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

Prayer was offered by the Reverend Brendan Prigge, Victory Lutheran Church, Eden Prairie, 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:

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<th>Abeler</th>
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<td>Otremba</td>
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A quorum was present.

Lenczewski was excused until 9:55 a.m. Erhardt and Mariani were excused until 10:00 a.m. Folliard was excused until 10:15 a.m. Osthoff was excused until 11:00 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Fuller 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. 3384 and H. F. No. 3379, 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. 3384 be substituted for H. F. No. 3379 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3431 and H. F. No. 3648, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McElroy moved that the rules be so far suspended that S. F. No. 3431 be substituted for H. F. No. 3648 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 289, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4; providing staggered four-year terms for representatives and senators.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 289 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3384 and 3431 were read for the second time.
INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Otremba introduced:


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

Otremba introduced:

H. F. No. 3711. A bill for an act relating to taxes; sales and use tax; extending the effective date for a sales tax exemption for biosolids waste treatment equipment; amending Minnesota Statutes 2001 Supplement, section 297A.70, subdivision 3.

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

McGuire; Gunther; Rhodes; Clark, K.; Mahoney; Dibble; Folliard; Solberg and Gleason introduced:

H. F. No. 3712. A resolution urging Congress to support the creation of a National Affordable Housing Trust Fund.

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 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. 2988. A bill for an act relating to insurance; regulating certain licenses, fees, rates, and coverages; providing for health care administrative simplification; making certain technical changes; amending Minnesota Statutes 2000, sections 61A.092, subdivision 6; 62A.02, subdivision 2; 62A.021, subdivision 1; 62A.25, subdivision 2; 62A.31, subdivision 1h; 62A.65, subdivision 5; 62E.11, subdivision 6; 62E.14, subdivisions 4, 5, 6; 62H.01; 62H.02; 62H.04; 62J.51, subdivision 19; 62J.535, subdivision 2, by adding subdivisions; 62J.581; 62L.03, subdivisions 1, 5; 62L.08, by adding a subdivision; 62Q.68, subdivision 1; 79.251, subdivision 1; 79.252, subdivision 3; 79A.04, subdivision 9; Minnesota Statutes 2001 Supplement, sections 60A.14, subdivision 1; 60K.56, subdivisions 6, 8, 9; 62M.03, subdivision 2; Laws 2001, chapter 117, article 1, section 29; Minnesota Rules, part 2765.1300, subparts 2, 5; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2000, section 62J.535, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate
CONCURRENCE AND REPASSAGE

Haas moved that the House concur in the Senate amendments to H. F. No. 2988 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2988, A bill for an act relating to insurance; regulating certain licenses, fees, rates, practices, and coverages; providing for health care administrative simplification; making certain technical changes; amending Minnesota Statutes 2000, sections 60A.351; 60D.20, subdivision 2; 61A.092, subdivision 6; 62A.02, subdivision 2; 62A.021, subdivision 1; 62A.25, subdivision 2; 62A.31, subdivision 1h; 62A.65, subdivision 5; 62E.11, subdivision 6; 62E.14, subdivisions 4, 5, 6; 62H.01; 62H.04; 62J.51, subdivision 19; 62J.535, subdivision 2, by adding subdivisions; 62J.581; 62L.03, subdivisions 1, 5; 62L.08, by adding a subdivision; 62Q.68, subdivision 1; 72A.08, subdivision 1; 79A.04, subdivision 9; Minnesota Statutes 2001 Supplement, sections 60A.14, subdivision 1; 60K.56, subdivisions 6, 8, 9; 62M.03, subdivision 2; Laws 2001, chapter 117, article 1, section 29; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2000, section 62J.535, subdivision 1.

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 111 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler  Dorman  Huntley  Lindner  Paymar  Swapinski
Abrams  Dorn  Jacobson  Lipman  Pelowski  Swenson
Anderson, B.  Eastlund  Jennings  Mahoney  Penas  Sykora
Anderson, I.  Enzena  Johnson, J.  Mares  Peterson  Thompson
Bakk  Erickson  Johnson, R.  Marko  Pugh  Tinglestad
Biernat  Finseth  Jordan  Marquart  Rhodes  Tuma
Bishop  Fuller  Juhnke  McElroy  Rifenberg  VanDeveer
Blaine  Gerlach  Kalis  Milbert  Rukavina  Walz
Boudreaux  Goodno  Kelliher  Molnau  Ruth  Wasiluk
Bradley  Goodwin  Kielkucki  Mulder  Schumacher  Westerberg
Buesgens  Gunther  Knoblach  Murphy  Seagren  Westrom
Carlson  Haas  Koskinen  Ness  Seifert  Wilkin
Cassell  Hackbart  Krankie  Nornes  Sertich  Winter
Clark, J.  Harder  Kubly  Olson  Skoe  Wolf
Daggett  Hilstrom  Kuisle  Osskopp  Slawik  Workman
Davids  Hilty  Larson  Otremba  Smith  Spk. Sviggum
Dawkins  Holberg  Leighton  Ozment  Solberg
Dehler  Holsten  Leppik  Paulsen  Stanek
Dempsey  Howes  Lieder  Pawlenty  Stang

Those who voted in the negative were:

Bernardy  Dibble  Gray  Jaros  McGuire  Wagenius
Clark, K.  Evans  Greiling  Johnson, S.  Mullery  Walker
Davnie  Gleason  Hausman  Kahn  Skoglund

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

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

S. F. No. 3174.

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

CONFEREE COMMITTEE REPORT ON S. F. NO. 3174

A bill for an act relating to commerce; creating a small business category under the Money Transmitter Act; modifying regulations; amending Minnesota Statutes 2001 Supplement, sections 53B.05, subdivision 1; 53B.08, subdivision 1.

March 25, 2002

We, the undersigned conferees for S. F. No. 3174, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 3174 be further amended as follows:

Page 1, line 10, before "Each" insert "Each licensee engaging in money transmission in three or fewer locations in the state, either directly or through authorized delegates, must have a net worth of at least $25,000. Each licensee engaging in money transmission at more than three locations in the state, but fewer than seven locations, either directly or through authorized delegates, must have a net worth of at least $50,000."

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

Senate Conferees: STEVE KELLEY, MEE MOUA AND ARLENE J. LESEWSKI.

House Conferees: DAN MCELROY, BOB GUNThER AND KAREN CLARK.

Mcelroy moved that the report of the Conference Committee on S. F. No. 3174 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3174, A bill for an act relating to commerce; creating a small business category under the Money Transmitter Act; modifying regulations; amending Minnesota Statutes 2001 Supplement, sections 53B.05, subdivision 1; 53B.08, 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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 Senate Files, herewith transmitted:

S. F. Nos. 3132 and 2738.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3132, A bill for an act relating to land use management; authorizing the northern counties land use coordinating board to initiate a pilot project to promote cooperative efforts among county, state, federal, and local units of government, and with Canadian officials regarding land use management issues; providing for use of certain land in the city of Deephaven; appropriating money.

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

S. F. No. 2738, A bill for an act relating to natural resources; providing for acquisitions of stream easements; providing for maintenance of leased property; permitting aquatic plant grants; making certain state park permit exemptions; providing for federal law compliance; modifying certain appropriations; providing for the Cuyuna
Lakes Trail; restricting the taking of fish in certain private fish hatcheries on aquatic farms; authorizing sale, conveyance, or exchange of certain tax-forfeited and surplus lands; allowing certain zoning nonconformities in the Lower Saint Croix National Scenic Riverway; deleting and adding areas to certain state parks; allowing certain snowmobile trail grants to be used for reimbursement of snowmobile trail grooming equipment; appropriating money; amending Minnesota Statutes 2000, sections 84.0272; 84.153; 84.975, by adding a subdivision; 85.015, by adding a subdivision; 85.054, by adding a subdivision; 97A.055, by adding a subdivision; 97C.025; 282.018, subdivision 1; 394.36, by adding a subdivision; 462.357, by adding a subdivision; Laws 2001, First Special Session chapter 2, section 5, subdivisions 2, 5, 6, 7, 8, 11; proposing coding for new law in Minnesota Statutes, chapter 97A.

The bill was read for the first time.

Holsten moved that S. F. No. 2738 and H. F. No. 2973, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

**CALENDAR FOR THE DAY**

S. F. No. 1811. A bill for an act relating to drainage; allowing transfer of a public drainage system to a water management authority; defining water management authority; amending Minnesota Statutes 2000, section 103E.005, subdivision 16, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103E.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.
S. F. No. 2150 was reported to the House.

Paulsen moved to amend S. F. No. 2150 as follows:

Page 22, delete section 31
Page 23, delete lines 3 and 4
Page 23, line 5, delete "(b)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Mahoney and Paulsen moved to amend S. F. No. 2150, as amended, as follows:

Page 22, line 4, delete "area" and insert "arena"

The motion prevailed and the amendment was adopted.

S. F. No. 2150, A bill for an act relating to professions; modifying electrician licensing; requiring rulemaking; amending Minnesota Statutes 2000, sections 326.01, subdivisions 5, 6g, by adding subdivisions; 326.241, subdivision 1; 326.242, subdivisions 1, 2, 3, 5, 6a, 6b, 6c, 7, 8, 10, 12, by adding a subdivision; 326.2421, subdivisions 2, 9; 326.244, subdivisions 1a, 2, 5, 6; 326.245; Minnesota Statutes 2001 Supplement, section 326.243; repealing Minnesota Statutes 2000, sections 326.01, subdivision 6d; 326.2421, subdivisions 3, 4, 6, 8; Minnesota Rules, part 3800.3500, subpart 12.

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 131 yea and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Cassell  Entenza  Haas  Johnson, J.  Kuisle
Abrams  Clark, J.  Erhardt  Hackbarth  Johnson, R.  Larson
Anderson, B.  Clark, K.  Erickson  Harder  Johnson, S.  Leighton
Anderson, I.  Daggett  Evans  Hausman  Jordan  Lenczewski
Bakk  Davids  Finseth  Hilstrom  Juhnke  Leppik
Bernardy  Davnie  Fuller  Hilty  Kahn  Lieder
Biernat  Dawkings  Gerlach  Holberg  Kalis  Lindner
Bishop  Dehler  Gleason  Holsten  Kellner  Lipman
Blaine  Dempsey  Goodno  Howes  Kielkucki  Mahoney
Boudreau  Dibble  Goodwin  Huntley  Knoblach  Mares
Bradley  Dorman  Gray  Jacobson  Koskinen  Marko
Buesgens  Dorn  Greiling  Jaros  Krinke  Marquart
Carlson  Eastlund  Gunther  Jennings  Kubly  McElroy
The bill was passed, as amended, and its title agreed to.

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

Howes, Finseth and Pawlenty moved to amend H. F. No. 3183, the first engrossment, as follows:

Page 14, after line 35, insert:

"Sec. 23. [NORTHERN COUNTIES LAND USE COORDINATING BOARD; LAND USE MANAGEMENT; PILOT PROJECT.]

(a) The northern counties land use coordinating board may initiate a pilot project to promote cooperative efforts among county, state, federal, and local units of government and private citizens regarding land use management issues. The office of strategic and long-range planning must coordinate the activities of state agencies, which shall include the departments of agriculture, commerce, natural resources, trade and economic development, board of soil and water resources, iron range resources and rehabilitation board, environmental quality board, pollution control agency, and the office of environmental assistance.

(b) The board must also solicit cooperation with Canadian officials who represent areas contiguous to the region and with organizations representing recreational, agricultural, mining, forestry, and tourism interests within the affected boundaries of the northern counties land use coordinating board.

(c) The legislature also encourages participation by appropriate federal agencies.

(d) The objectives of the pilot project are to:

(1) document instances when land use regulations and policies are incompatible with local government land use authority;

(2) document instances when such regulations and policies interfere with private property rights;

(3) identify and promote a means of resolving such differences; and

(4) provide a national model for land use management through intergovernmental cooperation.


[EFFECTIVE DATE.] Section 23 is effective the day following final enactment."
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 et al amendment and the roll was called. There were 99 yea's and 31 nay's as follows:

Those who voted in the affirmative were:

Abeler  Dorn  Howes  Lindner  Ozment  Stanek
Abrams  Eastlund  Huntley  Lipman  Paulsen  Stang
Anderson, B.  Erhardt  Jacobson  Mahoney  Pawlenty  Swenson
Anderson, I.  Erickson  Jennings  Mares  Pelowski  Sykora
Bak  Finseth  Johnson, J.  Marquart  Peterson  Tuma
Bishop  Folliard  Johnson, R.  McElroy  Pugh  Vandeveer
Blaine  Fuller  Juhnke  Milbert  Rhodes  Walz
Boudreau  Gerlach  Kielkucki  Molnau  Rifenberg  Westerberg
Bradley  Goodno  Knoblach  Mulder  Rukavina  Westrom
Buesgens  Gunther  Krinke  Murphy  Ruth  Wilkin
Cassell  Haas  Kubly  Ness  Schumacher  Wolf
Clark, J.  Hackbarth  Leppik  Nornes  Seifert  Workman
Daggett  Harder  Kuisle  Olson  Sertich  Spk. Sviggum
Davids  Hilstrom  Lenczewski  Opatz  Skoe  Workman
Dehler  Hilty  Leppik  Osskopp  Smith  Workman
Dempsey  Holberg  Lieder  Otremba  Stang  Workman
Dorman  Holsten  Lomke  Osskopp  Paymar  Workman

Those who voted in the negative were:

Bernardy  Dibble  Hausman  Koskinen  Skoglund  Workman
Biernat  Entenza  Jaros  Leighton  Slawik  Workman
Carlson  Evans  Johnson, S.  Mariani  Thompson  Wagenius
Clark, K.  Gleason  Kahn  McGuire  Walker  Workman
Davnie  Goodwin  Kalis  Mullery  Workman  Workman
Dawkins  Greiling  Kelliher  Paymar  Workman  Workman

The motion prevailed and the amendment was adopted.

Kubly moved to amend H. F. No. 3183, the first engrossment, as amended, as follows:

Page 14, after line 35, insert:

"Sec. 23.  Laws 2001, chapter 206, section 14, is amended to read:

Sec. 14.  [EXEMPT ACREAGE IN LAND EXCHANGE.]

The city of Bird Island, Renville county may exchange a parcel of land owned by it or acquired for it by a qualified intermediary, for a parcel of agricultural real estate that is owned by an individual exempt under Minnesota Statutes, section 500.221, based on ownership being lawfully acquired prior to June 1, 1981. Since there is no exception for
exchanged property under Minnesota Statutes, section 500.221, the exchange of the city's parcel would result in the loss of exemption for the exchanged property. Accordingly, this act provides that the agricultural land being exchanged for the parcel that is currently exempt shall also be exempt under Minnesota Statutes, section 500.221, as if it had been purchased by the owner prior to June 1, 1981. Such exchanged parcel shall have exactly the same rights under the statute as the parcel to be exchanged and the deeds used to effectuate the transaction may so state.

Sec. 24. [EFFECTIVE DATE.]

Section 23 is effective the day following final enactment."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kubly, Juhnke and Peterson moved to amend H. F. No. 3183, the first engrossment, as amended, as follows:

Page 14, after line 35, insert:

"Sec. 23. [325E.165] [DEFINITIONS.]

Subd. 1. [SCOPE.] For the purposes of sections 325E.165 to 325E.167, the terms defined in this section have the meanings given them.

Subd. 2. [FARM TRACTOR.] "Farm tractor" means a self-propelled vehicle that is designed primarily for pulling or propelling agricultural machinery and implements and is used principally in the occupation or business of farming, including an implement of husbandry, as defined in section 169.01, subdivision 55, that is self-propelled.

Subd. 3. [PERSON.] "Person" means an individual, firm, partnership, incorporated and unincorporated association, or other legal or commercial entity.

Sec. 24. [325E.166] [CLOCK-HOUR METERS; PROHIBITED ACTS.]

Subd. 1. [TAMPERING.] No person shall, with intent to defraud, knowingly tamper with, adjust, alter, change, set back, disconnect, or fail to connect the clock-hour meter of a farm tractor, or cause any of the foregoing to occur to a clock-hour meter of a farm tractor, so as to reflect fewer hours than the farm tractor has actually been in operation.

Subd. 2. [OPERATION WITH DISCONNECTED OR NONFUNCTIONAL METER.] No person shall, with intent to defraud, operate a farm tractor knowing that the clock-hour meter of the farm tractor is disconnected or nonfunctional.

Subd. 3. [TAMPERING DEVICE.] No person shall advertise for sale, sell, use, or install on any part of a farm tractor or on a clock-hour meter in a farm tractor a device that causes the clock-hour meter to register any hours of operation other than the true hours of operation that the clock-hour meter was designed to measure.

Subd. 4. [DISCLOSURE.] No person shall sell or offer for sale a farm tractor with knowledge that the hours registered on the clock-hour meter have been altered so as to reflect fewer hours than the farm tractor has actually been in operation, without disclosing the fact to prospective purchasers.

Subd. 5. [CONSPIRACY.] No person shall conspire with another person to violate this section.
Sec. 25. [325E.167] [PENALTIES; REMEDIES.]

Subdivision 1. [CRIMINAL PENALTY.] A person who is found to have violated sections 325E.165 to 325E.167 is guilty of a gross misdemeanor.

Subd. 2. [CIVIL PENALTY.] In addition to the penalties provided in subdivision 1, any person who is found to have violated sections 325E.165 to 325E.167 is subject to the penalties in section 8.31.

Subd. 3. [PRIVATE RIGHT OF ACTION.] A person injured by a violation of sections 325E.165 to 325E.167 may recover the actual damages sustained together with costs and disbursements, including reasonable attorney fees. The court in its discretion may increase the award of damages to an amount not to exceed three times the actual damages sustained or $1,500, whichever is greater.

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Boudreau to the Chair.

Kahn, Hausman, Swapinski, McGuire, Hilty, Wagenius, Kelliher and Huntley moved to amend H. F. No. 3183, the first engrossment, as amended, as follows:

Page 1, after line 16, insert:

"Section 1. [17.38] [CERTAIN USES OF ANTIBIOTICS PROHIBITED.]

(a) No person may knowingly introduce into the feed ration of domestic livestock or poultry raised in Minnesota and intended for human consumption, sub-therapeutic levels of antibiotics.

(b) Paragraph (a) does not preclude the use of antibiotics under the supervision of a licensed veterinarian for the therapeutic treatment of sick animals or poultry."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Dehler moved to amend the Kahn et al amendment to H. F. No. 3183, the first engrossment, as amended, as follows:

Page 1, line 6, after "(a)" insert "After July 1, 2005."

The motion did not prevail and the amendment to the amendment was not adopted.
The question recurred on the Kahn et al amendment and the roll was called. There were 59 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Abeler  Dehler  Hilstrom  Larson  Murphy  Swapinski
Abrams  Dibble  Hilty  Leighton  Osthoff  Thompson
Anderson, I.  Entenza  Huntley  Lenczewski  Paymar  Tingelstad
Bernardy  Evans  Jacobson  Leppik  Pugh  Tuma
Biernat  Folliard  Jaros  Mahoney  Rhodes  Vanderveer
Bishop  Gleason  Johnson, S.  Mariani  Seigren  Wagenius
Carlson  Goodwin  Kahn  Marko  Sertich  Walker
Clark, K.  Gray  Kalis  McGuire  Skoglund  Wasiluk
Davnie  Greiling  Kelliher  Milbert  Slawik  Westerberg
Dawkins  Hausman  Koskinen  Mullery  Solberg

Those who voted in the negative were:

Anderson, B.  Eastlund  Howes  Lipman  Paulsen  Stang
Bakk  Erhardt  Jennings  Mares  Pawlenty  Swenson
Blaine  Erickson  Johnson, J.  Marquart  Pelowski  Sykora
Boudreau  Finseth  Johnson, R.  McElroy  Penas  Walz
Bradley  Fuller  Jordan  Molnau  Peterson  Westrom
Buesgens  Gerlach  Juhnke  Mulder  Rifenberg  Wilkin
Cassell  Goodno  Kielkucki  Ness  Rukavina  Winter
Clark, J.  Gunther  Knoblach  Nornes  Ruth  Wolf
Dagget  Haas  Krinkie  Olson  Schumacher  Workman
Davids  Hackbart  Kubly  Opatz  Seifert  Spk. Sviggum
Dempsey  Harder  Kuisle  Osskopp  Skoe
Dorman  Holberg  Lieder  Otrempa  Smith
Dorn  Holsten  Lindner  Ozment  Stanek

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

The Speaker resumed the Chair.

Olson, Juhnke, Osskopp, Goodno, Gunther and Kubly moved to amend H. F. No. 3183, the first engrossment, as amended, as follows:

Page 14, after line 35, insert:

"Sec. 23. [SEASONAL AGRICULTURAL OPERATIONS; MANUFACTURED HOMES PARK EXCLUSION.]

Notwithstanding Minnesota Statutes, section 327.14, subdivision 3, the term "manufactured home park" shall not be construed to include up to four manufactured homes maintained by an individual or a company on premises associated with a seasonal agricultural operation and used exclusively to house labor or other personnel occupied in such operation if these manufactured homes meet the standards established in Minnesota Rules, part 4715.0310. This section is effective the day following final enactment and expires July 1, 2004."
Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Otremba offered an amendment to H. F. No. 3183, the first engrossment, as amended.

POINT OF ORDER

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

Otremba appealed the decision of the Speaker.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Osskopp moved to lay the Otremba appeal of the decision of the Speaker on the table.

A roll call was requested and properly seconded.

The question was taken on the Osskopp motion and the roll was called. There were 69 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Harder  Lindner  Penas  Tuma
Abrams  Dorman  Holberg  Lipman  Rhodes  Vandeveer
Anderson, B.  Eastlund  Holsten  Mares  Rifenberg  Walz
Bishop  Erhardt  Howes  McElroy  Ruth  Westerberg
Blaine  Erickson  Jacobson  Molnau  Seagren  Westrom
Boudreau  Finseth  Johnson, J.  Ness  Seifert  Wilkin
Bradley  Fuller  Jordan  Nornes  Smith  Wolf
Buesgens  Gerlach  Kielkucki  Olson  Stanek  Workman
Cassell  Goodno  Knoblauch  Osskopp  Stang  Spk. Sviggum
Clark, J.  Gunther  Krinke  Ozment  Swenson
Davids  Haas  Kuisle  Paulsen  Sykora
Dehler  Hackbart  Leppik  Pawlenty  Tinglestad

Those who voted in the negative were:

Anderson, I.  Clark, K.  Dorn  Goodwin  Hilty  Johnson, S.
Bak  Daggett  Entenza  Gray  Huntley  Juhnke
Bernardy  Davnie  Evans  Greiling  Jaros  Kahn
Biernat  Dawkins  Foilliard  Hausman  Jennings  Kalis
Carlson  Dibble  Gleason  Hilstrom  Johnson, R.  Kelliher
The motion prevailed and the appeal of the decision of the Speaker was laid on the table.

The Speaker called Abrams to the Chair.

Kelliher, Mullery, Rhodes, Cassell, Davnie, Otremba, Sykora, Tinglestad, Abeler, Leppik and Smith offered an amendment to H. F. No. 3183, the first engrossment, as amended.

POINT OF ORDER

Finseth raised a point of order pursuant to rule 3.21 that the Kelliher et al amendment was not in order. Speaker pro tempore Abrams ruled the point of order well taken and the Kelliher et al amendment out of order.

Kelliher appealed the decision of Speaker pro tempore Abrams.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Kuisle moved to lay the Kelliher appeal of the decision of Speaker pro tempore Abrams on the table.

A roll call was requested and properly seconded.

The question was taken on the Kuisle motion and the roll was called. There were 72 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Harder  Lieder  Paulsen  Swenson
Abrams  Dorman  Holberg  Lindner  Pawlenty  Sykora
Anderson, B.  Eastlund  Holsten  Mares  Penas  Tinglestad
Bishop  Erhardt  Howes  Marquart  Rifenberg  Vandeveer
Blaine  Erickson  Jacobson  McElroy  Molnau  Ruth
Boudreau  Finseth  Johnson, J.  Molnar  Seagren  Walz
Bradley  Fuller  Jordan  Mulder  Seifert  Westerberg
Buesgens  Gerlach  Kielkucki  Ness  Skoe  Wilkin
Clark, J.  Goodno  Klinkie  Olson  Smith  Wolf
Daggett  Gunther  Knoblach  Nornes  Stang  Workman
Davids  Haas  Kuisle  Oskopp  Stang  Spk. Sviggum
Dehler  Hack Barth  Leppik  Ozment  Thompson  Winter
Those who voted in the negative were:

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

The motion prevailed and the appeal of the decision of Speaker pro tempore Abrams was laid on the table.

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

Otremba moved to amend H. F. No. 3183, the first engrossment, as amended, as follows:

Page 4, after line 20, insert:

"Sec. 7. Minnesota Statutes 2000, section 18B.37, subdivision 2, is amended to read:

Subd. 2. [COMMERCIAL AND NONCOMMERCIAL APPLICATORS.] (a) A commercial or noncommercial applicator, or the applicator's authorized agent, must maintain a record of pesticides used on each site. Noncommercial applicators must keep records of restricted use pesticides. The record must include the:

(1) date of the pesticide use;

(2) time the pesticide application was completed;

(3) brand name of the pesticide, the United States Environmental Protection Agency registration number, and dosage used;

(4) number of units treated;

(5) temperature, wind speed, and wind direction;

(6) location of the site where the pesticide was applied;

(7) name and address of the customer;

(8) name and signature of applicator, name of company, license number of applicator, and address of applicator company; and

(9) any other information required by the commissioner.

(b) Portions of records not relevant to a specific type of application may be omitted upon approval from the commissioner."
(c) All information for this record requirement must be contained in a single page document for each pesticide application, except a map may be attached to identify treated areas. For the rights-of-way and wood preservative categories, the required record may not exceed five pages. An invoice containing the required information may constitute the required record. The commissioner shall make sample forms available to meet the requirements of this paragraph.

(d) A commercial applicator must give a copy of the record to the customer.

(e) Records must be retained by the applicator, company, or authorized agent for five years after the date of treatment.

(f) Records must be filed with the commissioner at least twice annually.

Sec. 8. Minnesota Statutes 2000, section 18B.37, subdivision 5, is amended to read:

Subd. 5. [INSPECTION OF RECORDS.] The commissioner may enter a commercial, noncommercial, or structural pest control applicator’s business and inspect the records required in this section at any reasonable time and make copies of the records. Unless required for enforcement of this chapter, once it is filed with the commissioner, the information in the records in this section is private or nonpublic and accessible through the commissioner, except for name and address of customer.

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Solberg was excused between the hours of 11:50 a.m. and 12:45 p.m.

Kahn and Kelliher moved to amend H. F. No. 3183, the first engrossment, as amended, as follows:

Page 3, after line 1, insert:

"Sec. 5. Minnesota Statutes 2000, section 18B.02, is amended to read:

18B.02 [PREEMPTION OF CERTAIN LOCAL LAW.]

Except as specifically provided in this chapter, the provisions of this chapter preempt ordinances by local governments, except cities of the first and second class, that prohibit or regulate any matter relating to the registration, labeling, distribution, sale, handling, use, application, or disposal of pesticides. It is not the intent of this section to preempt local responsibilities for zoning, fire codes, or hazardous waste disposal."

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 and Kelliher amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Dorn  Hilty  Larson  Murphy  Thompson  
Bakk  Entenza  Huntley  Leighton  Opatz  Wagenius  
Bernardy  Evans  Jaros  Lenczewski  Paymar  Walker  
Biernat  Gleason  Johnson, R.  Mahoney  Pugh  Wasiluk  
Carlson  Goodwin  Johnson, S.  Mariani  Rukavina  
Clark, K.  Gray  Kahn  Marko  Sertich  
Davnie  Greiling  Kalis  McGuire  Skoglund  
Dawkins  Hausman  Kelliher  Milbert  Slawik  
Dibble  Hilstrom  Koskinen  Mullery  Swapinski  

Those who voted in the negative were:

Abeler  Eastlund  Howes  Mares  Peterson  Tuma  
Abrams  Erhardt  Jacobson  Marquart  Rhodes  Vanderveer  
Anderson, B.  Erickson  Jennings  Molnau  Rifenberg  Walz  
Blaine  Finseth  Johnson, J.  Mulder  Ruth  Westerberg  
Boudreau  Folliard  Jordan  Ness  Schumacher  Westrom  
Bradley  Fuller  Juhnke  Nornes  Seagren  Wilkin  
Buesgens  Gerlach  Kielkucki  Olson  Seifert  Winter  
Cassell  Goodno  Knoblach  Osskopp  Skoe  Wolf  
Clark, J.  Gunther  Krinkie  Otremba  Smith  Workman  
Daggard  Haas  Kuisle  Ozment  Stanek  
Davids  Hackbartth  Leppik  Paulsen  Stang  
Dehler  Harder  Lieder  Pawlenty  Swenson  
Dempsey  Holberg  Lindner  Pelowski  Sykora  
Dorman  Holsten  Lipman  Penas  Tingelstad  

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

The Speaker resumed the Chair.

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

Ozment moved to amend H. F. No. 3183, the first engrossment, as amended, as follows:

Page 14, after line 35, insert:

"Sec. 23. [REGULATING USE OF ANTIBIOTICS.]

Subd. 2. [DECLARATION.] The Legislature of the State of Minnesota strongly urges the United States Congress and the United States Food and Drug Administration to immediately take steps to: (1) limit use of antibiotics to that authorized under prescription and supervision; and (2) eliminate the use of medically important antibiotics at levels other than those used for therapeutic reasons. The Legislature of the State of Minnesota strongly urges the governors and legislatures in other states to promulgate this message."
Subd. 3. [TRANSMISSION.] The Secretary of State of the State of Minnesota is directed to prepare copies of this section and transmit it to the President of the United States and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and the governors and legislative presiding officers of each of the other states of the Union."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Huntley moved to amend the Ozment amendment to H. F. No. 3183, the first engrossment, as amended, as follows:

Page 1, after line 4, insert:

"Subdivision 1. [FINDINGS.] Antibiotic-resistant bacteria cost American individuals and society at least four to five billion dollars annually. The use and misuse of antibiotics in animals and humans has been shown to promote the spread of resistant bacteria. Bacteria that have become resistant are able to transfer their resistance genes to unrelated bacteria of other species, magnifying the resistance problem. The effectiveness of antibiotics used in treating both sick humans and sick animals is being compromised. Any delay in taking steps to reduce misuse of antibiotic use in the United States will only heighten the public health risk since continued use promotes further development of resistance."

A roll call was requested and properly seconded.

POINT OF ORDER

Dehler raised a point of order pursuant to section 413, paragraph 3, of "Mason's Manual of Legislative Procedure," relating to Amendments by Striking Out or Inserting Paragraphs, that the Huntley amendment to the Ozment amendment was not in order. The Speaker ruled the point of order not well taken and the Huntley amendment to the Ozment amendment in order.

The question recurred on the amendment to the amendment and the roll was called. There were 64 yeas and 66 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dorman</th>
<th>Hilty</th>
<th>Larson</th>
<th>Opatz</th>
<th>Skoe</th>
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<td>Anderson, I.</td>
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<td>Bakk</td>
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<td>Lieder</td>
<td>Otremba</td>
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<td>Bernardy</td>
<td>Evans</td>
<td>Jennings</td>
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<td>Biernat</td>
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<td>Carlson</td>
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<td>Clark, K.</td>
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<td>Davnie</td>
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<td>Hausman</td>
<td>Kelliher</td>
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<td>Dibble</td>
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</table>
Those who voted in the negative were:

<table>
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<tr>
<th>Abrams</th>
<th>Eastlund</th>
<th>Holberg</th>
<th>Lindner</th>
<th>Paulsen</th>
<th>Sykora</th>
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<td>Anderson, B.</td>
<td>Erhardt</td>
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<td>Boudreau</td>
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<td>Bradley</td>
<td>Fuller</td>
<td>Johnson, J.</td>
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<td>Buesgens</td>
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<td>Clark, J.</td>
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<td>Daggett</td>
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<td>Davids</td>
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<td>Dempsey</td>
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<td>Leppik</td>
<td>Ozment</td>
<td>Swenson</td>
<td>Spk. Sviggum</td>
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The motion did not prevail and the amendment to the amendment was not adopted.

Ozment withdrew his amendment to H. F. No. 3183, the first engrossment, as amended.

H. F. No. 3183, A bill for an act relating to agriculture; clarifying and updating certain terms; changing certain requirements and procedures; limiting certain fees and payments; authorizing agreements; prohibiting tampering with farm tractor clock-hour meters; prescribing civil and criminal penalties; authorizing the northern counties land use coordinating board to initiate a land use management pilot project; amending Minnesota Statutes 2000, sections 17.90, subdivision 1a, by adding a subdivision; 17B.03, subdivision 1; 18B.315, subdivision 3; 18B.37, subdivisions 2, 5; 18E.02, by adding a subdivision; 18E.03, subdivision 4; 18E.04, subdivision 3; 18E.06; 21.111, by adding a subdivision; 31.101, as amended; 31.102, subdivision 1; 31.103, subdivision 1; 31.104; 38.331, subdivision 2; 41B.03, subdivisions 1, 3; 223.16, subdivision 5; Minnesota Statutes 2001 Supplement, sections 17.9442; 18B.36, subdivision 1; 18E.04, subdivisions 2, 4; 41B.046, subdivision 2; Laws 2001, chapter 206, section 14; proposing coding for new law in Minnesota Statutes, chapter 325E.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dawkins</th>
<th>Greiling</th>
<th>Juhnke</th>
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<td>Lieder</td>
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<tr>
<td>Carlson</td>
<td>Folliard</td>
<td>Jasinskii</td>
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<td>Cassell</td>
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<td>Lindner</td>
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<td>Clark, J.</td>
<td>Gerlach</td>
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<td>Clark, K.</td>
<td>Gleason</td>
<td>Johnson, J.</td>
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<td>Daggett</td>
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<td>Johnson, S.</td>
<td>Mariani</td>
<td>Pawlenty</td>
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<td>Davnie</td>
<td>Gray</td>
<td>Jordan</td>
<td>Marko</td>
<td>Paymar</td>
<td>Swapinski</td>
</tr>
</tbody>
</table>
The bill was passed, as amended, and its title agreed to.

The Speaker called Paulsen to the Chair.

S. F. No. 1555 was reported to the House.

Leppik moved to amend S. F. No. 1555 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1524, the second engrossment:

"Section 1. Minnesota Statutes 2000, section 18C.005, is amended by adding a subdivision to read:

Subd. 18a. [LOCAL UNIT OF GOVERNMENT.] "Local unit of government" has the meaning given in section 18B.01, subdivision 14a.

Sec. 2. [18C.110] [PREEMPTION OF OTHER LAW.]

Except as otherwise specifically provided in this chapter, this chapter preempts a local ordinance that prohibits or regulates the registration, labeling, distribution, sale, handling, use, application, or disposal of turf fertilizer containing phosphorus. This section does not preempt local authority or responsibility for zoning, fire codes, or hazardous waste disposal. This section does not prohibit a local ordinance that restricts the sale of turf phosphorus fertilizer that was in effect on August 1, 2002.

Sec. 3. Minnesota Statutes 2000, section 18C.211, subdivision 2, is amended to read:

Subd. 2. [GUARANTEES OF THE NUTRIENTS.] (a) A person may guarantee plant nutrients other than nitrogen, phosphorus, and potassium only if allowed or required by commissioner's rule.

(b) The guarantees for the plant nutrients must be expressed in the elemental form.

(c) The sources of other elements, oxides, salt, and chelates, may be required to be stated on the application for registration and may be included as a parenthetical statement on the label. Other beneficial substances or compounds, determinable by laboratory methods, also may be guaranteed by permission of the commissioner and with the advice of the director of the agricultural experiment station.

(d) If plant nutrients or other substances or compounds are guaranteed, the plant nutrients are subject to inspection and analyses in accord with the methods and rules prescribed by the commissioner.

(e) The commissioner may, by rule, require the potential basicity or acidity expressed in terms of calcium carbonate equivalent in multiples of 100 pounds per ton.

(f) The plant nutrients in a specialty fertilizer must not be below or exceed the guaranteed analysis by more than the investigational allowances established by rule.
Sec. 4. [18C.60] [PHOSPHORUS TURF FERTILIZER USE RESTRICTIONS.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Metropolitan county" means any one of the following counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.

(c) "Turf" means noncrop land planted in closely mowed, managed grasses including, but not limited to, residential and commercial residential property, private golf courses, and property owned by federal, state, or local units of government, including parks, recreation areas, and public golf courses. Turf does not mean pasture, hayland, hay, turf grown on turf farms, or any other form of agricultural production.

Subd. 2. [PHOSPHORUS USE RESTRICTIONS.] (a) A person may not apply a fertilizer containing the plant nutrient phosphorus to turf in a metropolitan county, except under conditions listed in paragraph (d).

(b) A person may not apply granular fertilizer containing greater than three percent phosphate (P₂O₅) by weight, or liquid fertilizer at a rate greater than 0.3 pounds phosphate (P₂O₅) per 1,000 square feet, to turf in counties other than a metropolitan county, except under conditions listed in paragraph (d).

(c) A local unit of government in a county other than a metropolitan county may adopt paragraph (a) in place of paragraph (b). The local unit of government must notify the commissioner of the adoption of paragraph (a) within 30 days of its adoption. The commissioner shall maintain a list of local units of government in counties other than metropolitan counties that have adopted paragraph (a).

(d) Paragraphs (a) and (b) do not apply when:

1. a tissue, soil, or other test by a laboratory or method approved by the commissioner and performed within the last three years indicates that the levels of available phosphorus in the soil are insufficient to support healthy turf growth;

2. the property owner or an agent of the property owner is first establishing turf via seed or sod procedures, and only during the first growing season; or

3. the fertilizer containing the plant food phosphorus is used on a golf course under the direction of a person licensed, certified, or approved by an organization with an ongoing training program approved by the commissioner.

(e) Applications of phosphorus fertilizer authorized under paragraph (d), clause (1) or (2), must not exceed rates currently recommended by the University of Minnesota and approved by the commissioner.

Subd. 3. [CONSUMER INFORMATION.] The commissioner, in consultation with the University of Minnesota extension service, fertilizer industry representatives, lakes groups, and other interested or affected parties, must produce consumer information in a format and of a content suitable for posting and distribution at retail points of sale of fertilizer that contains phosphorus and is for use on turf.

Subd. 4. [RESEARCH EVALUATION; REPORT.] The commissioner, in cooperation with the University of Minnesota and the University of Minnesota extension service, and, after consultation with representatives of the fertilizer industry, lakes groups, and other interested or affected parties, shall evaluate research needs and encourage targeted research opportunities to investigate the effects of phosphorus fertilization of turf on urban stormwater quality. The commissioner must evaluate the effectiveness of the restrictions on phosphorus fertilizers under this section and report to the legislature by January 1, 2007.

Subd. 5. [ENFORCEMENT.] This section is enforced by the commissioner under chapter 18D or by local units of government under their existing authority. Violation of this section is a petty misdemeanor.
Sec. 5. [18C.61] [FERTILIZER APPLICATION TO AN IMPERVIOUS SURFACE; PROHIBITION.]

(a) A person may not apply a fertilizer to an impervious surface. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.

(b) For the purposes of this section, "impervious surface" means a highway, street, sidewalk, parking lot, driveway, or other material that prevents infiltration of water into the soil.

Sec. 6. [EFFECTIVE DATE.]

Section 4 is effective January 1, 2004.

Delete the title and insert:

"A bill for an act relating to agriculture; regulating certain uses of fertilizers containing phosphorus; imposing a penalty; limiting amounts of certain plant nutrients; amending Minnesota Statutes 2000, sections 18C.005, by adding a subdivision; 18C.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 18C."

The motion prevailed and the amendment was adopted.

Leppik and Juhnke offered an amendment to S. F. No. 1555, as amended.

Dorman requested a division of the Leppik and Juhnke amendment to S. F. No. 1555, as amended.

The first portion of the Leppik and Juhnke amendment to S. F. No 1555, as amended, reads as follows:

Page 3, line 26, delete "on a golf course"

Page 3, line 31, delete "currently"

Page 4, line 1, after "information" insert "on use restrictions and recommended best practices for lawn fertilizer containing phosphorus, and on best management practices for other residential sources of phosphorus in the urban landscape. The information must be"

A roll call was requested and properly seconded.

The question was taken on the first portion of the Leppik and Juhnke amendment and the roll was called. There were 109 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler   Biernat   Cassell   Dawkins   Entenza   Gerlach
Abrams   Bishop   Clark, J.  Dehler   Erhardt   Gleason
Anderson, I. Boudreau  Clark, K.  Dempsey  Evans   Goodno
Bakk     Bradley   Duggett  Dibble   Folliard  Goodwin
Bernardy  Carlson   Davnie  Dorn     Fuller   Gray
Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
<th>Name</th>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, B.</td>
<td>Dorman</td>
<td>Hackbarth</td>
<td>Kuisle</td>
<td>Penas</td>
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<td>Westrom</td>
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<tr>
<td>Blaine</td>
<td>Eastlund</td>
<td>Harder</td>
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<tr>
<td>Buesgens</td>
<td>Erickson</td>
<td>Holberg</td>
<td>Mulder</td>
<td>Seifert</td>
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<td>Davids</td>
<td>Finseth</td>
<td>Kielkucki</td>
<td>Osskopp</td>
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</tbody>
</table>

The motion prevailed and the first portion of the Leppik and Juhnke amendment was adopted.

The second portion of the Leppik and Juhnke amendment to S. F. No. 1555, as amended, reads as follows:

Page 4, delete lines 15 to 18

Page 4, after line 28, insert:

"Sec. 6. [18C.62] [ENFORCEMENT.]

Sections 18C.60 and 18C.61 are enforced by local units of government under their existing authority. Violation of a provision in either of these sections is a petty misdemeanor."

Page 4, line 30, delete "Section 4 is" and insert "Sections 2 and 4 are"

A roll call was requested and properly seconded.

The question was taken on the second portion of the Leppik and Juhnke amendment and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Name</th>
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<th>Name</th>
<th>Name</th>
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<tbody>
<tr>
<td>Abeler</td>
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<td>Davids</td>
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<tr>
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<td>Boudreau</td>
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<tr>
<td>Anderson, I.</td>
<td>Bradley</td>
<td>Dawkins</td>
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<td>Bakk</td>
<td>Carlson</td>
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<tr>
<td>Biernat</td>
<td>Clark, J.</td>
<td>Dibble</td>
<td>Evans</td>
<td>Goodwin</td>
<td>Hausman</td>
<td></td>
</tr>
</tbody>
</table>
Those who voted in the negative were:

Buesgens

The motion prevailed and the second portion of the Leppik and Juhnke amendment was adopted.

Leppik moved to amend S. F. No. 1555, as amended, as follows:

Page 1, delete lines 16 to 19 and insert "a local unit of government may not adopt any ordinance, regulate, or in any way restrict the distribution, sale, handling, use, or application of phosphorus fertilizers and phosphorus fertilizer products that are applied or will be applied to land used for growing crops or any other agricultural use. This section does not preempt local"

Kuisle moved to amend the Leppik amendment to S. F. No. 1555, as amended, as follows:

Page 1, line 6, delete "phosphorus" in both places

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

The question recurred on the Leppik amendment to S. F. No. 1555, as amended. The motion prevailed and the amendment was adopted.

Dehler moved to amend S. F. No. 1555, as amended, as follows:

Page 1, line 23, delete "August" and insert "April"

The motion did not prevail and the amendment was not adopted.
Westrom moved to amend S. F. No. 1555, as amended, as follows:

Page 3, line 3, delete "(d)" and insert "(b)"
Page 3, line 4, delete everything after "(b)"
Page 3, delete lines 5 to 16
Page 3, line 17, delete everything before "not" and insert "Paragraph (a) does"
Page 3, line 29, delete "(e)" and insert "(c)"
Page 3, line 30, delete "(d)" and insert "(b)"
Page 4, line 22, after "surface" insert "in a metropolitan county"

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

The Speaker resumed the Chair.

Dorman, Rifenberg, Finseth, Kuisle, Swenson, Gunther, Davids and Osskopp moved to amend S. F. No. 1555, as amended, as follows:

Page 1, line 19, before the period, insert ", and a local unit of government may not adopt any ordinance, regulate, or in any way restrict the distribution, sale, handling, use, or application of fertilizers and fertilizer products that are applied or will be applied to land used for growing crops or for any other agricultural use"
Page 1, line 21, delete everything after the period
Page 1, delete lines 22 and 23
Page 2, line 24, delete "DEFINITIONS" and insert "DEFINITION" and delete "definitions" and insert "definition"
Page 2, line 25, delete "apply" and insert "applies"
Page 2, line 26, delete everything after "(b)"
Page 2, delete lines 27 and 28
Page 2, line 29, delete the paragraph coding and delete "(c)"
Page 2, line 36, delete everything after "(a)"
Page 3, delete lines 1 to 3
Page 3, line 4, delete the paragraph coding and delete "(b)"
Page 3, line 7, delete everything after "turf"
Page 3, line 8, delete everything before the comma
A roll call was requested and properly seconded.

The question was taken on the Dorman et al amendment and the roll was called. There were 28 yeas and 103 nays as follows:

Those who voted in the affirmative were:

- Anderson, B.
- Bishop
- Blaine
- Buesgens
- Davids
- Dehler
- Gunther
- Kuisle
- Osskopp
- Vandeveer
- Dorman
- Hackbarth
- Holberg
- Mulder
- Rifenberg
- Spk. Sviggum
- Erickson
- Kielkucki
- Ness
- Seifert
- Westrom
- Finseth
- Krinke
- Olson
- Swenson
- Gunther
- Hackbarth
- Holberg
- Mulder
- Rifenberg
- Spk. Sviggum
- Erickson
- Kielkucki
- Ness
- Seifert
- Westrom
- Finseth
- Krinke
- Olson
- Swenson

Those who voted in the negative were:

- Abeler
- Abrams
- Anderson, I.
- Bakk
- Bernardy
- Biernat
- Boudreaux
- Bradley
- Carlson
- Cassell
- Clark, J.
- Clark, K.
- Daggett
- Davnie
- Dawkins
- Dempsey
- Dibble
- Dorn
- Entenza
- Jacobson
- Lipman
- Paymar
- Sykora
- Erhardt
- Jaros
- Mahoney
- Pelowski
- Thompson
- Evans
- Jennings
- Mares
- Peterson
- Tinglestad
- Folliaird
- Johnson, J.
- Mariani
- Pugh
- Tuma
- Fuller
- Johnson, R.
- Marko
- Rhodes
- Wagenius
- Fuller
- Johnson, S.
- Marquart
- Rukavina
- Walker
- Gleason
- Jordan
- McElroy
- Ruth
- Walz
- Goodno
- Juhnke
- McGuire
- Schumacher
- Wasiul
- Goodwin
- Kahn
- Milbert
- Seagren
- Westerberg
- Gray
- Kalis
- Mullery
- Sertich
- Wilkin
- Greiling
- Kelliher
- Murphy
- Skoe
- Winter
- Haas
- Knoblach
- Nornes
- Skoglund
- Wolf
- Harder
- Koskenen
- Opatz
- Slawik
- Workman
- Hausman
- Larson
- Ostoff
- Smith
- Hilstrom
- Leighton
- Otremsa
- Solberg
- Hilty
- Leppik
- Ozment
- Stanek
- Howes
- Lieder
- Paulsen
- Stang
- Huntley
- Lindner
- Pawlenty
- Swapinski

The motion did not prevail and the amendment was not adopted.
Ness moved to amend S. F. No. 1555, as amended, as follows:

Page 4, line 19, after "FERTILIZER" insert "OR ORGANIC MATERIAL"

Page 4, after line 25, insert:

"(b) A person may not apply grass clippings, leaves, or other organic material to an impervious surface. Organic material released on an impervious surface must be immediately contained in an appropriate container."

Page 4, line 26, delete "(b)" and insert "(c)"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

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

Dehler moved to amend S. F. No. 1555, as amended, as follows:

Page 3, line 36, after "produce" insert "and provide free of charge"

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

Dorman moved to amend S. F. No. 1555, as amended, as follows:

Page 2, after line 29, insert:

"(b) "City of the first class" has the meaning given in section 410.01"

Page 2, after line 36, insert:

"Subd. 2. [PHOSPHORUS USE PROHIBITION; CERTAIN CITIES OF THE FIRST CLASS.] A person may not apply a fertilizer containing the plant nutrient phosphorus within 20 feet of an impervious surface in a city of the first class in a metropolitan county."

Page 2, line 36, after "(a)" insert "Except as prohibited in subdivision 2."

Reletter paragraphs in sequence

Renumber subdivisions in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.
The question was taken on the Dorman amendment and the roll was called. There were 25 yeas and 106 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
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<td>Rifenberg</td>
<td>Workman</td>
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<td>Davids</td>
<td>Hackbarth</td>
<td>Mulder</td>
<td>Seifert</td>
<td>Spk. Sviggum</td>
</tr>
</tbody>
</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abrams</th>
<th>Dorn</th>
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<th>Leppik</th>
<th>Otremba</th>
<th>Smith</th>
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<td>Lieder</td>
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<td>Solberg</td>
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<td>Bernardy</td>
<td>Erhardt</td>
<td>Jacobson</td>
<td>Lipman</td>
<td>Pawlenty</td>
<td>Stang</td>
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<td>Tingelstad</td>
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<td>Bradley</td>
<td>Gerlach</td>
<td>Johnson, R.</td>
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<td>Cassell</td>
<td>Goodno</td>
<td>Jordan</td>
<td>McElroy</td>
<td>Rhodes</td>
<td>Wagenius</td>
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<tr>
<td>Clark, J.</td>
<td>Goodwin</td>
<td>Juhnke</td>
<td>McGuire</td>
<td>Rukavina</td>
<td>Walker</td>
</tr>
<tr>
<td>Clark, K.</td>
<td>Gray</td>
<td>Kahn</td>
<td>Milbert</td>
<td>Ruth</td>
<td>Walz</td>
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<tr>
<td>Daggett</td>
<td>Greiling</td>
<td>Kalis</td>
<td>Molnau</td>
<td>Schumacher</td>
<td>Wasiluk</td>
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<td>Davnie</td>
<td>Haas</td>
<td>Kelliher</td>
<td>Mullery</td>
<td>Seagren</td>
<td>Wilkin</td>
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<tr>
<td>Dawkins</td>
<td>Harder</td>
<td>Knoblach</td>
<td>Murphy</td>
<td>Sertich</td>
<td>Winter</td>
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<tr>
<td>Dehler</td>
<td>Hausman</td>
<td>Koskinen</td>
<td>Nornes</td>
<td>Skoe</td>
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<td>Dempsey</td>
<td>Hilstrom</td>
<td>Larson</td>
<td>Opatz</td>
<td>Skoglund</td>
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<td>Dibble</td>
<td>Hilty</td>
<td>Leighton</td>
<td>Osthoff</td>
<td>Slawik</td>
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</tr>
</tbody>
</table>

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

S. F. No. 1555, A bill for an act relating to agriculture; providing a preemption of local regulation of fertilizers and plant foods used in agricultural production; regulating the use on turf of certain fertilizers containing phosphorus; providing for enforcement; prohibiting fertilizer applications to an impervious surface; amending Minnesota Statutes 2000, sections 18C.005, by adding a subdivision; 18C.211, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 18C.

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 116 yeas and 16 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Biernat</th>
<th>Cassell</th>
<th>Dawkins</th>
<th>Eastlund</th>
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<td>Carlson</td>
<td>Davnie</td>
<td>Dorn</td>
<td>Foliardi</td>
<td>Goodwin</td>
</tr>
</tbody>
</table>
Those who voted in the negative were:

- Anderson, B.
- Blaine
- Buesgens
- Davids
- Dorman
- Erickson
- Finseth
- Kielkucki
- Krinkie
- Kuisle
- Mulder
- Olson
- Osskopp
- Rifengberg
- Osset
- Mulder
- Olson
- Seifert
- Westrom

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

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. 2214, A bill for an act relating to a baseball park; providing for financing of a major league baseball park; providing for a site selection process; authorizing state revenue bonds; establishing a baseball park gift fund; authorizing a state loan to the site city; requiring local government body approval; establishing a sports facilities fund; imposing certain obligations on the major league baseball team; requiring a use agreement and a guaranty from the major league baseball; providing a property tax exemption for the baseball park; exempting sales of construction materials for the park from the sales tax; requiring payment of the prevailing wage rate to ballpark construction workers; requiring the state executive council to select a city for the site; requiring the legislative commission on planning and fiscal policy to make a recommendation to the council; providing an opportunity for community ownership if the baseball team is sold; requiring a donation from private sources as a precondition to issuing bonds or loaning state money; authorizing certain temporary city taxes and an admission tax if approved by referendum; authorizing parking surcharges; authorizing issuance of an additional liquor license; authorizing a condominium; requiring evaluation of an Olympic bid; appropriating money; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

Patrick E. Flahaven, Secretary of the Senate
Mares moved that the House refuse to concur in the Senate amendments to H. F. No. 2214, 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.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2214:

Mares, Goodno, Abrams, McElroy and Milbert.

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

Molnau 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. 3015 was reported to the House.

Davids moved to amend S. F. No. 3015, the unofficial engrossment, as follows:

Page 7, line 26, delete "August" and insert "July"

The motion prevailed and the amendment was adopted.

Davids moved to amend S. F. No. 3015, the unofficial engrossment, as amended, as follows:

Page 7, after line 24, insert:

"Sec. 17. [REPEALER.] Sections 30 and 34 of 2002 H. F. 2988 if enacted, are repealed effective retroactive to their date of enactment."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.
Hilstrom, Abeler and Davids moved to amend S. F. No. 3015, the unofficial engrossment, as amended, as follows:

Page 7, after line 15, insert:

"Sec. 15. [609.612] [EMPLOYMENT OF RUNNERS.]

Subdivision 1. [DEFINITIONS.] (a) As used in this section, the following terms have the meanings given.

(b) "Public media" means telephone directories, professional directories, newspapers and other periodicals, radio and television, billboards, and mailed or electronically transmitted written communications that do not involve in-person contact with a specific prospective patient or client.

(c) "Runner," "capper," or "steerer" means a person who for a pecuniary gain procures patients or clients at the direction of, or in cooperation with, a health care provider when the person knows or has reason to know that the provider’s purpose is to fraudulently perform or obtain services or benefits under or relating to a contract of motor vehicle insurance. The term does not include a person who procures clients through public media.

Subd. 2. [ACT CONSTITUTING.] Whoever employs, uses, or acts as a runner, capper, or steerer is guilty of a felony and may be sentenced to imprisonment for not more than three years or to a payment of a fine of not more than $6,000, or both. Charges for any services rendered by a health care provider, who violated this section in regard to the person for whom such services were rendered, are noncompensable and unenforceable as a matter of law."

Renumber these sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 3015, A bill for an act relating to commerce; establishing a division of insurance fraud prevention within the department of commerce to investigate and prosecute insurance fraud; appropriating money; prescribing a criminal penalty for the employment of runners, cappers, or steerers; amending Minnesota Statutes 2000, sections 60A.951, subdivisions 1, 2, by adding subdivisions; 60A.952, subdivisions 1, 2, by adding subdivisions; 60A.953; proposing coding for new law in Minnesota Statutes, chapters 45; 60A; 609; repealing Minnesota Statutes 2000, section 175.16, subdivision 2.

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 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler  Buesgens  Dehler  Finseth  Haas  Jacobson
Abels  Buesgens  Dempsey  Folliard  Hackbart  Jaros
Anderson, B.  Carlson  Dibble  Fuller  Harder  Jennings
Anderson, I.  Cassell  Dorman  Gerlach  Hausman  Johnson, J.
Bakk  Clark, J.  Dorn  Gleason  Hilstrom  Johnson, R.
Bernardy  Clark, K.  Eastlund  Goodno  Hilty  Johnson, S.
Bierman  Daggett  Entenza  Goodwin  Holberg  Jordan
Bishop  Davids  Erhardt  Gray  Holsten  Juhnke
Blaine  Davnie  Erickson  Greiling  Howes  Kahn
Boudreaux  Dawkins  Evans  Gunther  Huntley  Kalis
Those who voted in the negative were:

Krinkie

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

S. F. No. 3168 was reported to the House.

Kahn and Biernat moved to amend S. F. No. 3168 as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2000, section 205.84, subdivision 1, is amended to read:

Subdivision 1. [GENERAL PROVISIONS.] (a) In a city electing council members by wards, wards shall be as equal in population as practicable and each ward shall be composed of compact, contiguous territory. Each council member shall be a resident of the ward for which elected, but, except as otherwise provided by paragraph (b), a change in ward boundaries does not disqualify a council member from serving for the remainder of a term.

(b) In a city of the first class where council members are elected by ward to serve for four years to terms that are not staggered, if the population of any ward changes by five percent or more, all council members must be elected to new terms at the first municipal general election after ward boundaries are redefined under subdivision 2; provided, however, that if no municipal general election would otherwise occur in the year ending in "2" or the year ending in "3," a municipal general election must be held in one of those years.

[EFFECTIVE DATE.] This section 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.
S. F. No. 3168, A bill for an act relating to municipalities; providing for a bidding exception for certain water tank service contracts; authorizing an agreement for the city of Walker to maintain and operate the state's water tower at Ah-Gwah-Ching; amending Minnesota Statutes 2000, section 471.345, by adding a subdivision.

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 88 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Abeler  Abrams  Bakk  Bernardy  Bishop  Blaine  Boudreau  Bradley  Buesgens  Cassell  Daggett  Davids  Dawkins  Dehler  Dempsey

Hackbarth  Harder  Howes  Jacobson  Jennings  Johnson, J.  Johnson, R.  Jordan  Gleason  Goodno  Goodwin  Gray  Greiling  Gunther  Haas

Larson  Leppik  Lieder  Lindner  Mares  Marquart  McElroy  McGuire  Molnau  Nornes  Opatz  Osskopp  Otremba  Kuistle

Paulsen  Pelowski  Penas  Peterson  Peterson  Rhodes  Rukavina  Ruth  Seagren  Seifert  Sertich  Skoe  Skoglund  Solberg  Stanek

Stang  Swenson  Sykora  Thompson  Tingelstad  Tuma  Wagenius  Walz  Westerberg  Westrom  Wolf  Spk. Sviggum

Those who voted in the negative were:

Anderson, B.  Anderson, I.  Biernat  Carlson  Clark, J.  Clark, K.  Davnie  Dibble  Dorn  Erickson  Folliard  Hausman  Hilstrom  Hilty  Holberg  Holsten  Huntley  Jaros  Johnson, S.  Knoblauch  Koskinen

Krinkie  Leighton  Lipman  Mahoney  Mariani  Milbert  Mulder  Mullery  Murphy  Olson  Pawlenty  Paymar  Pugh  Rifenburg

Slawik  Smith  Swapinski  Vandeven  Walker  Wilkin  Workman

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

H. F. No. 3690, A bill for an act relating to higher education; exempting certain student contracts from the contract moratorium; amending Laws 2002, chapter 220, article 10, section 37.

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 132 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

Dibble  Dorn  Erickson  Folliard  Hausman  Hilstrom  Hilty  Holberg  Holsten  Huntley  Jaros  Johnson, S.  Knoblauch  Koskinen  Krinkie  Leighton  Lipman  Mahoney  Mariani  Milbert  Mulder  Mullery  Murphy  Olson  Pawlenty  Paymar  Pugh  Rifenburg  Slawik  Smith  Swapinski  Vandeven  Walker  Wilkin  Workman
The bill was passed and its title agreed to.

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 messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 3125, A bill for an act relating to telecommunications; authorizing periodic account statements in electronic format; changing name of telecommunications access for communication-impaired persons program to telecommunications access Minnesota program; modifying and clarifying provisions for contracting the telecommunication relay system; allowing the city of Alexandria to enter into a joint venture; amending Minnesota Statutes 2000, section 237.52, subdivision 1; Minnesota Statutes 2001 Supplement, sections 237.51, subdivision 1; 237.54, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 237.

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. 2214, A bill for an act relating to a baseball park; providing for financing of a major league baseball park; providing a site selection process; authorizing state revenue bonds; establishing a baseball park gift fund; authorizing a state loan to the site city; requiring local government body approval; establishing a sports facilities fund; imposing certain obligations on the major league baseball team; requiring a use agreement and a guaranty from major league baseball; providing a property tax exemption for the baseball park; exempting sales of construction materials for the park from the sales tax; requiring payment of the prevailing wage rate to ballpark construction workers; requiring the state executive council to select a city for the site; requiring the legislative commission on planning and fiscal policy to make a recommendation to the council; providing an opportunity for community ownership if the baseball team is sold; requiring a donation from private sources as a precondition to issuing bonds or loaning state money; authorizing certain temporary city taxes and an admission tax if approved by referendum; authorizing parking surcharges; authorizing issuance of an additional liquor license; authorizing a condominium; requiring evaluation of an Olympic bid; appropriating money; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

The Senate has appointed as such committee:

Senators Johnson, Dean; Scheid; Terwilliger; Kelley, S. P., and Metzen.

Said House File 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. 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.

The Senate has appointed as such committee:

Senators Johnson, Dean; Johnson, Dave; Sabo; Terwilliger and Ourada.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

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

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. 3270, A bill for an act relating to state government; creating office of state treasurer and modifying related provisions; providing for governor's cabinet and organizing certain government agencies; modifying certain fund provisions; requiring the commissioner of finance to prepare a forecast of state revenues and expenditures in
July in each even-numbered year; requiring certain payments; modifying provisions of constitutional officers' salaries; reducing certain appropriations; modifying consulting moratorium and hiring freeze provisions; amending Minnesota Statutes 2000, sections 4.06; 8.05; 10.01; 11A.08, subdivision 1; 16A.103, subdivision 1; 40A.151, subdivision 1; 40A.152, subdivisions 1, 3; 43A.18, subdivision 4; 168A.40, subdivision 4, as amended; 204B.11, subdivision 1; 204D.10, subdivision 2; 209.01, subdivision 2; 240A.08; 471.975; Minnesota Statutes 2001 Supplement, section 16E.09, subdivision 1; Laws 2001, First Special Session chapter 10, article 1, section 2, subdivision 4; Laws 2002, chapter 220, article 10, sections 2; 3; 7; 10, subdivision 3; 16; 36; 37; 38; proposing coding for new law in Minnesota Statutes, chapters 7; 15; 43A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CALL OF THE HOUSE

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

Abeler
Abrams
Anderson, B.
Anderson, I.
Bakk
Bernardy
Biernat
Blaine
Boudreau
Bradley
Bousgewns
Carlson
Cassell
Clark, J.
Clark, K.
Daggett
Davies
Davnie
Dawkins
Dehler
Dempsey
Dibble
Dorman
Dorn
Eastlund
Entenza
Erhardt
Erickson
Evans
Finseth
Folliaard
Fuller
Gerlach
Gleason
Goodno
Goodwin
Gray
Greiling
Gunther
Haas
Hackbarth
Harder
Hausman
Hilstrom
Hilty
Holberg
Holsten
Howes
Huntley
Jacobson
Jaros
Jennings
Johnson, J.
Johnson, R.
Johnson, S.
Jordan
Kalis
Kalliher
Kielkucki
Knoblauch
Koskinen
Krinkie
Kubly
Kuisle
Larson
Leighton
Leppik
Lieder
Lindner
Lipman
Mahoney
Mares
Mariani
Marko
Marquart
McElroy
McGuire
Milbert
Molnau
Mulder
Mullery
Murphy
Ness
Nornes
Olsn
Opitz
Osskopp
Oshoff
Otremba
Ozment
Pawlenty
Paymar
Pelowski
Penas
Peterson
Pugh
Rhodes
Rifenberg
Rukavina
Rukavina
Ruth
Schumacher
Seagren
Seifert
Serrich
Skoe
Skoglund
Smith
Solberg
Stane
Swapinski
Swenson
Sykora
Thompson
Tingelstad
Tuma
Tundervooer
Tugnias
Walker
Walz
Westerberg
Westrom
Wilkin
Winter
Workman
Spk. Sviggum

Seifert moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

MOTION TO CONCUR

Osskopp moved that the House concur in the Senate amendments to H. F. No. 3270 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.
Bishop moved that the House refuse to concur in the Senate amendments to H. F. No. 3270, 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.

A roll call was requested and properly seconded.

The question was taken on the Bishop motion and the roll was called. There were 111 yeas and 20 nays as follows:

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<th>Those who voted in the affirmative were:</th>
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<td>Abeler</td>
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<td>Anderson, I.</td>
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<td>Dehler</td>
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<td>Dempsey</td>
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<td>Dorman</td>
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Those who voted in the negative were:

| Anderson, B. | Dibble    | Jaros       | Mariani    | Ostoff      |                |
| Bakk         | Gleason   | Johnson, S. | McGuire    | Skoe        |                |
| Clark, K.    | Gray      | Kahn        | Mulder     | Swapinski   |                |
| Dawkins      | Hausman   | Kalis       | Olson      | Walker      |                |

The motion prevailed.

Mr. Speaker:

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

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

Senators Krentz, Price and Frederickson.

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

PATRICKE. FLAHAVEN, Secretary of the Senate

Ozment moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2674. The motion prevailed.

Mr. Speaker:

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

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

Senators Johnson, Dean; Murphy; Robling; Higgins and Belanger.

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

PATRICKE.FLAHAVEN, Secretary of the Senate

Kuisle moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 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. 3298. The motion prevailed.

Mr. Speaker:

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

H. F. No. 3031, A bill for an act relating to public health; establishing the Minnesota Emergency Health Powers Act; modifying provisions for declaring national security and peacetime emergencies; providing for declaration and termination of emergencies due to bioterrorism; granting certain emergency powers; preserving certain rights of refusal; providing for the isolation and quarantine of persons; requiring a study; amending Minnesota Statutes 2000, sections 12.03, by adding subdivisions; 12.31, subdivision 2; 12.32; 13.3806, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 12.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 12; 144.

PATRICKE.FLAHAVEN, Secretary of the Senate

Mulder moved that the House refuse to concur in the Senate amendments to H. F. No. 3031, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 3359, A bill for an act relating to professions; modifying certain protocols for nurses; amending Minnesota Statutes 2000, sections 148.235, by adding subdivisions; 151.37, subdivision 2; Minnesota Statutes 2001 Supplement, section 148.284.

PATRICKE.FLAHAVEN, Secretary of the Senate

Abeler moved that the House refuse to concur in the Senate amendments to H. F. No. 3359, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.
ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3031:

Mulder, Jacobson and Huntley.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 3270:

Goodno, Krinkie, Seagren, Abrams and Pugh.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2674:

Ozment, Holsten and Skoe.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 3298:

Kuisle, Workman, Holberg, Ruth and Rukavina.

MOTIONS AND RESOLUTIONS

Penas moved that the names of Eastlund, Seifert and Erickson be added as authors on H. F. No. 2841. The motion prevailed.

Jacobson moved that his name be stricken and the name of Goodno be added as chief author on H. F. No. 3236. The motion prevailed.

Krinkie moved that his name be stricken and the name of Goodno be added as chief author on H. F. No. 3270. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. No. 3127 on the Fiscal Calendar for Thursday, April 4, 2002.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 8:00 a.m., Thursday, April 4, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 8:00 a.m., Thursday, April 4, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives