The House of Representatives convened at 11:00 a.m. and was called to order by Gene Pelowski, Jr., Speaker pro tempore.

Prayer was offered by the Reverend Dennis J. Johnson, House Chaplain.

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

The roll was called and the following members were present:

Abeler   Dettmer   Haws   Laine   Murphy, M.   Seifert
Anderson, B.   Dill   Hayden   Lanning   Nelson   Sertich
Anderson, P.   Dittrich   Hilstrom   Lenczewski   Newton   Severson
Anderson, S.   Doepke   Hilty   Lesch   Nornes   Shimanski
Anzelc   Doty   Holberg   Liebling   Norton   Simon
Atkins   Downey   Hoppe   Lieder   Obermueller   Slawik
Beard   Drazkowski   Hornstein   Lillie   Olin   Slocum
Benson   Eastlund   Hortman   Loefler   Otremba   Smith
Bigham   Eken   Hosch   Looen   Paymar   Solberg
Bly   Emmer   Howes   Mack   Pelowski   Sterner
Brod   Falk   Huntley   Magnus   Peppin   Swails
Brown   Faust   Jackson   Mahoney   Persell   Thao
Brynaert   Fritz   Johnson   Mariani   Peterson   Thissen
Buesgens   Gardner   Juhnke   Marquet   Poppe   Tillberry
Bunn   Garofalo   Kahn   Masin   Reinert   Torkelson
Carlson   Gottwald   Kalin   McFarlane   Rosenthal   Udahl
Champion   Greiling   Kath   McNamara   Rukavina   Wagenius
Clark   Guither   Kelly   Morgan   Ruud   Ward
Cornish   Hackbarth   Kiffmeyer   Morrow   Sailer   Welti
Davids   Hamilton   Knuth   Mullery   Sanders   Westrom
Davnie   Hansen   Koenen   Murdock   Scalze   Winkler
Dean   Hausman   Kohls   Murphy, E.   Scott   Zellers

A quorum was present.

Demmer and Kelliher were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Gunther moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
REPORTS OF CHIEF CLERK

S. F. No. 657 and H. F. No. 680, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kalin moved that the rules be so far suspended that S. F. No. 657 be substituted for H. F. No. 680 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. No. 657 was read for the second time.

Speaker pro tempore Pelowski called Juhnke to the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam 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. 2, A bill for an act relating to education; providing for policy and funding for family, adult, and prekindergarten through grade 12 education including general education, education excellence, special programs, facilities and technology, libraries, nutrition, accounting, self-sufficiency and lifelong learning, state agencies, pupil transportation, school finance system changes, forecast adjustments, and technical corrections; providing for advisory groups; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 6.74; 13.32, by adding a subdivision; 16A.06, subdivision 11; 120A.22, subdivision 7; 120A.40; 120B.02; 120B.021, subdivision 1; 120B.022, subdivision 1; 120B.023, subdivision 2; 120B.11, subdivision 5; 120B.13; 120B.132; 120B.30; 120B.31; 120B.35; 120B.36; 121A.15, subdivision 8; 121A.41, subdivisions 7, 10; 121A.43; 122A.07, subdivisions 2, 3; 122A.18, subdivision 4; 122A.31, subdivision 4; 122A.40, subdivisions 6, 8; 122A.41, subdivisions 3, 5; 122A.413, subdivision 2; 122A.414, subdivisions 2, 2b; 122A.60, subdivisions 1a, 2; 122A.61, subdivision 1; 123A.05; 123A.06; 123A.08; 123B.02, subdivision 21; 123B.03, subdivisions 1, 1a; 123B.10, subdivision 1; 123B.14, subdivision 7; 123B.143, subdivision 1; 123B.36, subdivision 1; 123B.49, subdivision 4; 123B.51, by adding a subdivision; 123B.53, subdivision 5; 123B.57, subdivision 1; 123B.59, subdivisions 2, 3, 3a; 123B.70, subdivision 1; 123B.71, subdivisions 8, 9, 12; 123B.75, subdivision 5; 123B.76, subdivision 3; 123B.77, subdivision 3; 123B.79, subdivision 7; 123B.81, subdivisions 3, 4, 5; 123B.83, subdivision 3; 123B.92, subdivisions 1, 5; 124D.095, subdivisions 2, 3, 4, 7, 10; 124D.10; 124D.11, subdivisions 4, 9; 124D.111, subdivision 3; 124D.128, subdivisions 2, 3; 124D.42, subdivision 6, by adding a subdivision; 124D.4531; 124D.59, subdivision 2; 124D.65, subdivision 5; 124D.68, subdivisions 2, 3, 4, 5; 124D.83, subdivision 4; 124D.86, subdivisions 1, 1a, 1b; 125A.02; 125A.07; 125A.08; 125A.091; 125A.11, subdivision 1; 125A.15; 125A.28; 125A.51; 125A.56; 125A.57, subdivision 2; 125A.62, subdivision 8; 125A.63, subdivisions 2, 4; 125A.76, subdivisions 1, 5; 125A.79,
subdivision 7; 125B.26; 126C.01, by adding subdivisions; 126C.05, subdivisions 1, 2, 3, 5, 6, 8, 15, 16, 17, 20; 126C.10, subdivisions 1, 2, 3, 4, 6, 13, 14, 18, 24, 34, by adding subdivisions; 126C.13, subdivisions 4, 5; 126C.15, subdivisions 2, 4; 126C.17, subdivisions 1, 5, 6, 9; 126C.20; 126C.40, subdivisions 1, 6; 126C.41, subdivision 2; 126C.44; 127A.08, by adding a subdivision; 127A.441; 127A.45, subdivisions 2, 3, 13, by adding a subdivision; 127A.47, subdivisions 5, 7; 127A.51; 134.31, subdivision 4a, by adding a subdivision; 169.011, subdivision 71; 169.443, subdivision 9; 169.4501, subdivision 1; 169.4503, subdivision 20, by adding a subdivision; 169.454, subdivision 13; 169A.03, subdivision 23; 171.01, subdivision 22; 171.02, subdivisions 2, 2a, 2b; 171.05, subdivision 2; 171.17, subdivision 1; 171.22, subdivision 1; 171.321, subdivisions 1, 4, 5; 181A.05, subdivision 1; 275.065, subdivisions 3, 6; 299A.297; 471.975; 475.58, subdivision 1; Laws 2007, chapter 146, article 1, section 24, subdivisions 2, as amended, 6, as amended, 8, as amended; article 2, section 46, subdivision 6, as amended; article 3, section 24, subdivision 4, as amended; article 4, section 16, subdivisions 2, as amended, 6, as amended; article 5, section 13, subdivisions 2, as amended, 3, as amended; article 9, section 17, subdivisions 2, as amended, 13, as amended; Laws 2008, chapter 363, article 2, section 46, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 120B; 123B; 125A; 126C; 127A; repealing Minnesota Statutes 2008, sections 120B.362; 120B.39; 121A.27; 121A.66; 121A.67, subdivision 1; 122A.628; 122A.75; 123B.54; 123B.57, subdivisions 3, 4, 5; 123B.591; 124D.091; 125A.03; 125A.05; 125A.18; 125A.76, subdivision 4; 125A.79, subdivision 6; 126C.10, subdivisions 2b, 13a, 13b, 24, 25, 26, 27, 28, 29, 30, 31, 31a, 31b, 32, 33, 34, 35, 36; 126C.12; 126C.156; 127A.50; 275.065, subdivisions 5a, 6b, 6c, 8, 9, 10; Minnesota Rules, parts 3525.0210, subparts 5, 6, 9, 13, 17, 29, 30, 34, 43, 46, 47; 3525.0400; 3525.1100, subpart 2, item F; 3525.2445; 3525.2900, subpart 5; 3525.4220.

The Senate has appointed as such committee:

Senators Stumpf; Olson, G.; Saltzman; Wiger and Dahle.

Said House File is herewith returned to the House.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Madam 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. 936, A bill for an act relating to human services; specifying criteria for communities for a lifetime; requiring the Minnesota Board on Aging to study and report on communities for a lifetime; amending Minnesota Statutes 2008, section 256.975, by adding a subdivision.

The Senate has appointed as such committee:

Senators Sheran, Senjem and Erickson Ropes.

Said House File is herewith returned to the House.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Madam 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. 1309, A bill for an act relating to transportation finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers and tort claims; authorizing an account and certain contingent appropriations; modifying previous appropriations provisions; modifying various provisions related to transportation finance and policy; modifying provisions related to speed limits, fracture-critical bridges, transit, passenger rail, motor vehicle lease sales tax revenue allocations, transit services, and the Buffalo Ridge Regional Rail Authority; requiring reports; amending Minnesota Statutes 2008, sections 16A.152, subdivision 2; 161.081, by adding a subdivision; 161.36, subdivision 7, as added; 162.12, subdivision 2; 169.14, by adding a subdivision; 174.24, subdivision 1a, by adding a subdivision; 174.50, by adding a subdivision; 297A.815, subdivision 3; 473.408, by adding a subdivision; Laws 2007, chapter 143, article 1, section 3, subdivision 2, as amended; Laws 2008, chapter 152, article 1, section 5; proposing coding for new law in Minnesota Statutes, chapters 161; 174.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Hornstein moved that the House refuse to concur in the Senate amendments to H. F. No. 1309, 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.

Madam 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. 334, A bill for an act relating to creditor remedies; modifying garnishment instructions, forms, procedures, and exemptions; amending Minnesota Statutes 2008, sections 550.143; 550.37, subdivision 14; 551.05; 571.71; 571.72, by adding a subdivision; 571.913; 571.914; 571.925.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hilstrom moved that the House concur in the Senate amendments to H. F. No. 334 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 334, A bill for an act relating to creditor remedies; modifying garnishment instructions, forms, procedures, and exemptions; amending Minnesota Statutes 2008, sections 550.143; 550.37, subdivision 14; 551.05; 571.71; 571.72, by adding subdivisions; 571.911; 571.912; 571.913; 571.914; 571.925.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Anderson, S.  Beard  Bly  Brynaert  Carlson
Anderson, B.  Anzelc  Benson  Brod  Buesgens  Champion
Anderson, P.  Atkins  Bigham  Brown  Bunn  Clark
The bill was repassed, as amended by the Senate, and its title agreed to.

Madam 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. 801, A bill for an act relating to state government; modifying laws regarding state reports and documents; amending Minnesota Statutes 2008, sections 3.195, subdivisions 1, 3; 3.302, subdivision 3; 6.72, subdivision 1; 11A.17, subdivision 11; 16A.27, subdivision 2; 214.07, subdivision 2.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pelowski moved that the House concur in the Senate amendments to H. F. No. 801 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 801, A bill for an act relating to state government; modifying laws regarding state reports and documents; amending Minnesota Statutes 2008, sections 3.195, subdivisions 1, 3; 3.302, subdivision 3; 6.72, subdivision 1; 11A.17, subdivision 11; 16A.27, subdivision 2; 214.07, subdivision 2.

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 121 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Abeler  Anzelc  Benson  Brod  Bunn  Clark
Anderson, P.  Atkins  Bigham  Brown  Carlson  Cornish
Anderson, S.  Beard  Bly  Brynaert  Champion  Davids
Cornish  Gottwalt  Johnson  Mack  Olin  Shimanski
Davids  Greiling  Juhnke  Magnus  Otremba  Simon
Davnie  Gunther  Kahn  Mahoney  Paymar  Slawik
Dean  Hackbarth  Kalin  Mariani  Pelowski  Stocum
Dettmer  Hamilton  Kath  Marquart  Peppin  Smith
Dill  Hansen  Kelly  Masin  Persell  Solberg
Dittrich  Hausman  Kiffmeyer  McFarlane  Peterson  Sterner
Doepke  Haws  Knuth  McNamara  Pope  Swails
Doty  Hayden  Koenen  Morgan  Reinert  Thao
Downey  Hilstrom  Kohls  Morrow  Rosenthal  Thissen
Drazkowski  Hilty  Laine  Mullery  Rukavina  Tillberry
Eastlund  Holberg  Lanning  Murdock  Ruud  Torkelson
Eken  Hoppe  Lenczewski  Murphy, E.  Sailer  Urdahl
Emmer  Hornstein  Lesch  Murphy, M.  Sanders  Wagenius
Falk  Hortman  Liebling  Nelson  Scalze  Ward
Faust  Hosch  Lieder  Newton  Scott  Welti
Fritz  Howes  Lillie  Nornes  Seifert  Westrom
Gardner  Huntley  Loeffler  Norton  Sertich  Winkler
Garofalo  Jackson  Loon  Obermueller  Severson  Zellers
Those who voted in the negative were:

Anderson, B.  Dean  Emmer  Holberg  Kohls  Zellers
Buesgens  Dettmer  Hackbarth  Hoppe  Peppin

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

Madam 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. 878, A bill for an act relating to transportation; adding provision governing relocation of highway centerline; modifying provisions relating to county state-aid highways and municipal state-aid streets; regulating placement of advertising devices; providing procedures for plats of lands abutting state rail bank property; amending Minnesota Statutes 2008, sections 161.16, by adding a subdivision; 162.06, subdivision 5; 162.07, subdivision 2; 162.09, subdivision 4; 162.13, subdivision 2; 173.02, by adding subdivisions; 173.16, subdivision 4; 505.03, subdivision 2.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Hortman moved that the House refuse to concur in the Senate amendments to H. F. No. 878, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.  The motion prevailed.

Madam Speaker:

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

S. F. Nos. 122, 474, 545, 707, 1408, 412, 532, 537, 1810, 1876, 484, 666, 713, 1117, 1431, 729, 1033, 1096, 1794 and 1910.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate
FIRST READING OF SENATE BILLS

S. F. No. 122, A bill for an act relating to pet animals; requiring a notice for retail sales of unprocessed cocoa bean shell mulch; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time.

Hornstein moved that S. F. No. 122 and H. F. No. 1306, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 474, A bill for an act relating to consumer protection; prohibiting retail sales of toys that have been recalled for safety reasons; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time.

Sanders moved that S. F. No. 474 and H. F. No. 166, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 545, A bill for an act relating to health occupations; authorizing licensed doctoral-level psychologists to provide a final determination not to certify; adding a member appointed by the Minnesota Psychological Association to the Health Care Reform Review Council; amending Minnesota Statutes 2008, sections 62M.09, subdivision 3a; 62U.09, subdivision 2; 148.89, subdivision 5.

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

S. F. No. 707, A bill for an act relating to public safety; allowing emergency 911 systems to include referral to mental health crisis teams; amending Minnesota Statutes 2008, section 403.03.

The bill was read for the first time.

Mullery moved that S. F. No. 707 and H. F. No. 448, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1408, A bill for an act relating to public safety; securing aircraft cockpits against lasers; proposing coding for new law in Minnesota Statutes, chapter 609.

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

S. F. No. 412, A bill for an act relating to probate; enacting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; proposing coding for new law in Minnesota Statutes, chapter 524.

The bill was read for the first time.

Jackson moved that S. F. No. 412 and H. F. No. 632, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

The bill was read for the first time.

Pelowski moved that S. F. No. 532 and H. F. No. 1857, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 537, A bill for an act relating to higher education; requiring postsecondary institutions to notify prospective students of the potential effects of a criminal conviction on future employment; proposing coding for new law in Minnesota Statutes, chapter 135A.

The bill was read for the first time and referred to the Higher Education and Workforce Development Finance and Policy Division.

S. F. No. 1810, A bill for an act relating to property; enacting the Uniform Disclaimer of Property Interests Act; proposing coding for new law in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 2008, sections 501B.86; 525.532.

The bill was read for the first time.

Hortman moved that S. F. No. 1810 and H. F. No. 2082, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1876, A bill for an act relating to transportation; modifying and updating provisions relating to motor carriers, highways, and the Department of Transportation; making clarifying and technical changes; amending Minnesota Statutes 2008, sections 168.013, subdivision 1e; 168.185; 169.025; 169.801, subdivision 10; 169.823, subdivision 1; 169.824; 169.8261; 169.827; 169.85, subdivision 2; 169.862, subdivision 2; 169.864, subdivisions 1, 2; 169.865, subdivisions 1, 2, 3, 4; 169.866, subdivision 1; 169.87, subdivision 2, by adding a subdivision; 174.64, subdivision 4; 174.66; 221.012, subdivisions 19, 29; 221.021, subdivision 1; 221.022; 221.025; 221.026, subdivisions 2, 5; 221.0269, subdivision 3; 221.031, subdivisions 1, 3, 3c, 6; 221.0314, subdivisions 2, 3a, 9; 221.033, subdivisions 1, 2; 221.121, subdivisions 1, 7; 221.122, subdivision 1; 221.123; 221.132; 221.151, subdivision 1; 221.161, subdivisions 1, 4; 221.171; 221.172, subdivision 3; 221.185, subdivisions 2, 4, 5a, 9; 221.605, subdivision 1; 221.68; 221.81, subdivision 3d; repealing Minnesota Statutes 2008, sections 169.67, subdivision 6; 169.826, subdivisions 1b, 2; 169.832, subdivisions 11, 11a; 221.012, subdivisions 2, 3, 6, 7, 11, 12, 21, 23, 24, 30, 32, 39, 40, 41; 221.031, subdivision 2b; 221.072; 221.101; 221.111; 221.121, subdivisions 2, 3, 5, 6, 6a, 6c, 6d, 6e, 6f; 221.131, subdivision 2a; 221.141, subdivision 6; 221.151, subdivisions 2, 3; 221.153; 221.172, subdivisions 4, 5, 6, 7, 8; 221.296, subdivisions 3, 4, 5, 6, 7, 8.

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

S. F. No. 484, A bill for an act relating to agriculture; changing duties of the Food Safety and Defense Task Force; changing membership and procedures of the Minnesota Organic Advisory Task Force; eliminating language requiring two annual reports; amending Minnesota Statutes 2008, sections 28A.21, subdivision 5; 31.94.

The bill was read for the first time.

Faust moved that S. F. No. 484 and H. F. No. 710, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.
S. F. No. 666, A bill for an act relating to human services; modifying provisions related to children aging out of foster care; amending Minnesota Statutes 2008, section 260C.212, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 260C.

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

S. F. No. 713, A bill for an act relating to state government; establishing a state employee suggestion system for making state government less costly or more efficient; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

S. F. No. 1117, A bill for an act relating to the legislature; modifying the definition of a legislative day; amending Minnesota Statutes 2008, section 3.012.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1431, A bill for an act relating to employment; regulating the deduction from wages of unreimbursed expenses; amending Minnesota Statutes 2008, section 177.24, subdivisions 4, 5.

The bill was read for the first time.

Davnie moved that S. F. No. 1431 and H. F. No. 1685, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.


The bill was read for the first time.

Zellers moved that S. F. No. 729 and H. F. No. 940, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1033, A bill for an act relating to housing; modifying municipality rent control provisions; amending Minnesota Statutes 2008, section 471.9996, subdivision 1.

The bill was read for the first time.

Mariani moved that S. F. No. 1033 and H. F. No. 1670, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1096, A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to laws and statutes; amending Minnesota Statutes 2008, sections 2.031, subdivision 2; 3.7393, subdivision 10; 6.67; 13.202, subdivision 3; 13.4967, by adding subdivisions; 13.681, by adding a subdivision; 13.871, subdivision 6; 16A.152, subdivision 2; 16A.19, subdivision 1; 16B.284; 16B.85, subdivision 1; 17.4986,
subdivision 2; 58.05, subdivision 3; 62S.01, subdivision 24; 62S.292, subdivision 4; 66A.07, subdivision 4; 116V.01, subdivision 3; 122A.31, subdivision 1; 125A.63, subdivision 5; 128B.03, subdivision 7; 144.6501, subdivision 6; 144.966, subdivision 2; 148.01, subdivision 1a; 148.725, subdivision 5; 148C.11, subdivision 3; 160.80, subdivision 1a; 161.125, subdivision 1; 168.09, subdivision 3; 168.27, subdivision 1; 169.18, subdivision 5; 181.985, subdivision 1; 201.081; 206.82, subdivision 2; 216B.241, subdivision 9; 216C.19, subdivision 17; 216H.07, subdivision 1; 221.84, subdivision 4; 243.166, subdivisions 1b, 6, 9; 244.052, subdivision 3a; 244.18, subdivision 1; 245.8261, subdivisions 3, 6, 7; 253B.08, subdivision 1; 256B.0571, subdivision 8; 260.105; 260C.446; 270.45; 270.47; 270.80, subdivision 1; 273.05, subdivision 1; 273.061, subdivision 2; 275.065, subdivision 6c; 289A.08, subdivision 16; 289A.40, subdivision 6; 298.34, subdivision 2; 309.745; 325E.317, subdivision 5; 326B.082, subdivision 8; 326B.121, subdivision 3; 327B.041; 336.10-105; 347.542, subdivision 1; 349.31, subdivision 1; 352.017, subdivision 1; 357.18, subdivision 1; 360.0426, subdivision 5; 365A.08, subdivision 2; 401.025, subdivision 3; 414.02, subdivision 4; 423A.01, subdivision 2; 473.167, subdivision 2; 473.384, subdivision 6; 473.388, subdivision 2; 507.24, subdivision 2; 508.82, subdivision 1; 508A.82, subdivision 1; 524.3-303; 524.3-308; 524.8-103; 541.023, subdivision 6; 600.24; 609.75, subdivision 1; 609.76, subdivision 1; 609.762, subdivision 1; 624.731, subdivision 3; 626.556, subdivision 2; Laws 2001, First Special Session chapter 5, article 3, section 50; Laws 2008, chapter 344, section 56; repealing Laws 2003, chapter 26; Laws 2005, chapter 152, article 1, section 18; Laws 2005, chapter 163, section 2; Laws 2006, chapter 260, article 5, section 11; Laws 2008, chapter 204, section 41; Laws 2008, chapter 281, sections 6; 12; Laws 2008, chapter 287, article 1, section 21; Laws 2008, chapter 366, article 9, section 7; article 12, section 2.

The bill was read for the first time.

Jackson moved that S. F. No. 1096 and H. F. No. 1171, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1794, A bill for an act relating to veterans; clarifying the circumstances under which pay differential applies for deployed National Guard and reserve members who are teachers; amending Minnesota Statutes 2008, section 471.975.

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

S. F. No. 1910, A bill for an act relating to commerce; providing for the licensing and regulation of certain persons; establishing prelicense and continuing education requirements; amending Minnesota Statutes 2008, sections 45.22; 45.23; 60K.31, by adding a subdivision; 60K.36, subdivision 4, by adding a subdivision; 60K.37, by adding a subdivision; 60K.55, subdivision 2; 60K.56; 72B.02, subdivisions 2, 5, 6, 11, by adding subdivisions; 72B.03; 72B.05; 72B.06; 72B.08, subdivisions 1, 2, 4; 72B.135, subdivisions 1, 2, 3; 82.32; 82B.05, subdivision 1; 82B.08, by adding subdivisions; 82B.09, by adding a subdivision; 82B.10; 82B.13, subdivisions 4, 5, 6; 82B.19, subdivisions 1, 2; 82B.20, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 45; 60K; 72B; 82; 82B; repealing Minnesota Statutes 2008, sections 72B.02, subdivision 12; 72B.04; 82B.02; Minnesota Rules, parts 2808.0100; 2808.1000; 2808.1100; 2808.1200; 2808.1300; 2808.1400; 2808.1500; 2808.1600; 2808.1700; 2808.2000; 2808.2100; 2808.6000; 2808.7000; 2808.7100; 2809.0010; 2809.0020; 2809.0030; 2809.0040; 2809.0050; 2809.0060; 2809.0070; 2809.0080; 2809.0090; 2809.0100; 2809.0110; 2809.0120; 2809.0130; 2809.0140; 2809.0150; 2809.0160; 2809.0170; 2809.0180; 2809.0190; 2809.0200; 2809.0210; 2809.0220.

The bill was read for the first time.

Zellers moved that S. F. No. 1910 and H. F. No. 2099, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.
FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 2251.

H. F. No. 2251, A bill for an act relating to state government finance; providing federal stimulus oversight funding for certain state agencies; establishing a fiscal stabilization account; appropriating money.

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 15 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, P.
Anderson, S.
Anzelc
Atkins
Beard
Benson
Bigham
Bly
Brown
Brynaert
Carlson
Champion
Clark
Cornish
Davids
Davnie
Demmer
Dill

Dittrich
Doepke
Doty
Downey
Eken
Falk
Faust
Fritz
Gardner
Garofalo
Gottwald
Guthertz
Gunther
Hammond
Haws
Hayden
Hilstrom
Hilty

Holberg
Hoppe
Hornstein
Hortman
Hosch
Howes
Huntley
Jackson
Johnson
Juhnke
Kahn
Kalin
Kath
Kelly
Kiffmeyer
Knuth
Koenen
Laine
Lanning
Lenczewski

Lesch
Liebling
Lieder
Lillie
Loeffler
Loon
Mack
Magnus
Mahoney
Mariani
Marquart
Masin
McFarlane
McNamara
Morgan
Morrow
Murphy, E.

Nelson
Newton
Nornes
Norton
Obermueller
Olin
Otrema
Paymar
Pelowski
Persell
Peterson
Thissen
Poppe
Reinert
Rosenthal
Rukavina
Ruud
Sailer
Sanders
Scalze
Scott

Sertich
Severson
Simon
Slawik
Smith
Solberg
Sterner
Swails
Thao

Those who voted in the negative were:

Anderson, B.
Brod
Buesgens

Buesgens

Dean
Dettmer
Drazkowski

Eastlund
Emmer
Hackbarth

Kohls
Peppin
Seifert

Shimanski
Westrom
Zellers

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Supplemental Calendar for the Day for Tuesday, April 28, 2009:

S. F. No. 1711; H. F. No. 1476; S. F. No. 684; H. F. Nos.1056, 988, 265, 326, 535 and 1760; S. F. Nos. 245, 550, 1091 and 640; and H. F. No. 940.
Juhnke called Thissen to the chair.

H. F. No. 928 was reported to the House.

Juhnke moved to amend H. F. No. 928, the third engrossment, as follows:

Page 2, after line 16, insert:

"Sec. 3. Minnesota Statutes 2008, section 169.71, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions generally; exceptions.** (a) A person shall not drive or operate any motor vehicle with:

(1) a windshield cracked or discolored to an extent to limit or obstruct proper vision;

(2) any objects suspended between the driver and the windshield, other than:

(i) sun visors and;

(ii) rearview mirrors;

(iii) global positioning systems or navigation systems when mounted or located near the bottommost portion of the windshield; and

(iv) electronic toll collection devices; or

(3) any sign, poster, or other nontransparent material upon the front windshield, sidewings, or side or rear windows of the vehicle, other than a certificate or other paper required to be so displayed by law or authorized by the state director of the Division of Emergency Management or the commissioner of public safety.

(b) Paragraph (a), clauses (2) and (3), do not apply to law enforcement vehicles.

(c) Paragraph (a), clause (2), does not apply to authorized emergency vehicles."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Sailer moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 2008, section 161.14, subdivision 62, as added by Laws 2009, chapter 18, section 1, is amended to read:
Subd. 62. **Clearwater County Veterans Memorial Highway.** (a) The following described route is designated the "Clearwater County Veterans Memorial Highway": that portion of Legislative Route No. 168, marked on the effective date of this section as Trunk Highway 200, from its intersection with Clearwater County State-Aid Highway 39 to its intersection with Legislative Route No. 169, marked on the effective date of this section as Trunk Highway 92; and that portion of Route No. 169 to its intersection with Clearwater County State-Aid Highway 5.

(b) The commissioner shall adopt a suitable marking design to mark this highway and erect appropriate signs, subject to section 161.139.”

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Garofalo moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 4, after line 29, insert:

“Sec. 7. **SPEED LIMIT ON INTERSTATE HIGHWAY 35E.**

The commissioner of transportation shall raise the speed limit along marked Interstate Highway 35E to 55 miles per hour in the city of St. Paul, from the interchange with marked Trunk Highway 5 to the interchange with marked Interstate Highway 494.”

A roll call was requested and properly seconded.

The question was taken on the Garofalo amendment and the roll was called. There were 62 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, P.
Anderson, S.
Anzelc
Atkins
Beard
Brod
Buesgens
Davids
Dean
Demmer
Dettmer
Dill
Doepke
Drazkowski
Eastlund
Emmer
Falk
Fritz
Garofalo
Gottwald
Kathan
Lanning
Kath
Kelly
Koenen
Kohls
Lillie
Loon
Mack
Magnus
McFarlane
McNamara
Morgan
Nornes
Obermueller
Otremba
Pelowski
Poppe
Peppin
Pertel
Scott
Seifert
Shimanski
Smith
Solberg
Swails
Torkelson
Udahl
Westrom
Winkler
Zellers

Those who voted in the negative were:

Benson
Bigham
Bly
Brown
Brynaert
Bunn
Carlson
Champion
Clark
Cornish
Davnie
Dittrich
Doty
Downey
Eken
Faust
Gardner
Greiling
The motion did not prevail and the amendment was not adopted.

Holberg moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 4, after line 29, insert:

"Sec. 7.  Laws 2008, chapter 287, article 1, section 122, is amended to read:

Sec. 122.  NULLIFICATION OF EXPEDITED TOWN ROAD EXTINGUISHMENT.

(a) Any extinguishment of town interest in a town road under Minnesota Statutes, section 164.06, subdivision 2, is hereby nullified if:

(1) the interest was not recorded or filed with the county recorder but was recorded or filed with the county auditor prior to 1972;

(2) the state or a political subdivision has constructed or funded a road or bridge improvement on a right-of-way affected by the interest;

(3) the affected road was the only means of access to a property;

(4) the extinguishment took place within the last ten years; and

(5) a person whose only access to property was lost because of the extinguishment files a petition of a nullification with the town board stating that the person's property became landlocked because of the extinguishment and that the road satisfies all of the requirements of paragraph (a), clauses (1) to (4). A copy of the road order found filed or recorded with the county auditor must be attached to the petition. The town shall file the petition with the county auditor and record it with the county recorder.

(b) Notwithstanding Minnesota Statutes, sections 164.08, subdivision 1, and 541.023, for any nullification under paragraph (a), the affected road is hereby deemed to be a cartway. No additional damages or other payments may be required other than those paid at the time the fee interest was originally acquired and the order filed with the county auditor. A cartway created by this paragraph may be converted to a private driveway under Minnesota Statutes, section 164.08, subdivision 2.

(c) For purposes of this section, "affected road" means the road in which the town board extinguished its interest.

EFFECTIVE DATE.  This section is effective the day following final enactment."
Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Eken moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision to read:

Subd. 62. Veterans Memorial Highway. Legislative Route No. 31, signed as Trunk Highway 200 as of the effective date of this section, from the border with North Dakota to the city of Mahnomen, is designated as the "Veterans Memorial Highway." The commissioner shall adopt a suitable design to mark this highway and erect appropriate signs, subject to section 161.139.

Sec. 3. Minnesota Statutes 2008, section 161.14, is amended by adding a subdivision to read:

Subd. 63. Becker County Veterans Memorial Highway. Marked Trunk Highway 34, from its intersection with Washington Avenue in Detroit Lakes to its intersection with County State-Aid Highway 39; and marked Trunk Highway 87, from its intersection with County State-Aid Highway 33 to its intersection with County State-Aid Highway 39, is named and designated the "Becker County Veterans Memorial Highway." Subject to section 161.139, the commissioner shall adopt a suitable marking design to mark this highway and erect appropriate signs."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hornstein moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 2, after line 33, insert:

"Sec. 5. [174.632] PASSENGER RAIL; COMMISSIONER'S DUTIES.

If the commissioner undertakes planning, design, construction, operation, or maintenance of passenger rail the commissioner shall preserve all railroad employee rights under the Railway Labor Act, Federal Employers Liability Act, and Railroad Retirement and Unemployment Insurance Act, and federal railroad safety, occupational safety, and health laws.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.
POINT OF ORDER

Seifert raised a point of order pursuant to rule 3.21 that the Hornstein amendment was not in order. Speaker pro tempore Thissen ruled the point of order not well taken and the Hornstein amendment in order.

The question recurred on the Hornstein amendment and the roll was called. There were 89 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Abeler  Doty  Hosch  Lillie  Olin  Slawik
Anzelc  Eken  Howes  Loeffler  Otremba  Slocum
Atkins  Falk  Huntley  Mahoney  Paymar  Smith
Benson  Faust  Jackson  Mariani  Pelowski  Solberg
Bigham  Fritz  Johnson  Marquart  Persell  Sterner
Bly  Gardner  Juhnke  Masin  Peterson  Swails
Brown  Greiling  Kahn  McNamara  Poppe  Thao
Brynaert  Hansen  Kalin  Morgan  Remert  Thissen
Bunn  Hausman  Kath  Morrow  Rosenthal  Tillberry
Carlson  Haws  Knuth  Murphy, E.  Rukavina  Wagenius
Champion  Hayden  Koenen  Murphy, M.  Ruud  Ward
Clark  Hilstrom  Laine  Nelson  Sailer  Welti
Davnie  Hilty  Lenczewski  Newton  Scalze  Winkler
Dill  Hornstein  Lesch  Norton  Sertich  Spk. Kelliher
Dittrich  Hortman  Liebling  Obermueller  Simon

Those who voted in the negative were:

Anderson, B.  Dean  Garofalo  Kiffmeyer  Murdock  Torkelson
Anderson, P.  Demmer  Gottwald  Kohls  Nornes  Urdaal
Anderson, S.  Dettmer  Gunther  Lanning  Peppin  Westrom
Beard  Doepke  Hackbarth  Loon  Sanders  Zellers
Brod  Downey  Hamilton  Mack  Scott
Buesgens  Drazkowski  Holberg  Magnus  Seifert
Cornish  Eastlund  Hoppe  McFarlane  Severson
Davids  Emmer  Kelly  Mullery  Shimanski

The motion prevailed and the amendment was adopted.

Dettmer moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 2, after line 16, insert:

"Sec. 3. Minnesota Statutes 2008, section 169.306, is amended to read:

169.306 USE OF SHOULDERS BY BUSES.

(a) The commissioner of transportation may is authorized to permit the use by transit buses and Metro Mobility buses of a shoulder, as designated by the commissioner, of a freeway or expressway, as defined in section 160.02, in the seven-county metropolitan area in Minnesota.

(b) If the commissioner permits the use of a freeway or expressway shoulder by transit buses, the commissioner shall also permit the use on that shoulder of a bus (1) with a seating capacity of 40 passengers or more operated by a motor carrier of passengers, as defined in section 221.012, subdivision 26, while operating in intrastate commerce or
(2) providing regular route transit service, as defined in section 174.22, subdivision 8, or Metro Mobility services, and operated by or under contract with the Metropolitan Council, a local transit authority, or a transit authority created by the legislature. Drivers of these buses must have adequate training in the requirements of paragraph (c), as determined by the commissioner.

(c) Buses authorized to use the shoulder under this section may be operated on the shoulder only when main-line traffic speeds are less than 35 miles per hour. Drivers of buses being operated on the shoulder may not exceed the speed of main-line traffic by more than 15 miles per hour and may never exceed 35 miles per hour. Drivers of buses being operated on the shoulder must yield to merging, entering, and exiting traffic and must yield to other vehicles on the shoulder. Buses operated on the shoulder must be registered with the Department of Transportation.

(d) For the purposes of this section, the term "Metro Mobility bus" means a motor vehicle of not less than 20 feet in length engaged in providing special transportation services under section 473.386 that is:

(1) operated by the Metropolitan Council, or operated by or under contract with a public or private entity receiving financial assistance to provide transit services from the Metropolitan Council or the commissioner of transportation; and

(2) authorized by the council commissioner to use freeway or expressway shoulders.

(e) This section does not apply to the operation of buses on dynamic shoulder lanes."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Zellers moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 4, after line 29, insert:

"Sec. 7. REPEALER.

Minnesota Statutes 2008, section 169.20, subdivision 7, is repealed."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Zellers amendment and the roll was called. There were 46 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Beard  Cornish  Demmer  Downey  Garofalo
Anderson, P.  Brod  Davids  Dettmer  Drazkowski  Gottwald
Anderson, S.  Buesgens  Dean  Doepke  Emmer  Gunther
The motion did not prevail and the amendment was not adopted.

Hoppe moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 2, after line 16, insert:

"Sec. 3. [161.369] CLOTHING PROCUREMENT.

(a) For purposes of this section, "clothing" includes official garments, uniforms, protective clothing, and related equipment worn by an individual for safety reasons.

(b) The commissioner shall establish in the selection of clothing vendors a preference for companies that are headquartered in Minnesota. The commissioner shall ensure that all contracts for trunk highway construction, reconstruction, or maintenance made under this chapter contain the preference as provided in this section."

Page 4, after line 29, insert:

"Sec. 7. Minnesota Statutes 2008, section 473.375, is amended by adding a subdivision to read:

Subd. 19. Clothing procurement. (a) For purposes of this section, "clothing" has the meaning given in section 161.369.

(b) The council shall establish in the selection of clothing vendors a preference for companies that are headquartered in Minnesota. The council shall ensure that all contracts for transit related construction projects made under this chapter contain the preference as provided in this section."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.
Sailer, Cornish, Dill, Nornes, Olin, Juhnke, Koenen, Westrom, Hamilton, Welti, Kath, Otremba and Murdock moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 2008, section 169.011, is amended by adding a subdivision to read:

Subd. 40a. Mini truck. (a) "Mini truck" means a motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin and a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal motor vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, sections 571.101 to 571.404, and successor requirements.

(b) A mini truck does not include:

(1) a neighborhood electric vehicle or a medium-speed electric vehicle; or

(2) a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, section 571.500, and successor requirements.

Sec. 3. Minnesota Statutes 2008, section 169.045, is amended to read:

169.045 SPECIAL VEHICLE USE ON ROADWAY.

Subdivision 1. Designation of roadway, permit. The governing body of any county, home rule charter or statutory city, or town may by ordinance authorize the operation of motorized golf carts, or four-wheel all-terrain vehicles, or mini trucks, on designated roadways or portions thereof under its jurisdiction. Authorization to operate a motorized golf cart or four-wheel all-terrain vehicle or mini truck is by permit only. For purposes of this section, a four-wheel all-terrain vehicle is a motorized flotation-tired vehicle with four low-pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 600 pounds, and a mini truck has the meaning given in section 169.011, subdivision 40a.

Subd. 2. Ordinance. The ordinance shall designate the roadways, prescribe the form of the application for the permit, require evidence of insurance complying with the provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent with the provisions of this section, under which a permit may be granted. Permits may be granted for a period of not to exceed one year, and may be annually renewed. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart or four-wheel all-terrain vehicle or mini truck on the designated roadways. The ordinance may require, as a condition to obtaining a permit, that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or four-wheel all-terrain vehicle or mini truck on the roadways designated.

Subd. 3. Times of operation. Motorized golf carts and four-wheel all-terrain vehicles may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

Subd. 4. Slow-moving vehicle emblem. Motorized golf carts shall display the slow-moving vehicle emblem provided for in section 169.522, when operated on designated roadways.
Subd. 5. Crossing intersecting highways. The operator, under permit, of a motorized golf cart or four-wheel all-terrain vehicle, or mini truck, may cross any street or highway intersecting a designated roadway.

Subd. 6. Application of traffic laws. Every person operating a motorized golf cart, four-wheel all-terrain vehicle, or mini truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of this chapter, except when those provisions cannot reasonably be applied to motorized golf carts, four-wheel all-terrain vehicles, or mini trucks and except as otherwise specifically provided in subdivision 7.

Subd. 7. Nonapplication of certain laws. The provisions of chapter 171 are applicable to persons operating mini trucks, but are not applicable to persons operating motorized golf carts or four-wheel all-terrain vehicles under permit on designated roadways pursuant to this section. Except for the requirements of section 169.70, the provisions of this chapter relating to equipment on vehicles are not applicable to motorized golf carts or four-wheel all-terrain vehicles operating, under permit, on designated roadways.

Subd. 8. Insurance. In the event persons operating a motorized golf cart or four-wheel all-terrain vehicle, or mini truck, under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Assigned Risk Insurance Plan under sections 65B.01 to 65B.12 at a rate to be determined by the commissioner of commerce.

Sec. 4. Minnesota Statutes 2008, section 169.045, is amended by adding a subdivision to read:

Subd. 7a. Required equipment on mini trucks. Notwithstanding sections 169.48 to 169.68, or any other law, a mini truck may be operated under permit on designated roadways if it is equipped with:

1. at least two headlamps;
2. at least two taillamps;
3. front and rear turn-signal lamps;
4. an exterior mirror mounted on the driver's side of the vehicle and either (i) an exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;
5. a windshield;
6. a seat belt for the driver and front passenger; and
7. a parking brake.

Sec. 7. EFFECTIVE DATE.

Sections 2 to 4 are effective August 1, 2009, and expire on July 31, 2012.

The motion prevailed and the amendment was adopted.
Welti, Demmer, Davids, Fritz, Knuth, Liebling and Kath moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 3, after line 26, insert:

"Sec. 6. [299C.563] LIFESAVER PROGRAM.

Subdivision 1. **Program assistance.** The commissioner of public safety shall assist local law enforcement agencies with the development and implementation of lifesaver rapid response programs designed to quickly find individuals with medical conditions that cause wandering and result in many of these individuals becoming lost and missing. The search and rescue program must electronically track a lost or missing vulnerable senior citizen or an individual who is mentally impaired due to autism, Down Syndrome, Alzheimer's disease, or other mental impairment that causes wandering. The lifesaver program participant wears a small transmitter on the wrist to allow the local law enforcement agency to electronically locate the participant, if necessary, using a radio receiver. The commissioner shall promote the lifesaver program throughout the state and serve as liaison to lifesaver programs developed and implemented by local law enforcement agencies.

Subd. 2. **Lifesaver advisory task force.** (a) The commissioner of public safety shall convene a voluntary lifesaver advisory task force to facilitate the development and implementation of lifesaver programs by local law enforcement agencies. The commissioner shall appoint at least five persons from various geographic areas of the state to the voluntary task force. The task force must be composed of at least one member experienced in an area of mental impairment, one member experienced in the area of law enforcement, and one member experienced in the development of a lifesaver or similar program. Members serve without compensation at the pleasure of the commissioner.

(b) The voluntary task force expires June 30, 2013.

Subd. 3. **Report to legislature.** The commissioner shall report to the house of representatives and senate committees having jurisdiction over public safety by January 15, 2012, on the effectiveness of lifesaver programs developed and implemented by local law enforcement agencies.

Renummer the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Brod moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 4, after line 29, insert:

"Sec. 7. **TRUNK HIGHWAY 19 CLOSURE IN NEW PRAGUE.**

The commissioner of transportation shall annually authorize the city of New Prague to close Route No. 100, signed as Trunk Highway 19 on the effective date of this section, from the intersection with Route No. 13, signed as Trunk Highways 13 and 21 on the effective date of this section, to 10th Avenue SE, located in the city of New Prague. The closure under this section is limited to one weekend in the month of September of each year, and is for
the city’s annual Dozinky Festival. The commissioner shall (1) establish reasonable requirements for traffic flow, traffic control devices, and safety related to implementation of an appropriate detour route; and (2) allow the road closure from 5:30 p.m. on Friday until 6:00 a.m. on Sunday."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 113 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeler    Demmer    Haws    Lanning    Nelson    Severson
Anderson, B.    Dettmer    Hilstrom    Lenczewski    Nornes    Shimanski
Anderson, P.    Dill    Hilty    Liebling    Norton    Simon
Anderson, S.    Dittrich    Holberg    Lille    Obermueller    Slawik
Anzelc    Doepke    Hoppe    Loeffler    Olin    Slocum
Aikins    Doty    Hornstein    Loon    Pelowski    Smith
Beard    Downey    Hosch    Mack    Peppin    Solberg
Benson    Drazkowski    Howes    Magnus    Persell    Swails
Bigham    Eastlund    Huntley    Mahoney    Peterson    Thao
Bly    Eken    Jackson    Marquart    Poppe    Thissen
Brod    Emmer    Juhnke    Mariani    Reinert    Torkelson
Brown    Faust    Kahn    Masin    Rosenthal    Udahl
Brynaert    Fritz    Kalin    McFarlane    Rukavina    Ward
Buesgens    Garofalo    Kath    McNamara    Ruud    Welti
Bunn    Gottwald    Kelly    Morgan    Sailer    Westrom
Clark    Greiling    Kiffmeyer    Morrow    Sanders    Winkler
Cornish    Gunther    Knuth    Murdock    Scalze    Zellers
Davids    Hackbardt    Kohls    Murphy, E.    Scott    Spk. Kelliher
Dean    Hamilton    Laine    Murphy, M.    Seifert

Those who voted in the negative were:

Carlson    Gardner    Johnson    Mullery    Stener
Champion    Hansen    Koenen    Newton    Tillberry
Davnie    Hausman    Lesch    Orena       Wagenius
Falk    Hayden    Lieder    Paymar

The motion prevailed and the amendment was adopted.

Buesgens moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 2, after line 16, insert:

"Sec. 3. Minnesota Statutes 2008, section 169.71, subdivision 4, is amended to read:
Subd. 4. **Glazing material; prohibitions and exceptions.** (a) No person shall drive or operate any motor vehicle required to be registered in the state of Minnesota upon any street or highway under the following conditions:

(1) when the windshield is composed of, covered by, or treated with any material which has the effect of making the windshield more reflective or in any other way reducing light transmittance through the windshield;

(2) when any window on the vehicle is composed of, covered by, or treated with any material that has a highly reflective or mirrored appearance;

(3) when any side window or rear window is composed of or treated with any material so as to obstruct or substantially reduce the driver's clear view through the window or has a light transmittance of less than 30.35 percent plus or minus three percent in the visible light range or a luminous reflectance of more than 20 percent plus or minus three percent; or

(4) when any material has been applied after August 1, 1985, to any motor vehicle window without an accompanying permanent marking which indicates the percent of transmittance and the percent of reflectance afforded by the material. The marking must be in a manner so as not to obscure vision and be readable when installed on the vehicle.

(b) This subdivision does not apply to glazing materials which:

(1) have not been modified since the original installation, nor to original replacement windows and windshields, that were originally installed or replaced in conformance with Federal Motor Vehicle Safety Standard 205;

(2) are required to satisfy prescription or medical needs of the driver of the vehicle or a passenger if:

(i) the driver or passenger is in possession of the prescription or a physician's statement of medical need;

(ii) the prescription or statement specifically states the minimum percentage that light transmittance may be reduced to satisfy the prescription or medical needs of the patient; and

(iii) the prescription or statement contains an expiration date, which must be no more than two years after the date the prescription or statement was issued; or

(3) are applied to:

(i) the rear windows of a pickup truck as defined in section 168.002, subdivision 26;

(ii) the rear windows or the side windows on either side behind the driver's seat of a van as defined in section 168.002, subdivision 40;

(iii) the side and rear windows of a vehicle used to transport human remains by a funeral establishment holding a license under section 149A.50;

(iv) the side and rear windows of a limousine as defined in section 168.002, subdivision 15; or

(v) the rear and side windows of a police vehicle."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.
The question was taken on the Buesgens amendment and the roll was called. There were 11 yeas and 122 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Buesgens</th>
<th>Drazkowski</th>
<th>Hackbarth</th>
<th>Seifert</th>
<th>Shimanski</th>
<th>Westrom</th>
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<tbody>
<tr>
<td>Beard</td>
<td>Dettmer</td>
<td>Gunther</td>
<td>Holberg</td>
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</tr>
</tbody>
</table>

Those who voted in the negative were:

| Anderson, B. | Doepke | Hornstein | Lieder | Norton | Slawik |
| Anderson, P. | Doty   | Hortman   | Lillie | Obermueller | Slocum |
| Anderson, S. | Downey | Hosch     | Loeffler | Olin | Smith |
| Anzelc      | Eastlund| Howes     | Looon  | Otreba | Solberg |
| Atkins      | Eken   | Huntley   | Mack   | Paymar | Sterner |
| Benson      | Emmer  | Jackson   | Magnus | Pelowski | Swails |
| Bigham      | Falk   | Johnson   | Mahoney | Peppin | Thao |
| Bly         | Faust  | Juhnke    | Mariani | Persell | Thissen |
| Brod        | Fritz  | Kahn      | Marquart | Peterson | Tillberry |
| Brown       | Gardner| Kalin     | Masin  | Poppe  | Torkelson |
| Brynaert    | Garofalo| Kath      | McFarlane | Renert | Udahl |
| Bunn        | Gottwalt| Kelly     | McNamara | Rosenthal | Wagenius |
| Carlson     | Greiling| Kiffmeyer | Morgan | Rukavina | Ward |
| Champion    | Hamilton| Knuth     | Morrow | Ruud  | Welti |
| Clark       | Hansen | Koenen    | Mullery | Sailer | Winkler |
| Cornish     | Hausman| Kohls     | Murdock | Sanders | Zellers |
| Davids      | Haws   | Laine     | Murphy, E. | Scalze | Spk. Kelliher |
| Davnie      | Hayden | Lanning   | Murphy, M. | Scott |         |
| Demmer      | Hilstrom| Lenczewski | Nelson | Sertich |         |
| Dill        | Hilty  | Lesch     | Newton | Severson |         |
| Dittrich    | Hoppe  | Liebling  | Nornes | Simon |         |

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

Speaker pro tempore Thissen called Juhnke to the chair.

Holberg moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 3, line 19, after "two" insert "ex officio members, who are"

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

Severson moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 3, after line 25, insert:

"(c) The commissioner to the greatest extent possible shall ensure that at least one member of the committee is dependant on public transit for common mobility."

Page 3, line 26, strike "(c)" and insert "(d)"

The motion did not prevail and the amendment was not adopted.
Davnie moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 3, after line 26, insert:

"Sec. 6. Minnesota Statutes 2008, section 221.012, is amended by adding a subdivision to read:

Subd. 27a. **Motor carrier of railroad employees.** "Motor carrier of railroad employees" means a motor carrier engaged in the for-hire transportation of railroad employees of a class I or II common carrier, as defined in Code of Federal Regulations, title 49, part 1201, general instruction 1-1, under the terms of a contractual agreement with a common carrier, as defined in section 218.011, subdivision 10.

Sec. 7. Minnesota Statutes 2008, section 221.012, subdivision 38, is amended to read:

Subd. 38. **Small vehicle passenger service.** (a) "Small vehicle passenger service" means a service provided by a person engaged in the for-hire transportation of passengers in a vehicle designed to transport seven or fewer persons, including the driver.

(b) In the metropolitan area as defined in section 473.121, subdivision 2, "small vehicle passenger service" also includes for-hire transportation of persons who are certified by the Metropolitan Council to use special transportation service provided under section 473.386, in a vehicle designed to transport not more than 15 persons including the driver, that is equipped with a wheelchair lift and at least three wheelchair securement positions.

(c) "Small vehicle passenger service" does not include a motor carrier of railroad employees.

Sec. 8. Minnesota Statutes 2008, section 221.0252, is amended by adding a subdivision to read:

Subd. 8. **Motor carrier of railroad employees.** (a) A motor carrier of railroad employees must meet the requirements specified in this subdivision.

(b) A vehicle operator for a motor carrier of railroad employees who transports passengers must:

(1) have a valid driver's license under chapter 171; and

(2) submit to a physical examination.

(c) The carrier must implement a policy that provides for annual training and certification of the operator in:

(1) safe operation of the vehicle transporting railroad employees;

(2) knowing and understanding relevant laws, rules of the road, and safety policies;

(3) handling emergency situations;

(4) proper use of seat belts;

(5) performance of pretrip and post-trip vehicle inspections, and inspection record keeping; and

(6) proper maintenance of required records.

(d) The carrier must:
(1) perform a background check or background investigation of the operator;

(2) annually verify the operator's driver's license;

(3) document meeting the requirements in this subdivision, and maintain the file at the carrier's business location;

(4) maintain liability insurance in a minimum amount of $5,000,000 regardless of the seating capacity of the vehicle; and

(5) maintain uninsured and underinsured coverage in a minimum amount of $1,000,000.

If a party contracts with the motor carrier on behalf of the railroad to transport the railroad employees, then the insurance requirements may be satisfied by either that party or the motor carrier, so long as the motor carrier is a named insured or additional insured under any policy.

(e) A person who sustains a conviction of violating section 169A.25, 169A.26, 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to 169A.53 of the implied consent law, or who is convicted of or has their driver's license revoked under a similar statute or ordinance of another state, may not operate a vehicle under this subdivision for five years from the date of conviction. A person who sustains a conviction of a moving offense in violation of chapter 169 within three years of the first of three other moving offenses may not operate a vehicle under this subdivision for one year from the date of the last conviction. A person who has ever been convicted of a disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may not operate a vehicle under this subdivision.

(f) An operator who sustains a conviction as described in paragraph (e) while employed by the carrier shall report the conviction to the carrier within ten days of the date of the conviction.

(g) A carrier must implement a mandatory alcohol and controlled substance testing program as provided under sections 181.950 to 181.957 that consists of preemployment testing, post-accident testing, random testing, reasonable suspicion testing, return-to-duty testing, and follow-up testing.

(h) A motor carrier of railroad employees shall not allow or require a driver to drive or remain on duty for more than: ten hours after eight consecutive hours off duty; 15 hours of combined on-duty time and drive time since last obtaining eight consecutive hours of off-duty time; or 70 hours of on-duty and drive time in any period of eight consecutive days. After 24 hours off duty, a driver begins a new seven consecutive day period and on-duty time is reset to zero.

(i) An operator who encounters an emergency and cannot, because of that emergency, safely complete a transportation assignment within the ten-hour maximum driving time permitted under paragraph (h), may drive for not more than two additional hours in order to complete that transportation assignment or to reach a place offering safety for the occupants of the vehicle and security for the transport motor vehicle, if the transportation assignment reasonably could have been completed within the ten-hour period absent the emergency.

(j) A carrier shall maintain and retain for a period of six months accurate time records that show the time the driver reports for duty each day; the total number of hours of on-duty time for each driver for each day; the time the driver is released from duty each day; and the total number of hours driven each day.

(k) For purposes of this subdivision, the following terms have the meanings given:

(1) "conviction" has the meaning given in section 609.02; and
(2) "on-duty time" means all time at a terminal, facility, or other property of a contract carrier or on any public property waiting to be dispatched. "On-duty time" includes time spent inspecting, servicing, or conditioning the vehicle.

EFFECTIVE DATE. Paragraph (d), clause (5), is effective July 1, 2010.

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

POINT OF ORDER

Severson raised a point of order pursuant to rule 3.21 that the Davnie amendment was not in order. Speaker pro tempore Juhnke ruled the point of order not well taken and the Davnie amendment in order.

The question recurred on the Davnie amendment to H. F. No. 928, the third engrossment, as amended. The motion prevailed and the amendment was adopted.

Emmer moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, after line 6, insert:

"Section 1. [65B.584] INTENTIONAL TRAFFIC DISRUPTION.

A person injured in a traffic disruption accident, as defined in section 169.15, subdivision 3, paragraph (a), while operating a pedal-powered vehicle is not eligible for any basic or optional economic loss benefits under a plan of reparation security under this chapter.

EFFECTIVE DATE. This section is effective January 1, 2010."

Page 2, line 2, before "TRAFFIC" insert "OR DISRUPTING"

Page 2, after line 14, insert:

"Subd. 3. Bicycle; intentional traffic disruption. (a) For purposes of this subdivision, "traffic disruption accident" means an accident involving a bicycle and a motor vehicle in which:

(1) the accident occurred while the operator of a bicycle was intentionally disrupting traffic on a public street or highway and the person was violating any traffic regulation under this chapter while doing so; and

(2) the behavior described in clause (1) caused or was a contributing factor in causing the accident.

(b) An operator of a bicycle who commits a traffic disruption accident is guilty of a misdemeanor."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.
POINT OF ORDER

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

The question recurred on the Emmer amendment and the roll was called. There were 47 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, B. Dean Garofalo Kelly McFarlane Severson
Anderson, P. Demmer Gottwald Kiffmeyer McNamara Shimanski
Anderson, S. Dettmer Gunther Kohls Murdock Smith
Beard Doepke Hackbarth Lanning Nornes Torkelson
Brod Downey Hamilton Lieder Peppin Udahl
Buesgens Drazkowski Holberg Loon Sanders Westrom
Cornish Eastlund Hoppe Mack Scott Zellers
Davids Emmer Howes Magnus Seifert

Those who voted in the negative were:

Abeler Doty Hosch Loeffler Otremsa Slocum
Anzelc Eken Huntley Mahoney Paymar Solberg
Atkins Falk Jackson Mariani Pelowski Sterner
Benson Faust Johnson Marquart Persell Swails
Bigham Fritz Juhnke Masin Peterson Thao
Bly Gardner Kahn Morgan Poppe Thussen
Brown Greiling Kalin Morrow Reinert Tillberry
Brynaert Hansen Kath Mullery Rosenthal Wagenius
Bunn Hausman Knuth Murphy, E. Ruud Welti
Carlson Haws Koenen Murphy, M. Ruud Winkler
Champion Hayden Laine Nelson Sailer Winkler
Clark Hilstrom Lenczewski Newton Scalze Spk. Kelliher
Davnie Hilty Lesch Norton Sertich
Dill Hornstein Liebling Obermueller Simon
Dittrich Hortman Lillie Olin Slawik

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

Buesgens, Peppin, Demmer, Brod, Drazkowski, Emmer and Zellers moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 2008, section 168.33, subdivision 2, is amended to read:

Subd. 2. Deputy registrars. (a) The commissioner may appoint, and for cause discontinue, a deputy registrar for any statutory or home rule charter city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau that issues motor vehicle licenses as provided in section 373.32."
(b) The commissioner may appoint, and for cause discontinue, a deputy registrar for any statutory or home rule charter city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau that issues motor vehicle licenses as provided in section 373.32. The individual appointed by the commissioner as a deputy registrar for any statutory or home rule charter city must be a resident of the county in which the city is situated.

(c) The commissioner may appoint, and for cause discontinue, the county auditor of each county as a deputy registrar.

(d) Despite any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any statutory or home rule charter city, may continue to serve as deputy registrar and may be discontinued for cause only by the commissioner. The county auditor who appointed the deputy registrars is responsible for the acts of deputy registrars appointed by the auditor.

(e) Each deputy, before entering upon the discharge of duties, shall take and subscribe an oath to faithfully discharge the duties and to uphold the laws of the state.

(f) If (b) A deputy registrar appointed under this subdivision is not an officer or employee of a county or statutory or home rule charter city, the deputy shall in addition give bond to the state in the sum of $10,000, or a larger sum as may be required by the commissioner, conditioned upon the faithful discharge of duties as deputy registrar.

(g) Until January 1, 2012, (c) A corporation governed by chapter 302A may be appointed a deputy registrar. Upon application by an individual serving as a deputy registrar and the giving of the requisite bond as provided in this subdivision, personally assured by the individual or another individual approved by the commissioner, a corporation named in an application then becomes the duly appointed and qualified successor to the deputy registrar. The appointment of any corporation as a deputy registrar expires January 1, 2012. The commissioner shall appoint an individual as successor to the corporation whose appointment expires under this paragraph an officer of the corporation if the officer applies for appointment before July 1, 2012.

(h) (d) Each deputy registrar appointed under this subdivision shall keep and maintain office locations approved by the commissioner for the registration of vehicles and the collection of taxes and fees on vehicles.

(i) (e) The deputy registrar shall keep records and make reports to the commissioner as the commissioner requires. The records must be maintained at the offices of the deputy registrar. The records and offices of the deputy registrar must at all times be open to the inspection of the commissioner or the commissioner's agents. The deputy registrar shall report to the commissioner by the next working day following receipt all registrations made and taxes and fees collected by the deputy registrar.

(j) (f) The deputy registrar shall retain the filing fee imposed under subdivision 7—must be deposited in the treasury of the place for which appointed or, if not a public official, a deputy shall retain the filing fee, but the deputy registrar shall deposit the registration tax and any additional fees for delayed registration that the deputy registrar has collected the deputy registrar shall deposit, by the next working day following receipt in an approved state depository to the credit of the state through the commissioner of finance. The place for which the deputy registrar is appointed through its governing body must provide the deputy registrar with facilities and personnel to carry out the duties imposed by this subdivision if the deputy is a public official. In all other cases,

(g) The deputy shall maintain a suitable facility for serving the public.

**EFFECTIVE DATE.** This section is effective July 1, 2010.
Sec. 3. Minnesota Statutes 2008, section 168.33, subdivision 2a, is amended to read:

Subd. 2a. **Deputy registrars, continuation in office.** (a) Except as provided in paragraph (b), persons serving as deputy registrars on July 1, 1970, shall be able to continue to hold office until a successor is duly appointed and qualifies.

(b) Starting July 1, 2010, no statutory or home rule charter city, county, or county auditor may serve as a deputy registrar.

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

Page 4, after line 29, insert:

"Sec. 9. **DEPUTY REGISTRARS; TRANSFER OF FUNCTIONS; RULEMAKING.**

(a) The commissioner of public safety shall implement procedures for orderly transfer of deputy registrar functions and services currently provided by statutory or home rule charter city, county, or county auditor, to be performed by a private individual, firm, or corporation, as required under Minnesota Statutes, section 168.33, subdivision 2a. As part of the transfer implementation, the commissioner shall ensure that regular and efficient driver licensing service is provided throughout the state.

(b) By July 1, 2010, the commissioner shall amend Minnesota Rules as necessary to implement the requirements in this section and changes in this act to Minnesota Statutes, section 168.33. The rules adopted by the commissioner under this paragraph are exempt from the rulemaking provisions of chapter 14. The rules are subject to section 14.386, except that notwithstanding paragraph (b) of section 14.386, the rules continue in effect until repealed or superseded by other law or rule.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Buesgens et al amendment and the roll was called. There were 35 yeas and 98 nays as follows:

Those who voted in the affirmative were:

| Anderson, B. | Davids | Eastlund | Holberg | Mack | Scott |
| Anderson, P. | Dean | Emmer | Hoppe | McNamara | Seifert |
| Anderson, S. | Demmer | Garofalo | Kelly | Kiffmeyer | Shimanski |
| Beard | Dettmer | Gottwalt | Kohls | Murphy, E. | Severson |
| Brod | Downey | Gunther | Loon | Peppin | Zellers |
| Buesgens | Drazkowski | Hackbarth | | | |

Those who voted in the negative were:

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

Shimanski and Urdahl moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 2, after line 33, insert:

"Sec. 5. Minnesota Statutes 2008, section 174.30, is amended by adding a subdivision to read:

Subd. 10. Coordination of services; day training and habilitation centers. The commissioner shall coordinate with the commissioner of human services to ensure that adequate transportation funding and service is provided for access to day training and habilitation centers."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Dettmer moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 4, after line 29, insert:

"Sec. 7. Specific service sign. Notwithstanding Minnesota Statutes, section 160.296, or any other law, rule, or policy to the contrary, the commissioner of transportation shall install one specific service sign on each side of marked Trunk Highway 61 near its intersection with North Shore Drive or Sixth Avenue Northwest in the city of Forest Lake. The sign must display the distance from and direction to Faith Lutheran Church of Forest Lake. The wording on the sign may vary from the commissioner's standards, but the design, size, and color of the sign must conform to the commissioner's standards for specific service signs. The commissioner shall not take action under this section unless the commissioner is assured of the availability of funds from nonstate sources sufficient to pay all costs related to this section.

EFFECTIVE DATE. This section is effective the day following final enactment."
Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Hoppe, Holberg, Slawik and Juhnke moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 2, after line 16, insert:

"Sec. 3 Minnesota Statutes 2008, section 169.18, subdivision 7, is amended to read:

Subd. 7. Laned highway. When any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(b) Upon a roadway which is not a one-way roadway and which is divided into three lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding, and is signposted to give notice of such allocation. The left lane of a three-lane roadway which is not a one-way roadway shall not be used for overtaking and passing another vehicle.

(c) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction, and drivers of vehicles shall obey the directions of every such sign.

(d) Whenever a bicycle lane has been established on a roadway, any person operating a motor vehicle on such roadway shall not drive in the bicycle lane except to park where parking is permitted, to enter or leave the highway, or to prepare for a turn as provided in section 169.19, subdivision 1.

(e) A vehicle must be driven in the right-hand lane according to subdivision 10.

Sec. 4. Minnesota Statutes 2008, section 169.18, subdivision 10, is amended to read:

Subd. 10. Slow-moving vehicle Vehicles driven in right-hand lane. (a) Upon all roadways any, including freeways and expressways as defined in section 160.02, a vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall must be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, if safe and practicable to do so, except:

(1) when overtaking and passing another vehicle proceeding in the same direction;

(2) when preparing for a left turn at an intersection or into a private road or driveway;

(3) when a specific lane is designated and posted for a specific type of traffic;
(4) when necessary to enter or exit an expressway, freeway, interstate highway, or other controlled-access
highway;

(5) when otherwise directed in a highway work zone, as defined in section 169.14, subdivision 5d;

(6) when otherwise directed by a law enforcement officer; or

(7) when expressly allowed or required by other law.

(b) The commissioner of transportation shall erect appropriate signs on interstate highways and freeways to
instruct motorists concerning paragraph (a).

Page 2, after line 26, insert:

"Sec. 6.  Minnesota Statutes 2008, section 171.13, subdivision 1j, is amended to read:

Subd. 1j. Driver's manual; interaction with commercial motor vehicle restricted driving in left lane. The
commissioner shall include in each edition of the driver's manual published by the department after August 1, 2008,
a section that includes information on awareness and safe interaction with commercial motor vehicle traffic
instructions relating to the requirement to drive a motor vehicle in the right-hand lane and the circumstances when a
driver is allowed to drive in the left-most lane of a multilane highway under section 169.18, subdivision 10."

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

Emmer moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 3, delete lines 19 to 20 and insert:

"(7) two members who are associated with a disadvantaged business enterprise, as defined in Code of Federal
Regulations, title 49, section 26.5, with"

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 54 yeas and 78 nays as
follows:

Those who voted in the affirmative were:

Abeler  Cornish  Eastlund  Kath  McNamara  Seifert
Anderson, B.  Davids  Emmer  Kelly  Morgan  Severson
Anderson, P.  Dean  Garofalo  Kiffmeyer  Murdock  Shimanski
Anderson, S.  Demmer  Gottwald  Kohls  Nornes  Smith
Beard  Dettmer  Gunther  Lanning  Peppin  Swails
Brod  Dittrich  Hackbart  Loon  Rosenthal  Torkelson
Buesgens  Doepke  Hamilton  Mack  Ruud  Urdahl
Bunn  Downey  Holberg  Magnus  Sanders  Westrom
Champion  Drazkowski  Hoppe  McFarlane  Scott  Zellers
Those who voted in the negative were:

Anzelc  Fritz  Huntley  Lillie  Obermueller  Simon
Atkins  Gardner  Jackson  Loeffler  Olin  Slavik
Benson  Greiling  Johnson  Mahoney  Otemba  Slocum
Bigham  Hansen  Juhnke  Mariani  Paymar  Solberg
Bly  Hausman  Kain  Marquart  Pelowski  Sterm
Brown  Haws  Kalin  Masin  Persell  Thao
Brynaert  Hayden  Knuth  Morrow  Peterson  Thissen
Carlson  Hilstrom  Koenen  Mullery  Poppe  Tillberry
Dill  Hilty  Laine  Murphy, E.  Reinert  Wagenius
Doty  Hornstein  Lenczewski  Murphy, M.  Rukavina  Ward
Eken  Hortman  Lesch  Nelson  Sailer  Welti
Falk  Hosch  Liebling  Newton  Scalze  Winkler
Faust  Howes  Lieder  Norton  Sertich  Spk. Kelliher

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

Buesgens moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, delete lines 16 to 17

Page 1, line 18, delete "(5)" and insert "(4)"

Page 1, line 20, delete "(6)" and insert "(5)"

Page 1, line 21, delete "(7)" and insert "(6)"

Page 1, line 24, delete ", except that" and insert a period

Page 1, delete line 25

A roll call was requested and properly seconded.

The question was taken on the Buesgens amendment and the roll was called. There were 65 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeler  Cornish  Falk  Howes  Murdock  Seifert
Anderson, B.  Davids  Faust  Juhnke  Nornes  Severson
Anderson, P.  Dean  Fritz  Kalin  Obermueller  Shimanski
Anderson, S.  Demmer  Garofalo  Kath  Otemba  Smith
Anzelc  Dettmer  Gottwalt  Kelly  Pelowski  Solberg
Beard  Dill  Gunther  Kiffmeyer  Peppin  Thao
Bly  Doty  Hackbarth  Koenen  Poppe  Torkelson
Brod  Drazkowski  Hamilton  Kohls  Reinert  Urda
Brown  Eastlund  Holberg  Magnus  Rukavina  Westrom
Buesgens  Eken  Hoppe  McFarlane  Sanders  Zellers
Bunn  Emmer  Hosch  McNamara  Scott
Those who voted in the negative were:

- Atkins
- Benson
- Bigham
- Brynaert
- Carlson
- Champion
- Clark
- Davnie
- Dittrich
- Doepke
- Downey
- Gardner
- Atkins
- Hansen
- Hausman
- Haws
- Hayden
- Hylton
- Hornstein
- Hortman
- Huntley
- Jackson
- Johnson

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

Buesgens, Kelly, Hamilton and Zellers moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, line 17, after "except" insert "(i) if a designated driver who does not consume alcoholic beverages is identified prior to any consumption or possession of an open container, or (ii) if"

A roll call was requested and properly seconded.

The question was taken on the Buesgens et al amendment and the roll was called. There were 66 yeas and 68 nays as follows:

Those who voted in the affirmative were:

- Abeler
- Anderson, B.
- Anderson, P.
- Anzelc
- Beard
- Brod
- Brown
- Buesgens
- Bunn
- Cornish
- Davids

Those who voted in the negative were:

- Anderson, S.
- Atkins
- Benson
- Bigham
- Bly
- Brynaert
- Carlson
- Champion
Demmer moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

"Sec. 2. Minnesota Statutes 2008, section 168.33, subdivision 2, is amended to read:

Subd. 2. Deputy registrars. (a) The commissioner may appoint, and for cause discontinue, a deputy registrar for any statutory or home rule charter city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau that issues motor vehicle licenses as provided in section 373.32.

(b) The commissioner may appoint, and for cause discontinue, a deputy registrar for any statutory or home rule charter city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau that issues motor vehicle licenses as provided in section 373.32. The individual appointed by the commissioner as a deputy registrar for any statutory or home rule charter city must be a resident of the county in which the city is situated.

(c) The commissioner may appoint, and for cause discontinue, the county auditor of each county as a deputy registrar.

(d) Despite any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any statutory or home rule charter city, may continue to serve as deputy registrar and may be discontinued for cause only by the commissioner. The county auditor who appointed the deputy registrars is responsible for the acts of deputy registrars appointed by the auditor.

(e) Each deputy, before entering upon the discharge of duties, shall take and subscribe an oath to faithfully discharge the duties and to uphold the laws of the state.

(f) If a deputy registrar appointed under this subdivision is not an officer or employee of a county or statutory or home rule charter city, the deputy shall in addition give bond to the state in the sum of $10,000, or a larger sum as may be required by the commissioner, conditioned upon the faithful discharge of duties as deputy registrar.

(g) Until January 1, 2012, a corporation governed by chapter 302A may be appointed a deputy registrar. Upon application by an individual serving as a deputy registrar and the giving of the requisite bond as provided in this subdivision, personally assured by the individual or another individual approved by the commissioner, a corporation named in an application then becomes the duly appointed and qualified successor to the deputy registrar. The appointment of any corporation as a deputy registrar expires January 1, 2012. The commissioner shall appoint an individual as successor to the corporation as a deputy registrar. The commissioner shall appoint as the successor agent to a corporation whose appointment expires under this paragraph an officer of the corporation if the officer applies for appointment before July 1, 2012.
(h) Each deputy registrar appointed under this subdivision shall keep and maintain office locations approved by
the commissioner for the registration of vehicles and the collection of taxes and fees on vehicles.

(i) The deputy registrar shall keep records and make reports to the commissioner as the commissioner requires. 
The records must be maintained at the offices of the deputy registrar. The records and offices of the deputy registrar
must at all times be open to the inspection of the commissioner or the commissioner's agents. The deputy registrar
shall report to the commissioner by the next working day following receipt all registrations made and taxes and fees
collected by the deputy registrar.

(j) The filing fee imposed under subdivision 7 must be deposited in the treasury of the place for which appointed
or, if not a public official, a deputy shall retain the filing fee, but the registration tax and any additional fees for
delayed registration the deputy registrar has collected the deputy registrar shall deposit by the next working day
following receipt in an approved state depository to the credit of the state through the commissioner of finance. The
place for which the deputy registrar is appointed through its governing body must provide the deputy registrar with
facilities and personnel to carry out the duties imposed by this subdivision if the deputy is a public official. In all
other cases, the deputy shall maintain a suitable facility for serving the public."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the chair.

Sertich moved the previous question.

CALL OF THE HOUSE

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

Those who voted in the affirmative were:

Abeler  Davids  Garofalo  Huntley  Lieder  Murphy, M.
Anderson, B. Davnie  Gottwald  Jackson   Lillie  Nelson
Anderson, S. Dean  Greiling  Johnson  Loeffler  Newton
Anzelc  Demmer  Gunther  Juhnke  Loon  Norton
Atkins  Dettmer  Hackbarth  Kahn  Mack  Obermueller
Benson  Dill  Hansen  Kalin  Magnus  Olin
Bigham  Dittrich  Hausman  Kath  Mahoney  Otremba
Bly  Doepke  Haws  Kelly  Mariani  Paymar
Brod  Doty  Hayden  Kimmeyer  Marquart  Pelowski
Brown  Downey  Hilstrom  Knuth   Masin  Persell
Brynaert  Eastlund  Hilty  Koenen  McFarlane  Poppe
Buesgens  Eken  Holberg  Kohls  McNamara  Reinert
Bunn  Emmer  Hoppe  Laine  Morgan  Rosenthal
Carlson  Falk  Hornstein  Lanning  Morrow  Rukavina
Champion  Faust  Hortman  Lenczewski  Mullery  Ruud
Clark  Fritz  Hosch  Lesch  Murdock  Sailer
Cornish  Gardner  Howes  Liebling  Murphy, E.  Sanders
Sertich moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The Sertich motion for the previous question was properly seconded.

The question was taken on the Sertich motion for the previous question.

A roll call was requested and properly seconded.

MOTION TO LIFT CALL OF HOUSE

Westrom moved that the call of the House be lifted. The motion did not prevail.

MOTION TO LAY ON THE TABLE

Seifert moved that H. F. No. 928, as amended, be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Seifert motion and the roll was called.

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

There were 45 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Gottwalt  Kiffmeyer  Murdock  Smith
Anderson, B.  Detmer  Gunther  Kohls  Nornes  Torkelson
Anderson, S.  Doepke  Hackbarth  Lanning  Peppin  Urdahl
Brod  Downey  Hamilton  Loon  Sanders  Westrom
Buesgens  Drazkowski  Holberg  Mack  Scott  Zellers
Cornish  Eastlund  Hoppe  Magnus  Seifert  
Davids  Emmer  Howes  McFarlane  Severson  
Dean  Garofalo  Kelly  McNamara  Shimanski

Those who voted in the negative were:

Anzelc  Bly  Carlson  Dill  Falk  Greiling
Atkins  Brown  Champion  Dittrich  Faust  Hansen
Benson  Brynaert  Clark  Doty  Fritz  Hausman
Bigham  Bunn  Davnie  Eken  Gardner  Haws
The motion did not prevail.

Kohls moved that the House do now adjourn.

A roll call was requested and properly seconded.

The question was taken on the Kohls motion and the roll was called.

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

There were 11 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Abeler  Anderson, B.  Kelly  Mack  Sanders  Seifert
Anderson, P.  Beard  Lanning  McFarlane  Scott

Those who voted in the negative were:

Anzelc  Atkins  Benson  Bigham  Bly  Brown  Brynaert  Bunn  Carlson  Champion  Clark  Davnie  Dill  Dittrich  Doty  Eken
Hosch  Howes  Huntley  Gardner  Johnson  Juhnke  Hamilton  Hansen  Knuth  Koenen  Laine  Lenczewski  Lesch  Hornstein  Lieder
Lillie  Loeffler  Magnus  Mahoney  Mariani  Marquette  Marth  Kalin  Kath  Knuth  Koenen  Kline  Hornstein  Hortman
Olin  Otemba  Paymar  Pelowski  Persell  Peterson  Poppe  Pelowski  Pike  Murphy, E.  Reintert  Rukavina  Murphy, M.  Rukavina
Pelowski  Persell  Peterson  Poppe  Pelowski  Persell  Peterson  Pelowski  Persell  Peterson

The motion did not prevail.
The question recurred on the Sertich motion for the previous question and the roll was called.

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

There were 82 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Anzelc  Eken  Hosch  Loeffler  Otremba  Slocum
Atkins  Falk  Huntley  Mahoney  Paymar  Solberg
Benson  Faust  Jackson  Mariani  Pelowski  Sterner
Bigham  Fritz  Johnson  Marquart  Persell  Swails
Bly    Gardner  Juhnke  Masin  Peterson  Thao
Brown  Greiling  Kahn  Morgan  Poppe  Thissen
Brynaert  Hansen  Kalin  Morrow  Reinert  Tillberry
Bunn  Hausman  Knuth  Murphy, E.  Rosenthal  Wagenius
Carlson  Haws  Koenen  Murphy, M.  Ruud  Ward
Champion  Hayden  Laine  Nelson  Sailer  Welti
Clark  Hilstrom  Lenczewski  Newton  Scalze  Winkler
Davnie  Hilty  Lesch  Norton  Sertich  Spk. Kelliher
Dittrich  Hornstein  Lieder  Obermueller  Simon
Doty  Hortman  Lillie  Olin  Slawik

Those who voted in the negative were:

Abeler  Davids  Hamilton  Sanders  Torkelson
Anderson, B.  Dettmer  Howes  Seifert  Udahl
Beard  Garofalo  Magnus  Shimanski

The motion prevailed and the previous question was so ordered.

H. F. No. 928, A bill for an act relating to transportation; modifying various provisions related to transportation; prohibiting certain acts; amending Minnesota Statutes 2008, sections 169.15; 171.12, subdivision 6; 174.86, subdivision 5; 473.167, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 160; 171.

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.

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

There were 104 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeler  Brynaert  Dittrich  Gardner  Hayden  Johnson
Anzelc  Bunn  Doepke  Garofalo  Hilstrom  Juhnke
Atkins  Carlson  Doty  Gottwald  Hilty  Kahn
Benson  Champion  Downey  Greiling  Hornstein  Kalin
Bigham  Clark  Eken  Gunther  Hortman  Kauth
Bly    Davnie  Falk  Hansen  Hosch  Kelly
Brod   Dean  Faust  Hausman  Huntley  Knuth
Brown  Demmer  Fritz  Haws  Jackson  Koenen
Those who voted in the negative were:


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

MOTIONS FOR RECONSIDERATION

Hornstein moved that the vote whereby H. F. No. 928, as amended, was passed be now reconsidered. The motion prevailed.

Hornstein moved that the action whereby H. F. No. 928, as amended, was given its third reading be now reconsidered. The motion prevailed.

H. F. No. 928, as amended, was again reported to the House.

Westrom, Anzelc, Nornes, Dill, Rukavina, Drazkowski, Gunther and Seifert moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, after line 25, insert:

“Sec. 2. Minnesota Statutes 2008, section 169.14, subdivision 2, is amended to read:

Subd. 2.  **Speed limits.** (a) Where no special hazard exists the following speeds shall be lawful, but any speeds in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that the speed limit within any municipality shall be a maximum limit and any speed in excess thereof shall be unlawful:

(1) 30 miles per hour in an urban district or on a town road in a rural residential district;
(2) 65 miles per hour on noninterstate expressways, as defined in section 160.02, subdivision 18b, and noninterstate freeways, as defined in section 160.02, subdivision 19;

(3) 55 miles per hour in locations other than those specified in this section;
(4) 70 miles per hour on interstate highways outside the limits of any urbanized area with a population of greater than 50,000 as defined by order of the commissioner of transportation;

(5) 65 miles per hour on interstate highways inside the limits of any urbanized area with a population of greater than 50,000 as defined by order of the commissioner of transportation;

(6) 65 miles per hour on noninterstate highways that are outside the limits of any urbanized area with a population of greater than 50,000 as defined by order of the commissioner, and that are not specified in clause (2), except that the speed limit for such highways is 60 miles per hour during nighttime;

(7) ten miles per hour in alleys; and

(7) (8) 25 miles per hour in residential roadways if adopted by the road authority having jurisdiction over the residential roadway.

(b) A speed limit adopted under paragraph (a), clause (7), is not effective unless the road authority has erected signs designating the speed limit and indicating the beginning and end of the residential roadway on which the speed limit applies.

(c) For purposes of this subdivision, "rural residential district" means the territory contiguous to and including any town road within a subdivision or plat of land that is built up with dwelling houses at intervals of less than 300 feet for a distance of one-quarter mile or more.

(d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person who violates a speed limit established in this subdivision, or a speed limit designated on an appropriate sign under subdivision 4, 5, 5b, 5c, or 5e, by driving 20 miles per hour or more in excess of the applicable speed limit, is assessed an additional surcharge equal to the amount of the fine imposed for the speed violation, but not less than $25.

(e) The commissioner may reduce the speed limit under paragraph (a), clause (6), as provided under subdivisions 4 or 5, if the commissioner identifies specific traffic safety factors on that segment of road that have a substantive negative impact directly due to the speed limit.

**EFFECTIVE DATE.** This section is effective July 1, 2011."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Buesgens, Emmer and Zellers moved to amend H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, line 19, after the semicolon, insert "or"

Page 1, delete line 20

Page 1, line 21, delete "(7)" and insert "(6)"
A roll call was requested and properly seconded.

Champion moved to amend the Buesgens et al amendment to H. F. No. 928, the third engrossment, as amended, as follows:

Page 1, delete line 2
Page 1, delete line 3 and insert "Page 1, line 20, before the semi-colon insert "at the rest area"
Page 1, delete line 4

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

The question recurred on the Buesgens amendment, as amended, and the roll was called. There were 129 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abeler       Demmer       Hayden       Lenczewski       Nornes       Shimanski
Anderson, B. Dettmer       Hilstrom       Lesch       Norton       Simon
Anderson, P. Dill          Hilty         Liebling      Obermueller      Slawik
Anderson, S. Dittrich     Holberg       Lieder        Olin        Slocum       Smith
Anzelc       Doepke       Hornstein     Loeffler       Pelowski       Sterner
Atkins       Doty         Hoppe         Lillie         Otremba       Swails
Beard        Downey       Hortman       Loon          Paymar        Solberg
Benson       Drazkowski   Hosch         Mack          Peppin        Steners
Bigham       Eastlund      Howes         Magnus        Persell       Thao
Bly          Eken          Jackson       Mahoney       Peterson       Thissen
Brown        Emmer         Johnson       Mariani        Poppe         Tillberry
Brynaert     Faust         Juhne         Marquart       Remert        Torkelson
Buesgens     Fritz         Kahn          Masin         Rosenthal      Urdahl
Bunn         Garofalo      Kath          McFarlane      Rukavina       Wagenius
Carlson      Gottwalt      Kelly         Morgan        Sailer        Welti
Champion     Greiling      Kiffmeyer     Morrow        Sanders       Westrom
Clark        Gunther       Knuth         Murdock       Scalze        Zellers
Cornish      Hackbarth     Koenen        Murphy, E.    Scott         Skp. Kelliher
Davids       Hamilton      Kohls         Murphy, M.    Seifert       Severtich
Davnie       Hansen        Laine         Nelson        Sertich       Severson
Dean         Haws          Lanning       Newton        Wagenius

Those who voted in the negative were:

Falk       Hausman       Huntley       Mullery       Winkler

The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 928, A bill for an act relating to transportation; modifying various provisions related to transportation; prohibiting certain acts; amending Minnesota Statutes 2008, sections 169.15; 171.12, subdivision 6; 174.86, subdivision 5; 473.167, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 160; 171.
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 115 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler  Doepke  Hortman  Lieder  Obermueller  Smith
Anderson, S.  Doty  Hosch  Lillie  Olin  Solberg
Anzelc  Downey  Howes  Loeffler  Otrema  Sterner
Atkins  Eken  Huntley  Loon  Paymar  Swails
Benson  Falk  Jackson  Mack  Pelowski  Thao
Bigham  Faust  Johnson  Mahoney  Persell  Thissen
Bly  Fritz  Juhnke  Mariani  Peterson  Tillberry
Brod  Gardner  Kahn  Marquart  Poppe  Torkelson
Brown  Garofalo  Kalin  Masin  Reinert  Udahl
Brynaert  Gottwalt  Kath  McFarlane  Rosenthal  Wagenius
Bunn  Greiling  Kelly  McNamara  Rukavina  Ward
Carlson  Gunther  Kiffmeyer  Morgan  Ruud  Welti
Champion  Hansen  Knuth  Morrow  Sailer  Winkler
Clark  Hausman  Koenen  Murdock  Sanders  Zellers
Davids  Haws  Kohls  Murphy, E.  Scalze  Spk. Kelliher
Davnie  Hayden  Laine  Murphy, M.  Scott
Dean  Hilstrom  Lanning  Nelson  Sertich
Dettmer  Hilty  Lenczewski  Newton  Simon
Dill  Holberg  Lesch  Nornes  Slawik
Dittrich  Hornstein  Liebling  Norton  Slocum

Those who voted in the negative were:

Anderson, B.  Buesgens  Drazkowski  Hackbarth  Peppin  Shimanski
Anderson, P.  Cornish  Eastlund  Hamilton  Seifert  Westrom
Beard  Demmer  Emmer  Magnus  Severson

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

CALL OF THE HOUSE LIFTED

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

Hortman moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Solberg announced his intention to place S. F. No. 657 on the Fiscal Calendar for Wednesday, April 29, 2009.

MOTIONS AND RESOLUTIONS

Dettmer moved that the name of McFarlane be added as an author on H. F. No. 16. The motion prevailed.

Bigham moved that the name of McFarlane be added as an author on H. F. No. 45. The motion prevailed.
Brod moved that the name of McFarlane be added as an author on H. F. No. 405. The motion prevailed.

Brod moved that the name of McFarlane be added as an author on H. F. No. 970. The motion prevailed.

Downey moved that the name of McFarlane be added as an author on H. F. No. 1194. The motion prevailed.

Lanning moved that the name of McFarlane be added as an author on H. F. No. 1195. The motion prevailed.

Davnie moved that the name of Kahn be added as an author on H. F. No. 1198. The motion prevailed.

Seifert moved that the name of McFarlane be added as an author on H. F. No. 1437. The motion prevailed.

Newton moved that the name of Brynaert be added as an author on H. F. No. 1576. The motion prevailed.

Abeler moved that the name of McFarlane be added as an author on H. F. No. 1909. The motion prevailed.

Anderson, S., moved that the name of McFarlane be added as an author on H. F. No. 1927. The motion prevailed.

Gottwalt moved that the name of Kahn be added as an author on H. F. No. 2036. The motion prevailed.

Mariani moved that the name of Hausman be added as an author on H. F. No. 2352. The motion prevailed.

Morgan moved that the names of Gardner and Kalin be added as authors on H. F. No. 2353. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1309:

Lieder, Hornstein, Morrow, Hortman and Beard.

ADJOURNMENT

Hortman moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, April 29, 2009. The motion prevailed.

Hortman moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m. Wednesday, April 29, 2009.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives