The House of Representatives convened at 3:00 p.m. and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by the Reverend David Neil, Mazeppa and Zumbro Falls Methodist Church, Mazeppa, Minnesota.

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

The roll was called and the following members were present:

Abeler     Dean     Hancock     Kriesel     Morrow     Scalze
Anderson, B. Dettmer   Hansen     Lanning     Mullery     Schomacker
Anderson, D. Dill      Hausman     Leidiger     Murdock     Scott
Anderson, P. Dittrich  Hayden      LeMieur     Murphy, E.  Shimanski
Anderson, S. Doepke    Hilstrom    Lenczewski  Murphy, M.  Simon
Anzelc     Downey     Hilty       Lesch       Murray      Slawik
Banaian    Drazkowski Holberg     Liebling    Myra        Slocum
Barrett    Eken       Hoppe      Lillie      Nelson      Smith
Beard      Erickson   Hornstein  Loeffler    Nornes      Stensrud
Benson, J. Fabian     Hortman    Lohmer      Norton      Swedzinski
Benson, M. Falk       Hosch      Loon       O’Driscoll  Thissen
Bills      Franson    Howes      Mack       Paymar      Tillberry
Brynaert   Fritz      Huntley    Mahoney     Pelowski    Torkelson
Buesgens   Garofalo   Johnson    Mariani     Peppin      Udahl
Carlson    Gauthier   Kahn       Marquart    Persell     Vogel
Champion   Gottwald   Kath       Mazorol     Petersen, B. Wagenius
Clark      Greene     Kelly      McDonald    Peterson, S. Ward
Cornish    Greiling   Kieffer    McElfatrick Poppe       Wardlow
Crawford   Gruenhagen Kiel       McFarlane   Quam        Westrom
Daudt      Gunther    Kiffmeyer  McNamara   Rukavina    Winkler
Davids     Hack Barth Knuth      Melin       Runbeck     Woodard
Davnie     Hamilton   Koenen     Moran      Sanders     Spk. Zellers

A quorum was present.

Atkins and Laine were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.
REPORTS OF STANDING COMMITTEES AND DIVISIONS

Peppin from the Committee on Government Operations and Elections reported on the following appointment which had been referred to the committee by the Speaker:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

DAVID P. SWENSON

Reported the same back with the recommendation that the appointment be confirmed.

Peppin moved that the report of the Committee on Government Operations and Elections relating to the appointment of David P. Swenson to the Campaign Finance and Public Disclosure Board be now adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Peppin moved that the House, having advised, do now consent to and confirm the appointment of David P. Swenson, 800 LaSalle Avenue, Suite 2800, Minneapolis, Minnesota 55402, in the county of Hennepin, effective December 20, 2010, to complete a four-year term that expires on January 2, 2012. The motion prevailed and the appointment of David P. Swenson was confirmed by the House.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Swedzinski, Daudt, Gottwalt, Wardlow, Banaian, Hancock, Vogel, Torkelson and Gruenhagen introduced:

H. F. No. 1351, A bill for an act relating to health; providing for freedom of choice in health care; specifying state policy related to the Patient Protection and Affordable Care Act; prohibiting the state of Minnesota and political subdivisions from enforcing, implementing, or funding provisions of the act; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Gunther; Buesgens; Beard; Hackbarth; Hoppe; McNamara; Hamilton; Garofalo; Leidiger; Bills; McFarlane; Anderson, P.; Torkelson; Erickson; Holberg; Cornish and Kriesel introduced:

H. F. No. 1352, A bill for an act relating to gambling; authorizing the director of the State Lottery to establish gaming machines; imposing a tax on gaming machine revenue; providing powers and duties to the director; establishing a Minnesota future fund and an industry improvement fund; amending Minnesota Statutes 2010, sections 240.13, by adding a subdivision; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 116J; 297A; 349A; repealing Minnesota Statutes 2010, section 240.30, subdivision 8.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.
Dittrich, Ward and Lenczewski introduced:

H. F. No. 1353, A bill for an act relating to the permanent school fund; creating an independent authority to manage, supervise, and administer Minnesota's permanent school trust lands; amending Minnesota Statutes 2010, sections 16A.06, subdivision 11; 16A.125, subdivision 5; 84.027, subdivision 18; 84.085, subdivision 1; 92.12, subdivision 1; 92.121; 92.13; 93.2236; 94.342, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 128E.

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

Lesch; Murphy, M.; Lanning; Kahn and Smith introduced:

H. F. No. 1354, A bill for an act relating to retirement; St. Paul Teachers Retirement Fund Association; revising postretirement adjustment procedures; reducing refund interest rate; terminating interest payments on reemployed annuitant savings accounts; lowering deferred annuity augmentation rate; amending Minnesota Statutes 2010, sections 354A.29, by adding subdivisions; 354A.37; 356.47, subdivision 3; repealing Minnesota Statutes 2010, section 354A.29, subdivision 3.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Rukavina and Gunther introduced:

H. F. No. 1355, A bill for an act relating to State Lottery; authorizing director of the State Lottery to establish video lottery terminals; providing duties and powers to director of the State Lottery; providing for use of video lottery revenues; modifying certain lawful gambling taxes; making clarifying, conforming, and technical changes; amending Minnesota Statutes 2010, sections 297A.94; 297E.02, subdivision 1; 299L.02, subdivision 1; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349.15, subdivision 1; 349A.01, subdivisions 10, 11, 12, by adding subdivisions; 349A.04; 349A.06, subdivisions 1, 5, 8, 10, by adding subdivisions; 349A.08, subdivisions 1, 5, 8; 349A.09, subdivision 1; 349A.10, subdivisions 2, 3, 4, 6; 349A.11, subdivision 1; 349A.12, subdivisions 1, 2; 349A.13; 541.20; 541.21; 609.651, subdivision 1; 609.75, subdivisions 3, 4; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A; repealing Minnesota Statutes 2010, sections 297E.01, subdivision 7; 297E.02, subdivisions 4, 6, 7.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Kahn; Murphy, E., and Winkler introduced:

H. F. No. 1356, A bill for an act relating to health; requiring certain information be provided to patients seeking in vitro fertilization therapy or donating gametes; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Kahn introduced:

H. F. No. 1357, A bill for an act relating to consumer protection; requiring certain disclosures for direct-to-consumer genetic testing; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.
Kahn, Loeffler, Clark, Hayden and Mullery introduced:

H. F. No. 1358, A bill for an act relating to economic development; providing for transition activities and termination of a neighborhood revitalization program in a city of the first class; amending Minnesota Statutes 2010, section 469.1831, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Barrett; Hayden; Gruenhagen; Anderson, D.; Crawford; Gottwalt; Lohmer; Kriesel; Sanders and Kelly introduced:

H. F. No. 1359, A bill for an act relating to public safety; adding certain stimulants and hallucinogens as Schedule I controlled substances; providing for penalties; amending Minnesota Statutes 2010, section 152.02, subdivision 2.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Torkelson introduced:

H. F. No. 1360, A bill for an act relating to environment; modifying the Environmental Quality Board and eliminating and reassigning duties; amending Minnesota Statutes 2010, sections 17.114, subdivision 3; 18B.045; 18E.06; 103A.204; 103B.101, subdivision 9; 103B.151; 103B.315, subdivision 5; 103F.751; 103H.151, subdivision 4; 103H.175, subdivision 3; 115B.20, subdivision 6; 116C.24, subdivision 2; 116C.842, subdivisions 1a, 2a; 116C.91, subdivision 2; 116D.11, subdivisions 2, 3; 216C.052, subdivision 1; 216C.18, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116D; repealing Minnesota Statutes 2010, sections 40A.122; 103A.403; 103A.43; 103F.614; 115A.32; 115A.33; 115A.34; 115A.35; 115A.36; 115A.37; 115A.38; 115A.39; 116C.02; 116C.03, subdivisions 1, 2, 2a, 3a, 4, 5, 6; 116C.04, subdivisions 1, 2, 3, 4, 7, 10, 11; 116C.06; 116C.08; 116C.71, subdivisions 1c, 2a; 116C.721; 116C.722; 116C.724, subdivisions 2, 3; 473H.15.

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

Buesgens and Nelson introduced:

H. F. No. 1361, A bill for an act relating to motor vehicles; modifying definition of public impound lot; amending Minnesota Statutes 2010, section 168B.011, subdivision 12.

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

Kieffer, Mahoney, Gunther and Nelson introduced:

H. F. No. 1362, A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; requiring rulemaking; amending Minnesota Statutes 2010, sections 14.48, subdivisions 2, 3; 14.49; 14.50; 176.106, subdivisions 1, 3, 5, 6, 7, 8, 9; 176.238, subdivision 6; 176.305, subdivisions 1, 1a; 176.307; 176.341, subdivision 4.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.
Scalze and Peterson, S., introduced:

H. F. No. 1363, A bill for an act relating to local government; establishing Metrodome Task Force.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Hornstein introduced:

H. F. No. 1364, A bill for an act relating to taxation; exempting qualified plug-in electric drive vehicles from sales tax on motor vehicles; amending Minnesota Statutes 2010, sections 297B.01, by adding a subdivision; 297B.03.

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

Loon and Hornstein introduced:

H. F. No. 1365, A bill for an act relating to transportation; allowing use of HOV lanes by electric vehicles; amending Minnesota Statutes 2010, section 160.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Schomacker and Beard introduced:

H. F. No. 1366, A bill for an act relating to taxation; providing an alternative fuel infrastructure credit; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Banaian introduced:

H. F. No. 1367, A bill for an act relating to transportation; establishing a Mississippi River bikeway trail; modifying description of Veterans Memorial Highway; regulating left turns; authorizing commissioner of transportation to pursue federal financing and local government participation for rail service improvement; amending Minnesota Statutes 2010, sections 161.14, subdivision 66; 169.06, subdivisions 5, 7; 222.50, subdivision 4; 222.51; 222.53; proposing coding for new law in Minnesota Statutes, chapter 160; repealing Minnesota Statutes 2010, section 222.48, subdivision 3a.

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

Drazkowski introduced:

H. F. No. 1368, A resolution memorializing the Congress of the United States not to reauthorize the No Child Left Behind Act.

The bill was read for the first time and referred to the Committee on Education Finance.
Hamilton, Cornish, Davids, Urdahl, Dettmer and Anderson, P., introduced:

H. F. No. 1369, A bill for an act relating to agriculture; imposing penalties and remedies for certain offenses; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Paymar introduced:

H. F. No. 1370, A bill for an act relating to data practices; permitting sharing of law enforcement data in certain circumstances; amending Minnesota Statutes 2010, sections 13.82, by adding a subdivision; 13.84, by adding subdivisions.

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

Mullery introduced:

H. F. No. 1371, A bill for an act relating to public safety; data practices; permitting certain law enforcement incident data to be submitted to a federal database; prohibiting local law enforcement agencies from submitting incident information to the federal government; amending Minnesota Statutes 2010, section 299C.40, subdivision 5, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 934, 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, academic excellence, special education, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, and forecast adjustments; requiring reports; requiring studies; appropriating money; amending Minnesota Statutes 2010, sections 13D.02, by adding a subdivision; 16A.152, subdivision 2; 93.22, subdivision 1; 93.2236; 120A.41; 120B.023, subdivision 2; 120B.07; 120B.30, subdivision 1, by adding a subdivision; 120B.35, subdivision 1; 120B.36, subdivision 1; 122A.40, subdivisions 5, 6, 7, 8, 9, 10, 11, by adding subdivisions; 122A.41, subdivisions 2, 3, 4, 5, 6, 14, by adding a subdivision; 122A.414, subdivisions 1a, 2, 2a, 2b, 4; 122A.416; 122A.60; 122A.61, subdivision 1; 123A.55; 123B.02, subdivision 15; 123B.09, subdivision 8; 123B.143, subdivision 1; 123B.54; 123B.59, subdivision 5; 123B.75, subdivision 5; 124D.10, subdivision 3; 124D.19, subdivision 3; 124D.531, subdivision 1; 124D.86, subdivision 3; 125A.07; 125A.21, subdivisions 2, 3, 5,
7; 125A.515, by adding a subdivision; 125A.69, subdivision 1; 125A.76, subdivision 1; 125A.79, subdivision 1; 126C.10, subdivisions 1, 2, 2a, 3, 7, 8, 8a, 13a, 14, by adding a subdivision; 126C.126; 126C.20; 126C.40, subdivision 1; 126C.44; 127A.33; 127A.441; 127A.45, subdivision 2; 179A.16, subdivision 1; 179A.18, subdivisions 1, 3; 298.28, subdivisions 2, 4; Laws 2009, chapter 79, article 5, section 60, as amended; Laws 2009, chapter 96, article 1, section 24, subdivisions 2, as amended, 3, 4, as amended, 5, as amended, 6, as amended, 7, as amended; article 2, section 67, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, 9, as amended; article 3, section 21, subdivisions 3, 4, as amended; article 4, section 12, subdivision 6, as amended; article 5, section 13, subdivisions 2, 3, 4, as amended; article 6, section 11, subdivisions 3, as amended, 4, as amended, 8, as amended, 12, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 122A; 124D; 179A; repealing Minnesota Statutes 2010, sections 122A.61; 123B.05; 123B.59, subdivisions 6, 7; 124D.86, subdivisions 1, 2, 4, 5, 6; 126C.10, subdivision 5; 127A.46; 129C.10, subdivisions 1, 2, 3, 3a, 4, 6, 7, 8; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; 179A.18, subdivision 2; Laws 2009, chapter 88, article 12, section 23.

CAL R. LUDEMAN, Secretary of the Senate

Garofalo moved that the House refuse to concur in the Senate amendments to H. F. No. 934, 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.

Mr. Speaker:

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

H. F. No. 1101, A bill for an act relating to higher education; amending postsecondary education provisions; requiring reports; changing Minnesota college savings plan matching grants; making technical changes; modifying definitions; setting requirements for credit transfer; providing stable undergraduate tuition rates; modifying achieve scholarship program; modifying contract and salary provisions; prohibiting use of certain public funds to support human cloning; requiring a study of graduate education in for-profit sector; repealing certain provisions related to equipment and apparel; appropriating money; amending Minnesota Statutes 2010, sections 15A.081, subdivision 7c; 135A.51, subdivision 2; 136A.121, subdivision 6; 136F.40, subdivision 2; 136G.01; 136G.03, subdivisions 1, 18, 27; 136G.05, subdivisions 1, 6, 8; proposing coding for new law in Minnesota Statutes, chapters 136F; 137; 145; repealing Minnesota Statutes 2010, sections 135A.26; 136G.11, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 181.986; Laws 2009, chapter 95, article 2, section 39.

CAL R. LUDEMAN, Secretary of the Senate

Nornes moved that the House refuse to concur in the Senate amendments to H. F. No. 1101, 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.

Mr. Speaker:

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

H. F. No. 1140, A bill for an act relating to government 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; providing for use of revenues from metropolitan
transportation area sales tax; reducing funding for 2010 state road construction; authorizing temporary transfers from metropolitan livable communities fund accounts, right-of-way loan acquisition fund for transit operating deficits, and Metropolitan Council operating budget; establishing direct appropriation from transit assistance fund; establishing an account; modifying various provisions related to transportation finance and policy; modifying provisions related to licensing drivers; mandating and amending legislative reports; making technical and clarifying changes; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 16A.88; 162.06, subdivision 1; 162.12, subdivision 1; 168.12, subdivision 5; 171.06, subdivision 2; 171.0701; 171.13, subdivision 1, by adding a subdivision; 174.93; 297A.992, subdivision 5, by adding a subdivision; Laws 2009, chapter 36, article 1, section 3, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 171.

CAL R. LUDEMAN, Secretary of the Senate

Beard moved that the House refuse to concur in the Senate amendments to H. F. No. 1140, 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.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place S. F. No. 887 on the Fiscal Calendar for Tuesday, April 5, 2011.

CALENDAR FOR THE DAY

S. F. No. 488, A bill for an act relating to employment; modifying overtime requirements for certain air carrier employees; amending Minnesota Statutes 2010, section 177.25, by adding a subdivision.

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

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

Those who voted in the affirmative were:


Cornish Crawford Daadt Davids Davnie Dean Dettmer Dill Dittrich Doepke Downey Drazkowski Erickson Fabian Falk

Franson Fritz Garofalo Gauthier Gottwald Greene Gruenhagen Gunter Hackbarth Hamilton Hancock Hansen Hausman Hayden Hiilstrom

Hilty Holberg Hoppe Hornstein Hortman Hosch Howes Huntley Johnson Kahl Kieffer Kiel Knuth

Koenen Kriesel Lanning Leidiger LeMier McNamara Lenczewski Melin Lesch Moran Lillie Mullery

McDonald McElfatrick McFarlane Leffler Murdock Lohmer Murphy, E. Murphy, M. Mack Murray Mahoney Myhra Mariani Nelson Marquart Nornes

Nelson
The bill was passed and its title agreed to.

H. F. No. 52, A bill for an act relating to local government; providing for variances from city, county, and town zoning controls and ordinances; amending Minnesota Statutes 2010, sections 394.27, subdivision 7; 462.357, subdivision 6.

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 79 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Abeler       Davids       Hamilton       LeMieur       Nornes       Stensrud
Anderson, B.  Dean        Hancock       Lillie        O'Driscoll   Swedzinski
Anderson, D.  Dettmer      Holberg       Lohmer        Pelowski     Torkelson
Anderson, P.  Doepke       Hoppe         Loon          Peppin        Vogel
Anderson, S.  Downey       Hesch         Mack          Petersen, B.  Wardlow
Banaian      Drazkowski    Howes         Mazorol       Peterson, S.  Westrom
Barrett      Erickson       Kath          McDonald      Quam          Woodard
Beard        Fabian        Kelly         McElfatrick   Rukavina      Spk. Zellers
Benson, M.    Franson       Kieffer       McFarlane     Runbeck       Vogel
Bills        Garofalo      Kiel           McNamara      Sanders       Woodard
Buesgens     Gottwald      Kiffler       Murdock       Schomacker   Woodard
Cornish      Gruenhagen    Kriesel       Murray        Scott         Woodard
Crawford     Gunther       Lanning       Myhra         Shimanski   Wagenius
Daudt        Hackbarth     Leidiger      Nelson        Smith         Wagenius

Those who voted in the negative were:

Anzelo       Eken         Hilstrom      Lenczewski    Mullery       Slawik
Benson, J.    Falk         Hilty         Lesch         Murphy, E.    Slocum
Brynaert     Fritz         Hornstein     Liebling      Murphy, M.    Thissen
Carlson      Gauthier     Hortman       Loeffler      Norton        Tillberry
Champion     Greene        Huntley       Mahoney       Paymar        Wagenius
Clark        Greiling      Johnson       Mariani       Persell       Ward
Davnie       Hansen       Kahl          Marquart      Poppe         Winkler
Dill         Hausman      Knuth         Melin         Scalze
Dittrich     Hayden       Koenen        Moran         Simon
S. F. No. 119, A bill for an act relating to human services; creating a certification for community paramedics; amending Minnesota Statutes 2010, sections 144E.001, by adding a subdivision; 144E.28, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 93 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abeler    Dettmer    Hayden    LeMieur    Myhra    Shimanski  
Anderson, B.  Dittrich    Holberg    Liebling    Nornes    Simon  
Anderson, D.  Doepke    Hoppe    Lillie    Norton    Slawik  
Anderson, P.  Downey    Hortman    Lohmer    O'Driscoll    Smith  
Anderson, S.  Drazkowski    Hosch    Loon    Paymar    Stensrud  
Banaian    Erickson    Howes    Mack    Pelowski    Swedzinski  
Barrett    Fabian    Huntley    Mazorol    Peppin    Torkelson  
Beard    Falk    Kath    McDonald    Persell    Udahl  
Benson, M.  Franson    Kelly    McElfatrick    Petersen, B.    Vogel  
Bills    Garofalo    Kieffer    McFarlane    Poppe    Wardlow  
Buesgens    Gottwalt    Kiel    McNamara    Quam    Westrom  
Cornish    Gruenhagen    Kiffmeyer    Morrow    Runbeck    Woodard  
Crawford    Gunther    Knuth    Murdock    Sanders    Spk. Zellers  
Daudt    Hackbarth    Kriesel    Murphy, E.    Scalze  
Davids    Hamilton    Lanning    Murphy, M.    Schomacker  
Dean    Hancock    Leidiger    Murray    Scott  

Those who voted in the negative were:

Anzelc    Dill    Hausman    Lenczewska    Moran    Tillberry  
Benson, J.  Eken    Hilstrom    Lesch    Mullery    Wagenius  
Brynaert    Fritz    Hilty    Loeffler    Nelson    Ward  
Carlson    Gauthier    Hornstein    Mahoney    Peterson, S.    Winkler  
Champion    Greene    Johnson    Mariani    Rukavina  
Clark    Greiling    Kahn    Marquart    Stocum  
Davnie    Hansen    Koenen    Melin    Thissen  

The bill was passed and its title agreed to.

H. F. No. 529, A bill for an act relating to building codes; requiring equivalent load-bearing capacity for panels used in agricultural building roofs; amending Minnesota Statutes 2010, sections 326B.106, by adding a subdivision; 326B.121, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeler    Anderson, P.    Banaian    Benson, J.    Brynaert    Clark  
Anderson, B.  Anderson, S.    Barrett    Benson, M.    Carlson    Cornish  
Anderson, D.  Anzelc    Beard    Bills    Champion    Crawford
Those who voted in the negative were:

Buesgens  Hackbarth  Hausman  Wagenius
Greiling  Hansen  Peppin  Wardlow

The bill was passed and its title agreed to.

H. F. No. 954 was reported to the House.

Westrom moved to amend H. F. No. 954 as follows:

Page 2, line 8, after the period, insert "The resolution may take effect 60 days after it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided in paragraph (b)."

Page 2, line 9, delete "30" and insert "60" and delete "second publication" and insert "county board adopts the resolution"

Page 2, after line 16, insert:

"Subd. 5. Reverting to elected offices. (a) The county board may adopt a resolution to provide for the election of an office made an appointed position under this section, but not until at least three years after the office was made an appointed position. The county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week for two consecutive weeks in the official publication of the county. Following publication and before formally adopting the resolution, the county board must provide an opportunity at its next regular meeting for public comments relating to the issue. After the public comment hearing, the county board may adopt the resolution. The resolution must be approved by at least 60 percent of the members of the county board and is effective August 1 following adoption of the resolution.

(b) The question of whether an office made an appointed position under this section must be made an elected office must be placed on the ballot at the next general election if (1) the position has been an appointed position for at least three years, (2) a petition signed by at least ten percent of the registered voters of the county is filed with the office of the county auditor-treasurer by August 1 of the year in which the general election is held and (3) the
petition meets the requirements of the secretary of state, as provided in Minnesota Statutes, section 204B.071, and any rules adopted to implement that section. If a majority of the voters of the county voting on the question vote in favor of making the office an elected position, the election for that office must be held at a the next regular or special election."

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the Westrom amendment and the roll was called. There were 49 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, B. Downey Greene Lenczewski Petersen, B. Tillberry
Anzelc Drazkowski Hilty Lohmer Rukavina Ward
Banaian Eken Hortman Marquart Runbeck Wardlow
Benson, J. Erickson Hosch McElfatrick Schomacker Westrom
Buesgens Falk Kahl Melin Shiman
Daudt Franson Kieffer Murphy, M. Simon
Davids Fritz Kimmeyer Norton Slocum
Dettmer Gauthier Koenen Paymar Swedzinski
Dill Gottvall LeMieur Peppin Thissen

Those who voted in the negative were:

Abeler Dean Holberg Liebling Murdoch Scott
Anderson, D. Dittrich Hoppe Lillie Murphy, E. Slawik
Anderson, P. Doepke Hornstein Loeffler Murray Smith
Anderson, S. Fabian Howes Loon Myhra Stensrud
Barrett Garofalo Huntley Mack Nelson Torkelson
Benson, M. Greiling Johnson Mahoney Nornes Udahl
Bills Gunther Kath Mariani O'Driscoll Vogel
Brynaert Hackbarth Kelly Mazorol Pelowski Wagenius
Carlson Hamilton Kiel McDonald Persell Winkler
Champion Hancock Knuth McFarlane Peterson, S. Woodard
Clark Hansen Kriese McNamara Poppe Spk. Zellers
Cornish Hausman Lanning Moran Quam
Crawford Hayden Leidiger Morrow Sanders
Davnie Hilstrom Lesch Mullery Scalze
The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 64 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Davnie</th>
<th>Hamilton</th>
<th>Lanning</th>
<th>Murdock</th>
<th>Schomacker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, D.</td>
<td>Dean</td>
<td>Hancock</td>
<td>Loeffler</td>
<td>Murray</td>
<td>Scott</td>
</tr>
<tr>
<td>Anderson, P.</td>
<td>Dittrich</td>
<td>Hausman</td>
<td>Loo</td>
<td>Myhra</td>
<td>Simon</td>
</tr>
<tr>
<td>Banaian</td>
<td>Doepke</td>
<td>Holberg</td>
<td>Mack</td>
<td>Nelson</td>
<td>Swedzinski</td>
</tr>
<tr>
<td>Barrett</td>
<td>Downey</td>
<td>Hoppe</td>
<td>Mahoney</td>
<td>Nornes</td>
<td>Torkelson</td>
</tr>
<tr>
<td>Beard</td>
<td>Fabian</td>
<td>Hornstein</td>
<td>Mariani</td>
<td>O'Driscoll</td>
<td>Vogel</td>
</tr>
<tr>
<td>Benson, M.</td>
<td>Garofalo</td>
<td>Hortman</td>
<td>Mazorol</td>
<td>Persell</td>
<td>Woodard</td>
</tr>
<tr>
<td>Brynaert</td>
<td>Gottwald</td>
<td>Howes</td>
<td>McElfrick</td>
<td>Petersen, B.</td>
<td>Spk. Zellers</td>
</tr>
<tr>
<td>Buesgens</td>
<td>Greene</td>
<td>Kelly</td>
<td>McFarlane</td>
<td>Peterson, S.</td>
<td></td>
</tr>
<tr>
<td>Carlson</td>
<td>Greiling</td>
<td>Kiel</td>
<td>McNamara</td>
<td>Quam</td>
<td></td>
</tr>
<tr>
<td>Cornish</td>
<td>Gunther</td>
<td>Knuth</td>
<td>Morrow</td>
<td>Sanders</td>
<td></td>
</tr>
<tr>
<td>Crawford</td>
<td>Hackbarth</td>
<td>Kriesel</td>
<td>Mullery</td>
<td>Scalze</td>
<td></td>
</tr>
</tbody>
</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Anderson, B.</th>
<th>Drazkowski</th>
<th>Hilty</th>
<th>Lenczewski</th>
<th>Norton</th>
<th>Stensrud</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, S.</td>
<td>Eken</td>
<td>Hosch</td>
<td>Lesch</td>
<td>Paymar</td>
<td>Thissen</td>
</tr>
<tr>
<td>Anzelc</td>
<td>Erickson</td>
<td>Huntley</td>
<td>Liebling</td>
<td>Pelowski</td>
<td>Tillberry</td>
</tr>
<tr>
<td>Benson, J.</td>
<td>Falk</td>
<td>Johnson</td>
<td>Lillie</td>
<td>Peppin</td>
<td>Urdahl</td>
</tr>
<tr>
<td>Bills</td>
<td>Franson</td>
<td>Kahn</td>
<td>Lohmer</td>
<td>Poppe</td>
<td>Wagenius</td>
</tr>
<tr>
<td>Champion</td>
<td>Fritz</td>
<td>Kiefer</td>
<td>Marquart</td>
<td>Rukavina</td>
<td>Ward</td>
</tr>
<tr>
<td>Clark</td>
<td>Gauthier</td>
<td>Kieffer</td>
<td>McDonald</td>
<td>Runbeck</td>
<td>Wardlow</td>
</tr>
<tr>
<td>Daudt</td>
<td>Gruenhagen</td>
<td>Kiffmeyer</td>
<td>Melin</td>
<td>Shimanski</td>
<td>Westrom</td>
</tr>
<tr>
<td>Davids</td>
<td>Hansen</td>
<td>Koenen</td>
<td>Moran</td>
<td>Slawik</td>
<td>Winkler</td>
</tr>
<tr>
<td>Dettmer</td>
<td>Hayden</td>
<td>Leidiger</td>
<td>Murphy, E.</td>
<td>Slocum</td>
<td></td>
</tr>
<tr>
<td>Dill</td>
<td>Hilstrom</td>
<td>LeMieur</td>
<td>Murphy, M.</td>
<td>Smith</td>
<td></td>
</tr>
</tbody>
</table>

The bill was passed and its title agreed to.

H. F. No. 323, A bill for an act relating to real estate professionals; regulating the provision of broker price opinions on residential real estate; amending Minnesota Statutes 2010, sections 82.55, by adding subdivisions; 82.81, subdivision 9; 82B.021, subdivision 19; 82B.035, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 82.

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

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

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Barrett</th>
<th>Carlson</th>
<th>Davnie</th>
<th>Drazkowski</th>
<th>Garofalo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, B.</td>
<td>Beard</td>
<td>Champion</td>
<td>Dean</td>
<td>Eken</td>
<td>Gottwald</td>
</tr>
<tr>
<td>Anderson, D.</td>
<td>Benson, J.</td>
<td>Clark</td>
<td>Dettmer</td>
<td>Erickson</td>
<td>Greene</td>
</tr>
<tr>
<td>Anderson, P.</td>
<td>Benson, M.</td>
<td>Cornish</td>
<td>Dill</td>
<td>Fabian</td>
<td>Greiling</td>
</tr>
<tr>
<td>Anderson, S.</td>
<td>Bills</td>
<td>Crawford</td>
<td>Dittrich</td>
<td>Falk</td>
<td>Gruenhagen</td>
</tr>
<tr>
<td>Anzelc</td>
<td>Brynaert</td>
<td>Daudt</td>
<td>Doepke</td>
<td>Franson</td>
<td>Gunther</td>
</tr>
<tr>
<td>Banaian</td>
<td>Buesgens</td>
<td>Davids</td>
<td>Downey</td>
<td>Fritz</td>
<td>Hackbarth</td>
</tr>
</tbody>
</table>
The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 382 was reported to the House.

Hoppe and Simon moved to amend H. F. No. 382 as follows:

Page 34, after line 15, insert:

"Sec. 17. Minnesota Statutes 2010, section 317A.255, subdivision 1, is amended to read:

Subdivision 1. **Conflict; procedure when conflict arises.** (a) A contract or other transaction between a corporation and: (1) its director or a member of the family of its director; (2) a director of a related organization, or a member of the family of a director of a related organization; or (3) an organization in or of which the corporation's director, or a member of the family of its director, is a director, officer, or legal representative or has a material financial interest; is not void or voidable because the director or the other individual or organization are parties or because the director is present at the meeting of the members or the board or a committee at which the contract or transaction is authorized, approved, or ratified, if a requirement of paragraph (b) is satisfied.

(b) A contract or transaction described in paragraph (a) is not void or voidable if:

(1) the contract or transaction was, and the person asserting the validity of the contract or transaction has the burden of establishing that the contract or transaction was, fair and reasonable as to the corporation when it was authorized, approved, or ratified;

(2) the material facts as to the contract or transaction and as to the director's interest are fully disclosed or known to the members and the contract or transaction is approved in good faith by two-thirds of the members entitled to vote, not counting any vote that the interested director might otherwise have, or the unanimous affirmative vote of all members, whether or not entitled to vote;
(3) the material facts as to the contract or transaction and as to the director's interest are fully disclosed or known to the board or a committee, and the board or committee authorizes, approves, or ratifies the contract or transaction in good faith by a majority of the directors or committee members currently holding office, provided that the interested director or directors may not vote and are not considered present for purposes of a quorum. If, as a result, the number of remaining directors is not sufficient to reach a quorum, a quorum for the purpose of considering the contract or transaction is the number of remaining directors or committee members, not counting any vote that the interested director might otherwise have, and not counting the director in determining the presence of a quorum; or

(4) the contract or transaction is a merger or consolidation described in section 317A.601."

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. 382, A bill for an act relating to commerce; amending statutes regarding receiverships, assignments, for the benefit of creditors, and nonprofit corporations; amending Minnesota Statutes 2010, sections 302A.753, subdivisions 2, 3; 302A.755; 302A.759, subdivision 1; 302A.761; 308A.945, subdivisions 2, 3; 308A.951; 308A.961, subdivision 1; 308A.965; 308B.935, subdivisions 2, 3; 308B.941; 308B.951, subdivision 1; 308B.955; 316.11; 317A.255, subdivision 1; 317A.753, subdivisions 3, 4; 317A.755; 317A.759, subdivision 1; 322B.836, subdivisions 2, 3; 322B.84; 462A.05, subdivision 32; 469.012, subdivision 2i; 540.14; 559.17, subdivision 2; 576.04; 576.06; 576.08; 576.09; 576.11; 576.121; 576.123; 576.144; 576.15; 576.16; proposing coding for new law in Minnesota Statutes, chapters 576; 577; repealing Minnesota Statutes 2010, sections 302A.759, subdivision 2; 308A.961, subdivision 2; 308B.951, subdivisions 2, 3; 317A.759, subdivision 2; 576.01; 577.01; 577.02; 577.03; 577.04; 577.05; 577.06; 577.08; 577.09; 577.10.

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

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

Those who voted in the affirmative were:

Abeler  Cornish  Fritz  Hoppe  Leidiger  McNamara
Anderson, B.  Crawford  Garofalo  Hornstein  LeMieux  Melin
Anderson, D.  Daadt  Gauthier  Hortman  Lenczewski  Moran
Anderson, P.  Davids  Gottwald  Hosch  Lesch  Morrow
Anderson, S.  Davnie  Greene  Howes  Liebling  Mullery
Anzelc  Dean  Greiling  Huntley  Lillie  Murdock
Banaian  Dettmer  Grunenhangen  Johnson  Loeffler  Murphy, E.
Barrett  Dill  Gunther  Kahn  Lohmer  Murphy, M.
Beard  Dittrich  Hackbarth  Kath  Loon  Murray
Benson, J.  Doepke  Hamilton  Kelly  Mack  Myhra
Benson, M.  Downey  Hancock  Kieffer  Mahoney  Nelson
Bills  Drazkowski  Hansen  Kiel  Mariani  Nornes
Brynaert  Eken  Hausman  Kiffmeyer  Marquart  Norton
Buesgens  Erickson  Hayden  Knuth  Mazorol  O’Driscoll
Carlson  Fabian  Hilstrom  Koenen  McDonald  Paymar
Champion  Falk  Hilty  Kriesel  McElfatrick  Pelowski
Clark  Franson  Holberg  Lanning  McFarlane  Peppin
The bill was passed, as amended, and its title agreed to.

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

MOTIONS AND RESOLUTIONS

Rukavina moved that the name of Greene be added as an author on H. F. No. 150. The motion prevailed.

Lillie moved that the name of Greene be added as an author on H. F. No. 252. The motion prevailed.

Kelly moved that the name of Greene be added as an author on H. F. No. 447. The motion prevailed.

Paymar moved that the name of Greene be added as an author on H. F. No. 547. The motion prevailed.

Smith moved that the names of Dettmer and Brynaert be added as authors on H. F. No. 556. The motion prevailed.

Loeffler moved that the name of Greene be added as an author on H. F. No. 605. The motion prevailed.

Gauthier moved that his name be stricken as an author on H. F. No. 853. The motion prevailed.

Simon moved that the name of Greene be added as an author on H. F. No. 877. The motion prevailed.

McNamara moved that the name of Greene be added as an author on H. F. No. 882. The motion prevailed.

Morrow moved that the name of Greene be added as an author on H. F. No. 888. The motion prevailed.

Hamilton moved that the names of Benson, M., and McFarlane be added as authors on H. F. No. 905. The motion prevailed.

Kahn moved that the name of Greene be added as an author on H. F. No. 965. The motion prevailed.

McFarlane moved that the name of Greene be added as an author on H. F. No. 995. The motion prevailed.

Howes moved that the name of Nornes be added as an author on H. F. No. 1006. The motion prevailed.

Ward moved that the name of Doepke be added as an author on H. F. No. 1162. The motion prevailed.

Hornstein moved that the name of Hansen be added as an author on H. F. No. 1206. The motion prevailed.

Hayden moved that the names of Norton and Poppe be added as authors on H. F. No. 1257. The motion prevailed.
Peterson, S., moved that her name be stricken as an author on H. F. No. 1334. The motion prevailed.

Mack moved that the name of Dettmer be added as an author on H. F. No. 1334. The motion prevailed.

Torkelson moved that the name of Hancock be added as an author on H. F. No. 1344. The motion prevailed.

Norton moved that H. F. No. 462 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Government Operations and Elections. The motion prevailed.

Davids moved that H. F. No. 1231 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Taxes. The motion prevailed.

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

Thissen moved that S. F. No. 760 be recalled from the Committee on Ways and Means and be re-referred to the Committee on Health and Human Services Finance.

A roll call was requested and properly seconded.

The question was taken on the Thissen motion and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anzelc  Eken  Hornstein  Lesch  Mullery  Rukavina  
Benson, J.  Falk  Hortman  Liebling  Murphy, E.  Scalze  
Brynaert  Fritz  Hosch  Lillie  Murphy, M.  Simon  
Buesgens  Greene  Huntley  Loefler  Nelson  Slawik  
Carlson  Greiling  Johnson  Mahoney  Norton  Stocum  
Champion  Hansen  Kahn  Mariani  Paymar  Thissen  
Clark  Hausman  Kath  Marquart  Pelowski  Tillberry  
Davnie  Hayden  Knuth  Melan  Persell  Wagenius  
Dill  Hilstrom  Koenen  Moran  Peterson, S.  Ward  
Dittrich  Hilty  Lenczewski  Morrow  Poppe  Winkler  

Those who voted in the negative were:

Abeler  Daudt  Gruenhagen  Kriesel  Murdock  Shimanski  
Anderson, B.  Davids  Gunther  Lanning  Murray  Smith  
Anderson, D.  Dean  Hackbarts  Leidiger  Myhra  Stensrud  
Anderson, P.  Dettmer  Hamilton  LeMieur  Nornes  Swedzinski  
Anderson, S.  Doepke  Hancock  Lohmer  O'Driscoll  Torkelson  
Banaian  Downey  Holberg  Loon  Peppin  Udahl  
Barrett  Drazkowski  Hoppe  Mack  Petersen, B.  Vogel  
Beard  Erickson  Howes  Mazorol  Quam  Wardlow  
Benson, M.  Fabian  Kelly  McDonald  Runbeck  Westrom  
Bills  Franson  Kieffer  McElfatrick  Sanders  Woodard  
Cornish  Garofalo  Kiel  McFarlane  Schomacker  Spk. Zellers  
Crawford  Gottwald  Kiffmeyer  McNamara  Scott  

The motion did not prevail.
ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 934:

Garofalo, Erickson, Kelly, Doepke and Fabian.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1101:

Nornes, Dettmer, Daudt, Mazorol and Hancock.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1140:

Beard; Murdock; Westrom; Benson, M., and Leidiger.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Tuesday, April 5, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Tuesday, April 5, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives