The House of Representatives convened at 12:00 noon and was called to order by Dan Severson, 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.  Sertich
Anderson, B.  Dill  Hayden  Lanning  Nelson  Severson
Anderson, P.  Dittrich  Hilstrom  Lenczewski  Newton  Shimanski
Anderson, S.  Doepke  Hilty  Lesch  Nornes  Simon
Anzele  Doty  Holberg  Liebling  Norton  Slawik
Atkins  Downey  Hoppe  Lieder  Oehmgueller  Slocum
Beard  Drazkowski  Hornstein  Lillie  Olin  Smith
Benson  Eastland  Hortman  Loefler  Paymar  Solberg
Bigham  Eken  Hosch  Loo  Pelowski  Sterner
Bly  Emmer  Howes  Mack  Peppin  Swails
Brod  Falk  Huntley  Magnus  Persell  Thao
Brown  Faust  Jackson  Mahoney  Peterson  Thissen
Brynaert  Fritz  Johnson  Mariani  Poppe  Tillberry
Buesgens  Gardner  Juhnke  Marquart  Reinert  Torkelson
Bunn  Garofalo  Kahn  Masin  Rosenthal  Udahl
Carlson  Gottwald  Kalin  McFarlane  Rukavina  Wagenius
Champion  Greiling  Kath  McNamara  Ruud  Ward
Clark  Gunther  Kelly  Morgan  Sailer  Welti
Cornish  Hackbart  Kiffmeyer  Morrow  Sanders  Westrom
Davnie  Hamilton  Knuth  Murly  Scalze  Winkler
Dean  Hansen  Koenen  Murdock  Scott  Zellers
Demmer  Hausman  Kohls  Murphy, E.  Seifert  Spk. Kelliher

A quorum was present.

Davids was excused.

Otremba was excused until 2:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Bigham 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.
PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 13, 2010

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

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 3660, relating to claims against the state; providing for settlement of certain claims; appropriating money.

H. F. No. 2639, relating to public safety; requiring wireless telecommunications service providers to provide call locations for emergencies; providing for the Kelsey Smith Act.

H. F. No. 3386, relating to real property; requiring performance guidelines for certain residential contracts; modifying statutory warranties; requiring notice and opportunity to repair; providing for dispute resolution procedures; requiring a report.

Sincerely,

TIM PAWLENTY
Governor

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2010 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:
INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Atkins introduced:

H. F. No. 3850, A bill for an act relating to crime; enhancing enforcement capability for identity theft and other fraudulent activities conducted electronically; amending Minnesota Statutes 2008, sections 53B.18; 299L.01; proposing coding for new law in Minnesota Statutes, chapter 299L.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.
Morrow, Brynaert, Knuth, Morgan, Kalin, Ruud, Bigham, Ward, Kath, Peterson, Dittrich, Swails, Bunn and Laine introduced:

H. F. No. 3851, A bill for an act relating to education; establishing teacher performance assessments; proposing coding for new law in Minnesota Statutes, chapter 122A.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.

Reinert introduced:

H. F. No. 3852, A bill for an act relating to state government; requiring the commissioner of administration to provide plans and specifications relating to building and construction contracts; amending Minnesota Statutes 2008, section 16C.26, by adding a subdivision.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Laine, Bly, Liebling, Greiling, Hausman, Hilty, Slocum and Clark introduced:

H. F. No. 3853, A bill for an act relating to human services; changing provisions for medical assistance; amending Minnesota Statutes 2008, section 256B.69, by adding a subdivision.

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

Hansen, Obermueller, Atkins, Lenczewski, Rosenthal, Dittrich and Ruud introduced:

H. F. No. 3854, A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; amending Minnesota Statutes 2008, sections 2.021; 2.031, subdivision 1.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Clark, Huntley, Hayden, Champion, Thissen and Laine introduced:

H. F. No. 3855, A bill for an act relating to public health; requiring the commissioner of health to research and report on autism; requiring the Department of Human Services to train autism service providers; requiring notification of autism service options for medical assistance and MinnesotaCare recipients.

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

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

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.
Abeler was excused between the hours of 2:25 p.m. and 2:35 p.m.

MESSAGES FROM THE SENATE

The following messages were received from 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. 3834, A bill for an act relating to state government; requiring the commissioner of Minnesota Management and Budget to provide a cash flow forecast to the governor and legislature; proposing coding for new law in Minnesota Statutes, chapter 16A.

COLEEN J. PACHECO, First Assistant Secretary of the Senate

Sertich moved that the House refuse to concur in the Senate amendments to H. F. No. 3834, 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 that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 560, A bill for an act relating to public safety; authorizing the expungement of criminal records for certain individuals who have received stays of adjudication or diversion; authorizing expungements without petitions in certain cases where charges were dismissed against a person upon prosecutorial approval and with victim notification; requiring persons petitioning for an expungement to provide a copy of the criminal complaint or police report; authorizing the opening of certain expunged records without a court hearing; amending Minnesota Statutes 2008, sections 609A.02, subdivision 3; 609A.03, subdivisions 2, 7; proposing coding for new law in Minnesota Statutes, chapter 609A.

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

Senators Latz, Higgins and Ortman.

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

COLEEN J. PACHECO, First Assistant Secretary of the Senate

Champion moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 560. The motion prevailed.
Madam Speaker:

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

S. F. No. 2839, A bill for an act relating to commerce; regulating various licensees and other entities; modifying definitions, informational requirements, continuing education requirements, information reporting requirements, and notice requirements; making various housekeeping, technical, and clarifying changes; regulating securities; reorganizing and modifying various provisions relating to real estate brokers, salespersons, and closing agents; modifying the membership requirements of, and appointment authority to, the real estate appraiser advisory board; regulating certain workers' compensation self-insurers; amending Minnesota Statutes 2008, sections 45.0112; 60A.031, subdivision 4; 60A.084; 60A.204; 60A.36, by adding a subdivision; 60K.31, subdivision 10; 61A.092, subdivision 3; 62A.046, subdivision 6, by adding a subdivision; 62A.17, subdivision 5; 62A.3099, subdivision 17; 62A.65, subdivision 2; 62E.02, subdivision 15; 62E.14, subdivision 1c; 62L.05, subdivision 4; 62S.24, subdivision 8; 62S.266, subdivision 4; 62S.29, subdivision 1; 72A.08, subdivision 4; 72A.12, subdivision 4; 72A.20, subdivisions 10, 36, 37; 72A.492, subdivision 2; 72A.51, subdivision 2; 72B.01; 72B.08, subdivision 8; 79A.03, subdivision 8; 79A.06, subdivision 5; 79A.21, subdivision 3; 80A.41; 80A.46; 80A.65, subdivision 6; 82.17, subdivision 15, by adding subdivisions; 82.19; 82.21, subdivision 2; 82.24, subdivision 3; 82.29, subdivisions 4, 5, 8; 82.31, subdivisions 1, 2; 82.33, subdivisions 1, 2, by adding a subdivision; 82.34, subdivisions 1, 2, 4, 5, 13; 82.39; 82.41, subdivisions 1, 2, by adding a subdivision; 82.45, subdivision 3, by adding subdivisions; 82.48, subdivisions 2, 3; 82B.05, as amended; 82B.06; 82B.14; 326.3382, subdivision 3; 326B.33, subdivision 16; 326B.56, subdivision 2; 326B.66, subdivision 2; 326B.921, subdivision 6; 327B.04, subdivision 4; 332.34; 340A.409, subdivision 1; Minnesota Statutes 2009 Supplement, sections 45.027, subdivision 1; 45.30, subdivision 4; 60A.39, subdivisions 1, 4, 5; 60A.9572, subdivision 6; 60K.361; 62A.3099, subdivision 18; 65A.29, subdivision 13; 72B.03, subdivision 2; 72B.045, subdivision 1; 72B.06; 82.31, subdivision 4; 82.32; 326B.46, subdivision 2; Laws 2007, chapter 147, article 12, section 14; proposing coding for new law in Minnesota Statutes, chapters 82; 332; repealing Minnesota Statutes 2008, sections 72B.04; 82.19, subdivision 3; 82.22, subdivisions 1, 6, 7, 8, 9; 82.31, subdivision 6; 82.34, subdivision 16; 82.41, subdivisions 3, 7; 326.335; Minnesota Statutes 2009 Supplement, sections 65B.133, subdivision 3; 72B.02, subdivision 11.

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

Senators Scheid, Pappas and Michel.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Sertich moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2839. The motion prevailed.

Madam Speaker:

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

S. F. No. 1905.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate
CONFERENCE COMMITTEE REPORT ON S. F. NO. 1905

A bill for an act relating to insurance; establishing a small group market working group; requiring a report.

May 12, 2010

The Honorable James P. Metzen
President of the Senate

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1905 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 1905 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. SMALL GROUP HEALTH INSURANCE MARKET WORKING GROUP.

Subdivision 1. Establishment. (a) The commissioner of commerce shall convene a working group to study and report on the options available to increase rate predictability and stability for groups of 100 or fewer employees. Members of the working group shall include:

(1) two representatives from the Minnesota Council of Health Plans;

(2) two representatives from the Minnesota Association of Health Underwriters;

(3) one representative from the Insurance Federation of Minnesota;

(4) one representative from the Minnesota Chamber of Commerce;

(5) one representative from the National Federation of Independent Businesses - Minnesota;

(6) two representatives from employers whose businesses employ 50 employees or fewer;

(7) two representatives from employers whose businesses employ between 51 and 75 full-time employees;

(8) two representatives from employers whose businesses employ between 76 and 100 full-time employees;

(9) one representative from employees of businesses that employ 50 employees or fewer;

(10) one representative from employees of businesses that employ between 51 and 100 full-time employees;

(11) two senators, including one member from the majority party and one member from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate;

(12) two members of the house of representatives, including one member appointed by the speaker of the house and one member appointed by the minority leader; and
(13) the commissioner of commerce or the commissioner's designee.

(b) The organizations listed in paragraph (a), clauses (1) through (5), must name their representatives to the commissioner of commerce no later than July 1, 2010. The commissioner of commerce must appoint individuals as listed in paragraph (a), clauses (6) through (10), no later than July 15, 2010. The legislative appointing authorities must appoint individuals as listed in paragraph (a), clauses (11) and (12), no later than July 15, 2010.

Subd. 2. Duties; report. (a) The working group shall conduct a study analyzing the implications of expanding the small employer market to 100 employees. Topics to be addressed in the study include, but are not limited to:

(1) analyzing implementation options in expanding the small group definition to 100 employees;

(2) underwriting concerns and rating requirements and the implications of change in small group market size on the entire health insurance market, and limitations on renewal, enrollment methodologies, and processes;

(3) costs for employers, employees, brokers, and health plans;

(4) how to assist employers in understanding the implications of employers migrating from fully insured to self-insured and associated risks;

(5) a uniform application form;

(6) education and compliance issues related to the offering of Section 125 plans under Minnesota Statutes, section 62U.07; and

(7) assuring compliance with federal law, including expeditious implementation of federal health care reform requirements.

(b) By November 15, 2010, the working group shall submit a report on its findings, including proposed legislation, if any, to the Health Care Access Commission.

Subd. 3. Administration. (a) The commissioner of commerce or the commissioner's designee shall convene the first meeting of the working group no later than August 1, 2010.

(b) The commissioner shall provide assistance with research or background information and administrative support for the working group within the existing agency budget.

(c) The working group expires June 30, 2011.

Delete the title and insert:

"A bill for an act relating to insurance; establishing a small group market working group; requiring a report."

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

Senate Conferees: LINDA SCHEID, DAN SPARKS and AMY KOCH.

House Conferees: DIANE LOEFFLER, PATTI FRITZ and GREGORY DAVIDS.

Loeffler moved that the report of the Conference Committee on S. F. No. 1905 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.
S. F. No. 1905, A bill for an act relating to insurance; establishing a small group market working group; requiring a report.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

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

Those who voted in the affirmative were:

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

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

Madam Speaker:

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

S. F. No. 3361.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3361

A bill for an act relating to real property transfers; prohibiting private transfer fees; proposing coding for new law in Minnesota Statutes, chapter 513.
The Honorable James P. Metzen  
President of the Senate

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 3361 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 3361 be further amended as follows:

Page 5, after line 12, insert:

"Sec. 5. Laws 2010, chapter 238, section 7, is amended to read:

Sec. 7. EFFECTIVE DATE; APPLICATION.  
Sections 2 to 6 and 3 are effective January 1, 2011. Sections 4 to 6 are effective July 1, 2011, and apply retroactively to child support judgments, including judgments by operation of law, that have not expired before January 1, 2011."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "real property transfers" and insert "civil law" and after "fees;" insert "modifying effective date of certain child support provisions;"

Correct the title numbers accordingly

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

Senate Conferees: LINDA SCHEID, DON BETZOLD and WARREN LIMMER.

House Conferees: GAIL KULICK JACKSON and DEBRA HILSTROM.

Jackson moved that the report of the Conference Committee on S. F. No. 3361 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3361, A bill for an act relating to real property transfers; prohibiting private transfer fees; proposing coding for new law in Minnesota Statutes, chapter 513.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.
The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Madam Speaker:

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

S. F. No. 3046.

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

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3046

A bill for an act relating to energy; providing for large solar energy electric generation demonstration conservation improvement project; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

May 12, 2010

The Honorable James P. Metzen
President of the Senate

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 3046 report that we have agreed upon the items in dispute and recommend as follows:
That the House recede from its amendment and that S. F. No. 3046 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 216B.241, is amended by adding a subdivision to read:

Subd. 5c. Large solar electric generating plant. (a) For the purpose of this subdivision:

(1) "project" means a solar electric generation project consisting of arrays of solar photovoltaic cells with a capacity of up to two megawatts located on the site of a closed landfill in Olmsted county owned by the Minnesota Pollution Control Agency; and

(2) "cooperative electric association" means a generation and transmission cooperative electric association that has a member distribution cooperative association to which it provides wholesale electric service in whose service territory a project is located.

(b) A cooperative electric association may elect to count all of its purchases of electric energy from a project toward only one of the following:

(1) its energy-savings goal under subdivision 1c; or

(2) its energy objective or standard under section 216B.1691.

(c) A cooperative electric association may include in its conservation plan purchases of electric energy from a project. The cost-effectiveness of project purchases may be determined by a different standard than for other energy conservation improvements under this section if the commissioner determines that doing so is in the public interest in order to encourage solar energy. The kilowatt hours of solar energy purchased by a cooperative electric association from a project may count for up to 33 percent of its one percent savings goal under subdivision 1c or up to 22 percent of its 1.5 percent savings goal under that section. Expenditures made by a cooperative association for the purchase of energy from a project may not be used to meet the revenue expenditure requirements of subdivisions 1a and 1b.

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

Delete the title and insert:

"A bill for an act relating to energy; providing for large solar energy electric generation demonstration conservation improvement project; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision."

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

Senate Conferees: DAN SPARKS, YVONNE PRETTNER SOLON and DAVID SENJEM.

House Conferees: ANDY WELTI, BILL HILTY and RANDY DEMMER.

Welti moved that the report of the Conference Committee on S. F. No. 3046 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.
The Speaker called Liebling to the Chair.

S. F. No. 3046, as amended by Conference, was read for the third time.

CALL OF THE HOUSE

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

Abeler    Dettmer    Hilty    Liebling    Norton    Shimanski
Anderson, B.  Dittrich    Holberg    Lieder    Obermueller    Simon
Anderson, P.  Doepke    Hoppe    Lillie    Olin    Slawik
Anderson, S.  Downey    Hornstein    Loon    Otremba    Slocum
Anzelc    Eastlund    Hortman    Mack    Pelowski    Smith
Atkins    Eken    Hosch    Magnus    Peppin    Solberg
Beard    Emmer    Howes    Mahoney    Persell    Sterner
Benson    Falk    Huntley    Mariani    Peterson    Swails
Bigham    Faust    Johnson    Masin    Poppe    Thao
Bly    Fritz    Juhnke    McFarlane    Reinert    Thissen
Brod    Gardner    Kahn    McNamara    Rosenthal    Torkelson
Brown    Garofalo    Kalin    Morgan    Rukavina    Wagenius
Brynaert    Gottwald    Kath    Morrow    Ruud    Ward
Buesgens    Greling    Kelly    Mullery    Sailer    Welti
Bunn    Gunther    Kifffmeyer    Murdock    Sanders    Winkler
Carlson    Hackbart    Knuth    Murphy, E.    Scalze    Zellers
Clark    Hamilton    Kohls    Murphy, M.    Scott    Spk. Kelliher
Cornish    Hansen    Laine    Nelson    Seifert
Dean    Hausman    Lanning    Newton    Sertich
Demmer    Haws    Lenczewski    Nornes    Severson

Garofalo 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 did not prevail.

Morrow 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.

S. F. No. 3046, A bill for an act relating to energy; providing for large solar energy electric generation demonstration conservation improvement project; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

The bill, as amended by Conference, was placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 101 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeler    Atkins    Brown    Clark    Dettmer    Doty
Anderson, P.  Beard    Brynaert    Cornish    Dill    Downey
Anderson, S.  Benson    Carlson    Davnie    Dittrich    Eastlund
Anzelc    Bigham    Champion    Demmer    Doepke    Eken
Those who voted in the negative were:

Anderson, B.  Drazkowski  Johnson  Lenczewski  Paymar  Sertich  Stern
Bly  Falk  Kahn  Loeffler  Peppin  Wagenius
Brod  Garofalo  Kalin  Mariani  Peterson  Rosenthal
Buesgens  Greiling  Kelly  Morgan  Scott  Slocum
Bunn  Hansen  Koenen  Mullery  Norton  Spk. Kelliher
Dean  Hausman  Kohls  Not

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

CALL OF THE HOUSE LIFTED

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

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 Friday, May 14, 2010:

S. F. Nos. 2937, 3134 and 1778; H. F. Nos. 3162, 3188 and 1680; and S. F. No. 445.

CALENDAR FOR THE DAY

S. F. No. 3126. A bill for an act relating to energy; allowing for advance determination of prudence determination by Public Utilities Commission for certain environmental projects of a public utility; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the third time and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, P.
Anderson, S.
Anzelc
Atkins
Beard
Benson
Bigham
Bly
Brod
Brown
Brynaert
Buesgens
Bunn
Carlson
Champion
Clark
Cornish
Davnie
Dean
Demmer
Dettmer

The bill was passed and its title agreed to.

H. F. No. 2405 was reported to the House.

Buesgens moved to amend H. F. No. 2405, the second engrossment, as follows:

Page 1, line 19, after "States" insert "for a period anticipated to be more than 30 consecutive legislative days"

Page 2, line 3, after "States" insert "for a period anticipated to be more than 30 consecutive legislative days"

Page 2, line 10, after the period, insert "This section applies only if the legislator ordered to active duty anticipates that the legislator will be unable to perform legislative functions or duties for more than 30 consecutive legislative days."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.
H. F. No. 2405, A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, article IV, section 4; providing for temporary successors to members of the legislature called into active military service; providing for implementing statutory language; proposing coding for new law in Minnesota Statutes, chapter 3.

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 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark    Davnie    Kalin    Liebling

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

S. F. No. 1770, A bill for an act relating to poverty; establishing the Ladder Out of Poverty Task Force; providing for its membership and duties; providing legislative appointments.

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 110 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler    Anzelc    Benson    Brown    Carlson    Cornish
Anderson, P.    Atkins    Bly    Brynaert    Champion    Davnie
Anderson, S.    Beard    Brod    Bunn    Clark    Demmer
Those who voted in the negative were:

Anderson, B.  Drazkowski  Hausman  Kath  Loon  Sailer
Bigham  Emmer  Holberg  Kelly  Pelowski  Shimanski
Buesgens  Hackbarth  Hoppe  Kohls  Peppin
Dean  Hansen  Johnson  Lieder  Poppe

The bill was passed and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2227:

Marquart, Loeffler and McFarlane.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 560:

Champion, Hilstrom and Cornish.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2839:

Atkins, Lillie and Hoppe.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2900:

Dill, Persell and Cornish.

CALENDAR FOR THE DAY, Continued

S. F. No. 2430. A bill for an act relating to mortgages; regulating reverse mortgages; requiring certain notices related to redemption rights be made to a mortgagor; providing for a private right of action; modifying time for requesting a hearing on an order to secure a building; modifying notice of sale requirements; authorizing political
subdivisions to recover costs associated with obtaining a five-week redemption period; amending Minnesota Statutes 2008, sections 47.58, subdivisions 3, 8, by adding subdivisions; 580.03; 580.041, as amended; 580.06; 580.30, subdivision 1; 582.03, subdivision 1; 582.032, by adding a subdivision; Minnesota Statutes 2009 Supplement, sections 47.58, subdivision 1; 463.251, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 58.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Speaker pro tempore Liebling called Pelowski to the Chair.

S. F. No. 2937, A bill for an act relating to human services; chemical dependency treatment; pilot projects; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 254B; repealing Laws 2009, chapter 79, article 7, section 26, subdivision 3.

The bill was read for the third time and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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<tr>
<th>Abeler</th>
<th>Dettmer</th>
<th>Hayden</th>
<th>Lanning</th>
<th>Newton</th>
<th>Shimanski</th>
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<td>Anderson, B.</td>
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<td>Demmer</td>
<td>Haws</td>
<td>Laine</td>
<td>Nelson</td>
<td>Sertich</td>
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</table>

Those who voted in the negative were:

| Hackbarth | Masin | Severson |

The bill was passed and its title agreed to.

S. F. No. 3134 was reported to the House.

Kahn moved to amend S. F. No. 3134, the second unofficial engrossment, as follows:

Page 2, delete section 1

Page 4, delete section 5

Pages 4 to 8, delete sections 8 to 19

Pages 10 to 13, delete sections 23 to 29

Page 18, delete section 37

Page 20, delete section 39 and insert:

*Sec. 39. Minnesota Statutes 2009 Supplement, section 103H.175, subdivision 2, is amended to read:
Subd. 2. **Computerized database.** The Minnesota Geospatial Information Office Agencies monitoring groundwater shall maintain a computerized database of the results of groundwater quality monitoring in a manner that is using standards adopted by the Office of Enterprise Technology and geospatial technology standards and guidelines published by the Minnesota Geospatial Information Office. The data base must be accessible to the Pollution Control Agency, Department of Agriculture, Department of Health, and Department of Natural Resources. The center shall assess the quality and reliability of the data and organize the data in a usable format."

Pages 22 to 24, delete sections 45 to 49

Pages 25 to 29, delete sections 52 to 55

Page 31, line 10, before "commissioner" insert "state chief information officer, in consultation with the" and delete "and"

Page 31, line 11, delete everything before "must"

Page 31, line 15, after "agencies" insert ", using state employees."

Page 31, line 16, before the period, insert ", using state employees"

Page 31, line 20, delete "commissioner" and insert "state chief information officer"

Page 31, line 24, after the comma, insert "after consulting with the Legislative Advisory Commission"

Page 32, delete section 62

Page 35, delete line 22

Page 35, delete section 69

Pages 35 to 50, delete articles 2 and 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kiffmeyer moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 2, after line 3, insert:

"Section 1. [3.051] **EVEN-YEAR SESSIONS.**

The legislature may not meet in regular session in an even-numbered year before the date set under section 202A.14 for the conduct of precinct caucuses."
Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Peppin and Downey moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 2 of the Kahn amendment adopted earlier today, delete line 3

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

Downey moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 14, after line 9, insert:

"Sec. 32. Minnesota Statutes 2008, section 16C.085, is amended to read:

16C.085 WAIVER.

(a) Notwithstanding sections 16C.08, 16C.09, 43A.047, or other law to the contrary, the commissioner of administration may enter into or approve a service contract for printing services or for services provided by the DocuComm Division, the Materials Transfer Unit and the State Resource Recovery Unit without determining that no current state employee is able and available to perform the services called for by the contract. This section only applies when the commissioner of management and budget and the commissioner of administration conclude the revolving funds are unable to sustain state operations or the rates charged are greater than the amount that would be paid through a service contract. If the commissioner issues a request for proposals for services covered by this section, the state employees who perform the services may submit a proposal to continue to do the work.

(b) The commissioner shall report by January 15 of each year to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over state contracts, on the contracts entered into for the previous fiscal year under the authority of this section. The report must identify the dollar amount, the effective date, the type of service, and the length of each contract."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.
CALL OF THE HOUSE

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

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Doepke</th>
<th>Hilty</th>
<th>Lieder</th>
<th>Obermueller</th>
<th>Slawik</th>
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<td>Andersen, B.</td>
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<td>Dittrich</td>
<td>Hilstrom</td>
<td>Liebling</td>
<td>Norton</td>
<td>Simon</td>
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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 question recurred on the Downey amendment and the roll was called.

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

There were 49 yeas and 79 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Anderson, B.</th>
<th>Dettmer</th>
<th>Gunther</th>
<th>Kiffmeyer</th>
<th>Nornes</th>
<th>Torkelson</th>
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<tr>
<td>Anderson, P.</td>
<td>Dittrich</td>
<td>Hackbarth</td>
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<td>Demmer</td>
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Those who voted in the negative were:

<table>
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<tr>
<th>Abeler</th>
<th>Brown</th>
<th>Davnie</th>
<th>Gardner</th>
<th>Hayden</th>
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</table>
The motion did not prevail and the amendment was not adopted.

CALL OF THE HOUSE LIFTED

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

Hoppe offered an amendment to S. F. No. 3134, the second unofficial engrossment, as amended.

POINT OF ORDER

Sertich raised a point of order pursuant to rule 3.21 that the Hoppe amendment was not in order. Speaker pro tempore Pelowski ruled the point of order well taken and the Hoppe amendment out of order.

Downey moved to amend S. F. No. 3134, the second unofficial engrossment, as amended, as follows:

Page 1 of the Kahn amendment adopted earlier today, delete line 24

A roll call was requested and properly seconded.

The question was taken on the Downey amendment and the roll was called. There were 41 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Dean  Emmer  Hoppe  Magnus  Seifert
Anderson, P.  Demmer  Garofalo  Kelly  McNamara  Severson
Anderson, S.  Dettmer  Gottwalt  Kiffmeyer  Murdock  Shimanski
Bear  Doepke  Gunther  Kohls  Nornes  Torkelson
Brod  Downey  Hackbarth  Lanning  Peppin  Wstrom
Buesgens  Drazkowski  Hamilton  Loon  Sanders  Zellers
Cornish  Eastlund  Holberg  Mack  Scott

Those who voted in the negative were:

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

S. F. No. 3134, A bill for an act relating to government operations; describing how to fold the state flag; defining certain powers of the Council on Black Minnesotans; requiring fiscal notes to include information about job creation; limiting requirements for approval by individual legislators in the disposal process for certain state-owned buildings; increasing threshold requirements for deposit of agency receipts; imposing requirements on agencies for contracts over a certain amount; requiring state chief information officer to develop standards for enhanced public access to state electronic records; clarifying use of fees in the combined charities campaign; transferring membership in the Workers’ Compensation Reinsurance Association from the commissioner of management and budget to the commissioner of administration; eliminating and modifying fees for certain filings with the secretary of state; authorizing grants to counties for voting equipment and vote-counting equipment; establishing the Commission on Service Innovation; allowing contiguous counties to establish a home rule charter commission; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 1.141, by adding subdivisions; 3.9225, subdivision 5; 3.98, subdivision 2; 16A.275; 16B.24, subdivision 3; 16E.04, subdivision 2; 16E.05, by adding a subdivision; 43A.50, subdivision 2; 79.34, subdivision 1; 318.02, subdivision 1; 557.01; proposing coding for new law in Minnesota Statutes, chapters 3; 16C; proposing coding for new law as Minnesota Statutes, chapter 372A; repealing Laws 2005, chapter 162, section 34, subdivision 2, as amended.

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 90 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Abeler
Anzelc
Atkins
Benson
Bigham
Bly
Brown
Brynaert
Bunn
Carlson
Champion
Clark
Davnie
Dill
Dittrich

Hosch
Howes
Liebling
Murphy, M.
Rukavina
Thissen

Fritz
Huntley
Jackson
Greiling
Hansen
Hausman
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Hayden
Hilstrom
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M'accord
Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Anderson, B.</th>
<th>Demmer</th>
<th>Gottwald</th>
<th>Kohls</th>
<th>Peppin</th>
<th>Urdahl</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, P.</td>
<td>Dettmer</td>
<td>Gunther</td>
<td>Lanning</td>
<td>Sanders</td>
<td>Westrom</td>
</tr>
<tr>
<td>Anderson, S.</td>
<td>Doepke</td>
<td>Hackbarth</td>
<td>Loon</td>
<td>Scott</td>
<td>Zellers</td>
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<tr>
<td>Beard</td>
<td>Downey</td>
<td>Hamilton</td>
<td>Mack</td>
<td>Seifert</td>
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<tr>
<td>Brod</td>
<td>Drazkowski</td>
<td>Holberg</td>
<td>Magnus</td>
<td>Severson</td>
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<tr>
<td>Buesgens</td>
<td>Eastlund</td>
<td>Hoppe</td>
<td>McFarlane</td>
<td>Shimanski</td>
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<tr>
<td>Cornish</td>
<td>Emmer</td>
<td>Kelly</td>
<td>Murdock</td>
<td>Sterner</td>
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<tr>
<td>Dean</td>
<td>Garofalo</td>
<td>Kiffmeyer</td>
<td>Nornes</td>
<td>Torkelson</td>
<td></td>
</tr>
</tbody>
</table>

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

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

**MOTIONS AND RESOLUTIONS**

Lanning moved that the name of Gottwald be added as an author on H. F. No. 2062. The motion prevailed.

Hilstrom moved that the name of Sterner be added as an author on H. F. No. 2699. The motion prevailed.

Dittrich moved that the name of Laine be added as an author on H. F. No. 3475. The motion prevailed.

Ward moved that his name be stricken and the name of Benson be added as chief author on H. F. No. 3675. The motion prevailed.

Winkler moved that the name of Loeffler be added as an author on H. F. No. 3829. The motion prevailed.

Hayden moved that the name of Liebling be added as an author on H. F. No. 3842. The motion prevailed.

Hayden moved that the name of Liebling be added as an author on H. F. No. 3843. The motion prevailed.

Hansen moved that the name of Sterner be added as an author on H. F. No. 3854. The motion prevailed.

**ADJOURNMENT**

Sertich moved that when the House adjourns today it adjourn until 12:00 noon, Saturday, May 15, 2010. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and Speaker pro tempore Pelowski declared the House stands adjourned until 12:00 noon, Saturday, May 15, 2010.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives