page 1, after line 17, insert:

"Sec. 2. [PUBLIC USE OF RECREATIONAL AREAS; RULES.]

(a) Minnesota Rules, part 6100.1950, subpart 7, shall be amended by adding a new item F to read: "F. Subpart 1 does not apply to motor vehicles used to carry out silvicultural activities, including timber cruising, and the harvest and transport of forest products for commercial purposes."

(b) Minnesota Rules, part 6100.1950, subpart 7, shall be amended by adding a new item G to read: "G. The commissioner may grant a variance from the requirements of subpart 1 to private landowners and leaseholders when the only reasonable access to their land is across state forest lands."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hilty moved to amend H. F. No. 2970, the first engrossment, as amended, as follows:

Page 2, after line 20, insert:

"Sec. 4. [SNOWMOBILE TRAILS AND ENFORCEMENT ACCOUNT; AUTHORIZATION.]

Upon a showing of need, the commissioner of natural resources may use up to 50 percent of a snowmobile maintenance and grooming grant under Minnesota Statutes, section 84.83, that was available as of December 31, 2001, to reimburse the intended recipient for the actual cost of snowmobile trail grooming equipment

to be used for grant-in-aid trails. The costs must be incurred prior to April 1, 2002, and recipients must provide acceptable documentation of the costs to the commissioner. All applications for reimbursement under this section must be received no later than June 1, 2002.

Sec. 5. [EFFECTIVE DATE.]

Section 4 is effective the day following final enactment."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Rukavina and Hackbarth moved to amend H. F. No. 2970, the first engrossment, as amended, as follows:

Page 1, after line 17, insert:

"Sec. 2. [GILBERT OFF-HIGHWAY VEHICLE RECREATION AREA.]

Notwithstanding Laws 2002, chapter 220, article 10, section 38, the commissioner may hire employees for the operations and maintenance of the Gilbert off-highway vehicle recreation area funded from Laws 2001, First Special Session chapter 2, section 5, subdivision 6, titled Trails and Waterways Management."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Bakk, Milbert, Hackbarth and Workman moved to amend H. F. No. 2970, the first engrossment, as amended, as follows:

Page 1, after line 17, insert:

"Sec. 2. Minnesota Statutes 2000, section 84.87, is amended by adding a subdivision to read:

Subd. 2d. [NO SPEED LIMITS ON WATERS OF THE STATE.] A speed limit established by the commissioner in rules adopted under section 84.86 does not apply to a snowmobile that is operated during the daylight hours on waters of this state, as defined under section 97A.015, subdivision 54. The commissioner shall not set a maximum rate of speed that is considered unreasonable for snowmobiles operated on waters of this state."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Anderson, I., moved to amend H. F. No. 2970, the first engrossment, as amended, as follows:

Page 2, line 15, after "hunting" insert "small game or"

Page 2, line 16, after "during" insert "September,"

A roll call was requested and properly seconded.

The question was taken on the Anderson, I., amendment and the roll was called. There were 34 yeas and 97 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Finseth	Kielkucki	Olson	Rukavina	Solberg
Bakk	Hilty	Kubly	Osskopp	Schumacher	Walz
Biernat	Jennings	Lieder	Otremba	Seifert	Westrom
Buesgens	Johnson, S.	Mahoney	Penas	Sertich	Winter
Dehler	Juhnke	Milbert	Peterson	Skoe	
Dorn	Kalis	Murphy	Pugh	Smith	

Those who voted in the negative were:

Abeler	Dibble	Hackbarth	Krinkie	Opatz	Thompson
Abrams	Dorman	Harder	Kuisle	Ozment	Tingelstad
Anderson, B.	Eastlund	Hausman	Larson	Paulsen	Tuma
Bernardy	Entenza	Hilstrom	Leighton	Pawlenty	Vandever
Bishop	Erhardt	Holberg	Lenczewski	Paymar	Wagenius
Blaine	Erickson	Holsten	Leppik	Pelowski	Walker
Boudreau	Evans	Howes	Lindner	Rhodes	Wasiluk
Bradley	Folliard	Huntley	Lipman	Rifenberg	Westerberg
Carlson	Fuller	Jacobson	Mares	Ruth	Wilkin
Cassell	Gerlach	Jaros	Mariani	Seagren	Wolf
Clark, J.	Gleason	Johnson, J.	Marko	Skoglund	Workman
Clark, K.	Goodno	Johnson, R.	Marquart	Slawik	Spk. Sviggum
Daggett	Goodwin	Jordan	McElroy	Stanek	
Davids	Gray	Kahn	McGuire	Stang	
Davnie	Greiling	Kelliher	Molnau	Swapinski	
Dawkins	Gunther	Knoblach	Ness	Swenson	
Dempsey	Haas	Koskinen	Nornes	Sykora	

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

Olson moved to amend H. F. No. 2970, the first engrossment, as amended, as follows:

Page 1, after line 17, insert:

"Sec. 2. Minnesota Statutes 2000, section 84.922, subdivision 1a, is amended to read:

Subd. 1a. [EXEMPTIONS.] All-terrain vehicles exempt from registration are:

(1) vehicles owned and used by the United States, the state, another state, or a political subdivision;

(2) vehicles registered in another state or country that have not been in this state for more than 30 consecutive days;

(3) vehicles used exclusively by the owner or driver on the owner's or driver's own property; and

(3) (4) vehicles used exclusively in organized track racing events.

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

The motion prevailed and the amendment was adopted.

H. F. No. 2970, A bill for an act relating to natural resources; imposing requirements on certain purchases of the commissioner of natural resources; requiring certain rule amendments; authorizing hiring of employees for operations and maintenance of a certain off-highway vehicle recreation area; providing that a certain speed limit set by rule for waters of the state does not apply in certain circumstances to snowmobiles; exempting all-terrain vehicles used exclusively on owners' or drivers' property from registration; authorizing the commissioner of natural resources to use grant money for snowmobile trail grooming equipment reimbursement; appropriating money for maintenance, monitoring, environmental review, and enforcement related to recreational motor vehicle use; amending Minnesota Statutes 2000, sections 84.025, by adding a subdivision; 84.87, by adding a subdivision; 84.922, subdivision 1a.

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 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Hilstrom	Leighton	Osthoff	Solberg
Abrams	Dorman	Hilty	Lenczewski	Otremba	Stanek
Anderson, B.	Dorn	Holberg	Leppik	Ozment	Stang
Anderson, I.	Eastlund	Holsten	Lieder	Paulsen	Swapinski
Bakk	Entenza	Howes	Lindner	Pawlenty	Swenson
Bernardy	Erhardt	Jacobson	Lipman	Paymar	Sykora
Biernat	Erickson	Jaros	Mahoney	Pelowski	Thompson
Bishop	Evans	Jennings	Mares	Penas	Tingelstad
Blaine	Finseth	Johnson, J.	Mariani	Peterson	Tuma
Boudreau	Folliard	Johnson, R.	Marko	Pugh	Wagenius
Bradley	Fuller	Johnson, S.	Marquart	Rhodes	Walker
Buesgens	Gerlach	Jordan	McElroy	Rifenberg	Walz
Carlson	Gleason	Juhnke	McGuire	Rukavina	Wasiluk
Cassell	Goodno	Kahn	Milbert	Ruth	Westerberg
Clark, J.	Goodwin	Kelliher	Molnau	Schumacher	Westrom
Clark, K.	Gray	Kielkucki	Mullery	Seagren	Wilkin
Daggett	Greiling	Knoblach	Murphy	Seifert	Winter
Davids	Gunther	Koskinen	Ness	Sertich	Wolf
Davnie	Haas	Krinkie	Nornes	Skoe	Workman
Dawkins	Hackbarth	Kubly	Olson	Skoglund	Spk. Sviggum
Dehler	Harder	Kuisle	Opatz	Slawik	
Dempsey	Hausman	Larson	Osskopp	Smith	

Those who voted in the negative were:

Kalis Vandever

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

S. F. No. 2674 was reported to the House.

Ozment moved to amend S. F. No. 2674 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2920, the third engrossment:

"Section 1. Minnesota Statutes 2000, section 17.47, subdivision 7, is amended to read:

Subd. 7. [PRIVATE AQUATIC LIFE.] "Private aquatic life" means fish, shellfish, mollusks, crustaceans, turtles, and any other aquatic animals cultured within an aquatic farm. Private aquatic life is the property of the aquatic farmer.

Sec. 2. Minnesota Statutes 2000, section 89.36, subdivision 1, is amended to read:

Subdivision 1. [PRODUCTION AT STATE NURSERIES.] The commissioner of natural resources may produce tree planting stock for the purposes of sections 89.35 to 89.39 upon any lands under control of the commissioner which may be deemed suitable and available therefor so far as not inconsistent with other uses to which such lands may be dedicated by law. The commissioner may not produce more than 10,000,000 units of planting stock annually, after January 1, 2003.

Sec. 3. Minnesota Statutes 2000, section 90.151, subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE; EXPIRATION.] (a) Following receipt of the down payment for state timber sold at public auction, the commissioner shall issue a numbered permit to the purchaser, in a form approved by the attorney general, by the terms of which the purchaser shall be authorized to enter upon the land, and to cut and remove the timber therein described, according to the provisions of this chapter. The permit shall be correctly dated and executed by the commissioner or agent and signed by the purchaser. If a permit is not signed by the purchaser within 60 days from the date of purchase, the permit cancels and the down payment for timber forfeits to the state.

(b) The permit shall expire no later than five years after the date of sale as the commissioner shall specify, and the timber shall be cut within the time specified therein. All cut timber, equipment, and buildings not removed from the land within 90 days after expiration of the permit shall become the property of the state.

(c) The commissioner may grant an additional period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of such request by the permit holder for good and sufficient reasons. The commissioner may grant a second period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of a request by the permit holder for hardship reasons only.

(d) No permit shall be issued to any person other than the purchaser in whose name the bid was made.

Sec. 4. Minnesota Statutes 2000, section 90.162, is amended to read:

90.162 [ALTERNATIVE TO BOND OR DEPOSIT REQUIREMENTS.]

In lieu of the bond or cash deposit equal to the value of all timber covered by the permit required by section 90.161 or 90.173, a purchaser of state timber may, ~~at the time of the bid approval and upon payment by the purchaser to the commissioner of 15 percent of the appraised value under section 90.14,~~ elect in writing on a form prescribed by the attorney general to prepay give good and valid surety to the state of Minnesota equal to the purchase price for any designated cutting block identified on the permit before the date the purchaser enters upon the land to begin harvesting the timber on the designated cutting block.

Sec. 5. Minnesota Statutes 2000, section 97A.421, subdivision 4, is amended to read:

Subd. 4. [ISSUANCE AFTER INTOXICATION OR NARCOTICS CONVICTION.] A person convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain a license to hunt with a firearm or by archery or hunt with a firearm or by archery under a lifetime license, issued under section 97A.473 or 97A.474, for five years after conviction.

Sec. 6. [97A.434] [PRAIRIE CHICKEN LICENSES.]

Subdivision 1. [NUMBER OF LICENSES TO BE ISSUED.] If the commissioner establishes an open season for prairie chickens under section 97B.711, the commissioner shall also determine, by rule, the number of licenses to be issued.

Subd. 2. [ELIGIBILITY.] Eligibility for a prairie chicken license shall be determined by this section and by rule adopted by the commissioner. A person is eligible for a prairie chicken license only if the person:

(1) is a resident; and

(2) was born before January 1, 1980, or possesses a firearms safety certificate.

Subd. 3. [APPLICATION FOR LICENSE.] An application for a prairie chicken license must be made in a manner provided by the commissioner and accompanied by a \$3 application fee. The \$3 application fee is appropriated as prescribed in Minnesota Statutes, section 84.027, subdivision 15, paragraph (d), to pay for costs associated with conducting the prairie chicken license drawing. A person may not make more than one application for each season. If a person makes more than one application, the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Subd. 4. [SEPARATE SELECTION OF ELIGIBLE LICENSEES.] (a) The commissioner may conduct a separate selection for up to 20 percent of the prairie chicken licenses to be issued for any area. Only persons who are owners or tenants of at least 40 acres of prairie or grassland in the area, and their family members, are eligible applicants for prairie chicken licenses for the separate selection. The qualifying prairie or grassland may be noncontiguous. Persons who are unsuccessful in a separate selection must be included in the selection for the remaining licenses. Persons who obtain a license in a separate selection must allow public prairie chicken hunting on their land during that prairie chicken season.

(b) The commissioner may by rule establish criteria for determining eligible family members under this subdivision.

Sec. 7. Minnesota Statutes 2000, section 97A.473, subdivision 1, is amended to read:

Subdivision 1. [RESIDENT LIFETIME LICENSES AUTHORIZED.] (a) The commissioner may issue a lifetime angling license, a lifetime small game hunting license, a lifetime ~~firearms~~ firearm or archery deer hunting license, or a lifetime sporting license to a person who is a resident of the state for at least one year or who is under age 21 and the child of a person who is a resident of the state for at least one year. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

(1) telephone or Internet notification, as specified by the commissioner;

(2) the purchase of stamps for the license; or

(3) registration and tag issuance, in the case of the resident lifetime deer license.

Sec. 8. Minnesota Statutes 2000, section 97A.473, subdivision 4, is amended to read:

Subd. 4. [~~LIFETIME FIREARM DEER HUNTING LICENSE; FEE.~~] (a) A resident lifetime ~~firearm~~ deer hunting license authorizes a person to take deer with firearms or by archery in the state. The license authorizes those activities authorized by the annual resident firearm deer hunting license or the annual resident archery deer hunting license. The licensee must register and receive tags each year that the license is used. The tags shall be issued at no charge to the licensee.

(b) The fees for a resident lifetime firearm or archery deer hunting license are:

- (1) age 3 and under, \$337;
- (2) age 4 to age 15, \$450;
- (3) age 16 to age 50, \$573; and
- (4) age 51 and over, \$383.

Sec. 9. Minnesota Statutes 2000, section 97A.4742, subdivision 1, is amended to read:

Subdivision 1. [~~ESTABLISHMENT; PURPOSE.~~] The lifetime fish and wildlife trust fund is established as a fund in the state treasury. All money received from the issuance of lifetime angling, small game hunting, ~~firearm~~ deer hunting, and sporting licenses and earnings on the fund shall be credited to the lifetime fish and wildlife trust fund.

Sec. 10. Minnesota Statutes 2000, section 97A.475, subdivision 2, is amended to read:

Subd. 2. [~~RESIDENT HUNTING.~~] Fees for the following licenses, to be issued to residents only, are:

- (1) for persons under age 65 to take small game, \$12;
- (2) for persons age 65 or over, \$6;
- (3) to take turkey, \$18;
- (4) to take deer with firearms, \$25;
- (5) to take deer by archery, \$25;
- (6) to take moose, for a party of not more than six persons, \$310;
- (7) to take bear, \$38;
- (8) to take elk, for a party of not more than two persons, \$250;
- (9) to take antlered deer in more than one zone, \$50;
- (10) to take Canada geese during a special season, \$4; ~~and~~
- (11) to take ~~an antlered buck~~ two deer throughout the state in any open deer season, except as restricted under section 97B.305, \$66; and
- (12) to take prairie chickens, \$20.

Sec. 11. Minnesota Statutes 2000, section 97A.475, subdivision 41, is amended to read:

Subd. 41. [~~TURTLE SELLERS LICENSES.~~] (a) The fee for a turtle seller's license to sell turtles and to take, transport, purchase buy, and possess turtles for sale is ~~\$70~~ \$250.

(b) The fee for a recreational turtle license to take, transport, and possess turtles for personal use is \$25.

(c) The fee for a turtle seller's apprentice license is \$100.

Sec. 12. [97A.510] [GAME FOR CONSUMPTION AT FUNDRAISING EVENTS.]

(a) Nonprofit organizations may charge a fee for admission to fundraising events when lawfully taken and possessed game, excluding migratory game birds that cannot be sold under federal law, donated to the organization is served for consumption on the premises where the fundraising event is held.

(b) Game donated to the nonprofit organization must be marked as provided in section 97A.505, subdivision 4. Game donated to a nonprofit organization and stored by the organization is considered to be in the possession of the person making the donation and is subject to inspection as provided in section 97A.215, subdivision 1. As provided in section 97A.505, subdivision 5, a license is not required for the nonprofit organization to possess or transport the donated game.

(c) The nonprofit organization must keep records of the game donated to the organization and the records must be available for inspection for two years from the date of the fundraising event. The records must show:

(1) the names and addresses of persons donating the game;

(2) the license number or possession permit number under which the game was lawfully taken or possessed; and

(3) the date, location, and purpose of the fundraising event that utilized the donation.

Sec. 13. Minnesota Statutes 2000, section 97B.025, is amended to read:

97B.025 [HUNTER AND TRAPPER EDUCATION.]

(a) The commissioner may establish education courses for hunters and trappers. The commissioner shall collect a fee from each person attending a course. The commissioner shall establish a fee that neither significantly over recovers nor under recovers costs, including overhead costs, involved in providing the services. The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees shall be deposited in the game and fish fund and the amount thereof is appropriated annually to the enforcement division of the department of natural resources for the administration of the program. In addition to the fee established by the commissioner, instructors may charge each person up to the established fee amount for class materials and expenses. School districts may cooperate with the commissioner and volunteer instructors to provide space for the classroom portion of the training.

(b) The commissioner shall enter into an agreement with a statewide nonprofit trappers association to conduct a trapper education program. At a minimum, the program must include at least six hours of classroom and in the field training. The program must include a review of state trapping laws and regulations, trapping ethics, the setting and tending of traps and snares, tagging and registration requirements, and the preparation of pelts. The association shall be responsible for all costs of conducting the education program, and shall not charge any fee for attending the course.

Sec. 14. Minnesota Statutes 2000, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. [FIREARMS AND AMMUNITION THAT MAY BE USED TO TAKE BIG GAME.] (a) A person may take big game with a firearm only if:

- (1) the rifle, shotgun, and handgun used is a caliber of at least .23 inches;
- (2) the firearm is loaded only with single projectile ammunition;
- (3) a projectile used is a caliber of at least .23 inches and has a soft point or is an expanding bullet type;
- (4) the ammunition has a case length of at least 1.285 inches;
- (5) the muzzle-loader used is incapable of being loaded at the breech;
- (6) the smooth-bore muzzle-loader used is a caliber of at least .45 inches; and
- (7) the rifled muzzle-loader used is a caliber of at least .40 inches.

(b) A person may not take big game with a .30 caliber M-1 carbine cartridge.

(c) Notwithstanding paragraph (a), clause (4), a person may take big game with a ten millimeter cartridge that is at least 0.95 inches in length ~~and may take big game with~~ a .45 Winchester Magnum cartridge, or a .50 A. E. Action Express handgun cartridge.

Sec. 15. Minnesota Statutes 2000, section 97B.301, subdivision 7, is amended to read:

Subd. 7. [ALL SEASON ~~BUCK DEER~~ LICENSE.] A resident may obtain an all season ~~buck deer~~ license to take one buck by firearm or archery and one doe by firearm or archery during any season statewide. A person obtaining an all season ~~buck deer~~ license does not qualify for hunting under subdivision 3 or 4. The commissioner shall issue one tag for a buck and one tag for a doe when issuing a license under this subdivision.

Sec. 16. Minnesota Statutes 2000, section 97B.601, subdivision 4, is amended to read:

Subd. 4. [EXCEPTION TO LICENSE REQUIREMENTS.] (a) A resident under age 16 may take small game without a small game license, and a resident under age 13 may trap without a trapping license, as provided in section 97A.451, subdivision 3.

(b) A person may take small game without a small game license on land occupied by the person as a principal residence.

(c) An owner or occupant may take certain small game causing damage without a small game or trapping license as provided in section 97B.655.

(d) A person may use dogs to pursue and tree raccoons under section 97B.621, subdivision 2, during the closed season without a license.

(e) A person may take a turkey or a prairie chicken without a small game license.

Sec. 17. [97B.716] [PRAIRIE CHICKENS.]

Subdivision 1. [LICENSE REQUIRED.] A person may not take a prairie chicken without a prairie chicken license.

Subd. 2. [TAGGING AND REGISTRATION.] The commissioner may by rule prescribe requirements for the tagging and registration of prairie chickens.

Subd. 3. [LIMITED NUMBER OF PRAIRIE CHICKEN HUNTERS.] The commissioner may establish a method, including a drawing, to impartially select persons eligible to take prairie chickens in an area. Preference must be given to persons who have previously applied in the general selection but have not been selected.

Sec. 18. Minnesota Statutes 2000, section 97C.025, is amended to read:

97C.025 [FISHING AND MOTORBOATS PROHIBITED IN CERTAIN AREAS.]

(a) The commissioner may prohibit fishing or restrict the taking of fish or the operation of motorboats by posting waters that:

(1) are designated as spawning beds or fish preserves; ~~or~~

(2) are being used by the commissioner for fisheries research or management activities; or

(3) are licensed by the commissioner as a private fish hatchery or aquatic farm under section 97C.211, subdivision 1, or 17.4984, subdivision 1.

An area may be posted under this paragraph if necessary to prevent excessive depletion of fish or interference with fisheries research or management activities or private fish hatchery or aquatic farm operations. The commissioner will consider the following criteria in determining if waters licensed under a private fish hatchery or aquatic farm should be posted under this paragraph:

(i) the waters contain game fish brood stock that are vital to the private fish hatchery or aquatic farm operation;

(ii) game fish are present in the licensed waters only as a result of aquaculture activities by the licensee; and

(iii) no public access to the waters existed when the waters were first licensed.

A private fish hatchery or aquatic farm licensee may not take fish or authorize others to take fish in licensed waters that are posted under this paragraph, except as provided in section 17.4983, subdivision 3, and except that if waters are posted to allow the taking of fish under special restrictions, licensees and others who can legally access the waters may take fish under those special restrictions.

(b) Except as provided in ~~paragraph~~ paragraphs (a) and (c), a person may not take fish or operate a motorboat if prohibited by posting under paragraph (a).

(c) An owner of riparian land adjacent to an area posted under paragraph (a) may operate a motorboat through the area by the shortest direct route at a speed of not more than five miles per hour.

Sec. 19. Minnesota Statutes 2000, section 97C.081, is amended by adding a subdivision to read:

Subd. 8a. [ADDITIONAL CONTEST PERMITS.] (a) The commissioner may allow up to ten additional permits annually for fishing contests throughout the state on lakes 10,000 acres in size or over. No lake may be permitted for more than two additional contests annually.

(b) Permitted fishing contests under this subdivision must demonstrate to the commissioner economic benefits to the local area, and promote public awareness of fishing and state resources.

Sec. 20. Minnesota Statutes 2000, section 97C.605, is amended to read:

97C.605 [TURTLES.]

Subdivision 1. [RESIDENT ANGLING LICENSE REQUIRED.] In addition to any other license required in this section, a person may not take, possess, or transport turtles without an a resident angling license, except as provided in subdivision 2c.

Subd. 2. [TURTLE SELLER'S LICENSE.] (a) A person may not take, possess, buy, or transport, or purchase turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in this subdivision 2c.

(b) Except for renewals, no new turtle seller's licenses may be issued after March 1, 2003.

Subd. 2a. [RECREATIONAL TURTLE LICENSE.] A person who does not possess a turtle seller's license must obtain a recreational turtle license to take turtles for personal use with commercial equipment, but may not take them for commercial resale.

Subd. 2b. [TURTLE SELLER'S APPRENTICE LICENSE.] (a) A person with a turtle seller's license may list one person as an apprentice on the license. A person acting as an apprentice for a turtle seller licensee must have an apprentice license and may assist the turtle licensee in all licensed activities.

(b) The turtle seller licensee or turtle seller's apprentice licensee must be present at all turtle operations conducted under the turtle seller's license. Turtle operations include going to and from turtle harvest locations; setting, lifting, and removing commercial turtle equipment; taking turtles out of equipment; and transporting turtles from harvest locations.

(c) A turtle seller's apprentice license is transferable by the turtle seller licensee by making application to the commissioner. A person listed as an apprentice by a turtle seller licensee must not be listed as an apprentice by another turtle seller licensee nor may an apprentice possess a turtle seller's license or a recreational turtle license.

Subd. 2c. [LICENSE EXEMPTIONS.] A person does not need a turtle seller's license or an angling license:

(1) when buying turtles for resale at a retail outlet;

(2) when buying a turtle at a retail outlet; or

(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export out of state. Shipping documents provided by the turtle seller must accompany each shipment exported out of state by a nonresident. Shipping documents must include: name, address, city, state, and zip code of the buyer; number of each species of turtle; and name and license number of the turtle seller.

Subd. 3. [TAKING; METHODS PROHIBITED.] ~~(a) Except as allowed in paragraph (b);~~ A person may take turtles in any manner, except by the use of:

(1) explosives, drugs, poisons, lime, and other harmful substances;

(2) traps, except as provided by rules adopted under subdivision 6; or

(3) nets other than anglers' fish landing nets;

~~(b) A person with a turtle seller's license may take turtles with a floating turtle trap that:~~

~~(1) has one or more openings above the water surface that measure at least ten inches by four inches; and~~

(2) has a mesh size of not less than one-half inch, bar measure.

The commissioner may prescribe additional regulations for taking turtles for sale; or

(4) commercial equipment, except as provided by rules adopted under subdivision 6.

~~Subd. 4. [ARTIFICIAL LIGHTS.] The commissioner may issue permits to take turtles with the use of artificial lights in designated waters.~~

Subd. 5. [INTERFERENCE WITH COMMERCIAL OR RECREATIONAL TURTLE OPERATIONS.] A person may not:

(1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed turtle operation;

(2) remove turtles, other wild animals, or fish from a floating or submerged trap licensed under the game and fish laws; or

(3) knowingly damage, disturb, or interfere with a licensed turtle operation.

Subd. 6. [RULES.] The commissioner may adopt rules for taking turtles. The commissioner may prescribe seasons, limits, closed areas, and other restrictions and requirements the commissioner deems necessary for the conservation of turtles.

Sec. 21. Minnesota Statutes 2000, section 97C.611, is amended to read:

97C.611 [SNAPPING TURTLES; LIMITS.]

A person may not possess more than three snapping turtles of the species *Chelydra serpentina* without a turtle seller's license. A person may ~~not take snapping turtles of a size less than ten inches wide including curvature, measured from side to side across the shell at midpoint~~ only take snapping turtles of a size defined by rules adopted under section 97C.605, subdivision 6.

Sec. 22. Minnesota Statutes 2001 Supplement, section 282.04, subdivision 1, is amended to read:

Subdivision 1. [TIMBER SALES; LAND LEASES AND USES.] (a) The county auditor may sell timber upon any tract that may be approved by the natural resources commissioner. Such sale of timber shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at such public sale and not sold may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until such time as the county board may withdraw such timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of natural resources.

(b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales, the down payment shall be no less than 15 percent of the appraised value, and the balance shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a single sale with predetermined cutting blocks, the down payment shall be no less than 15 percent of the appraised price of the entire timber sale which may be held until the satisfactory completion of the sale or applied in whole or in part to the final cutting block. The value of each separate block must be paid in full before any cutting may begin in that block. With the permission of the county administrator the purchaser may enter unpaid blocks and cut necessary timber incidental to developing logging roads as may be needed to log other blocks provided that no timber may be removed from an unpaid block until separately scaled and paid for.

(c) The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale above mentioned, in which case the notice shall contain a description of such parcels, a statement of the estimated quantity of each species of timber thereon and the appraised price of each specie of timber for 1,000 feet, per cord or per piece, as the case may be. In such cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from such parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of such sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of such sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from such parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by the purchaser when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of timber not exceeding \$3,000 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of such sale involving a total appraised value of more than \$200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two such sales, directly or indirectly to any individual shall be in effect at one time.

(d) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations or organized subdivisions of the state at public or private vendue, and at such prices and under such terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, and black dirt therefrom, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases involving a consideration of more than \$12,000 per year, except to an organized subdivision of the state shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any such leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by such cancellation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county.

(e) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations, or organized subdivisions of the state at public or private vendue, at such prices and under such terms as the county board may prescribe, for the purpose of taking and removing for use for road construction and other purposes tax-forfeited stockpiled iron-bearing material. The county auditor must determine that the material is needed and suitable for use in the construction or maintenance of a road, tailings basin, settling basin, dike, dam, bank fill, or other works on public or private property, and that the use would be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile for these purposes must first be approved by the commissioner of natural resources. The request shall be deemed approved unless the requesting county is notified to the contrary by the commissioner of natural resources within six months after receipt of a request for approval for use of a stockpile. Once use of a stockpile has been approved, the county may continue to lease it for these purposes until approval is withdrawn by the commissioner of natural resources.

(f) The county auditor, with the approval of the county board is authorized to grant permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores, tailings, or waste products from mines or ore milling plants, upon such conditions and for such consideration and for such period of time, not exceeding 15 years, as the county board may determine; said permits, licenses, or leases to be subject to approval by the commissioner of natural resources.

(g) Any person who removes any timber from tax-forfeited land before said timber has been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

(h) The county auditor may, with the approval of the county board, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax-forfeited lands upon such terms and conditions as the county board may prescribe. Any lease for the removal of peat from tax-forfeited lands must first be reviewed and approved by the commissioner of natural resources if the lease covers 320 or more acres. No lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on the auditor's intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

(i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis county auditor may, at the discretion of the county board, sell timber to the party who bids the highest price for all the several kinds of timber, as provided for sales by the commissioner of natural resources under section 90.14. Bids offered over and above the appraised price need not be applied proportionately to the appraised price of each of the different species of timber.

Sec. 23. [STUDY AND REPORT.]

The commissioner of natural resources must review Minnesota Statutes 2000, sections 84.029, 84A.55, and 85.04, and the February 2002 operational order on natural resources officers, and analyze the citation authority for nonconservation officers and how that differs from conservation officer authority generally under the jurisdiction of the commissioner. Included in the review must be an analysis of citations given and proposed to be given by any employee under the commissioner. A report on the study's findings must be given to the house and senate chairs of the environmental and natural resources policy and the crime prevention committees by January 15, 2003.

Sec. 24. [REPEALER.]

Minnesota Statutes 2000, sections 90.50; 97C.003; and 97C.605, subdivision 4, are repealed.

Sec. 25. [EFFECTIVE DATE.]

Sections 6, 10, 16, 17, and 18 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying certain definitions; modifying planting stock restrictions; modifying timber sale, permit, and lease provisions; modifying certain restrictions on fishing and motorboat operations; creating a prairie chicken hunting license; allowing fundraisers to serve game; modifying trapper education provisions; modifying the all season buck license; modifying requirements for taking turtles; modifying lifetime deer hunting license provisions; modifying big game ammunition provisions; modifying provisions for fishing contest permits; eliminating certain experimental trout stream restrictions; requiring a study and report; appropriating money; amending Minnesota Statutes 2000, sections 17.47, subdivision 7; 89.36, subdivision 1; 90.151, subdivision 1; 90.162; 97A.421, subdivision 4; 97A.473, subdivisions 1, 4; 97A.4742, subdivision 1; 97A.475, subdivisions 2, 41; 97B.025; 97B.031, subdivision 1; 97B.301, subdivision 7; 97B.601, subdivision 4; 97C.025; 97C.081, by adding a subdivision; 97C.605; 97C.611; Minnesota Statutes 2001 Supplement, sections 282.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; repealing Minnesota Statutes 2000, sections 90.50; 97C.003; 97C.605, subdivision 4."

The motion prevailed and the amendment was adopted.

The Speaker called Paulsen to the Chair.

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

Westrom, Rukavina, Otremba and Cassell moved to amend S. F. No. 2674, as amended, as follows:

Page 10, line 22, after "except" insert ":

(i)"

Page 10, line 23, delete "and except" and insert ":

(ii)"

Page 10, line 26, before the period, insert " and

(iii) riparian landowners adjacent to licensed waters on the effective date of this section, and riparian landowners who own land adjacent to waters licensed after the effective date of this section on the date the waters become licensed waters, plus their children and grandchildren, may take two daily limits of fish per month under an angling license subject to the other limits and conditions in the game and fish laws."

A roll call was requested and properly seconded.

The question was taken on the Westrom et al amendment and the roll was called. There were 77 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Leppik	Paulsen	Swapinski
Abrams	Eastlund	Holsten	Lindner	Pawlenty	Swenson
Anderson, B.	Erhardt	Howes	Mares	Penas	Sykora
Bishop	Erickson	Huntley	Marquart	Peterson	Tingelstad
Blaine	Finseth	Jacobson	McElroy	Rhodes	Tuma
Boudreau	Fuller	Jennings	Milbert	Rukavina	Vandever
Bradley	Gerlach	Johnson, J.	Molnau	Ruth	Walz
Buesgens	Goodno	Jordan	Ness	Seagren	Westerberg
Cassell	Gunther	Kielkucki	Nornes	Seifert	Westrom
Clark, J.	Haas	Knoblach	Olson	Smith	Wilkin
Daggett	Hackbarth	Krinkie	Osskopp	Solberg	Wolf
Davids	Harder	Kubly	Otremba	Stanek	Workman
Dehler	Hilty	Kuisle	Ozment	Stang	

Those who voted in the negative were:

Anderson, I.	Dawkins	Gleason	Johnson, R.	Larson	Marko
Bakk	Dibble	Goodwin	Johnson, S.	Leighton	McGuire
Bernardy	Dorman	Gray	Juhnke	Lenczewski	Mullery
Biernat	Dorn	Greiling	Kahn	Lieder	Murphy
Carlson	Entenza	Hausman	Kalis	Lipman	Opatz
Clark, K.	Evans	Hilstrom	Kelliher	Mahoney	Osthoff
Davnie	Folliard	Jaros	Koskinen	Mariani	Paymar

Pelowski	Schumacher	Skoglund	Wagenius	Winter
Pugh	Sertich	Slawik	Walker	
Rifenberg	Skoe	Thompson	Wasiluk	

The motion prevailed and the amendment was adopted.

Kahn, Kelliher, Skoglund and Hausman moved to amend S. F. No. 2674, as amended, as follows:

Page 1, after line 33, insert:

"Sec. 2. Minnesota Statutes 2000, section 85.20, subdivision 6, is amended to read:

Subd. 6. [LITTERING; PENALTY.] (a) No person shall drain, throw, or deposit upon the lands and waters within a state park any substance, including cigarette filters, that would mar the appearance, create a stench, destroy the cleanliness or safety of the land, or would be likely to injure any animal, vehicle, or person traveling upon those lands and waters. The operator of a vehicle or watercraft, except a school bus or a vehicle transporting passengers for hire and regulated by the interstate commerce commission, shall not permit articles to be thrown or discarded from the vehicle upon any lands or waters within a state park.

(b) Violation of this subdivision is a misdemeanor. Any person sentenced under this subdivision shall in lieu of the sentence imposed be permitted, under terms established by the court, to work under the direction of the department of natural resources at clearing rubbish, trash, and debris from any state park. The court may for any violation of this subdivision order the offender to perform such work under terms established by the court with the option of a jail sentence being imposed.

(c) In lieu of enforcement under paragraph (b), this subdivision may be enforced by imposition of a civil penalty and an action for damages for littering under section 115A.99."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called. There were 103 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark, J.	Entenza	Harder	Kahn	Lieder
Abrams	Clark, K.	Evans	Hausman	Kalis	Mares
Anderson, I.	Daggett	Finseth	Hilstrom	Kelliher	Mariani
Bakk	Davids	Folliard	Hilty	Knoblach	Marko
Bernardy	Davnie	Fuller	Holsten	Koskinen	Marquart
Biernat	Dawkins	Goodno	Howes	Kubly	McElroy
Bishop	Dehler	Goodwin	Jaros	Kuisle	McGuire
Blaine	Dempsey	Gray	Johnson, R.	Larson	Milbert
Boudreau	Dibble	Greiling	Johnson, S.	Leighton	Molnau
Carlson	Dorman	Gunther	Jordan	Lenczewski	Mullery
Cassell	Dorn	Haas	Juhnke	Leppik	Murphy

Ness	Pawlenty	Schumacher	Solberg	Vandever	Wolf
Nornes	Pelowski	Seagren	Stanek	Wagenius	Workman
Opatz	Peterson	Seifert	Stang	Walker	
Osthoff	Pugh	Sertich	Swenson	Walz	
Otremba	Rhodes	Skoe	Sykora	Wasiluk	
Ozment	Rifenberg	Skoglund	Thompson	Westerberg	
Paulsen	Ruth	Slawik	Tuma	Winter	

Those who voted in the negative were:

Anderson, B.	Erickson	Jacobson	Lindner	Penas	Westrom
Bradley	Gerlach	Jennings	Lipman	Rukavina	Wilkin
Buesgens	Hackbarth	Johnson, J.	Mahoney	Smith	
Eastlund	Holberg	Kielkucki	Olson	Swapinski	
Erhardt	Huntley	Krinkie	Osskopp	Tingelstad	

The motion prevailed and the amendment was adopted.

Howes, Skoe, Dempsey, Sertich, Dehler, Stang, Juhnke, Nornes, Fuller, Molnau, Marquart, Walz, Peterson, Lieder, Gunther and Anderson, I., moved to amend S. F. No. 2674, as amended, as follows:

Page 18, after line 9, insert:

"Sec. 24. [GAME AND FISH AGENT LICENSE AGREEMENTS.]

The department of natural resources may not terminate a game and fish license agent agreement to sell licenses electronically based solely on the volume of licenses sold by the agent. It must reinstate any agreement that has been terminated for that reason prior to the effective date of this section."

Page 18, line 14, delete "and 18" and insert "18, and 24"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Howes moved to amend S. F. No. 2674, as amended, as follows:

Page 8, after line 28, insert:

"Sec. 15. Minnesota Statutes 2000, section 97B.081, subdivision 2, is amended to read:

Subd. 2. [WITHOUT FIREARMS.] (a) Between the hours of 10:00 p.m. and 6:00 a.m. from September 1 to December 31, a person may not cast the rays of a spotlight, headlight, or other artificial light in a field, woodland, or forest to spot, locate, or take a wild animal except to take raccoons under section 97B.621, subdivision 3, or to tend traps under section 97B.931.

(b) Between one-half hour after sunset until sunrise, a person may not cast the rays of a spotlight, headlight, or other artificial light to spot, locate, or take a wild animal on fenced, agricultural land containing livestock that is marked with signs prohibiting the shining of lights. The signs must:

(1) display reflectorized letters that are at least two inches in height and state "no shining" or similar terms; and

(2) be placed at intervals of 1,000 feet or less along the boundary of the area.

(c) It is not a violation of this subdivision for a person to carry out any agricultural, occupational, or recreational practice, including snowmobiling that is not related to spotting, locating, or taking a wild animal."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Anderson, I.	Evans	Johnson, R.	Mahoney	Pawlenty	Stanek
Bakk	Fuller	Juhnke	Mariani	Paymar	Swapinski
Bernardy	Goodwin	Kahn	Marko	Pelowski	Sykora
Carlson	Gray	Kalis	Marquart	Peterson	Thompson
Clark, J.	Greiling	Kelliher	McGuire	Pugh	Tuma
Clark, K.	Hausman	Koskinen	Milbert	Rifenberg	Vandever
Davids	Hilstrom	Krinkie	Mullery	Schumacher	Wagenius
Davnie	Hilty	Kubly	Murphy	Seagren	Walker
Dawkins	Howes	Kuise	Osskopp	Sertich	Wasiluk
Dibble	Huntley	Larson	Osthoff	Skoe	
Dorman	Jacobson	Leighton	Otremba	Slawik	
Entenza	Jennings	Lenczewski	Paulsen	Solberg	

Those who voted in the negative were:

Abeler	Dehler	Gunther	Knoblach	Opatz	Tingelstad
Abrams	Dempsey	Haas	Leppik	Ozment	Walz
Anderson, B.	Dorn	Hackbarth	Lieder	Penas	Westerberg
Biernat	Eastlund	Harder	Lindner	Rhodes	Westrom
Bishop	Erhardt	Holberg	Lipman	Rukavina	Wilkin
Blaine	Erickson	Holsten	Mares	Ruth	Winter
Boudreau	Finseth	Jaros	McElroy	Seifert	Wolf
Bradley	Folliard	Johnson, J.	Molnau	Skoglund	Workman
Buesgens	Gerlach	Johnson, S.	Ness	Smith	
Cassell	Gleason	Jordan	Nornes	Stang	
Daggett	Goodno	Kielkucki	Olson	Swenson	

The motion prevailed and the amendment was adopted.

Bakk and Haas moved to amend S. F. No. 2674, as amended, as follows:

Page 11, after line 8, insert:

"Sec. 20. [97C.303] [CONSERVATION ANGLING LICENSE.]

Subdivision 1. [AVAILABILITY.] The commissioner shall make available a conservation angling license according to this section. Conservation angling licenses shall be offered for resident and nonresident individuals, resident married couples, nonresident married couples valid for 14 consecutive days, and nonresident families.

Subd. 2. [DAILY AND POSSESSION LIMITS.] Daily and possession limits for fish taken under a conservation angling license are one-half the daily and possession limits for the corresponding fish taken under a standard angling license, rounded down to the next whole number if necessary.

Subd. 3. [LICENSE FEE.] The fee for a conservation angling license issued under this section is two-thirds of the corresponding standard angling license fee under section 97A.475, subdivision 6 or 7, rounded to the nearest whole dollar."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Otremba moved to amend S. F. No. 2674, as amended, as follows:

Page 12, line 2, after the period, insert "A person holding a turtle seller's license may tend the commercial turtle equipment of the person's spouse, without the spouse being present, provided the spouse holds a separate license under section 97A.475, subdivision 41, paragraph (a)."

A roll call was requested and properly seconded.

The question was taken on the Otremba amendment and the roll was called. There were 35 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Abeler	Dawkins	Hilty	Larson	Penas	Solberg
Anderson, I.	Dehler	Howes	Mahoney	Peterson	Tingelstad
Bakk	Finseth	Jaros	Mariani	Rukavina	Vandever
Biernat	Gunther	Johnson, S.	McGuire	Schumacher	Westrom
Blaine	Haas	Juhnke	Milbert	Seifert	Winter
Davids	Hackbarth	Kubly	Otremba	Sertich	

Those who voted in the negative were:

Abrams	Boudreau	Cassell	Davnie	Dorn	Erickson
Anderson, B.	Bradley	Clark, J.	Dempsey	Eastlund	Evans
Bernardy	Buesgens	Clark, K.	Dibble	Entenza	Folliard
Bishop	Carlson	Daggett	Dorman	Erhardt	Fuller

Gerlach	Jacobson	Kuisle	Mullery	Pugh	Swenson
Gleason	Jennings	Leighton	Murphy	Rhodes	Sykora
Goodno	Johnson, J.	Lenczewski	Ness	Rifenberg	Thompson
Goodwin	Johnson, R.	Leppik	Nornes	Ruth	Tuma
Gray	Jordan	Lieder	Olson	Seagren	Wagenius
Greiling	Kahn	Lindner	Opatz	Skoe	Walker
Harder	Kalis	Lipman	Osskopp	Skoglund	Walz
Hausman	Kelliher	Mares	Ozment	Slawik	Wasiluk
Hilstrom	Kielkucki	Marko	Paulsen	Smith	Westerberg
Holberg	Knoblach	Marquart	Pawlenty	Stanek	Wilkin
Holsten	Koskinen	McElroy	Paymar	Stang	Wolf
Huntley	Krinkie	Molnau	Pelowski	Swapinski	Workman

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

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

Speaker pro tempore Paulsen called Boudreau to the Chair.

Juhnke moved to amend S. F. No. 2674, as amended, as follows:

Page 11, after line 8, insert:

"Sec. 20. Minnesota Statutes 2000, section 97C.315, subdivision 1, is amended to read:

Subdivision 1. [LINES.] An angler may ~~not use more than one line except:~~

~~(1) two lines may be used to take fish through the ice; and~~

~~(2) the commissioner may, by rule, authorize the use of two lines in areas designated by the commissioner in Lake Superior."~~

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Jennings and Ozment moved to amend S. F. No. 2674, as amended, as follows:

Page 18, after line 9, insert:

"Sec. 24. [WATERSKIPPING PLAN.]

The commissioner of natural resources must create a plan to authorize practicing for members of a sanctioned waterskiing group during daytime hours in areas permitted by the commissioner or a designee. The commissioner may charge a fee for a permit issued under this section."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Wagenius moved to amend S. F. No. 2674, as amended, as follows:

Pages 9 and 10, delete section 18

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Anderson, I.	Dorn	Huntley	Kubly	Murphy	Skoglund
Bakk	Entenza	Jaros	Larson	Opatz	Slawik
Bernardy	Evans	Jennings	Leighton	Osthoff	Solberg
Biernat	Folliard	Johnson, R.	Lenczewski	Paymar	Swapinski
Bishop	Gleason	Johnson, S.	Lieder	Pelowski	Thompson
Carlson	Goodwin	Juhnke	Mariani	Pugh	Wagenius
Clark, K.	Gray	Kahn	Marko	Rukavina	Walker
Davnie	Greiling	Kalis	McGuire	Schumacher	Wasiluk
Dawkins	Hausman	Kelliher	Milbert	Sertich	Winter
Dibble	Hilstrom	Koskinen	Mullery	Skoe	

Those who voted in the negative were:

Abeler	Dempsey	Harder	Leppik	Ozment	Stang
Abrams	Dorman	Hilty	Lindner	Paulsen	Swenson
Anderson, B.	Eastlund	Holberg	Lipman	Pawlenty	Sykora
Blaine	Erhardt	Holsten	Mares	Penas	Tingelstad
Boudreau	Erickson	Howes	Marquart	Peterson	Tuma
Bradley	Finseth	Jacobson	McElroy	Rhodes	Vandever
Buesgens	Fuller	Johnson, J.	Molnau	Rifenberg	Walz
Cassell	Gerlach	Jordan	Ness	Ruth	Westerberg
Clark, J.	Goodno	Kielkucki	Nornes	Seagren	Westrom
Daggett	Gunther	Knoblach	Olson	Seifert	Wilkin
Davids	Haas	Krinkie	Osskopp	Smith	Wolf
Dehler	Hackbarth	Kuisle	Otreмба	Stanek	Workman

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

Rukavina and Bakk offered an amendment to S. F. No. 2674, as amended.

POINT OF ORDER

Penas raised a point of order pursuant to rule 3.21 that the Rukavina and Bakk amendment was not in order. Speaker pro tempore Boudreau ruled the point of order well taken and the Rukavina and Bakk amendment out of order.

S. F. No. 2674, A bill for an act relating to natural resources; clarifying the aquatic life that may be raised on aquatic farms; restricting motorized use of state forest land; requiring new snowmobiles sold in the state to have emergency hazard lights; temporarily removing restrictions on the production of planting stock; modifying timber permit and lease provisions; creating a prairie chicken hunting license; providing for the consumption of game at fundraising events; restricting the taking of fish on certain waters; providing for trapper education programs; prohibiting certain motorized decoys; modifying provisions for using lights to locate animals; modifying requirements for taking turtles; modifying requirements for a firearms safety certificate; modifying provisions relating to aquatic plant control permits; eliminating the maximum fee for an aquatic plant control permit; providing for enforcement authority and restoration requirements related to gathering or destroying aquatic plants; eliminating certain experimental trout stream restrictions; modifying timber sale provisions for tax-forfeited land in St. Louis county; requiring a study; providing criminal penalties; appropriating money; amending Minnesota Statutes 2000, sections 17.47, subdivision 7; 84.821, by adding a subdivision; 89.36, subdivision 1; 90.151, subdivision 1; 90.162; 97A.475, subdivisions 2, 41; 97B.020; 97B.025; 97B.081, subdivision 2; 97B.601, subdivision 4; 97B.811, by adding a subdivision; 97C.025; 97C.605; 97C.611; 103G.615, subdivisions 2, 3, by adding subdivisions; Minnesota Statutes 2001 Supplement, section 282.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 84; 97A; 97B; repealing Minnesota Statutes 2000, sections 90.50; 97C.003.

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 103 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Huntley	Mariani	Peterson	Sykora
Abrams	Eastlund	Jacobson	Marko	Pugh	Thompson
Anderson, B.	Erhardt	Jennings	Marquart	Rhodes	Tingelstad
Anderson, I.	Erickson	Johnson, J.	McElroy	Rifenberg	Tuma
Bakk	Evans	Johnson, R.	Milbert	Rukavina	Vandever
Bishop	Finseth	Jordan	Molnau	Ruth	Walz
Blaine	Fuller	Juhnke	Murphy	Schumacher	Wasiluk
Boudreau	Gerlach	Kalis	Ness	Seagren	Westerberg
Bradley	Goodno	Kielkucki	Nornes	Seifert	Westrom
Buesgens	Gunther	Knoblach	Olson	Sertich	Wilkin
Carlson	Haas	Krinkie	Opatz	Skoe	Winter
Cassell	Hackbarth	Kubly	Osskopp	Slawik	Wolf
Clark, J.	Harder	Kuisle	Otremba	Smith	Workman
Daggett	Hilstrom	Leppik	Ozment	Solberg	
Davids	Hilty	Lieder	Paulsen	Stanek	
Dehler	Holberg	Lindner	Pawlenty	Stang	
Dempsey	Holsten	Lipman	Pelowski	Swapinski	
Dorman	Howes	Mares	Penas	Swenson	

Those who voted in the negative were:

Bernardy	Dibble	Gray	Kahn	Lenczewski	Skoglund
Biernat	Entenza	Greiling	Kelliher	McGuire	Wagenius
Clark, K.	Folliard	Hausman	Koskinen	Mullery	Walker
Davnie	Gleason	Jaros	Larson	Osthoff	
Dawkins	Goodwin	Johnson, S.	Leighton	Paymar	

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

H. F. No. 3183 was reported to the House.

Finseth moved that H. F. No. 3183 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 2516 was reported to the House.

Skoe moved to amend S. F. No. 2516 as follows:

Page 5, line 17, after "pasture" insert "and winter feeding area"

The motion prevailed and the amendment was adopted.

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

Kuisle moved to amend S. F. No. 2516, as amended, as follows:

Page 5, after line 11, insert:

"Sec. 3. Minnesota Statutes 2000, section 116.07, subdivision 7, is amended to read:

Subd. 7. [COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL LOT PERMITS.] Any Minnesota county board may, by resolution, with approval of the pollution control agency, assume responsibility for processing applications for permits required by the pollution control agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

(a) For the purposes of this subdivision, the term "processing" includes:

(1) the distribution to applicants of forms provided by the pollution control agency;

(2) the receipt and examination of completed application forms, and the certification, in writing, to the pollution control agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and

(3) rendering to applicants, upon request, assistance necessary for the proper completion of an application.

(b) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the pollution control agency. The pollution control agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14. For permit applications filed after October 1, 2001, section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this subdivision.

(c) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.

(d) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(e) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(f) The pollution control agency shall work with the Minnesota extension service, the department of agriculture, the board of water and soil resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Natural Resources Conservation Service and the Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(g) The pollution control agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not become required solely because of a change in the ownership of the buildings, grounds, or feedlot. These rules apply both to permits issued by counties and to permits issued by the pollution control agency directly.

(h) The pollution control agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(i) Any new rules or amendments to existing rules proposed under the authority granted in this subdivision, or to implement new fees on animal feedlots, must be submitted to the members of legislative policy and finance committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(j) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(k) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in pollution control agency rules.

(l) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with ~~300~~ 500 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

(m) After the proposed rules published in the State Register, volume 24, number 25, are finally adopted, the agency may not impose additional conditions as a part of a feedlot permit, unless specifically required by law or agreed to by the feedlot operator.

(n) For the purposes of feedlot permitting, a discharge from land-applied manure or a manure stockpile that is managed according to agency rule must not be subject to a fine for a discharge violation.

(o) For the purposes of feedlot permitting, manure that is land applied, or a manure stockpile that is managed according to agency rule, must not be considered a discharge into waters of the state, unless the discharge is to waters of the state, as defined by section 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005, subdivision 17b, and does not meet discharge standards established for feedlots under agency rule.

(p) Unless the upgrade is needed to correct an immediate public health threat under section 145A.04, subdivision 8, or the facility is designated as a concentrated animal feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on January 1, 2002, the agency may not require a feedlot operator:

(1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal units unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade; or

(2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade or \$50,000, whichever is less.

Sec. 4. [116.0714] [NEW OPEN AIR SWINE BASINS.]

After the effective date of this section, the commissioner of the pollution control agency shall not approve any permits for the construction of new open air swine basins, except that a facility may use an existing basin of less than 1,000,000 gallons as part of a permitted waste treatment program for resolving pollution problems or to allow conversion of an existing basin to a different animal type, provided all standards are met. This section expires June 30, 2007."

Page 5, after line 26, insert:

"Sec. 6. [EFFECTIVE DATE.]

Sections 3 and 4 are effective the day following final enactment."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

Kubly moved to amend the Kuisle amendment to S. F. No. 2516, as amended, as follows:

Page 4, line 15, delete the new language and reinstate the stricken language

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 80 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Carlson	Dawkins	Dibble	Erhardt
Abrams	Bernardy	Clark, K.	Dehler	Dorn	Evans
Anderson, I.	Biernat	Davnie	Dempsey	Entenza	Folliard

Gleason	Jennings	Lenczewski	Osthoff	Seagren	Vandever
Goodwin	Johnson, R.	Leppik	Otremba	Sertich	Wagenius
Gray	Juhnke	Lindner	Paulsen	Skoglund	Walker
Greiling	Kahn	Lipman	Pawlenty	Slawik	Wasiluk
Hausman	Kalis	Mariani	Paymar	Solberg	Westerberg
Hilstrom	Kelliher	Marko	Pelowski	Stanek	Winter
Hilty	Knoblach	McGuire	Peterson	Swapinski	Workman
Holsten	Koskinen	Milbert	Pugh	Sykora	
Huntley	Kubly	Mullery	Rhodes	Thompson	
Jacobson	Larson	Murphy	Rukavina	Tingelstad	
Jaros	Leighton	Opatz	Schumacher	Tuma	

Those who voted in the negative were:

Anderson, B.	Davids	Haas	Kuisle	Osskopp	Swenson
Bishop	Dorman	Hackbarth	Lieder	Ozment	Walz
Blaine	Eastlund	Harder	Mares	Penas	Westrom
Boudreau	Erickson	Holberg	Marquart	Rifenberg	Wilkin
Bradley	Finseth	Howes	McElroy	Ruth	Wolf
Buegens	Fuller	Johnson, J.	Molnau	Seifert	
Cassell	Gerlach	Jordan	Ness	Skoe	
Clark, J.	Goodno	Kielkucki	Nornes	Smith	
Daggett	Gunther	Krinkie	Olson	Stang	

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

Kuisle withdrew his amendment, as amended, to S. F. No. 2516, as amended.

Pawlenty moved that S. F. No. 2516, as amended, be continued on the Calendar for the Day. The motion prevailed.

Pawlenty 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 message was received from the Senate:

Mr. Speaker:

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

H. F. No. 3364, A bill for an act relating to transportation; establishing major highway project account; authorizing bonding; exempting certain contracts from moratorium on state contracts for professional or technical services; appropriating money; amending Laws 2002, chapter 220, article 10, section 37; proposing coding for new law in Minnesota Statutes, chapter 161.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kuisle moved that the House refuse to concur in the Senate amendments to H. F. No. 3364, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3364:

Kuisle, Holberg, Workman, Kielkucki and Juhnke.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2908:

Pawlenty, Bradley and Pelowski.

MOTIONS AND RESOLUTIONS

Westrom moved that his name be stricken as an author on H. F. No. 2391. The motion prevailed.

Finseth moved that the name of Folliard be added as an author on H. F. No. 2832. The motion prevailed.

Ozment moved that S. F. No. 2125 be recalled from the Committee on Taxes and be re-referred to the Committee on Ways and Means. The motion prevailed.

Rhodes moved that S. F. No. 3384 be recalled from the Committee on Rules and Legislative Administration and together with H. F. No. 3379, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

Nornes moved that H. F. No. 2391 be returned to its author. The motion prevailed.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 9:00 a.m., Wednesday, April 3, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and Speaker pro tempore Boudreau declared the House stands adjourned until 9:00 a.m., Wednesday, April 3, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

