The House of Representatives convened at 11:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Senator Dean Elton Johnson, Senate District 13, Willmar, Minnesota.

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

The Speaker called Abrams to the Chair.

The roll was called and the following members were present:

Abeler  Abrams  Dill  Doman  Holberg  Lenczewski  Latz  Otremba  Soderstrom  Stang
Adolphson  Anderson, I.  Anderson, J.  Atkins  Beard  Bernardy  Biernat  Borrell  Boudreau  Bradley  Brod  Buesgens  Carlson  Cornish  Cox  Davnie  DeLaForest  Demmer  Dempsey

A quorum was present.

Anderson, B., was excused.

Davids was excused until 11:25 a.m.  Mahoney was excused until 11:30 a.m.  Lindgren was excused until 11:35 a.m.  Blaine was excused until 11:45 a.m.  Fuller was excused until 11:55 a.m.  Seagren was excused until 12:45 p.m.  Clark was excused until 1:20 p.m.  Solberg and Walker were excused until 2:35 p.m.
The Chief Clerk proceeded to read the Journal of the preceding day. Simpson 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. 308 and H. F. No. 359, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rukavina moved that the rules be so far suspended that S. F. No. 308 be substituted for H. F. No. 359 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1090 and H. F. No. 1130, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Howes moved that the rules be so far suspended that S. F. No. 1090 be substituted for H. F. No. 1130 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 2, 2003

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

Dear Speaker Sviggum:

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

H. F. No. 850, relating to natural resources; deleting from the Minnesota Valley state recreation area; conveying land in Sibley county to a local unit of government for the use of the general public.

H. F. No. 1112, relating to veterans affairs; providing authority to the Department of Veterans Affairs to access certain state databases to verify eligibility.

Sincerely,

TIM PAWLENTY
Governor
STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2003 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<table>
<thead>
<tr>
<th>S. F. No.</th>
<th>H. F. No.</th>
<th>Session Laws</th>
<th>Time and Date Approved</th>
<th>Date Filed</th>
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<tr>
<td>850</td>
<td>24</td>
<td></td>
<td>3:20 p.m. May 2</td>
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<td>1112</td>
<td>25</td>
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<td>3:20 p.m. May 2</td>
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<tr>
<td>907</td>
<td>27</td>
<td></td>
<td>10:56 a.m. May 2</td>
<td>May 2</td>
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Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

Abrams from the Committee on Taxes to which was referred:

H. F. No. 782, A bill for an act relating to education; providing for the department of children, families, and learning administrative amendment and repeal of certain statutory provisions relating to kindergarten through grade 12; amending Minnesota Statutes 2002, sections 12.21, subdivision 3; 120A.05, subdivision 9; 122A.63, subdivision 3; 123A.06, subdivision 3; 123A.18, subdivision 2; 123A.73, subdivisions 3, 4, 5; 123B.51, subdivisions 3, 4; 123B.57, subdivision 4; 123B.63, subdivisions 1, 2, 3, 4; 123B.91, subdivision 1; 123B.92, subdivisions 1, 3; 124D.09, subdivisions 9, 10, 16; 124D.11, subdivisions 1, 2; 124D.135, subdivision 8; 124D.16, subdivision 6; 124D.19, subdivision 3; 124D.20, subdivision 5; 124D.22, subdivision 3; 124D.454, subdivisions 2, 8, 10, by adding a subdivision; 124D.65, subdivision 5; 124D.86, subdivisions 1a, 3, 6; 125A.21, subdivision 2; 126C.10, subdivision 6; 126C.15, subdivision 1; 126C.17, subdivisions 7a, 9; 126C.21, subdivision 3; 126C.42, subdivision 1; 126C.48, subdivision 3; 126C.63, subdivisions 5, 8; 126C.69, subdivisions 2, 9; 127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 128D.11, subdivision 8; 169.26, subdivision 3; 169.973, subdivision 1; 178.02, subdivision 1; 273.138, subdivision 6; 298.28, subdivision 4; 475.61, subdivision 4; Laws 1965, chapter 705, as amended; repealing Minnesota Statutes 2002, sections 123A.73, subdivisions 7, 10, 11; 123B.81, subdivision 6; 124D.65, subdivision 4; 124D.84, subdivision 2; 125A.023, subdivision 5; 125A.47;
Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 1506, A bill for an act relating to elections; changing the precinct caucus date; changing the date of the state party nominating election and primary; changing requirements for names appearing on the state party nominating election ballot; changing certain terminology; amending Minnesota Statutes 2002, sections 202A.14, subdivision 1; 204B.03; 204B.06, subdivision 7; 204B.08, subdivisions 1, 2; 204B.09, subdivision 1; 204B.10, subdivisions 2, 3, 4; 204B.11; 204B.12, subdivision 1; 204B.33; 204D.03, subdivision 1; 204D.08, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 204B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 10A.31, subdivision 6, is amended to read:

Subd. 6. [DISTRIBUTION OF PARTY ACCOUNTS.] As soon as the board has obtained from the secretary of state the results of the primary state party nominating election, but no later than one week after certification by the state canvassing board of the results of the primary state party nominating election, to the candidates of that party who have signed a spending limit agreement under section 10A.322 and filed the affidavit of contributions required by section 10A.323, who were opposed in either the primary state party nominating election or the general election, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivisions 5 and 5a. The public subsidy from the party account may not be paid in an amount greater than the expenditure limit of the candidate or the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision 10. If a candidate files the affidavit required by section 10A.323 after September 1 of the general election year later than one week before the state party nominating election, the board must pay the candidate's allocation to the candidate at the next regular payment date for public subsidies for that election cycle that occurs at least 15 days after the candidate files the affidavit.

Sec. 2. Minnesota Statutes 2002, section 10A.321, subdivision 1, is amended to read:

Subd. 1. [CALCULATION AND CERTIFICATION OF ESTIMATES.] The commissioner of revenue must calculate and certify to the board one week before July 1, the first day for filing for office in each election year an estimate of the total amount in the state general account of the state elections campaign fund and the amount of money each candidate who qualifies, as provided in section 10A.31, subdivisions 6 and 7, may receive from the candidate's party account in the state elections campaign fund. This estimate must be based upon the allocations and formulas in section 10A.31, subdivisions 5 and 5a, any necessary vote totals provided by the secretary of state to apply the formulas in section 10A.31, subdivisions 5 and 5a, and the amount of money expected to be available after 100 percent of the tax returns have been processed.
Sec. 3. Minnesota Statutes 2002, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. [AGREEMENT BY CANDIDATE.] (a) As a condition of receiving a public subsidy, a candidate must sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25; 10A.27, subdivision 10; 10A.31, subdivision 7, paragraph (c); and 10A.324.

(b) Before the first day of filing for office, the board must forward agreement forms to all filing officers. The board must also provide agreement forms to candidates on request at any time. The candidate must file the agreement with the board by September 1 preceding the candidate's general election or a special election held at the general no later than one week before the candidate's state party nominating election. An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board must notify the commissioner of revenue of any agreement signed under this subdivision.

(d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement not later than the day after the candidate files the affidavit of candidacy or nominating petition for the office.

Sec. 4. Minnesota Statutes 2002, section 10A.323, is amended to read:

10A.323 [AFFIDAVIT OF CONTRIBUTIONS.]

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions from persons eligible to vote in this state in at least the amount indicated for the office sought, counting only the first $50 received from each contributor:

(1) candidates for governor and lieutenant governor running together, $35,000;

(2) candidates for attorney general, $15,000;

(3) candidates for secretary of state and state auditor, separately, $6,000;

(4) candidates for the senate, $3,000; and

(5) candidates for the house of representatives, $1,500.

The affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state, disregarding the portion of any contribution in excess of $50.

The candidate or the candidate's treasurer must submit the affidavit required by this section to the board in writing by September 1 of the general election year no later than one week before the state party nominating election.

A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must submit the affidavit required by this section to the board within five days after filing the affidavit of candidacy.
Sec. 5. Minnesota Statutes 2002, section 202A.14, subdivision 1, is amended to read:

Subd. 1. [TIME AND MANNER OF HOLDING; POSTPONEMENT.] At 7:00 p.m. on the first third Tuesday in March in every state general election year there shall be held for every election precinct a party caucus in the manner provided in sections 202A.14 to 202A.19, except that in the event of severe weather a major political party may request the secretary of state to postpone caucuses. If a major political party makes a request, or upon the secretary of state's own initiative, after consultation with all major political parties and on the advice of the federal weather bureau and the department of transportation, the secretary of state may declare precinct caucuses to be postponed for a week in counties where weather makes travel especially dangerous. The secretary of state shall submit a notice of the postponement to news media covering the affected counties by 6:00 p.m. on the scheduled day of the caucus. A postponed caucus may also be postponed pursuant to this subdivision.

Sec. 6. Minnesota Statutes 2002, section 204B.03, is amended to read:

Subd. 1. [CANDIDATES FOR NONPARTISAN OFFICE.] Candidates of a major political party for any partisan office except presidential elector and all candidates for nonpartisan office shall apply for a place on the primary ballot by filing an affidavit of candidacy as provided in section 204B.06, and except as otherwise provided in section 204D.07, subdivision 3, shall be nominated by primary.

Subd. 2. [MAJOR POLITICAL PARTY CANDIDATES FOR CONGRESSIONAL, STATE CONSTITUTIONAL, AND LEGISLATIVE OFFICES.] Major political party candidates endorsed for congressional, state constitutional, and legislative office must appear on the state party nominating ballot by party certification under section 204B.051, subdivision 2, and by filing an affidavit of candidacy as provided in section 204B.06. Major political party candidates for congressional, state constitutional, and legislative office who are not endorsed must apply for a place on the state party nominating ballot by party notification as a qualified candidate under section 204B.051, subdivision 4, and by filing an affidavit of candidacy as provided in section 204B.06; or by filing an affidavit of candidacy and a petition under section 204B.051, subdivisions 6 and 7.

Subd. 3. [CANDIDATES NOT SEEKING NOMINATION OF A MAJOR POLITICAL PARTY.] Candidates for any partisan office who do not seek the nomination of a major political party shall be nominated by nominating petition as provided in sections 204B.07 and 204B.08, and, except for presidential elector candidates, shall file an affidavit of candidacy as provided in section 204B.06.

Sec. 7. [204B.051] [FILING FOR STATE PARTY NOMINATING ELECTION; MAJOR PARTY CANDIDATES FOR PARTISAN OFFICE.]

Subd. 1. [NOTICE OF PARTISAN OFFICES TO BE ELECTED.] By February 15 of each even-numbered year, the secretary of state shall send the state chair of each major political party a notice of the congressional, state constitutional, and legislative offices to be elected at the state general election.

Subd. 2. [CERTIFICATION OF ENDORSED CANDIDATES.] No later than 56 days before the state party nominating election, the state chair of each major political party shall certify to the secretary of state or appropriate county auditor the name of the person endorsed as a candidate for a congressional, state constitutional, or legislative office at the appropriate party endorsing convention according to the party rules.

Subd. 3. [FORM OF CERTIFICATION.] The certification of endorsed candidates must include the name of the candidate as it is to appear on the ballot and the name of the office sought. The certification must also include a statement that each candidate meets the qualifications for the office sought. The certification must be prepared by the party chair in the manner provided by the secretary of state.
4. [NOTIFICATION OF CANDIDATES.] No later than 56 days before the state party nominating election, the state chair of each major political party shall certify to the secretary of state or appropriate county auditor the name of each person who received at least 30 percent of the votes on any ballot at the appropriate party endorsing convention for a congressional, state constitutional, or legislative office according to the party rules. The state party chair must send a copy of the certification to each affected candidate by the same deadline. The certification must include a statement that the candidate meets the qualifications for the office sought. The certification must be prepared by the state party chair in the manner required by the secretary of state.

Subd. 5. [ELIGIBILITY OF CANDIDATES.] A candidate must not be certified by a major political party if the candidate does not meet the constitutional and statutory requirements for the office sought.

Subd. 6. [PARTY QUALIFYING PETITION.] A candidate whose name is not certified by a major political party as provided in subdivision 2 or 4 may apply for a place on the state party nominating ballot for a congressional, state constitutional, or legislative office by filing an affidavit of candidacy and a party qualifying petition.

The petition must include the signatures in a number equal to at least ten percent of the number of persons voting for the nomination of the office sought at the last regularly scheduled state party nominating election for that office. By February 15 of each even-numbered year, the secretary of state shall determine the minimum number of signatures required for persons submitting petitions as provided in this subdivision.

Subd. 7. [FORM OF PETITION.] The party qualifying petition required by subdivision 6 must include the following information: candidate's name, candidate's residence address, party name, and office sought. The petition must include the following oath or affirmation of the signers: "Under penalty of perjury, I solemnly swear (or affirm) that I know the contents and purpose of this petition, that I am eligible to vote for the candidate named on this petition, that I either participated in the most recent precinct caucus for the party listed on the petition or intend to vote for a majority of that party's candidates at the next state general election, and that I signed this petition of my own free will."

Petitions submitted under this subdivision must be in the form specified by the secretary of state, who shall prepare samples of the form.

An individual who, in signing a petition, makes a false oath is guilty of perjury.

Sec. 8. Minnesota Statutes 2002, section 204B.06, subdivision 7, is amended to read:

Subd. 7. [GOVERNOR AND LIEUTENANT GOVERNOR.] An individual who is certified by a major political party or who files as a candidate for governor or lieutenant governor shall be certified as a team or file the affidavit of candidacy jointly with the affidavit of another individual who seeks nomination as a candidate for the other office.

Sec. 9. Minnesota Statutes 2002, section 204B.08, subdivision 1, is amended to read:

Subdivision 1. [TIME FOR SIGNING.] Nominating petitions shall be signed during the period when petitions may be filed as provided in section 204B.09. Party qualifying petitions authorized by section 204B.051, subdivision 6, may be signed no earlier than 98 days before the state party nominating election and no later than 56 days before the state party nominating election.
Sec. 10. Minnesota Statutes 2002, section 204B.08, subdivision 2, is amended to read:

Subd. 2. [QUALIFICATIONS OF SIGNERS.] A nominating petition or party qualifying petition may be signed only by individuals who are eligible to vote for the candidate who is nominated named on the petition. No individual may sign more than one nominating petition or party qualifying petition for candidates for the same office unless more than one candidate is to be elected to that office. If more than one candidate is to be elected to the office, an individual may sign as many petitions as there are candidates to be elected.

Sec. 11. Minnesota Statutes 2002, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. [CANDIDATES IN STATE AND COUNTY GENERAL ELECTIONS.] (a) Except as otherwise provided by this subdivision, affidavits of candidacy and, nominating petitions, and party qualifying petitions for county, state, and federal offices filled at the state general election shall be filed not more than 70 days nor less than 56 days before the state party nominating election and primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions on or before the state party nominating election and primary day. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for offices to be voted on in only one county shall be filed with the county auditor of that county. Affidavits and petitions for offices to be voted on in more than one county shall be filed with the secretary of state.

Sec. 12. Minnesota Statutes 2002, section 204B.10, subdivision 2, is amended to read:

Subd. 2. [NOMINATING PETITIONS; PARTY QUALIFYING PETITIONS; ACKNOWLEDGMENT; NUMBERING.] On the day a nominating petition or party qualifying petition is filed, the election official shall deliver or mail an acknowledgment of the petition to the individual who files it and to the candidate who is to be nominated. The election official shall also number the petitions in the order received. The petitions shall be retained as provided in section 204B.40, and shall be available for public inspection during that period.

Sec. 13. Minnesota Statutes 2002, section 204B.10, subdivision 3, is amended to read:

Subd. 3. [INSPECTION.] The official with whom nominating petitions or party qualifying petitions are filed shall inspect the petitions in the order filed to verify that there are a sufficient number of signatures of individuals whose residence address as shown on the petition is in the district where the candidate is to be nominated.

Sec. 14. Minnesota Statutes 2002, section 204B.11, is amended to read:

204B.11 [CANDIDATES; FILING FEES; PETITION IN PLACE OF FILING FEE.]

Subdivision 1. [AMOUNT; DISHONORED CHECKS; CONSEQUENCES.] Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:
(a) for the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, representative in Congress, judge of the supreme court, judge of the court of appeals, or judge of the district court, $300;

(b) for the office of senator in Congress, $400;

(c) for the office of senator or representative in the legislature, $100;

(d) for a county office, $50; and

(e) for the office of soil and water conservation district supervisor, $20.

For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the state treasurer.

When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, notice to the candidate of the worthless instrument must be sent by the filing officer via registered mail no later than immediately upon the closing of the filing deadline with return receipt requested. The candidate will have five days from the time the filing officer receives proof of receipt to issue a check or other instrument for which sufficient funds are available. The candidate issuing the worthless instrument is liable for a service charge pursuant to section 604.113. If adequate payment is not made, the name of the candidate must not appear on any official ballot and the candidate is liable for all costs incurred by election officials in removing the name from the ballot.

Subd. 2. [PETITION IN PLACE OF FILING FEE.] At the time of filing an affidavit of candidacy, a candidate may present a petition in place of the filing fee. The petition may be signed by any individual eligible to vote for the candidate. A nominating petition filed pursuant to section 204B.07 or 204B.13, subdivision 4, or a petition submitted to the secretary of state as provided in section 204B.051, subdivision 6, is effective as a petition in place of a filing fee if the nominating petition includes a prominent statement informing the signers of the petition that it will be used for that purpose.

The number of signatures on a petition used solely in place of a filing fee shall be as follows:

(a) for a state office voted on statewide, or for president of the United States, or United States senator, 2,000;

(b) for a congressional office, 1,000;

(c) for a county or legislative office, or for the office of district judge, 500; and

(d) for any other office which requires a filing fee as prescribed by law, municipal charter, or ordinance, the lesser of 500 signatures or five percent of the total number of votes cast in the municipality, ward, or other election district at the preceding general election at which that office was on the ballot.

An official with whom petitions are filed shall make sample forms for petitions in place of filing fees available upon request.
Sec. 15. [204B.115] [VERIFYING SIGNATURES ON PETITIONS.]

The secretary of state shall use a random sampling technique to verify that the persons signing a party qualifying petition, a nominating petition, or a petition in place of a filing fee are eligible voters. The secretary of state must complete the verification within ten working days after the petition is filed.

(a) If a candidate for senator is named on the petition, the sample size must be 160 signatures, or 40 percent of the signatures required, whichever is greater, except that the sample number shall not exceed the number of signatures required for a valid petition.

(b) If a candidate for representative is named on the petition, the sample size must be 80 signatures, or 40 percent of the signatures required, whichever is greater, except that the sample number shall not exceed the number of signatures required for a valid petition.

(c) If a candidate for senator or representative in Congress, governor, lieutenant governor, secretary of state, state auditor, or attorney general, or for judge of the supreme court, court of appeals, or district court is named on the petition, the sample size must be 2,000 signatures.

(d) The secretary of state shall consecutively number every completed signature line on the petition. The signature lines on the petition that correspond to the random numbers generated constitute the sample for the verification process.

(e) The secretary of state shall verify that the address given by each signatory in the sample is in the district from which the candidate named on the petition is to be elected and that the birth date given by each signatory in the sample establishes that the signatory was at least 18 years old when the petition was signed. Signatures from persons determined by the secretary of state to be ineligible to vote must not be counted.

(f) The secretary of state shall determine what percentage of the signatories in the sample are eligible voters.

(g) The secretary of state shall multiply the total number of petition signatories by the percentage of signatories determined to be eligible voters in the sample to determine how many of the signatories on the petition are deemed to be eligible voters.

(h) If the statistical sampling shows the number of signatories deemed to be eligible voters is less than 100 percent of the required number and the time for filing has expired during the verification process, the secretary of state shall dismiss the petition and notify the petitioners of the reasons for the dismissal.

(i) If the statistical sampling shows the number of signatories deemed to be eligible voters is less than 100 percent of the required number but the time for filing has not expired during the verification process, the secretary of state shall notify the petitioners:

(1) that the petition has not been signed by the required number of eligible voters;

(2) of the number of additional signatures needed;

(3) that the time for filing has not expired;

(4) of the number of days left to file; and

(5) that the petitioners may provide the secretary of state with the required number of additional signatures before the close of filing.
If the petitioners do not provide the secretary of state with additional signatures before the close of filing, the secretary of state shall dismiss the petition and notify the petitioners. If the petitioners provide the secretary of state with additional signatures, the secretary of state shall reverify the signatures using the procedure described in this section.

Sec. 16. Minnesota Statutes 2002, section 204B.12, subdivision 1, is amended to read:

Subdivision 1. [BEFORE STATE PARTY NOMINATING ELECTION AND PRIMARY.] A candidate may withdraw from the state party nominating election ballot or the primary ballot by filing an affidavit of withdrawal with the same official who received the party certification or affidavit of candidacy. The affidavit shall request that official to withdraw the candidate’s name from the ballot and shall be filed no later than two days after the last day for filing for the office.

Sec. 17. Minnesota Statutes 2002, section 204B.14, subdivision 2, is amended to read:

Subd. 2. [SEPARATE PRECINCTS; COMBINED POLLING PLACE.] (a) The following shall constitute at least one election precinct:

(1) each city ward; and

(2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than June 1 of any year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;

(2) for two contiguous precincts in the same municipality that have a combined total of fewer than 500 registered voters; or

(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 473.121, subdivision 2, that are contained in the same county.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than May 1 of any year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.
Sec. 18. Minnesota Statutes 2002, section 204B.14, subdivision 4, is amended to read:

Subd. 4. [BOUNDARY CHANGE PROCEDURE.] Any change in the boundary of an election precinct shall be adopted at least 90 days before the date of the next election and, for the state party nominating election and primary and the general election, no later than June 1 in the year of the state general election. The precinct boundary change shall not take effect until notice of the change has been posted in the office of the municipal clerk or county auditor for at least 60 days.

The county auditor must publish a notice illustrating or describing the congressional, legislative, and county commissioner district boundaries in the county in one or more qualified newspapers in the county at least 14 days prior to the first day to file affidavits of candidacy for the state general election in the year ending in two.

Alternate dates for adopting changes in precinct boundaries, posting notices of boundary changes, and notifying voters affected by boundary changes pursuant to this subdivision, and procedures for coordinating precinct boundary changes with reestablishing local government election district boundaries may be established in the manner provided in the rules of the secretary of state.

Sec. 19. Minnesota Statutes 2002, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT LISTS; DUTIES OF POLITICAL PARTIES AND COUNTY AUDITOR.] On July 1 in a year in which there is an election for a partisan political office, the county or legislative district chairs of each major political party, whichever is designated by the state party, shall prepare a list of eligible voters to act as election judges in each election precinct in the county or legislative district. The chairs shall furnish the lists to the county auditor of the county in which the precinct is located.

By July 15, the county auditor shall furnish to the appointing authorities a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority. Separate lists shall be submitted by the county auditor for each major political party.

Sec. 20. Minnesota Statutes 2002, section 204B.27, subdivision 2, is amended to read:

Subd. 2. [ELECTION LAW AND INSTRUCTIONS.] The secretary of state shall prepare and publish a volume containing all state general laws relating to elections. The attorney general shall provide annotations to the secretary of state for this volume. On or before July 1 of every even numbered year the secretary of state shall furnish to the county auditors and municipal clerks enough copies of this volume so that each county auditor and municipal clerk will have at least one copy. The secretary of state may prepare and transmit to the county auditors and municipal clerks detailed written instructions for complying with election laws relating to the conduct of elections, conduct of voter registration and voting procedures.

Sec. 21. Minnesota Statutes 2002, section 204B.33, is amended to read:

204B.33 [NOTICE OF FILING.]

(a) Between June 1 and July 1 in each even numbered year No later than 15 weeks before the state party nominating election, the secretary of state shall notify each county auditor of the offices to be voted for in that county at the next state general election for which candidates file with the secretary of state. The notice shall include the time and place of filing for those offices. Within ten days after notification by the secretary of state, each county auditor shall notify each municipal clerk in the county of all the offices to be voted for in the county at that election and the time and place for filing for those offices. The county auditors and municipal clerks shall promptly post a copy of that notice in their offices.
(b) At least two weeks before the first day to file an affidavit of candidacy, the county auditor shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the county auditor's office and the closing time for filing on the last day for filing. The county auditor shall post a similar notice at least ten days before the first day to file affidavits of candidacy.

Sec. 22. Minnesota Statutes 2002, section 204B.44, is amended to read:

204B.44 [ERRORS AND OMISSIONS; REMEDY.]

Any individual may file a petition in the manner provided in this section for the correction of any of the following errors, omissions or wrongful acts which have occurred or are about to occur:

(a) An error or omission in the placement or printing of the name or description of any candidate or any question on any official ballot;

(b) Any other error in preparing or printing any official ballot;

(c) Failure of the chair or secretary of the proper committee of a major political party to execute or file a certificate of nomination or a certification or notification required under section 204B.051;

(d) Any wrongful act, omission, or error of any election judge, municipal clerk, county auditor, canvassing board or any of its members, the secretary of state, or any other individual charged with any duty concerning an election.

The petition shall describe the error, omission or wrongful act and the correction sought by the petitioner. The petition shall be filed with any judge of the supreme court in the case of an election for state or federal office or any judge of the district court in that county in the case of an election for county, municipal, or school district office. The petitioner shall serve a copy of the petition on the officer, board or individual charged with the error, omission or wrongful act, and on any other party as required by the court. Upon receipt of the petition the court shall immediately set a time for a hearing on the matter and order the officer, board or individual charged with the error, omission or wrongful act to correct the error or wrongful act or perform the duty or show cause for not doing so. The court shall issue its findings and a final order for appropriate relief as soon as possible after the hearing. Failure to obey the order is contempt of court.

Sec. 23. Minnesota Statutes 2002, section 204C.26, subdivision 3, is amended to read:

Subd. 3. [SECRETARY OF STATE.] On or before July 1 of each even-numbered year, the secretary of state shall prescribe the form for summary statements of election returns and the methods by which returns for the state party nominating election and the state general election shall be recorded by precinct, county, and state election officials. Each county auditor and municipal or school district clerk required to furnish summary statements shall prepare them in the manner prescribed by the secretary of state. The summary statement of the state party nominating election and primary returns shall be in the same form as the summary statement of the general election returns except that a separate part of the summary statement shall be provided for the partisan primary state party nominating election ballot and a separate part for the nonpartisan primary ballot.

Sec. 24. Minnesota Statutes 2002, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. [STATE PARTY NOMINATING ELECTION AND PRIMARY.] The state party nominating election and primary shall be held on the first Tuesday after the second third Monday in September June in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.
Sec. 25. Minnesota Statutes 2002, section 204D.08, subdivision 4, is amended to read:

Subd. 4. [STATE PARTISAN PRIMARY PARTY NOMINATING ELECTION BALLOT; PARTY COLUMNS.] The state partisan primary party nominating election ballot shall be headed by the words "State Partisan Primary Party Nominating Election Ballot." The ballot shall be printed on white paper. There must be at least three vertical columns on the ballot and each major political party shall have a separate column headed by the words " .......... Party," giving the party name. Above the party names, the following statement shall be printed.

"Minnesota Election Law permits you to vote for the candidates of only one political party in a state partisan primary party nominating election."

If there are only two major political parties to be listed on the ballot, one party must occupy the left-hand column, the other party must occupy the right-hand column, and the center column must contain the following statement:

"Do not vote for candidates of more than one party."

The names of the candidates seeking the nomination of each major political party shall be listed in that party's column. The name of a candidate who was endorsed by a major political party must be followed by the term "endorsed," unless the candidate files with the affidavit of candidacy an affidavit requesting that the candidate's name not be followed by the term "endorsed." If only one individual files an affidavit of candidacy seeking the nomination of a major political party for an office, the name of that individual shall be placed on the state partisan primary party nominating election ballot at the appropriate location in that party's column.

In each column, the candidates for senator in Congress shall be listed first, candidates for representative in Congress second, candidates for state senator third, candidates for state representative fourth and then candidates for state office in the order specified by the secretary of state.

The party columns shall be substantially the same in width, type, and appearance. The columns shall be separated by a 12-point solid line.

Sec. 26. Minnesota Statutes 2002, section 204D.09, subdivision 1, is amended to read:

Subdivision 1. [EXAMPLE BALLOT.] (a) No later than June March 1 of each year, the secretary of state shall supply each auditor with a copy of an example ballot. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year.

(b) The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballot must conform in all respects to the example ballot.

Sec. 27. Minnesota Statutes 2002, section 205.065, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHING PRIMARY.] A municipal primary for the purpose of nominating elective officers may be held in any city on the first Tuesday after the third Monday in June or on the first Tuesday after the second Monday in September of any year in which a municipal general election is to be held for the purpose of electing officers.

Sec. 28. Minnesota Statutes 2002, section 205.13, subdivision 1a, is amended to read:

Subd. 1a. [FILING PERIOD.] In municipalities nominating candidates at a municipal primary, an affidavit of candidacy for a city office or town office voted on in November must be filed not more than 70 days nor less than
56 days before the first Tuesday after the second Monday in September preceding the municipal general election primary. In all other municipalities, an affidavit of candidacy must be filed not more than 70 days and not less than 56 days before the municipal general election.

Sec. 29. Minnesota Statutes 2002, section 205A.03, subdivision 2, is amended to read:

Subd. 2. [DATE.] The school district primary must be held on the first Tuesday after the third Monday in June or on the first Tuesday after the second Monday in September in the year when the school district general election is held. The clerk shall give notice of the primary in the manner provided in section 205A.07.

Sec. 30. Minnesota Statutes 2002, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. [FILING PERIOD.] In school districts nominating candidates at a school district primary, affidavits of candidacy may be filed with the school district clerk no earlier than the 70th day and no later than the 56th day before the first Tuesday after the second Monday in September in the year when the school district general election is held primary. In all other school districts, affidavits of candidacy must be filed not more than 70 days and not less than 56 days before the school district general election.

Sec. 31. Minnesota Statutes 2002, section 206.82, subdivision 2, is amended to read:

Subd. 2. [PLAN.] The municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which a counting center serving more than one municipality is located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system. Prior to July April 1 of each subsequent general election year, the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the department of administration or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill duties imposed by this subdivision or by rules promulgated pursuant to this section.

Sec. 32. Minnesota Statutes 2002, section 211B.045, is amended to read:

211B.045 [NONCOMMERCIAL SIGNS EXEMPTION.]

In any municipality with an ordinance that regulates the size of noncommercial signs, notwithstanding the provisions of that ordinance, all noncommercial signs of any size may be posted from August June 1 in a state general election year until ten days following the state general election.

Sec. 33. [REVISOR'S INSTRUCTION.]

The revisor of statutes shall change the terms in column A to the corresponding terms in column B wherever they appear in Minnesota Statutes or Minnesota Rules.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
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</thead>
<tbody>
<tr>
<td>state primary</td>
<td>state party nominating election and primary</td>
</tr>
<tr>
<td>state partisan primary</td>
<td>state party nominating election</td>
</tr>
</tbody>
</table>


Delete the title and insert:

"A bill for an act relating to elections; changing the precinct caucus date; changing the date of the state party nominating election and primary; changing requirements for names appearing on the state party nominating election ballot; changing certain terminology; changing a sign regulation; amending Minnesota Statutes 2002, sections 10A.31, subdivision 6; 10A.321, subdivision 1; 10A.322, subdivision 1; 10A.323; 202A.14, subdivision 1; 204B.03; 204B.06, subdivision 7; 204B.08, subdivisions 1, 2; 204B.09, subdivision 1; 204B.10, subdivisions 2, 3; 204B.11; 204B.12, subdivision 1; 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204B.27, subdivision 2; 204B.33; 204B.44; 204C.26, subdivision 3; 204D.03, subdivision 1; 204D.08, subdivision 4; 204D.09, subdivision 1; 205.065, subdivision 1; 205.13, subdivision 1a; 205A.03, subdivision 2; 205A.06, subdivision 1a; 206.82, subdivision 2; 211B.045; proposing coding for new law in Minnesota Statutes, chapter 204B."

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

The report was adopted.

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

S. F. No. 575, A bill for an act relating to civil actions; modifying the limitation period for civil actions for personal injury based on sexual abuse against a minor; amending Minnesota Statutes 2002, section 541.073.

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

The report was adopted.

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

S. F. No. 872, A bill for an act relating to real property; conveyances by spouses; purchase-money mortgages; amending Minnesota Statutes 2002, sections 507.02; 507.03.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 782 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 308, 1090, 575 and 872 were read for the second time.
INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Jaros introduced:

H. F. No. 1608, A bill for an act relating to the city of Duluth; providing for use of the proceeds of the city's taxes on hotel, motel, and restaurant receipts; amending Laws 1980, chapter 511, section 1, subdivision 2, as amended; Laws 1980, chapter 511, section 3, as amended.

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

Pelowski, Davids, Sviggum and Dempsey introduced:

H. F. No. 1609, A bill for an act relating to capital improvements; authorizing spending to better public land and buildings; authorizing the board of trustees of the Minnesota state colleges and universities to make capital improvements at Winona state university; authorizing issuance of bonds; appropriating money.

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

Olson, M., introduced:

H. F. No. 1610, A bill for an act relating to transportation; enacting the Minnesota Regulated Public Transit Utilities Act; providing for regulation of transit services; requiring legislative reports; proposing coding for new law as Minnesota Statutes, chapter 216E.

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

MESSAGES FROM THE SENATE

The following messages were received from 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. 294, A bill for an act relating to the military; requiring payment of a salary differential and continuation of certain benefits to certain state employees who are members of the national guard or other military reserve units and who reported for active military duty; permitting local governments to pay a similar salary differential for their employees who are members of the national guard or other military reserve units and who have reported for active military service; amending Minnesota Statutes 2002, section 471.975; proposing coding for new law in Minnesota Statutes, chapter 43A.
The Senate has appointed as such committee:

Senators Betzold, Metzen and Frederickson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of 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. 361, A bill for an act relating to elections; providing procedures and criteria for calling special elections to fill vacancies in certain instances; amending Minnesota Statutes 2002, sections 365.52, subdivision 1, by adding a subdivision; 367.03, subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kielkucki moved that the House concur in the Senate amendments to H. F. No. 361 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 361, A bill for an act relating to elections; providing procedures and criteria for calling special elections to fill vacancies in certain instances; amending Minnesota Statutes 2002, sections 365.52, subdivision 1; 367.03, subdivision 6.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Cornish  Finstad  Howes  Kuisele  Murphy
Abrams  Cox  Gerlach  Huntley  Lanning  Nelson, C.
Adolphson  Daynie  Goodwin  Jacobson  Larson  Nelson, M.
Anderson, L.  DeLaForest  Greiling  Jaros  Latz  Nelson, P.
Anderson, J.  Demmer  Gunther  Johnson, J.  Lenczewski  Nornes
Atkins  Dempsey  Haas  Johnson, S.  Lesch  Olsen, S.
Beard  Dill  Hackbart  Juhnke  Lieder  Olson, M.
Bernardy  Dornan  Harder  Kahn  Lindner  Opatz
Biemat  Dorn  Hausman  Kelliher  Lipman  Osterman
Borrell  Eastlund  Heidgerken  Kiellucki  Magnus  Otremba
Boudreau  Eken  Helstrom  Klinzing  Mariani  Otto
Bradley  Ellison  Hilty  Knohlach  Marquette  Ozment
Brod  Entenza  Holberg  Koenen  McNamara  Paulsen
Buesgens  Erhardt  Hoppe  Kohls  Meslow  Paymar
Carlson  Erickson  Hornstein  Krinkie  Mullery  Pelowski
The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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


PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sykora moved that the House concur in the Senate amendments to H. F. No. 419 and that the bill be repassed as amended by the Senate. The motion prevailed.


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 108 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler    Demmer    Hilstrom    Latz    Opatz    Simpson
Abrams    Dempsey    Hilty    Lenczewski    Osterman    Smith
Adolphson    Dill    Holberg    Lieder    Otremba    Soderstrom
Anderson, I.    Dorman    Hoppe    Lindner    Otto    Stang
Anderson, J.    Dorn    Howes    Lipman    Ozment    Strachan
Atkins    Eastlund    Huntley    Magnus    Paulsen    Swenson
Beard    Eken    Jacobson    Mariani    Paymar    Sykora
Bernardy    Ellison    Johnson, J.    Marquart    Pelowski    Thissen
Borrell    Erhardt    Juhnke    McNamara    Pens
Boudreau    Erickson    Kielkucki    Meslow    Peterson    Urdahl
Bradley    Finstad    Klinzing    Mullery    Powell    Vanderveer
Brod    Gerlach    Knoblach    Murphy    Pugh    Walz
Buesgens    Goodwin    Koenen    Nelson, C.    Rhodes    Wardlow
Carlson    Gunther    Kohls    Nelson, M.    Ruth    Westerberg
Cornish    Haas    Krinkie    Nelson, P.    Samuelson    Westrom
Cox    Hack Barth    Kuisle    Nornes    Seifert    Wilkin
Davids    Harder    Lanning    Olsen, S.    Severson    Zellers
DeLaForest    Heidgerken    Larson    Olson, M.    Sieben    Spk. Sviggum
Those who voted in the negative were:

<table>
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<tr>
<th>Biernat</th>
<th>Greiling</th>
<th>Jaros</th>
<th>Kelliher</th>
<th>Sertich</th>
<th>Wagenius</th>
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<tr>
<td>Davnie</td>
<td>Hausman</td>
<td>Johnson, S.</td>
<td>Lesch</td>
<td>Slawik</td>
<td>Wasiluk</td>
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<tr>
<td>Entenza</td>
<td>Hornstein</td>
<td>Kahn</td>
<td>Rukavina</td>
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

H. F. No. 645, A bill for an act relating to technology business; providing for exemptions from Minnesota Electrical Act; amending Minnesota Statutes 2002, sections 326.01, subdivision 6m; 326.242, subdivisions 3d, 8, 12; 326.2421, subdivision 2; 326.244, subdivisions 1a, 5; repealing Minnesota Statutes 2002, sections 326.01, subdivision 6d; 326.2421, subdivisions 3, 4, 6, 8.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Paulsen moved that the House concur in the Senate amendments to H. F. No. 645 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 645, A bill for an act relating to technology business; amending Minnesota Statutes 2002, sections 326.01, subdivision 6m; 326.242, subdivisions 3d, 8, 12; 326.2421, subdivision 2; 326.244, subdivisions 1a, 5; repealing Minnesota Statutes 2002, sections 326.01, subdivision 6d; 326.2421, subdivisions 3, 4, 6, 8.

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 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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<tr>
<th>Abeler</th>
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<th>Hausman</th>
<th>Juhnke</th>
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<td>Abrams</td>
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<td>Adolphson</td>
<td>Cornish</td>
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<td>Anderson, I.</td>
<td>Cox</td>
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<td>Anderson, J.</td>
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<td>Atkins</td>
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<td>Beard</td>
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<td>Bernardy</td>
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<td>Borrell</td>
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<td>Boudreau</td>
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<td>Brod</td>
<td>Eastlund</td>
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Those who voted in the negative were:

Krinkie Penas

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

Mr. Speaker:

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

H. F. No. 944, A bill for an act relating to local government; providing an exception to the priorities for designating a qualified newspaper; amending Minnesota Statutes 2002, section 331A.04, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Holberg moved that the House concur in the Senate amendments to H. F. No. 944 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 944, A bill for an act relating to local government; providing an exception to the priorities for designating a qualified newspaper; amending Minnesota Statutes 2002, section 331A.04, by adding a subdivision.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Mr. Speaker:

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

S. F. No. 351, A bill for an act relating to crime prevention; providing that in certain cases authorized representatives of entities possessing a permit to use radio equipment capable of receiving police emergency transmissions may use and possess the equipment without a permit; amending Minnesota Statutes 2002, section 299C.37, subdivisions 1, 3.

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

Senators Bakk, Knutson and Saxhaug.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Dill 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. 351. 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. 980, A bill for an act relating to crime; providing reporting procedures and venue for identity theft; amending Minnesota Statutes 2002, section 609.527, by adding subdivisions.

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

Senators Foley, Berglin and McGinn.

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

PATRICK E. FLAHAVEN, Secretary of the Senate
Paulsen 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. 980. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 388, 1019, 931, 755, 381, 857 and 1180.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 388, A bill for an act relating to vehicle forfeiture; clarifying and modifying certain definitions, standards, and procedures for vehicle forfeitures associated with driving while impaired; amending Minnesota Statutes 2002, sections 169A.60, subdivisions 1, 14; 169A.63, subdivisions 1, 2, 6, 7, 8, 9, 10, 11.

The bill was read for the first time.

Fuller moved that S. F. No. 388 and H. F. No. 392, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1019, A bill for an act relating to health; establishing a reporting system for adverse health care events; amending Minnesota Statutes 2002, section 145.64, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144.

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

S. F. No. 931, A bill for an act relating to campaign finance; clarifying certain terms; requiring assumption of certain obligations; changing certain expenditure, contribution, and reporting requirements; providing additional civil penalties; repealing obsolete and duplicative rules; amending Minnesota Statutes 2002, sections 10A.01, subdivision 18; 10A.08; 10A.20, subdivision 5; 10A.24, subdivision 2; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.28, subdivision 2; 10A.31, subdivisions 6, 7; 10A.323, repealing Minnesota Rules, parts 4501.0300, subpart 4; 4501.0600; 4503.0200, subpart 4; 4503.0300, subpart 2; 4503.0400, subpart 2; 4503.0500, subpart 9; 4503.0800, subpart 1.

The bill was read for the first time.

Rhodes moved that S. F. No. 931 and H. F. No. 1322, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 755, A bill for an act relating to state government; prohibiting state contracts with vendors reincorporated in tax haven countries; amending Minnesota Statutes 2002, section 16C.03, by adding a subdivision.

The bill was read for the first time and referred to the Committee on State Government Finance.
S. F. No. 381, A bill for an act relating to fire protection industry licensing; requiring certification for installers of multipurpose potable water piping systems; requiring licensing for multipurpose potable water piping system contractors; amending Minnesota Statutes 2002, sections 299M.01, by adding subdivisions; 299M.03, by adding subdivisions; 299M.04; 299M.11, subdivisions 1, 2.

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

S. F. No. 857, A bill for an act relating to lake improvement districts; changing the percent of property owners necessary to petition for creation and termination of a district; amending Minnesota Statutes 2002, sections 103B.521, subdivision 1; 103B.581, subdivision 1.

The bill was read for the first time.

Olson, M., moved that S. F. No. 857 and H. F. No. 582, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1180, A bill for an act relating to state government; department of administration; updating references; increasing the threshold project amount for designer selection board approval; modifying building code language; eliminating a report; amending Minnesota Statutes 2002, sections 16B.054; 16B.24, subdivisions 1, 5; 16B.33, subdivision 3; 16B.61, subdivision 1a; 16B.62, subdivision 1; 16C.10, subdivision 5; 16C.15; 16C.16, subdivision 7; 327A.01, subdivision 2; repealing Minnesota Statutes 2002, section 16C.18, subdivision 1.

The bill was read for the first time.

Krinkie moved that S. F. No. 1180 and H. F. No. 1111, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following additional bills to be placed on the Calendar for the Day for Monday, May 12, 2003:

H. F. Nos. 293, 671, 984, 723 and 883; and S. F. Nos. 1282 and 374.

CALENDAR FOR THE DAY

S. F. No. 407, A bill for an act relating to towns; providing for optional election of certain officers; amending Minnesota Statutes 2002, sections 367.30, subdivisions 2, 4; 367.31, subdivision 4; 367.34; 367.36, subdivision 1.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dill  Hoppe  Lesch  Otto  Strachan
Abrams  Dorman  Hornstein  Lieder  Ozment  Swenson
Adolphson  Dorn  Howes  Lindgren  Paulsen  Sykora
Anderson, I.  Eastlund  Huntley  Lindner  Paymar  Thao
Anderson, J.  Eken  Jacobson  Lipman  Pelowski  Thissen
Atkins  Ellison  Jaros  Magnus  Penas  Tingelstad
Beard  Entenza  Johnson, J.  Mahoney  Peterson  Udahl
Bernardy  Erhardt  Johnson, S.  Mariani  Powell  Vandeveer
Biermat  Erickson  Juhnke  Marquart  Pugh  Wagenius
Borrell  Finstad  Kahn  McNamara  Rhodes  Walz
Boudreau  Gerlach  Kellner  Meslow  Rukavina  Wardlow
Bradley  Goodwin  Kielkucki  Mullery  Ruth  Wasiluk
Brod  Greiling  Klinzing  Murphy  Samuelson  Westerberg
Buesgens  Gunther  Knoblauch  Nelson, C.  Seifert  Westrom
Carlson  Haas  Koenen  Nelson, M.  Sertich  Wilkin
Cornish  Hackbarth  Kohls  Nelson, P.  Severson  Zellers
Cox  Harder  Krinke  Nornes  Sieben  Spk. Sviggum
Davids  Hausman  Kuisle  Olsen, S.  Simpson  
Davnie  Heiderken  Lanning  Olson, M.  Slawik  
DeLaForest  Hilstrom  Larson  Opatz  Smith  
Demmer  Hilty  Latz  Osterman  Soderstrom  
Dempsey  Holberg  Lenczewski  Otremba  Stang  

The bill was passed and its title agreed to.

H. F. No. 754, A bill for an act relating to eminent domain; changing the definition of displaced person to correspond to federal law; amending Minnesota Statutes 2002, section 117.50, subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler  Carlson  Entenza  Hilty  Knoblauch  Mahoney  
Abrams  Cornish  Erhardt  Hoppe  Koenen  Mariani  
Adolphson  Cox  Erickson  Hornstein  Kohls  Marquart  
Anderson, I.  Davids  Finstad  Howes  Kuisle  McNamara  
Anderson, J.  Davnie  Gerlach  Huntley  Lanning  Meslow  
Atkins  DeLaForest  Goodwin  Jacobson  Larson  Mullery  
Beard  Demmer  Greiling  Jaros  Latz  Murphy  
Bernardy  Dempsey  Gunther  Johnson, J.  Lenczewski  Nelson, C.  
Biermat  Dill  Haas  Juhnke  Lieder  Nelson, P.  
Borrell  Dorman  Hackbarth  Kahn  Lindgren  Nornes  
Boudreau  Dorn  Harder  Hausman  Kellner  Lindner  Olsen, S.  
Bradley  Eastlund  Heiderken  Kielkucki  Lipman  Opatz  
Brod  Eken  Heiderken  Klinzing  Magnus  Osterman  
Buesgens  Ellison  Hilstrom  Otremba  Spk. Sviggum
Those who voted in the negative were:

Krinkie  Olson, M.  Vandeveer

The bill was passed and its title agreed to.

S. F. No. 693 was reported to the House.

Buesgens moved to amend S. F. No. 693 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 689, the first engrossment:

"Section 1. [473.1293] [ENERGY FORWARD PRICING MECHANISMS.]

Subdivision 1. [DEFINITIONS.] The following definitions apply in this section.

(a) "Energy" means natural gas, heating oil, diesel fuel, or any other energy source, except electric, used in metropolitan council operations.

(b) "Forward pricing mechanism" means either:

(1) a contract or financial instrument that obligates an entity to buy or sell a specified amount of an energy commodity at a future date and at a set price; or

(2) an option to buy or sell the contract or financial instrument.

Subd. 2. [AUTHORITY PROVIDED.] Notwithstanding any other law to the contrary, the council may use forward pricing mechanisms for budget risk reduction.

Subd. 3. [CONDITIONS.] (a) Forward pricing transactions made under this section must be made only under the conditions in paragraphs (b), (c), and (d).

(b) The amount of energy forward priced must not exceed the estimated energy usage for council operations for the period of time covered by the forward pricing mechanism.

(c) The holding period and expiration date for any forward pricing mechanism must not exceed 24 months from the trade date of the transaction.

(d) Separate accounts must be established for each operational energy for which forward pricing mechanisms are used under this section.
Subd. 4. [WRITTEN POLICIES AND PROCEDURES.] Before exercising authority under subdivision 2, the council must have written policies and procedures governing the use of forward pricing mechanisms.

Subd. 5. [OVERSIGHT PROCESS.] (a) Before exercising authority under subdivision 2, the governing body of the council must establish an oversight process that provides for review of the council's use of forward pricing mechanisms.

    (b) The process must include:

    (1) internal or external audit reviews;

    (2) quarterly reports to, and review by, an internal investment committee; and

    (3) internal management control.

Sec. 2. [APPLICATION.] Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 3. [EFFECTIVE DATE.] This act is effective the day following its final enactment.

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Buesgens moved to amend S. F. No. 693, as amended, as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2002, section 352.01, subdivision 2a, is amended to read:

Subd. 2a. [INCLUDED EMPLOYEES.] (a) "State employee" includes:

    (1) employees of the Minnesota historical society;

    (2) employees of the state horticultural society;

    (3) employees of the Disabled American Veterans, Department of Minnesota, Veterans of Foreign Wars, Department of Minnesota, if employed before July 1, 1963;

    (4) employees of the Minnesota crop improvement association;

    (5) employees of the adjutant general who are paid from federal funds and who are not covered by any federal civilian employees retirement system;
(6) employees of the Minnesota state colleges and universities employed under the university or college activities program;

(7) currently contributing employees covered by the system who are temporarily employed by the legislature during a legislative session or any currently contributing employee employed for any special service as defined in subdivision 2b, clause (8);

(8) employees of the armory building commission;

(9) employees of the legislature appointed without a limit on the duration of their employment and persons employed or designated by the legislature or by a legislative committee or commission or other competent authority to conduct a special inquiry, investigation, examination, or installation;

(10) trainees who are employed on a full-time established training program performing the duties of the classified position for which they will be eligible to receive immediate appointment at the completion of the training period;

(11) employees of the Minnesota safety council;

(12) any employees on authorized leave of absence from the transit operating division of the former metropolitan transit commission who are employed by the labor organization which is the exclusive bargaining agent representing employees of the transit operating division;

(13) employees of the metropolitan council, metropolitan parks and open space commission, metropolitan sports facilities commission, metropolitan mosquito control commission, or metropolitan radio board unless excluded or covered by another public pension fund or plan under section 473.415, subdivision 3;

(14) judges of the tax court;

(15) personnel employed on June 30, 1992, by the University of Minnesota in the management, operation, or maintenance of its heating plant facilities, whose employment transfers to an employer assuming operation of the heating plant facilities, so long as the person is employed at the University of Minnesota heating plant by that employer or by its successor organization; and

(16) seasonal help in the classified service employed by the department of revenue.

(b) Employees specified in paragraph (a), clause (15), are included employees under paragraph (a) if employer and employee contributions are made in a timely manner in the amounts required by section 352.04. Employee contributions must be deducted from salary. Employer contributions are the sole obligation of the employer assuming operation of the University of Minnesota heating plant facilities or any successor organizations to that employer.

Sec. 2. Minnesota Statutes 2002, section 473.121, subdivision 5a, is amended to read:

Subd. 5a. [METROPOLITAN AGENCY.] "Metropolitan agency" means the metropolitan parks and open space commission, metropolitan airports commission, and metropolitan sports facilities commission."
Page 2, after line 20, insert:

"Sec. 4. Minnesota Statutes 2002, section 473.13, subdivision 1, is amended to read:

Subdivision 1. [BUDGET.] (a) On or before December 20 of each year the council, after the public hearing required in section 275.065, shall adopt a final budget covering its anticipated receipts and disbursements for the ensuing year and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget. The budget shall state in detail the expenditures for each program to be undertaken, including the expenses for salaries, consultant services, overhead, travel, printing, and other items. The budget shall state in detail the capital expenditures of the council for the budget year, based on a five-year capital program adopted by the council and transmitted to the legislature. After adoption of the budget and no later than five working days after December 20, the council shall certify to the auditor of each metropolitan county the share of the tax to be levied within that county, which must be an amount bearing the same proportion to the total levy agreed on by the council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area. The maximum amount of any levy made for the purpose of this chapter may not exceed the limits set by the statute authorizing the levy.

(b) Each even-numbered year the council shall prepare for its transit programs a financial plan for the succeeding three calendar years, in half-year segments. The financial plan must contain the elements specified in section 473.1623, subdivision 3. The financial plan must contain schedules of user charges and any changes in user charges planned or anticipated by the council during the period of the plan. The financial plan must contain a proposed request for state financial assistance for the succeeding biennium.

(c) In addition, the budget must show for each year:

(1) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service;

(2) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year, all in such detail and form as the council may prescribe; and

(3) the estimated source and use of pass-through funds.

Sec. 5. Minnesota Statutes 2002, section 473.143, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] For purposes of this section, "agency" means a metropolitan agency as defined in section 473.121, except the metropolitan parks and open space commission. Agency also means the metropolitan mosquito control commission. For purposes of this section, "commissioner" means the commissioner of the state department of employee relations.

Sec. 6. Minnesota Statutes 2002, section 473.147, is amended to read:

473.147 [REGIONAL RECREATION OPEN SPACE SYSTEM POLICY PLAN.]

Subdivision 1. [REQUIREMENTS.] The metropolitan council after consultation with the parks and open space commission, municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt a long-range system policy plan for regional recreation open space as part of the council's metropolitan development guide. The plan shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation
Sec. 7. Minnesota Statutes 2002, section 473.313, subdivision 2, is amended to read:

Subd. 2. [COUNCIL REVIEW.] The metropolitan council shall review with the advice of the commission, each master plan to determine whether it is consistent with the council's policy plan. If it is not consistent, the council shall return the plan with its comments to the municipalities, park district or county for revision and resubmittal.

Sec. 8. Minnesota Statutes 2002, section 473.315, subdivision 1, is amended to read:

Subdivision 1. [TO METRO LOCAL GOVERNMENTS.] The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56.

Sec. 9. Minnesota Statutes 2002, section 473.333, is amended to read:

473.333 [COUNCIL ACQUISITION.]

The metropolitan council shall have the same powers as a county under section 398.32, subdivision 1, to acquire any land or water area, or any interests, easements or other rights therein, which are included in the policy plan whenever such areas have not been acquired for recreation open space purposes within the period of time hereinafter specified; provided that the council shall not have the power of eminent domain. Before proceeding with the acquisition of any such area or other rights, the council shall by resolution offer a grant covering the full cost of acquisition to the municipality, park district or county in which the area or other rights are situated. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within 12 months after the adoption of the resolution, the council may by resolution offer such a grant to another park district or county or to a municipality in the metropolitan area. If the acquisition process has not been initiated
within 60 days or if the area or other rights have not been acquired within six months after the adoption of the resolution, the council may direct the commission to proceed with acquisition. The council may, in its discretion, direct the commission to contract with a municipality, park district or county for such services as may be needed to complete such acquisition. The council shall direct the commission to manage such areas so as to preserve them for future recreation open space purposes and may contract with a municipality, park district or county for such management. The council shall convey such areas to a municipality, park district or county for development and operation consistent with an approved recreation open space master plan.

Sec. 10. Minnesota Statutes 2002, section 473.351, subdivision 3, is amended to read:

Subd. 3. [ALLOCATION FORMULA.] By July 1 of every year each implementing agency must submit to the metropolitan parks and open space commission council a statement of the next annual anticipated operation and maintenance expenditures of the regional recreation open space parks systems within their respective jurisdictions and the previous year's actual expenditures. After reviewing the actual expenditures submitted and by July 15 of each year, the parks and open space commission shall forward to the metropolitan council the funding requests from the implementing agencies based on the actual expenditures made. The metropolitan council shall distribute the operation and maintenance money as follows:

1. 40 percent based on the use that each implementing agency's regional recreation open space system has in proportion to the total use of the metropolitan regional recreation open space system;

2. 40 percent based on the operation and maintenance expenditures made in the previous year by each implementing agency in proportion to the total operation and maintenance expenditures of all of the implementing agencies; and

3. 20 percent based on the acreage that each implementing agency's regional recreation open space system has in proportion to the total acreage of the metropolitan regional recreation open space system. The 80 percent natural resource management land acreage of the park reserves must be divided by four in calculating the distribution under this clause.

Each implementing agency must receive no less than 40 percent of its actual operation and maintenance expenses to be incurred in the current calendar year budget as submitted to the parks and open space commission council. If the available operation and maintenance money is less than the total amount determined by the formula including the preceding, the implementing agencies will share the available money in proportion to the amounts they would otherwise be entitled to under the formula.

Sec. 11. Minnesota Statutes 2002, section 473.517, is amended by adding a subdivision to read:

Subd. 10. [DIRECT CHARGING OF INDUSTRIAL USERS.] (a) The term "industrial discharger" for the purposes of this subdivision means a recipient of wastewater treatment services that is required by council rules or procedures to have a permit issued by the council in order to discharge sewage to the metropolitan disposal system.

(b) The council may directly impose on all or any category of industrial dischargers all or any portion of the costs that would otherwise be allocated among and paid by local government units under subdivision 1. Any amounts imposed directly on industrial dischargers by the council under this subdivision must be deducted from the amounts to be allocated among and paid by local government units under subdivision 1, and any charges imposed by a local government unit for the same purpose are of no further force and effect from and after the effective date of the council's direct charges. Charges imposed under this subdivision are in addition to any other charges imposed on industrial dischargers by a local government unit and must be paid by the industrial discharger at such intervals as may be established by the council. The council may impose interest charges upon delinquent payments.
(c) Charges by the council to industrial dischargers under this subdivision including any interest charges, as well as any other charges or related fees owed by the industrial discharger pursuant to a discharge permit issued by the council for the subject property, are a charge jointly and severally against the owners, lessees, and occupants of the property served. The council may certify such unpaid amounts to the appropriate county auditor as a tax for collection as other taxes are collected on the property served. The proceeds of any tax collected pursuant to the council’s certification must be paid by the county treasurer to the council when collected. Certification does not preclude the council from recovery of delinquent amounts and interest under any other available remedy.

Sec. 12. [COMMISSION ABOLISHED; MEMBERS; EMPLOYEES; SUCCESSOR.]

The metropolitan parks and open space commission described in Minnesota Statutes 2002, section 473.303, is abolished and its duties and responsibilities are transferred to the metropolitan council. The terms of the metropolitan parks and open space commission members expire upon the effective date of this act. All permanent or regular employees, if any, of the metropolitan parks and open space commission are transferred to the metropolitan council. The metropolitan council is the successor entity to the metropolitan parks and open space commission with respect to all the commission’s property, interests, and obligations.

Sec. 13. [REPEALER.]

Minnesota Statutes 2002, sections 473.121, subdivision 12; 473.1623; 473.301, subdivision 4; 473.303; 473.704, subdivision 19; and 473.863, are repealed.”

Page 2, line 22, delete "Section 1" and insert "This act"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Hornstein moved to amend the Buesgens amendment to S. F. No. 693, as amended, as follows:

Page 4, delete section 5

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

The Speaker called Olson, M., to the Chair.

The question recurred on the Buesgens amendment to S. F. No. 693, as amended. The motion prevailed and the amendment was adopted.

Buesgens moved to amend S. F. No. 693, as amended, as follows:

Page 1, after line 5, insert:

“Section 1. Minnesota Statutes 2002, section 473.123, subdivision 2a, is amended to read:

Subd. 2a. [TERMS.] Following each apportionment of council districts, as provided under subdivision 3a, council members must be appointed from newly drawn districts as provided in subdivision 3a. Each council member, other than the chair, must reside in the council district represented. Each council district must be
represented by one member of the council. Members serve four-year terms, except that all terms expire on the effective date of the next apportionment and half of the initial appointments following each apportionment shall be for two-year terms, with the members from odd-numbered districts serving initial terms of two years and the members from even-numbered districts serving initial terms of four years. A member serves at the pleasure of the governor. A member shall continue to serve the member's district until a successor is appointed and qualified; except that, following each apportionment, the member shall continue to serve at large until the governor appoints 16 council members, one from each of the newly drawn council districts as provided under subdivision 3a, to serve terms as provided under this section. The appointment to the council must be made by the first Monday in March of the year in which the term ends.

Sec. 2. Minnesota Statutes 2002, section 473.123, subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP; APPOINTMENT; QUALIFICATIONS.] (a) Sixteen members must be appointed by the governor from districts defined by this section. Each council member must reside in the council district represented. Each council district must be represented by one member of the council.

(b) In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms must be published in newspapers of general circulation in the metropolitan area and the appropriate districts. The governing bodies of the statutory and home rule charter cities, counties, and towns having territory in the district for which a member is to be appointed must be notified in writing. The notices must describe the appointments process and invite participation and recommendations on the appointment.

(c) The governor shall create a nominating committee, composed of seven metropolitan citizens appointed by the governor, to nominate persons for appointment to the council from districts. Three of the committee members must be local elected officials. Following the submission of applications as provided under section 15.0597, subdivision 5, the nominating committee shall conduct public meetings, after appropriate notice, to accept statements from or on behalf of persons who have applied or been nominated for appointment and to allow consultation with and secure the advice of the public and local elected officials. The committee shall hold the meeting on each appointment in the district or in a reasonably convenient and accessible location in the part of the metropolitan area in which the district is located. The committee may consolidate meetings. Following the meetings, the committee shall submit to the governor a list of nominees for each appointment. The governor is not required to appoint from the list.

(d) Before making an appointment, the governor shall consult with all members of the legislature from the council district for which the member is to be appointed.

(e) Appointments to the council are subject to the advice and consent of the senate as provided in section 15.066.

(f) Members of the council must be appointed to reflect fairly the various demographic, political, and other interests in the metropolitan area and the districts.

(g) Members of the council must be persons knowledgeable about urban and metropolitan affairs.

(h) Any vacancy in the office of a commissioner shall immediately be filled for the unexpired term. The governor may forgo the requirements of paragraph (c) in filling a vacancy for a council district occurring within 12 months of an appointment for that district for which the governor has fulfilled all the requirements of this subdivision."
Page 2, after line 20, insert:

"Sec. 3. [PLAN ADOPTED.]

Metropolitan council redistricting plan MC02, on file with the geographical information systems office of the legislative coordinating commission and published on its Web site on April 1, 2003, is adopted as the metropolitan council redistricting plan.

Sec. 4. [METES AND BOUNDS DESCRIPTION.]

Within 90 days after enactment of this act and in accordance with Minnesota Statutes, section 2.91, the revisor of statutes shall prepare a metes and bounds description of the metropolitan council districts in a form suitable for publication in Minnesota Statutes and file it with the secretary of state.

Sec. 5. [REPEALER.]

Minnesota Statutes 2002, section 473.1295, is repealed."

Page 2, line 22, delete "Section 1" and insert "This act"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Holberg moved to amend S. F. No. 693, as amended, as follows:

Page 2, after line 20, insert:

"Sec. 2. [REPEALER.]

Minnesota Statutes 2002, section 473.1295, is repealed."

Page 2, line 22, delete "Section 1" and insert "This act"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Holberg moved to amend S. F. No. 693, as amended, as follows:

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 2002, section 473.146, subdivision 1, is amended to read:
Subdivision 1. [REQUIREMENT.] The council shall adopt a long-range comprehensive policy plan for transportation, airports, and wastewater treatment. The plans must substantially conform to all policy statements, purposes, goals, standards, and maps in the development guide developed and adopted by the council under this chapter. Each policy plan must include, to the extent appropriate to the functions, services, and systems covered, the following:

(1) forecasts of changes in the general levels and distribution of population, households, employment, land uses, and other relevant matters, for the metropolitan area and appropriate subareas;

(2) a statement of issues, problems, needs, and opportunities with respect to the functions, services, and systems covered;

(3) a statement of the council’s goals, objectives, and priorities with respect to the functions, services, and systems covered, addressing areas and populations to be served, the levels, distribution, and staging of services; a general description of the facility systems required to support the services; the estimated cost of improvements required to achieve the council’s goals for the regional systems, including an analysis of what portion of the funding for each improvement is proposed to come from the state, metropolitan council levies, and cities, counties, and towns in the metropolitan area, respectively, and other similar matters;

(4) a statement of policies to effectuate the council’s goals, objectives, and priorities;

(5) a statement of the fiscal implications of the council’s plan, including a statement of: (i) the resources available under existing fiscal policy; (ii) the adequacy of resources under existing fiscal policy and any shortfalls and unattended needs; (iii) additional resources, if any, that are or may be required to effectuate the council’s goals, objectives, and priorities; and (iv) any changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that the council has recommended or may recommend;

(6) a statement of the relationship of the policy plan to other policy plans and chapters of the metropolitan development guide;

(7) a statement of the relationships to local comprehensive plans prepared under sections 473.851 to 473.871; and

(8) additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the metropolitan agency and function covered by the policy plan.

Sec. 3. Minnesota Statutes 2002, section 473.147, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] The metropolitan council after consultation with the parks and open space commission, municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt a long-range system policy plan for regional recreation open space as part of the council’s metropolitan development guide. The plan shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. The policy plan shall estimate the cost of the recommended acquisitions and development, including an analysis of what portion of the funding is proposed to come from the state, metropolitan council levies, and cities, counties, and towns in the metropolitan area, respectively. In preparing or amending the policy plan the council shall consult with and make maximum use of the expertise of the commission. The policy plan shall include a five year capital improvement program, which shall be revised periodically, and shall establish
criteria and priorities for the allocation of funds for such acquisition and development. The legislature in each bonding measure shall designate an anticipated level of funding for this acquisition and development for each of the two succeeding bienniums."

Page 2, line 22, delete "Section 1" and insert "This act"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Holberg amendment and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Hilty  Latz  Osterman  Soderstrom
Abrams  Dill  Holberg  Lenczewski  Otremba  Stang
Adolphson  Dorman  Hoppe  Lesch  Otto  Strachan
Anderson, I.  Dorn  Hornstein  Lieder  Ozment  Swenson
Anderson, J.  Eastlund  Howes  Lindgren  Paulsen  Sykora
Alkins  Eken  Huntley  Lindner  Paymar  Thao
Beard  Ellison  Jacobson  Lipman  Pelowski  Thissen
Bernardy  Entenza  Jaros  Magnus  Penas  Tingelstad
Biernat  Erhardt  Johnson, J.  Mahoney  Peterson  Urdahl
Blaine  Erickson  Johnson, S.  Mariani  Powell  Vandeeveer
Borrell  Finstad  Juhnke  Marquart  Pugh  Wagenius
Boudreau  Fuller  Kahn  McNamara  Rhodes  Walz
Bradley  Gerlach  Kelliher  Meslow  Rukavina  Wardlow
Brod  Goodwin  Kielkucki  Mullery  Ruth  Wasilk
Buesgens  Greiling  Kлинzing  Murphy  Samuelson  Westerberg
Carlson  Gunther  Knoblach  Nelson, C.  Seifert  Westrom
Cornish  Haas  Koenen  Nelson, M.  Sertich  Wilkin
Cox  Hackbart  Kohls  Nelson, P.  Severson  Zellers
Davids  Harder  Krinkie  Nornes  Sieben  Spk. Sväggum
Davnie  Hausman  Kuisle  Olsen, S.  Simpson
DeLaForest  Heidgerken  Lanning  Olson, M.  Slawik
Demmer  Hilstrom  Larson  Opatz  Smith

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Lipman; McNamara; Holberg; Swenson; Jacobson; Borrell; Strachan; Wardlow; Samuelson; Buesgens; DeLaForest; Wilkin; Zellers; Erickson; Anderson, B.; Vandeeveer; Gerlach; Powell; Klinzing; Krinkie and Lindner moved to amend S. F. No. 693, as amended, as follows:

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 2002, section 473.175, subdivision 1, is amended to read:
Subdivision 1. [FOR COMPATIBILITY, CONFORMITY.] The council shall review the comprehensive plans of local governmental units and the capital improvement programs of school districts, prepared and submitted pursuant to Laws 1976, chapter 127, sections 1 to 23, to determine their compatibility with each other and conformity with metropolitan system plans. The council shall review and comment on the apparent consistency of the comprehensive plans and capital improvement programs with adopted plans of the council. The council may require a local governmental unit to modify any comprehensive plan or part thereof which may will have a substantial, demonstrable, and adverse impact on or contain a substantial departure from the infrastructure of a metropolitan system plans.

Page 2, line 21, delete "2" and insert "3"

Page 2, line 22, delete "Section 1 applies" and insert "Sections 1 and 2 apply"

Page 2, line 24, delete "3" and insert "4"

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Lipman et al amendment and the roll was called. There were 78 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Abrams    DeLaForest    Harder    Lanning    Ozment    Strachan
Adolphson Demmer    Heidgerken    Lindgren    Paulsen    Swenson
Anderson, J. Dempsey    Holberg    Lindner    Penas    Sykora
Aitkins    Dorman    Hoppe    Lipman    Powell    Tingelstad
Beard    Eastlund    Howes    Magnus    Ruth    Udahl
Blaine    Erhardt    Jacobson    McNamara    Samuelson    Vandeven
Borrell    Erickson    Johnson, J.    Meslow    Seagren    Walz
Boudreau    Finstad    Kielkucki    Nelson, C.    Seifert    Wardlow
Bradley    Fuller    Klinzing    Nelson, P.    Severson    Westerberg
Brod    Gerlach    Knoblauch    Nornes    Simpson    Westrom
Buesgens    Gunther    Kohls    Olsen, S.    Smith    Wilkin
Cornish    Haas    Krinkie    Olson, M.    Soderstrom    Zellers
Davids    Hackbarth    Kuisle    Otto    Stang    Spk. Sviggum

Those who voted in the negative were:

Abeler    Eken    Huntley    Lenczewski    Opitz    Sertich
Anderson, I.    Ellison    Jaros    Lesch    Osterman    Sieben
Bernardy    Entenza    Johnson, S.    Lieder    Otemba    Slawik
Biernat    Goodwin    Juhnke    Mahoney    Paymar    Thao
Carlson    Greiling    Kahn    Mariani    Pelowski    Thissen
Cox    Haussman    Kellifer    Marquart    Peterson    Wagenius
Davnie    Hilstrom    Koenen    Mullery    Pugh    Wasiluk
Dill    Hilty    Larson    Murphy    Rhodes    
Dorn    Hornstein    Latz    Nelson, M.    Rukavina

The motion prevailed and the amendment was adopted.
S. F. No. 693, A bill for an act relating to the metropolitan council; authorizing the use of energy forward pricing mechanisms; proposing coding for new law in Minnesota Statutes, chapter 473.

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 83 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Abeler  Davids  Harder  Lindgren  Ozment  Strachan
Abrams  DeLaForest  Heidgerken  Lindner  Paulsen  Swenson
Adolphson  Demmer  Holberg  Lipman  Penas  Sykora
Anderson, J.  Dempsey  Hoppe  Magnus  Powell  Tingelstad
Atkins  Dorman  Howes  Marquart  Rhodes  Urda
Beard  Eastlund  Jacobson  McNamara  Ruth  Vandeveer
Blaine  Erhardt  Johnson, J.  Meslow  Samuelson  Walz
Borrell  Erickson  Kielkucki  Nelson, C.  Seagren  Wardlow
Boudreau  Finstad  Klinzing  Nelson, P.  Seifert  Westerberg
Bradley  Fuller  Knoblach  Nornes  Severson  Westrom
Brod  Gerlach  Kohls  Olsen, S.  Simpson  Wilkin
Buesgens  Gunther  Krinke  Olson, M.  Smith  Zellers
Cornish  Haas  Kuisine  Osterman  Soderstrom  Spk. Sviggum
Cox  Hackbarth  Lanning  Otto  Stang

Those who voted in the negative were:

Anderson, I.  Ellison  Huntley  Latz  Nelson, M.  Sertich
Bernardy  Entenza  Jaros  Lenczewski  Opat  Sieber
Biemat  Goodwin  Johnson, S.  Lesch  Otremba  Slawik
Carlson  Greiling  Juhnke  Lieder  Paymar  Thao
Davnie  Hausman  Kahn  Mahoney  Pelowski  Thissen
Dill  Hilstrom  Kelliher  Mariani  Peterson  Wagenius
Dorn  Hilty  Koenen  Mullery  Pugh  Wasiluk
Eken  Hornstein  Larson  Murphy  Rukavina

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

H. F. No. 680, A bill for an act relating to education; providing for opportunity to respond to nonrenewal of certain coaching contracts; amending Minnesota Statutes 2002, section 122A.33.

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 127 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler  Anderson, I.  Beard  Blaine  Bradley  Carlson
Abrams  Anderson, J.  Bernardy  Borrell  Brod  Cornish
Adolphson  Atkins  Biernat  Boudreau  Buesgens  Cox
Those who voted in the negative were:

Hoppe       Knoblach        Krinkie

The bill was passed and its title agreed to.

The Speaker called Abrams to the Chair.

H. F. No. 984 was reported to the House.

Otremba moved that H. F. No. 984 be re-referred to the Committee on Agriculture Policy.

A roll call was requested and properly seconded.

The question was taken on the Otremba motion and the roll was called. There were 48 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Ellison  Hornstein  Larson  Nelson, M.  Rukavina
Atkins       Entenza       Huntley       Latz       Opatz       Sertich
Bernardy     Goodwin       Jaros        Lenczewski  Otremba  Sieben
Biermat      Greiling       Johnson, S.  Lesch  Mahoney  Otto  Sliwak
Carlson      Hausman       Juhnke       Mariani  Maroney  Paymar  Thao
Davnie       Heidgerken    Kahn         Mariani  Maroney  Peterson  Wagenius
Dorn         Hilstrom      Kellher      Mullery  Peterson  Pugh  Wasiluk
Eken         Hilty         Koenen     Murphy  Pugh  Thissen

Those who voted in the negative were:

Hoppe       Knoblach        Krinkie

The bill was passed and its title agreed to.
Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>DeLaForest</th>
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<th>Lindner</th>
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<td>Soderstrom</td>
<td>Spk. Svigum</td>
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<td>Osterman</td>
<td>Stang</td>
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<td>Cox</td>
<td>Haas</td>
<td>Lanning</td>
<td>Ozment</td>
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<td>Hackbarth</td>
<td>Lindgren</td>
<td>Paulsen</td>
<td>Swenson</td>
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The motion did not prevail.

Peterson moved to amend H. F. No. 984, the second engrossment, as follows:

Page 105, after line 7, insert:

"Sec. 87. [EXPIRATION.]
This article expires August 1, 2006."

Page 115, after line 17, insert:

"Sec. 3. [EXPIRATION.]
This article expires August 1, 2006."

A roll call was requested and properly seconded.

The question was taken on the Peterson amendment and the roll was called. There were 47 yeas and 83 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Anderson, I.</th>
<th>Dorn</th>
<th>Hilstrom</th>
<th>Koenen</th>
<th>Nelson, M.</th>
<th>Sertich</th>
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<td>Atkins</td>
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<td>Hilty</td>
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<td>Bernardy</td>
<td>Ellison</td>
<td>Hornstein</td>
<td>Lenczewski</td>
<td>Otremba</td>
<td>Slawik</td>
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<td>Biemmat</td>
<td>Entenza</td>
<td>Huntley</td>
<td>Lesch</td>
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<td>Carlson</td>
<td>Goodwin</td>
<td>Jaros</td>
<td>Mahoney</td>
<td>Paymar</td>
<td>Thissen</td>
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<td>Clark</td>
<td>Greiling</td>
<td>Johnson, S.</td>
<td>Mariam</td>
<td>Pelowski</td>
<td>Wagenus</td>
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<td>Davnie</td>
<td>Hausman</td>
<td>Kahn</td>
<td>Mullery</td>
<td>Peterson</td>
<td>Wasiluk</td>
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<td>Dill</td>
<td>Heidgerken</td>
<td>Kelliher</td>
<td>Murphy</td>
<td>Pugh</td>
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</tbody>
</table>
Those who voted in the negative were:

Abeler  DeLaForest  Holberg  Lieder  Ozment  Strachan
Abrams  Demmer  Hoppe  Lindgren  Paulsen  Swenson
Adolphson  Dempsey  Howes  Lindner  Penas  Sykora
Anderson, J.  Dorman  Jacobson  Lipman  Powell  Tingelstad
Beard  Eastlund  Johnson, J.  Magnus  Rhodes  Urdahl
Blaine  Erhardt  Juhnke  Marquart  Martz  Vandeveer
Borrell  Erickson  Kielkucki  McNamara  Samuelson  Walz
Boudreau  Finstad  Knoblach  Nelson, C.  Seifert  Westerberg
Bradley  Fuller  Kohls  Nelson, P.  Severson  Westrom
Buesgens  Gunther  Krinke  Nornes  Simpson  Wilkin
Cornish  Haas  Kuisle  Olsen, S.  Smith  Zellers
Cox  Hackbarth  Lanning  Olson, M.  Soderstrom  Spk. Sviggum
Davids  Harder  Latz  Osterman  Stang

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

The Speaker resumed the Chair.

Eken moved to amend H. F. No. 984, the second engrossment, as follows:

Page 3, line 6, after the period, insert "Each member must reside within 100 miles of property owned by the cooperative."

A roll call was requested and properly seconded.

The question was taken on the Eken amendment and the roll was called. There were 40 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Dorn  Hilstrom  Koenen  Mullery  Sieben
Bernardy  Eken  Hilty  Larson  Nelson, M.  Soderstrom
Biernat  Ellison  Hornstein  Latz  Otremba  Thao
Carlson  Entenza  Jaros  Lenczewski  Otto  Thissen
Clark  Goodwin  Johnson, S.  Lesch  Pugh  Wasiluk
Davnie  Greiling  Kahn  Mahoney  Rukavina
Dill  Hausman  Kelliher  Mariani  Sertich

Those who voted in the negative were:

Abeler  Borrell  Davids  Erickson  Harder  Johnson, J.
Abrams  Boudreau  DeLaForest  Finstad  Heidgerken  Juhnke
Adolphson  Bradley  Dempsey  Gerlach  Holberg  Kielkucki
Anderson, J.  Brod  Dorman  Gunther  Hoppe  Klinzing
Atkins  Buesgens  Eastlund  Haas  Howes  Knoblach
Beard  Cornish  Erhardt  Hackbarth  Jacobson  Krinke
The motion did not prevail and the amendment was not adopted.

H. F. No. 984, A bill for an act relating to cooperatives; authorizing businesses to organize as cooperative associations; providing penalties; amending Minnesota Statutes 2002, sections 80A.14, subdivision 17; 80A.15, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 308B.

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 111 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Hoppe  Lindgren  Paymar  Stang
Abrams  Dempsey  Howes  Lindner  Pelowski  Strachan
Adolphson  Dill  Huntley  Lipman  Penas  Swenson
Anderson, I.  Dorman  Jacobson  Magnus  Peterson  Sykora
Anderson, J.  Dorn  Jaros  Mahoney  Powell  Thissen
Atkins  Eastlund  Johnson, J.  Marquart  Pugh  Tingelstad
Beard  Entenza  Juhnke  McNamara  Rhodes  Urdahl
Blaine  Erhardt  Kelliher  Meslow  Rukavina  Vanderveer
Borrell  Erickson  Kielkucki  Murphy  Ruth  Walz
Boudreau  Finstad  Klinzing  Nelson, C.  Samuelson  Wardlow
Bradley  Fuller  Knoblach  Nelson, P.  Seagren  Wasiluk
Brod  Gerlach  Koenen  Nornes  Seifert  Westerberg
Buesgens  Goodwin  Kohls  Olsen, S.  Sertich  Westrom
Carlson  Gunther  Krinkel  Olson, M.  Severson  Wilkin
Cornish  Haas  Kuisle  Opatz  Sieben  Zellers
Cox  Hackbarth  Lanning  Osterman  Simpson  Spk. Sviggum
Davids  Harder  Latz  Otto  Slawik
Davnie  Hausman  Lenczewski  Ozment  Smith
DeLaForest  Holberg  Lieder  Paulsen  Soderstrom

Those who voted in the negative were:

Bernardy  Eken  Hilstrom  Johnson, S.  Lesch  Nelson, M.
Biernat  Ellison  Hilty  Kahn  Mariani  Otremba
Clark  Greiling  Hornstein  Larson  Mullery  Thao

The bill was passed and its title agreed to.
H. F. No. 671 was reported to the House.

Howes and Gunther moved to amend H. F. No. 671, the first engrossment, as follows:

Page 3, after line 9, insert:

"Sec. 3. Laws 2000, chapter 433, section 4, is amended to read:

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment and are repealed June 1, 2003."

Page 3, line 10, delete "3" and insert "4"

Page 3, line 11, after the period, insert "Section 3 is effective the day following final enactment."

Amend the title accordingly

The motion prevailed and the amendment was adopted.


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 118 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Adolphson
Anderson, I.
Anderson, J.
Atkins
Beard
Biernat
Blaine
Blom
Borrell
Boudreau
Bradley
Brod
Carlson
Clark
Cornish
Cox
Davids
Davnie
Demmer
Dempsey
Dill
Dorman
Dorn
Eastlund
Eken
Entenza
Erhardt
Erickson
Finstad
Fuller
Gerlach
Goodwin
Greiling
Gunther
Haas
Hackbarth
Harder
Heidgerken
Hilstrom
Hilty
Hoppe
Horning
Hovig
Howes
Huntley
Jacobson
Jaros
Johnson, J.
Johnson, S.
Juhnke
Kelley
Kehr
Kielkucki
Kinzinger
Knoblauch
Koenen
Kohls
Laming
Lesch
Lieder
Lindgren
Lindner
Liptak
Magnus
Mahoney
Mariani
Marquist
McNamara
Meslow
Mullery
Murphy
Nelson, C.
Nelson, M.
Nelson, P.
Nornes
Olsen, S.
Olson, M.
Opatz
Osterman
Otrema
Ozment
Paulsen
Paymar
Pelowski
Penas
Powell
Pugh
Rhodes
Rukavina
Ruth
Samuelson
Seagren
Seifert
Sertich
Severson
Sieben
Slawik
Smith
Soderstrom
Stang
Strachan
Swenson
Sykora
Thao
Tingelstad
Urdahl
Vandeveer
Walz
Warlow
Wasiluk
Westerberg
Westrom
Wilkin
Zellers
Spk. Sviggum
Those who voted in the negative were:

Buesgens  Hausman  Krinkie  Larson  Lenczewski  Thissen
DeLaForest  Holberg  Kuisle  Latz  Otto  Wagenius

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

S. F. No. 328 was reported to the House.

Powell moved to amend S. F. No. 328 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 865, the first engrossment:

"Section 1. Minnesota Statutes 2002, section 13.383, subdivision 8, is amended to read:

Subd. 8. [PSYCHOLOGISTS AND PSYCHOLOGICAL PRACTITIONERS.] Client records of a patient cared for by a psychologist or psychological practitioner who is under review by the board of psychology are classified under section 148.941, subdivision 4. Data obtained by the board of psychology when requiring a mental, physical, or chemical dependency examination or evaluation of a regulated individual or when accessing the medical records of a regulated individual are classified under section 148.941, subdivision 8.

Sec. 2. Minnesota Statutes 2002, section 148.89, subdivision 5, is amended to read:

Subd. 5. [PRACTICE OF PSYCHOLOGY.] "Practice of psychology" means the observation, description, evaluation, interpretation, and or modification of human behavior by the application of psychological principles, methods, and or procedures, to prevent or eliminate, or manage symptomatic, maladaptive, or undesired behavior and to enhance interpersonal relationships, work and life and developmental adjustment, personal and organizational effectiveness, behavioral health, and mental health. The practice of psychology includes, but is not limited to, the following services, regardless of whether the provider receives payment for the services:

(1) psychological research, psychological testing, and teaching of psychology, and the evaluation or assessment of personal characteristics such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning;

(2) assessment, including psychological testing and other means of evaluating personal characteristics such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning;

(3) a psychological report, whether written or oral, including testimony of a provider as an expert witness, concerning the characteristics of an individual or entity;

(4) psychotherapy, including but not limited to, categories such as behavioral, cognitive, emotive, systems, psychophysiological, or insight-oriented therapies, counseling, psychoanalysis, psychotherapy, hypnosis, biofeedback, and diagnosis and treatment of:

(i) mental and emotional disorder or disability;

(ii) alcoholism, alcohol and substance dependence or abuse;
(iii) disorders of habit or conduct;

(iv) the psychological aspects of physical illness or condition, accident, injury, or disability;

(v) life adjustment issues, including work-related and bereavement issues; and

(vi) child, family, or relationship issues; and

(vii) work-related issues; and

(3) (5) psychoeducational evaluation, therapy, remediation, consultation, and supervision services and treatment; and

(6) consultation and supervision.

Sec. 3. [148.9105] [EMERITUS REGISTRATION.]

Subdivision 1. [APPLICATION.] Retired providers who are licensed or were formerly licensed to practice psychology in the state according to the Minnesota Psychology Practice Act may apply to the board for psychologist emeritus registration or psychological practitioner emeritus registration if they declare that they are retired from the practice of psychology in Minnesota, have not been the subject of disciplinary action in any jurisdiction, and have no unresolved complaints in any jurisdiction. Retired providers shall complete the necessary forms provided by the board and pay a onetime, nonrefundable fee of $150 at the time of application.

Subd. 2. [STATUS OF REGISTRANT.] Emeritus registration is not a license to provide psychological services as defined in the Minnesota Psychology Practice Act. The registrant shall not engage in the practice of psychology.

Subd. 3. [CHANGE TO ACTIVE STATUS.] Emeritus registrants who request a change to active licensure status shall meet the requirements for relicensure following termination in the Minnesota Psychology Practice Act. Master's level emeritus registrants who request licensure at the doctoral level shall comply with current licensure requirements.

Subd. 4. [DOCUMENTATION OF STATUS.] A provider granted emeritus registration shall receive a document certifying that emeritus status has been granted by the board and that the registrant has completed the registrant's active career as a psychologist or psychological practitioner licensed in good standing with the board.

Subd. 5. [REPRESENTATION TO THE PUBLIC.] In addition to the descriptions allowed in section 148.96, subdivision 3, paragraph (c), former licensees who have been granted emeritus registration may represent themselves as "psychologist emeritus" or "psychological practitioner emeritus," but shall not represent themselves or allow themselves to be represented to the public as "licensed" or otherwise as current licensees of the board.

Subd. 6. [CONTINUING EDUCATION REQUIREMENTS.] The continuing education requirements of the Minnesota Psychology Practice Act do not apply to emeritus registrants.

Subd. 7. [RENEWAL OR SPECIAL FEES.] An emeritus registrant is not subject to license renewal or special fees.

Sec. 4. Minnesota Statutes 2002, section 148.925, subdivision 1, is amended to read:

Subdivision 1. [SUPERVISION.] For the purpose of meeting the requirements of this section, supervision means documented in-person consultation, which may include interactive, visual electronic communication, between either: (1) a primary supervisor and a licensed psychological practitioner; or (2) a primary or designated
supervisor and an applicant for licensure as a licensed psychologist. The supervision shall be adequate to assure the quality and competence of the activities supervised. Supervisory consultation shall include discussions on the nature and content of the practice of the supervisee, including, but not limited to, a review of a representative sample of psychological services in the supervisee's practice.

Sec. 5. Minnesota Statutes 2002, section 148.941, is amended by adding a subdivision to read:

Subd. 8. [MENTAL, PHYSICAL, OR CHEMICAL DEPENDENCY EXAMINATION OR EVALUATION.] (a) If the board has probable cause to believe that an individual who is regulated by the board has demonstrated an inability to practice psychology with reasonable skill and safety to clients due to any mental or physical illness or condition, the board may direct the individual to submit to an independent mental, physical, or chemical dependency examination or evaluation. For the purpose of this subdivision, an individual regulated by the board is deemed to have consented to submit to the examination or evaluation when directed to do so in writing by the board and to have waived all objections to the admissibility of the examiner's or evaluator's testimony or reports on the grounds that the same constitutes a privileged communication. Failure to submit to an examination or evaluation without just cause, as determined by the board, shall authorize the board to consider the allegations as true for the purposes of further action by the board. Such action may include an application being denied, a license being suspended, or a default and final order being entered without the taking of testimony or presentation of evidence, other than evidence that may be submitted by affidavit that explains why the individual did not submit to the examination or evaluation.

(b) An individual regulated by the board who is affected under this subdivision shall, at reasonable intervals, be given an opportunity to demonstrate that the individual is fit to resume the competent practice of psychology with reasonable skill and safety to the public.

(c) In a proceeding under this subdivision, neither the record of the proceedings nor the orders entered by the board is admissible, is subject to subpoena, or may be used against the individual regulated by the board in any proceeding not commenced by the board.

Delete the title and insert:

"A bill for an act relating to health; modifying provisions relating to the board of psychology; amending Minnesota Statutes 2002, sections 13.383, subdivision 8; 148.89, subdivision 5; 148.925, subdivision 1; 148.941, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148."

The motion prevailed and the amendment was adopted.

S. F. No. 328. A bill for an act relating to health; authorizing the board of psychology to require an independent examination of a practitioner; classifying such information; amending Minnesota Statutes 2002, sections 13.383, subdivision 8; 148.941, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abelel Anderson, I. Beard Blaine Bradley Carlson
Abrams Anderson, J. Bernardy Borrell Brod Clark
Adolphson Atkins Biernat Boudreau Buesgens Cornish
The bill was passed, as amended, and its title agreed to.

S. F. No. 418, A bill for an act relating to occupations and professions; removing the restriction of prescribing only topical legend drugs by board certified optometrists; requiring that legend drugs be used as included in optometry curricula; authorizing the prescription of certain controlled substances; amending reporting requirement of health professionals to include all legend drugs; requiring optometrists using legend drugs be held to the same standards as physicians; amending Minnesota Statutes 2002, sections 147.111, subdivision 4; 148.574; 148.575, subdivisions 1, 2; 148.576; 148.577; 151.37, subdivision 11; 152.11, subdivision 2; 152.12, subdivisions 1, 4.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 10 nays as follows:

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

- Abrams
- Greiling
- Kahn
- Knoblach
- Larson
- Paulsen
- Kelliher
- Krinkie
- Lenczewski
- Slawik

The bill was passed and its title agreed to.

H. F. No. 293, A bill for an act relating to municipalities; allowing the prescribing of certain fees by a fee schedule; amending Minnesota Statutes 2002, section 462.353, subdivision 4, by adding a subdivision.

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 2 nays as follows:

Those who voted in the affirmative were:

- Abeler
- Dempsey
- Hilty
- Latz
- Osterman
- Smith
- Abrams
- Dill
- Holberg
- Lenczewski
- Otremba
- Soderstrom
- Adolphson
- Dorman
- Hoppe
- Lesch
- Otto
- Stang
- Anderson, I.
- Dorn
- Hornstein
- Lieder
- Ozment
- Strachan
- Anderson, J.
- Eastlund
- Howes
- Lindgren
- Paulsen
- Swenson
- Atkins
- Eken
- Huntley
- Lindner
- Paymar
- Sykora
- Beard
- Ellison
- Jacobson
- Lipman
- Pelowski
- Thao
- Bernardy
- Entenza
- Jaros
- Magnus
- Penas
- Thissen
- Biernat
- Erhardt
- Johnson, J.
- Mahoney
- Peterson
- Tingelstad
- Blaine
- Erickson
- Johnson, S.
- Mariani
- Powell
- Urdbahl
- Borrell
- Finstad
- Juhnke
- Marquart
- Pugh
- Wagenius
- Boudreau
- Fuller
- Kahn
- McNamara
- Rhodes
- Balz
- Bradley
- Gerlach
- Keliher
- Meslow
- Rukavina
- Wardlaw
- Brod
- Goodwin
- Kielkuki
- Mullery
- Ruth
- Wasiluk
- Carlson
- Greiling
- Klinzing
- Murphy
- Samuelson
- Westerberg
- Clark
- Gunther
- Knoblach
- Nelson, C.
- Seagren
- Westrom
- Cornish
- Haas
- Koenen
- Nelson, M.
- Seifert
- Wilkin
- Cox
- Hackbarth
- Kohls
- Nelson, P.
- Sertich
- Zellers
- Davids
- Harder
- Krinkie
- Nornes
- Severson
- Spk. Sviggum
- Davnie
- Haugman
- Kuisele
- Olsen, S.
- Sieben
- DeLaForest
- Heidgerken
- Laming
- Olson, M.
- Simpson
- Demmer
- Hilstrom
- Larson
- Opatz
- Slawik

Those who voted in the negative were:

- Buesgens
- Vandeveer

The bill was passed and its title agreed to.
H. F. No. 723 was reported to the House.

Erhardt moved to amend H. F. No. 723, the first engrossment, as follows:

Amend the title as follows:

Page 1, line 2, after "exempting" insert "occupants of"

The motion prevailed and the amendment was adopted.


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 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Hilstrom  Larson  Osterman  Smith
Abrams  Dempsey  Hilty  Latz  Otremba  Soderstrom
Adolphson  Dill  Holberg  Lenczewski  Otto  Stang
Anderson, I.  Doman  Hoppe  Lesch  Ozment  Strachan
Anderson, J.  Dorn  Hornstein  Lieder  Paulsen  Swenson
Atkins  Eastlund  Howes  Lindgren  Paymar  Sykora
Beard  Eken  Huntley  Lindner  Pelowski  Thao
Bernardy  Ellison  Jacobson  Lipman  Penas  Thissen
Biernat  Entenza  Jaros  Magnus  Peterson  Tingelstad
Blaine  Erhardt  Johnson, J.  Mahoney  Powell  Udahl
Borrell  Erickson  Johnson, S.  Mariani  Pugh  Vandeveer
Boudreau  Finstad  Juhnke  Marquart  Rhodes  Wagenius
Bradley  Fuller  Kahn  McNamara  Rukavina  Walz
Brod  Gerlach  Kellher  Meslow  Ruck  Wasiluk
Buesgens  Goodwin  Kielkucki  Mullen  Samuelson  Westerberg
Carlson  Greiling  Klinzing  Nelson, C.  Seagren  Westrom
Clark  Gunther  Knoblach  Nelson, M.  Seifert  Wilkin
Cornish  Haas  Koenen  Nelson, P.  Sertich  Zellers
Cox  Hackbart  Kohls  Nornes  Severson  Spk. Sviggum
Davids  Harder  Krinkie  Olsen, S.  Sieben
Davnie  Hausman  Kuisle  Olson, M.  Simpson
DeLaForest  Heidgerken  Lanning  Opatz  Slawik

Those who voted in the negative were:

Murphy

The bill was passed, as amended, and its title agreed to.
H. F. No. 504, A bill for an act relating to elections; limiting certain ballot questions; amending Minnesota Statutes 2002, section 205.10, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Hilstrom  Larson  Opatz  Slawik
Abrams  Dempsey  Hilty  Latz  Osterman  Smith
Adolphson  Dill  Holberg  Lenczewski  Otremba  Soderstrom
Anderson, I.  Dorman  Hoppe  Lesch  Otto  Stang
Anderson, J.  Dorn  Hornstein  Lieder  Ozment  Strachan
Atkins  Eastlund  Howes  Lindgren  Paulsen  Swenson
Beard  Eken  Humlley  Lindner  Paymar  Sykora
Bernardy  Ellison  Jacobson  Lipman  Pelowski  Thao
Biernat  Entenza  Jaro  Magnus  Penas  Thissen
Blaine  Erhardt  Johnson, J.  Mahoney  Peterson  Tingelstad
Borrell  Erickson  Johnson, S.  Mariani  Powell  Urdahl
Boudreau  Finstad  Juhnke  Marquart  Pugh  Vandeveer
Bradley  Fuller  Kain  McNamara  Rhodes  Wagenius
Brod  Gerlach  Kellher  Meslow  Rukavina  Walz
Buesgens  Goodwin  Kielkucki  Mullery  Ruth  Wardlow
Carlson  Greiling  Klinzing  Murphy  Samelson  Wasiluk
Clark  Gunther  Knoblauch  Nelson, C.  Seagren  Westerberg
Cornish  Hass  Koenen  Nelson, M.  Seifert  Westrom
Cox  Hackathorn  Kohls  Nelson, P.  Sertich  Wilkin
Davids  Harder  Krinkie  Nornes  Severson  Zellers
Davnie  Hausman  Kuisle  Olsen, S.  Sieben  Spk. Sviggum
DeLaForest  Heidgerken  Lanning  Olson, M.  Simpson

The bill was passed and its title agreed to.

H. F. No. 860, A bill for an act relating to energy; exempting small municipal utilities from certain conservation reporting requirements; authorizing use of conservation funds for refurbishing municipal district heating and cooling systems; amending Minnesota Statutes 2002, section 216B.241, subdivision 1b.

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

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

Those who voted in the affirmative were:

Abeler  Atkins  Borrell  Carlson  Davnie  Dornie  Dorman
Abrams  Beard  Boudreau  Clark  DeLaForest  Dorn
Adolphson  Bernardy  Bradley  Cornish  Demmer  Eastlund
Anderson, I.  Biernat  Brod  Cox  Dempsey  Eken
Anderson, J.  Blaine  Buesgens  Davids  Dill  Ellison
The bill was passed and its title agreed to.

H. F. No. 306, A bill for an act relating to local government; authorizing reimbursement by the city of Biwabik to the town of White according to their orderly annexation agreement.

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

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

Those who voted in the affirmative were:

<table>
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<tr>
<th>Abeler</th>
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<td>Siege</td>
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</table>

The bill was passed and its title agreed to.
H. F. No. 883 was reported to the House.

Wilkin moved to amend H. F. No. 883, the first engrossment, as follows:

Page 3, line 23, delete the period
Page 3, delete line 24
Page 3, line 25, delete everything before the period
Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Abrams to the Chair.

Hornstein moved to amend H. F. No. 883, the first engrossment, as amended, as follows:

Page 2, delete line 17 and insert:

"(1) the mayors of each of the cities of Minneapolis, St. Paul, Richfield, Bloomington, Mendota Heights, Inver Grove Heights, Sunfish Lake, and Eagan, or a qualified voter"

Page 2, lines 18 and 19, reinstate the stricken text
Page 3, lines 28 to 30, reinstate the stricken text
Page 3, line 31, delete "(1)" and insert "(2)" and delete "(2)" and insert "(3)"
Page 4, line 14, delete "(2)" and insert "(3)"
Page 5, lines 8 to 10, reinstate the stricken text

A roll call was requested and properly seconded.

The question was taken on the Hornstein amendment and the roll was called. There were 52 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abeler  Dorn  Hornstein  Latz  Otto  Solberg
Anderson, I.  Eken  Huntley  Lesch  Paymar  Thao
Atkins  Ellison  Jaros  Lieder  Peterson  Thissen
Bernardy  Entenza  Johnson, S.  Mahoney  Pugh  Tingelstad
Biernat  Goodwin  Juhnke  Mariani  Rukavina  Wagenius
Carlson  Greiling  Kahn  Mullery  Sertich  Walker
Clark  Hausman  Kelliher  Murphy  Severson  Wasiluk
Davnie  Hilstrom  Koenen  Nelson, M.  Sieben  
Dill  Hilty  Larson  Otremba  Slawik
Those who voted in the negative were:

Abrams  Demmer  Holberg  Lindner  Paulsen  Swenson
Adolphson  Dempsey  Hoppe  Lipman  Pelowski  Sykora
Anderson, J.  Dorman  Howes  Magnus  Penas  Urdahl
Beard  Eastlund  Jacobson  Marquart  Powell  Vandeveer
Blaine  Erhardt  Johnson, J.  McNamara  Rhodes  Walz
Borrell  Erickson  Kielkucki  Meslow  Ruth  Wardlow
Boudreau  Finstad  Klinzing  Nelson, C.  Samuelson  Westerberg
Bradley  Fuller  Knoblach  Nelson, P.  Seagren  Westrom
Brod  Gerlach  Kohls  Nornes  Seifert  Wilkin
Buesgens  Gunther  Krinkie  Olsen, S.  Simpson  Zellers
Cornish  Haas  Kuisle  Olson, M.  Smith  Spk. Sviggum
Cox  Hackbarth  Lanning  Opatz  Soderstrom
Davids  Harder  Lenczewski  Osterman  Stang
DeLaForest  Heidgerken  Lindgren  Ozment  Strachan

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

H. F. No. 883, A bill for an act relating to metropolitan government; changing the composition, filing of appointments, and the terms of office of the members of the metropolitan airports commission; providing for oversight of the metropolitan council and airports commission by the legislative commission on metropolitan government; amending Minnesota Statutes 2002, sections 3.8841, subdivision 1, by adding a subdivision; 473.601, subdivision 4; 473.604, subdivisions 1, 2, 3, by adding a subdivision; 473.605, 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 96 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Holberg  Lindner  Ozment  Soderstrom
Abrams  Dempsey  Hoppe  Lipman  Paulsen  Solberg
Adolphson  Dorman  Howes  Magnus  Pelowski  Stang
Anderson, J.  Dorn  Jacobson  Marquart  Penas  Strachan
Atkins  Eastlund  Johnson, J.  McNamara  Powell  Swenson
Beard  Erhardt  Juhnke  Meslow  Pugh  Sykora
Blaine  Erickson  Kielkucki  Murphy  Rhodes  Tingelstad
Borrell  Finstad  Klinzing  Nelson, C.  Ruth  Urdahl
Boudreau  Fuller  Knoblach  Nelson, P.  Samuelson  Vandeveer
Bradley  Gerlach  Koenen  Nornes  Seagren  Walz
Brod  Greiling  Kohls  Olsen, S.  Seifert  Wardlow
Buesgens  Gunther  Krinkie  Olson, M.  Seiverson  Westerberg
Cornish  Haas  Kuisle  Opatz  Sieben  Westrom
Cox  Hackbarth  Lanning  Osterman  Simpson  Wilkin
Davids  Harder  Lenczewski  Otremba  Slawik  Zellers
DeLaForest  Heidgerken  Lindgren  Otto  Smith  Spk. Sviggum
Those who voted in the negative were:

Anderson, I.  Eken  Hornstein  Latz  Paymar  Walker
Bernardy  Ellison  Huntley  Lesch  Peterson  Wasiluk
Biernat  Entenza  Jaros  Lieder  Rukavina
Carlson  Goodwin  Johnson, S.  Mahoney  Sertich
Clark  Hausman  Kahn  Mariani  Thao
Davnie  Hilstrom  Kelliher  Mullery  Thissen
Dill  Hilty  Larson  Nelson, M.  Wagenius

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

S. F. No. 374, A bill for an act relating to the city of St. Paul; making technical changes to the civic center authority powers and duties; amending Laws 1967, chapter 459, section 8, subdivisions 1, 3, 4, as amended.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Hilstrom  Larson  Osterman  Soderstrom
Abrams  Dempsey  Hilty  Latz  Otremba  Solberg
Adolphson  Dill  Holberg  Lenczowski  Otto  Stang
Anderson, I.  Dorn  Hoppe  Lesch  Ozment  Strachan
Anderson, J.  Eastlund  Hornstein  Lieder  Paulsen  Swenson
Atkins  Entenza  Howes  Lindgren  Paymar  Sykora
Beard  Eken  Huntley  Lindner  Pelowski  Thao
Bernardy  Ellison  Jacobson  Lipman  Penas  Thissen
Biernat  Entenza  Jaros  Magnus  Peterson  Tingelstad
Blaine  Erhardt  Johnson, J.  Mahoney  Powell  Vandeveer
Borrell  Erickson  Johnson, S.  Mariani  Pugh  Urdahl
Boudreau  Finstad  Juhnke  Marquart  Rhodes  Wagenius
Bradley  Fuller  Kahn  McNamara  Rukavina  Walker
Brod  Gerlach  Kelliher  Mullery  Ruth  Walz
Buesgens  Goodwin  Kielkucki  Murphy  Samuelson  Wardlow
Carlson  Greiling  Klinzing  Nelson, C.  Seagren  Wasiluk
Clark  Gunther  Knoblach  Nelson, M.  Seifert  Westerberg
Cornish  Haas  Koenen  Nelson, P.  Severson  Westrom
Cox  Hackbarth  Kohls  Nornes  Sieben  Wilkin
Davids  Harder  Krinkie  Olsen, S.  Simpson  Zellers
Davnie  Hausman  Kuisle  Olson, M.  Slawik  Spk. Sviggum
DeLaForest  Heiderken  Lanning  Opatz  Smith

Those who voted in the negative were:

Sertich

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

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 784, A bill for an act relating to crimes; prohibiting interfering with emergency communications; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

P ATRICK E. F LAHAVEN, Secretary of the Senate

Paulsen moved that the House refuse to concur in the Senate amendments to H. F. No. 784, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 784:

Smith, Fuller, Walz, Lipman and Strachan.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 351:

Dill, Rhodes and Powell.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 980:

Paulsen, Meslow and Pugh.
MOTIONS AND RESOLUTIONS

Otremba moved that the name of Bernardy be added as an author on H. F. No. 799. The motion prevailed.

Brod moved that the name of Nelson, C., be added as an author on H. F. No. 973. The motion prevailed.

Paymar moved that the name of Slawik be added as an author on H. F. No. 1607. The motion prevailed.

Kohls moved that H. F. No. 513, now on the General Register, be re-referred to the Committee on Judiciary Policy and Finance. The motion prevailed.

Boudreau moved that S. F. No. 1019 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Rhodes, Brod, Lesch, Osterman and Strachan introduced:

House Resolution No. 12, A House resolution honoring the veterans of the Philippine Campaign.

The resolution was referred to the Committee on Governmental Operations and Veterans Affairs Policy.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 11:00 a.m., Tuesday, May 13, 2003. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 11:00 a.m., Tuesday, May 13, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives