

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2004

 NINETY-FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 14, 2004

The House of Representatives convened at 12:00 noon and was called to order by Steve Sviggum, Speaker of the House.

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

A quorum was present.

Anderson, J.; Biernat, Dorman; Harder; Larson; Olsen, S., and Powell were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Pelowski moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 804, A bill for an act relating to traffic regulations; regulating gross weights on vehicles and combinations hauling raw or unfinished forest products under certain circumstances; amending Minnesota Statutes 2003 Supplement, sections 168.013, subdivision 3; 169.86, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 169.

Reported the same back with the following amendments:

Page 9, line 8, after the period, insert "The fee under this paragraph must be deposited as follows:

(1) In fiscal years 2005 through 2010:

(i) The first \$50,000 in each fiscal year must be deposited in the trunk highway fund.

(ii) All remaining money in each fiscal year must be deposited in a bridge inspection and signing account in the special revenue fund. Money in the account is appropriated to the commissioner for:

(A) inspection of local bridges and identification of local bridges to be posted, including contracting with a consultant for some or all of these functions; and

(B) erection of weight posting signs on local bridges.

(2) In fiscal year 2011 and subsequent years, all fees under this paragraph must be deposited in the trunk highway fund."

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "appropriating money;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2199, A bill for an act relating to the State Lottery; amending provisions relating to the director; providing for review and approval of lottery budget; creating a task force and requiring a report; amending Minnesota Statutes 2002, sections 15A.081, subdivision 8; 349A.02, subdivision 1; 349A.10, subdivision 6; 349A.15; Laws 2003, First Special Session chapter 1, article 1, section 23; repealing Minnesota Statutes 2002, section 349A.02, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 12, delete "biannual" and insert "biennial"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2212, A bill for an act relating to natural resources; modifying electronic licensing provisions; clarifying certain wild rice provisions; modifying disposition of certain proceeds; modifying snowmobile training and operating requirements; modifying certain fee provisions; eliminating RIM work plan requirement; modifying reporting requirements; modifying motorboat equipment and noise provisions; modifying provisions for cross-country ski passes; providing for certain refunds, fees, and commissions; modifying authority to issue and sell licenses and appoint agents; modifying nonresident minnow transport requirements; providing for rulemaking; appropriating money; amending Minnesota Statutes 2002, sections 84.027, subdivision 15; 84.091, subdivision 1; 84.83, subdivision 2; 84.86, subdivision 1; 84.862, subdivisions 1, 3; 84.872, subdivision 1; 85.41, subdivisions 2, 4, 5; 85.43; 86B.321, subdivision 2; 86B.521, subdivisions 1, 2; 97A.055, subdivision 4; 97A.311, by adding a subdivision; 97A.434, subdivision 3; 97A.4742, subdivision 4; 97A.485, subdivisions 3, 4, 5, 7, 11; 97C.501, subdivision 4; 97C.525, subdivisions 3, 5; Minnesota Statutes 2003 Supplement, sections 84.862, subdivision 2a; 97A.475, subdivision 26; 97A.485, subdivision 6; 103G.615, subdivision 2; repealing Minnesota Statutes 2002, sections 84.862, subdivision 2; 84.95, subdivision 3; 97A.485, subdivisions 2, 8, 10; Minnesota Statutes 2003 Supplement, section 97A.475, subdivision 28.

Reported the same back with the following amendments:

Page 7, after line 10, insert:

"Sec. 9. Minnesota Statutes 2002, section 84.9257, is amended to read:

84.9257 [PASSENGERS.]

(a) A parent or guardian may operate an all-terrain vehicle carrying one passenger who is under 16 years of age and who wears a safety helmet approved by the commissioner of public safety.

(b) For the purpose of this section, "guardian" means a legal guardian of a person under age 16, or a person 18 or older who has been authorized by the parent or legal guardian to supervise the person under age 16.

(c) A person 18 years of age or older may operate an all-terrain vehicle carrying one passenger who is 16 or 17 years of age and wears a safety helmet approved by the commissioner of public safety.

(d) A person 18 years of age or older may operate an all-terrain vehicle carrying one passenger who is 18 years of age or older.

Sec. 10. Minnesota Statutes 2002, section 84.928, subdivision 2, is amended to read:

Subd. 2. [OPERATION GENERALLY.] A person may not drive or operate an all-terrain vehicle:

- (1) at a rate of speed greater than reasonable or proper under the surrounding circumstances;
- (2) in a careless, reckless, or negligent manner so as to endanger or to cause injury or damage to the person or property of another;
- (3) without headlight and taillight lighted at all times if the vehicle is equipped with headlight and taillight;
- (4) without a functioning stoplight if so equipped;
- (5) in a tree nursery or planting in a manner that damages or destroys growing stock;
- (6) without a brake operational by either hand or foot;

(7) with more ~~persons than one person~~ on the vehicle ~~than it was designed for~~, except as allowed under section 84.9257;

(8) at a speed exceeding ten miles per hour on the frozen surface of public waters within 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter; or

(9) in a manner that violates operation rules adopted by the commissioner."

Page 15, line 21, strike "retain" and insert "deposit in the game and fish fund and the natural resources fund"

Page 17, line 36, delete "13" and insert "15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "requirements;" insert "providing for operation of all-terrain vehicles with passengers;"

Page 1, line 18, after "1;" insert "84.9257; 84.928, subdivision 2;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2246, A bill for an act relating to health; modifying the nursing facility survey process; establishing a quality improvement program; requiring annual quality improvement reports; requiring the commissioner of health to seek federal waivers and approvals; amending Minnesota Statutes 2002, sections 144A.10, subdivision 1a, by adding a subdivision; 256.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144A.

Reported the same back with the following amendments:

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

"(7) compliance with timelines for providing facilities with completed statements of deficiencies; and"

Page 3, line 3, delete "(7)" and insert "(8)"

Page 3, line 20, delete "(Form 2567s)"

Page 3, line 22, delete "ten calendar" and insert "15 working"

Page 3, line 30, after the period, insert "A facility requesting formal surveyor notes must agree to pay the commissioner for the cost of copying and redacting."

Page 4, line 2, after "site" insert "using a method that clearly identifies for consumers which citations are under dispute"

Page 4, line 4, delete "ten" and insert "15"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2368, A bill for an act relating to game and fish; modifying game and migratory waterfowl refuge provisions; providing for suspension of game and fish license and permit privileges under certain circumstances; modifying certain hearing provisions; modifying certain game license provisions; modifying shooting hours for migratory game birds; authorizing a hunting season for mourning doves; requiring reports; modifying deer hunting provisions and fees; modifying restriction on importation of cervidae carcasses; modifying restriction on the transport of game birds; clarifying validity of firearms safety certificates issued to youth; providing for certain trapping by nonresidents; modifying turtle license requirements; eliminating prohibition on the use of vehicles for trapping beaver and otter; amending Minnesota Statutes 2002, sections 97A.015, subdivisions 24, 52; 97A.085, subdivisions 2, 3, 4; 97A.095, subdivisions 1, 2; 97A.420, subdivision 4; 97A.421, by adding a subdivision; 97A.435, subdivision 4; 97A.475, subdivision 20; 97A.545, subdivision 5; 97B.015, subdivision 5; 97B.075; 97B.301, subdivisions 6, 7; 97B.601, subdivision 3, by adding a subdivision; 97B.721; Minnesota Statutes 2003 Supplement, sections 97A.475, subdivision 2; 97A.505, subdivision 8; 97C.605, subdivision 2c; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2002, sections 97B.731, subdivision 2; 97B.935.

Reported the same back with the following amendments:

Page 5, after line 30, insert:

"Sec. 11. Minnesota Statutes 2002, section 97A.465, is amended by adding a subdivision to read:

Subd. 5. [QUALIFIED SERVICE MEMBER OR VETERAN PREFERENCE.] (a) For purposes of this subdivision, "qualified service member or veteran" means any Minnesota resident who is currently serving, or has served at any time during the past 24 months, in active military service as a member of the United States armed forces, including the National Guard or other military reserves.

(b) For purposes of this subdivision, "active military service" has the meaning given in section 190.05, subdivision 5b or 5c.

(c) Notwithstanding any other provision of this chapter, chapter 97B or 97C, or administrative rules, the commissioner may give first preference to qualified service members and veterans in any drawing or lottery involving the selection of applicants for hunting or fishing licenses, permits, and special permits. This subdivision does not apply to licenses or permits for taking moose, elk, and prairie chickens. Actions of the commissioner under this subdivision are not rules under the Administrative Procedure Act and section 14.386 does not apply.

(d) This subdivision expires December 31, 2006."

Page 7, delete section 15

Page 10, line 2, delete "under the age of 16"

Page 10, line 3, delete "youth" and insert "hunter"

Page 10, line 4, before the period, insert "and may not charge a fee for the assistance"

Page 10, after line 6, insert:

"Sec. 23. Minnesota Statutes 2002, section 97C.355, subdivision 7, is amended to read:

Subd. 7. [DATES AND TIMES HOUSES MAY REMAIN ON ICE.] (a) Except as provided in paragraph (d), a fish house or dark house may not be on the ice between 12:00 a.m. and one hour before sunrise after the following dates:

(1) the last day of February, for state waters south of a line starting at the Minnesota-North Dakota border and formed by rights-of-way of U.S. Route No. 10, then east along U.S. Route No. 10 to Trunk Highway No. 34, then east along Trunk Highway No. 34 to Trunk Highway No. 200, then east along Trunk Highway No. 200 to U.S. Route No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin border; and

(2) March 15, for other state waters.

A fish house or dark house on the ice in violation of this subdivision is subject to the enforcement provisions of paragraph (b). The commissioner may, by rule, change the dates in this paragraph for any part of state waters. Copies of the rule must be conspicuously posted on the shores of the waters as prescribed by the commissioner.

(b) A conservation officer must confiscate a fish house or dark house in violation of paragraph (a). The officer may remove, burn, or destroy the house. The officer shall seize the contents of the house and hold them for 60 days. If the seized articles have not been claimed by the owner, they may be retained for the use of the division or sold at the highest price obtainable in a manner prescribed by the commissioner.

(c) When the last day of February, under paragraph (a), clause (1), or March 15, under paragraph (a), clause (2), falls on a Saturday, a fish house or dark house may be on the ice between 12:00 a.m. and one hour before sunrise until 12:00 a.m. the following Monday.

(d) A person may have a fish house or dark house on the ice between 12:00 a.m. and one hour before sunrise on waters within the area prescribed in paragraph (a), clause (2), but the house may not be unattended during those hours.

Sec. 24. Minnesota Statutes 2002, section 97C.605, subdivision 2, is amended to read:

Subd. 2. [TURTLE SELLER'S LICENSE.] (a) A person may not take, possess, buy, or transport turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in subdivision 2c.

(b) ~~Except for renewals, no new turtle seller's licenses may be issued after August 1, 2002. The commissioner shall not issue more turtle seller's licenses in any year than the number of licenses issued for the 2004 license year. If more turtle seller's license applications are received than licenses available in any year, the commissioner shall give preference for licensing to persons licensed in the previous year.~~

Page 11, line 5, delete "section 97B.935, is" and insert "sections 97B.811, subdivision 4; and 97B.935, are"

Page 11, line 7, after "8," insert "11," and delete "25, and 26" and insert "27, and 28"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete everything after the semicolon

Page 1, delete line 13

Page 1, line 14, delete "youth;" and after "nonresidents;" insert "modifying dark house and fish house hours on ice;"

Page 1, line 17, after the semicolon, insert "eliminating prohibition and restrictions on the use of decoys and blinds for shooting migratory waterfowl;"

Page 1, line 21, after the first semicolon, insert "97A.465, by adding a subdivision;"

Page 1, line 22, delete "97B.015, subdivision 5;"

Page 1, line 24, after the second semicolon, insert "97C.355, subdivision 7; 97C.605, subdivision 2;"

Page 1, line 29, after the semicolon, insert "97B.811, subdivision 4;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2386, A bill for an act relating to state government; merging the Department of Economic Security and the Department of Employment and Economic Development; making corresponding technical and housekeeping changes; amending Minnesota Statutes 2002, sections 3.922, subdivision 10; 15.0591, subdivision 2; 116J.01, subdivisions 4, 5; 116J.035, subdivision 2; 116J.551; 116J.64, subdivisions 4, 5, 7, 8, 9, by adding a subdivision; 116L.01, subdivision 1; 116L.05, subdivision 4; 119A.46, subdivision 8; 144.9503, subdivision 1; 171.321, subdivision 2; 181.73, subdivision 1; 216C.10; 242.39, subdivision 3; 246.56, subdivision 1; 256J.08, subdivision 52; 268.001; 268.0111, subdivision 4; 268.0122, subdivision 1; 268.29; 268.66, as amended; 268.665, as amended; 268.976, subdivision 2; 268A.01, subdivision 5; Minnesota Statutes 2003 Supplement, sections 15.01; 15.057; 15.06, subdivision 1; 15A.0815, subdivision 2; 16C.05, subdivision 3; 116J.011; 116J.401; 116J.64, subdivision 6; 116J.966, subdivision 1; 116J.980, subdivision 1; 116J.994, subdivisions 9, 10; 116L.03, subdivision 7; 116M.15, subdivision 1; 248.07, subdivision 8; 256.482, subdivision 1; 256C.233, subdivision 1; 268.014; 268.022, subdivision 1; 268.363; 462A.04, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L; 268A; repealing Minnesota Statutes 2002, sections 116J.036; 116J.414; 116L.04, subdivision 4; 268.0111, subdivisions 1, 2, 3a, 4a; 268.0121, subdivisions 1, 2; 268.0122, subdivisions 2, 5, 6; 268.027; 268.028; 268.029; 268.26, subdivisions 2, 3; 268.361, subdivision 3; 268.3661; 268.551; 268.552; 268.56, subdivision 2; 268.561, subdivision 10; 268.61, subdivision 2; 268.65, subdivisions 1, 3, 4, 5; 268.666, subdivision 5; 268.89; 268.918; 268.95; Minnesota Statutes 2003 Supplement, sections 268.0122, subdivision 3; 268.26, subdivision 1; 268.65, subdivision 2; 268.95, subdivision 4; 268.976, subdivision 1; Laws 2001, chapter 175, section 49; Minnesota Rules, parts 3300.0050; 3301.0180; 3301.0190; 3301.0200; 3301.0210; 3301.0220; 3301.0230; 3310.2903; 3310.2904; 3310.2905, subpart 1; 3310.2906; 3310.2907; 3310.2909; 3310.2918; 3315.0100; 3315.0202; 3315.0501, subparts 3, 4, 5; 3315.0510; 3315.0530, subpart 1; 3315.0535; 3315.0545; 3315.0555, subpart 5; 3315.0915; 3315.0920; 3315.1005, subpart 2; 3315.1015; 3315.1301, subparts 3, 6; 3315.1305; 3315.1310; 3315.1650, subpart 1; 3315.2410; 3315.2610; 3315.2750; 3315.2810, subparts 1, 3; 3315.3220, subpart 4; 3320.0010; 3320.0020; 3320.0030; 7380.0200; 7380.0210; 7380.0220; 7380.0230; 7380.0240; 7380.0500; 7380.0510; 7380.0520; 7380.0530; 7380.0540; 7380.0550; 7380.0560; 7380.0570; 7380.0580; 7380.0581; 7380.0582; 7380.0600; 7380.0610; 7380.0620; 7380.0630; 7380.0640; 7380.0650; 7380.0800; 7380.0810; 7380.0820; 7380.0830; 7380.0840.

Reported the same back with the following amendments:

Page 7, line 8, reinstate everything after the stricken "to"

Page 7, line 9, reinstate everything before the stricken comma

Page 7, line 11, after "~~revenues~~" insert "while improving the quality of the state workforce. These actions will" and after "of" insert "Minnesota"

Page 10, line 30, delete "the general fund" and insert "a special revenue fund"

Pages 18 and 19, delete sections 26 to 29

Page 43, line 3, delete "116L.04, subdivision 4:"

Page 43, line 33, delete "57" and insert "53"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 10

Page 1, lines 22 and 23, delete "116L.03, subdivision 7;"

Page 1, line 28, delete "116L;"

Page 1, line 29, delete "116L.04, subdivision 4;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2446, A bill for an act relating to state government finance; authorizing principles, criteria, and procedures for consolidating and eliminating certain funds and accounts; requiring reports; amending Minnesota Statutes 2002, section 16A.53, subdivision 1, by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

SPECIAL REVENUE ACCOUNTS

Section 1. Minnesota Statutes 2002, section 16A.53, subdivision 1, is amended to read:

Subdivision 1. [~~FUND CREATES FUNDS AND ACCOUNTS CREATED BY LAW.~~] When a law creates a fund or account in the treasury into which are deposited certain revenues and out of which certain expenditures are appropriated, the commissioner may consider the creation of the fund or account as the creation of a bookkeeping account in the state's ~~general books of account~~ accounting system so as to reflect the revenues deposited in the treasury and credited to the bookkeeping account and the expenditures appropriated from the treasury and charged to the bookkeeping account. The commissioner must organize these bookkeeping accounts into funds in accordance with generally accepted accounting principles.

Sec. 2. Minnesota Statutes 2002, section 16A.53, is amended by adding a subdivision to read:

Subd. 3. [COMMISSIONER TO MANAGE FUNDS AND ACCOUNTS.] (a) As necessary, the commissioner may eliminate an account that is no longer needed for the purposes specified for it in law.

(b) The commissioner must eliminate an account that meets the criteria in paragraph (c) unless the commissioner determines that the account is necessary for efficient fiscal operation.

(c) Criteria for account elimination are:

(1) receipts to the account and transfers into the account average less than \$1,000 per year in the past four years;

(2) year-end balances in the past four years average less than \$1,000 per year; and

(3) the account has been in existence for at least four years.

(d) Any balances in an eliminated account must be transferred to the general fund unless some other disposition is specified in law. If the commissioner eliminates an account established in law, the commissioner must notify the legislature, in a report to the appropriate finance committees, of the elimination.

Sec. 3. Minnesota Statutes 2002, section 16A.53, is amended by adding a subdivision to read:

Subd. 4. [REPORT.] Each agency that manages accounts within a fund must report at least annually to the appropriate finance committees of the legislature on the number, purpose, and recent financial activity in those accounts. The commissioner must establish uniform criteria and timing for the reports.

Sec. 4. Minnesota Statutes 2002, section 16A.531, is amended by adding a subdivision to read:

Subd. 4. [MISCELLANEOUS SPECIAL REVENUE FUND.] (a) A miscellaneous special revenue fund is created in the state treasury. This fund is for the deposit of receipts and other revenues that are not placed in any other fund by law or under section 16A.53.

(b) One-third of the accounts in the miscellaneous special revenue fund are terminated on June 30, 2007, another one-third of the accounts in the miscellaneous special revenue fund are terminated on June 30, 2009, and the remaining accounts in the miscellaneous special revenue fund are terminated on June 30, 2011. Thirty months before the termination dates listed in this paragraph, the commissioner must identify and notify the appropriate legislative finance committee of the accounts which are scheduled to terminate on those dates. Any balance in an account that is terminated is transferred to the general fund and any revenues that would have been deposited in that account are deposited in the general fund. Any statutory appropriation made out of an account that is terminated is canceled. This paragraph does not apply to an account established after July 1, 2004.

Sec. 5. [COMMISSIONER'S RECOMMENDATIONS ON FEE ACCOUNTS.]

By January 2, 2005, the commissioner of finance must report to the Finance Committee of the senate and the Ways and Means Committee of the house of representatives on the different procedures for accounting for and appropriating licensing fee revenue, and must make recommendations for consistent treatment of that fee revenue.

ARTICLE 2

STATE BUDGET PROCESS

Section 1. Minnesota Statutes 2002, section 3.23, is amended to read:

3.23 [APPROPRIATIONS.]

A ~~standing~~ statutory appropriation, within the meaning of this section and section 3.24, is one which sets apart a specified or unspecified and open amount of public money or funds of the state general fund for expenditure for a purpose and makes the amount, or a part of it, available for use continuously ~~and at a time more distant than~~ for a period of time beyond the end of the second fiscal year after the session of the legislature at which the appropriation is made.

Every appropriation stated to be an "annual appropriation," "payable annually," "appropriated annually," or "annually appropriated," and every appropriation described by equivalent terms or language is a ~~standing~~ statutory appropriation as defined in this section.

Sec. 2. Minnesota Statutes 2002, section 3.98, subdivision 3, is amended to read:

Subd. 3. [DISTRIBUTION.] A copy of the fiscal note shall be delivered to the chair of the ~~Appropriations Ways~~ and Means Committee of the house of representatives, the chair of the Finance Committee of the senate, the chair of the standing committee to which the bill has been referred, to the chief author of the bill and to the commissioner of finance.

Sec. 3. Minnesota Statutes 2002, section 15.16, subdivision 5, is amended to read:

Subd. 5. [OBTAINING RECOMMENDATION.] No control of state-owned lands may be transferred between state departments or agencies without the departments or agencies first consulting the chairs of the senate Finance Committee and house of representatives ~~Appropriations~~ Ways and Means Committee and obtaining their recommendations. The recommendations are advisory only. Failure to obtain a prompt recommendation is deemed a negative recommendation.

Sec. 4. Minnesota Statutes 2003 Supplement, section 16A.102, subdivision 1, is amended to read:

Subdivision 1. [GOVERNOR'S RECOMMENDATION.] (a) By the date specified in section 16A.11, subdivision 1, for submission of parts one and two of the governor's budget, the governor shall submit to the legislature a recommended revenue target for the next two bienniums.

(b) The recommended revenue target must specify:

(1) the maximum share of Minnesota personal income to be collected in taxes and other revenues to pay for state and local government services; and

(2) the division of the share between state and local government revenues; ~~and~~

~~(3) the mix and rates of income, sales, and other state and local taxes including property taxes and other revenues.~~

(c) The recommendations must be based on the November forecast prepared under section 16A.103.

Sec. 5. Minnesota Statutes 2002, section 16A.102, subdivision 2, is amended to read:

Subd. 2. [LEGISLATIVE BUDGET RESOLUTION.] (a) By March 15 of each odd-numbered year, the legislature shall by concurrent resolution adopt revenue targets for the next two bienniums.

(b) The resolution must specify:

(1) the maximum share of Minnesota personal income to be collected in taxes and other revenues to pay for state and local government services; and

(2) the division of the share between state and local government services; ~~and~~

~~(3) the mix and rates of income, sales, and other state and local taxes including property taxes and other revenues.~~

(c) The resolution must be based on the February forecast prepared under section 16A.103 and take into consideration the revenue targets recommended by the governor under subdivision 1.

Sec. 6. Minnesota Statutes 2002, section 16A.102, is amended by adding a subdivision to read:

Subd. 4. [REPORTING INFORMATION.] When updated information is available at the time of a state revenue and expenditure forecast as specified in section 16A.103, subdivision 1, and after the completion of a legislative session, the Department of Finance must report on revenue relative to personal income as specified in subdivision 1.

Sec. 7. Minnesota Statutes 2002, section 16A.641, subdivision 2, is amended to read:

Subd. 2. [REPORT.] Before a sale of general obligation bonds, the commissioner shall report the amount of bonds to be issued and a detailed list of the projects or a statement of the program to be financed to the chairs of the house ~~Appropriations~~ Ways and Means and Tax Committees and of the senate Finance and Tax Committees, and the minority leaders of the house and senate, for their advisory recommendation. The recommendation is positive if not received within ten days.

Sec. 8. Minnesota Statutes 2002, section 16B.24, subdivision 3, is amended to read:

Subd. 3. [DISPOSAL OF OLD BUILDINGS.] The commissioner, upon request of the head of an agency which has control of a state-owned building which is no longer used or which is a fire or safety hazard, shall, after obtaining approval of the chairs of the senate Finance Committee and house of representatives ~~Appropriations~~ Ways and Means Committee, sell, wreck, or otherwise dispose of the building. In the event a sale is made the proceeds shall be deposited in the proper account or in the general fund.

Sec. 9. Minnesota Statutes 2002, section 16B.31, subdivision 3, is amended to read:

Subd. 3. [FEDERAL AID.] (a) [APPLICATION FOR AID.] The commissioner, or any other agency to whom an appropriation is made for a capital improvement, shall apply for the maximum federal share for each project.

(b) [ACCEPTANCE OF AID.] The commissioner is the state agency empowered to accept money provided for or made available to this state by the United States of America or any federal department or agency for the construction and equipping of any building for state purposes not otherwise provided for by law, other than University of Minnesota buildings, in accordance with the provisions of federal law and any rules or regulations promulgated under federal law. The commissioner may do whatever is required of this state by federal law, rules, and regulations in order to obtain the federal money.

(c) [FEDERAL FUNDS CONSIDERED PART OF APPROPRIATION.] The commissioner may after consultation with the chairs of the senate Finance Committee and house of representatives ~~Appropriations~~ Ways and Means Committee, adopt a plan, provide for an improvement, or construct a building that contemplates expenditure for its completion of more money than the appropriation for it, if the excess money is provided by the United States government and granted to the state of Minnesota under federal law or any rule or regulation promulgated under federal law. This federal money, for the purpose of this section, is a part of the appropriation for the project.

(d) [DELAYED FEDERAL MONEY.] If an amount is payable to a creditor of the state from a project account which is financed partly with federal money and the project is included in appropriations made to the commissioner for public buildings and equipment, and the amount cannot be paid on time because of a deficiency of money in the project account caused by a delay in the receipt of federal money, the commissioner may provide money needed to pay the amount by temporarily transferring the sum to the project account from any other appropriation made to the commissioner in the same act. Required money for a payment is appropriated for that purpose. When the delayed federal money is received, the commissioner shall have the amount of money transferred returned to the account from which it came.

Sec. 10. Minnesota Statutes 2003 Supplement, section 84.026, is amended to read:

84.026 [CONTRACTS AND GRANTS FOR PROVISION OF NATURAL RESOURCES SERVICES.]

The commissioner of natural resources is authorized to enter into contractual or grant agreements with any public or private entity for the provision of statutorily prescribed natural resources services by or for the department. The contracts or grants shall specify the services to be provided and the amount and method of reimbursement. Funds generated in a contractual agreement made pursuant to this section shall be deposited in the special revenue fund and are appropriated to the department for purposes of providing the services specified in the contracts. All contractual and grant agreements shall be processed in accordance with the provisions of section 16C.05. The commissioner shall report revenues collected and expenditures made under this section to the chairs of the Committees on ~~Appropriations~~ Ways and Means in the house and Finance in the senate by January 1 of each odd-numbered year.

Sec. 11. Minnesota Statutes 2002, section 85A.02, subdivision 5a, is amended to read:

Subd. 5a. [EMPLOYEES.] (a) The board shall appoint an administrator who shall serve as the executive secretary and principal administrative officer of the board and, subject to its approval, shall operate the Minnesota Zoological Garden and enforce all rules and policy decisions of the board. The administrator must be chosen solely on the basis of training, experience, and other qualifications appropriate to the field of zoo management and development. The board shall set the salary of the administrator. The salary of the administrator may not exceed 130 percent of the salary of the governor; however, any amount exceeding 95 percent of the salary of the governor must consist of nonstate funds. The administrator shall perform duties assigned by the board and serves in the unclassified service at the pleasure of the board. The administrator, with the participation of the board, shall appoint a development director in the unclassified service or contract with a development consultant to establish mechanisms to foster community participation in and community support for the Minnesota Zoological Garden. The board may employ other necessary professional, technical, and clerical personnel. Employees of the zoological garden are eligible for salary supplement in the same manner as employees of other state agencies. The commissioner of finance shall determine the amount of salary supplement based on available funds.

(b) The board may contract with individuals to perform professional services and may contract for the purchases of necessary species exhibits, supplies, services, and equipment. The board may also contract for the construction and operation of entertainment facilities on the zoo grounds that are not directly connected to ordinary functions of the zoological garden. The zoo board may not enter into a final agreement for construction of an entertainment facility that is not directly connected to the ordinary functions of the zoo until after final construction plans have been submitted to the chairs of the senate Finance and house ~~Appropriations~~ Ways and Means Committees for their recommendations.

The zoo may not contract for entertainment during the period of the Minnesota State Fair that would directly compete with entertainment at the Minnesota State Fair.

Sec. 12. Minnesota Statutes 2002, section 115A.557, subdivision 4, is amended to read:

Subd. 4. [REPORT.] By July 1 of each odd-numbered year, the director shall report on how the money was spent and the resulting statewide improvements in solid waste management to the house of representatives and senate ~~Appropriations~~ Ways and Means, Finance, and Environment and Natural Resources Committees, the Finance

Division of the senate Committee on Environment and Natural Resources, and the house of representatives Committee on Environment and Natural Resources Finance. The report shall be included in the report required under section 115A.411.

Sec. 13. Minnesota Statutes 2003 Supplement, section 116J.966, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] (a) The commissioner shall promote, develop, and facilitate trade and foreign investment in Minnesota. In furtherance of these goals, and in addition to the powers granted by section 116J.035, the commissioner may:

- (1) locate, develop, and promote international markets for Minnesota products and services;
 - (2) arrange and lead trade missions to countries with promising international markets for Minnesota goods, technology, services, and agricultural products;
 - (3) promote Minnesota products and services at domestic and international trade shows;
 - (4) organize, promote, and present domestic and international trade shows featuring Minnesota products and services;
 - (5) host trade delegations and assist foreign traders in contacting appropriate Minnesota businesses and investments;
 - (6) develop contacts with Minnesota businesses and gather and provide information to assist them in locating and communicating with international trading or joint venture counterparts;
 - (7) provide information, education, and counseling services to Minnesota businesses regarding the economic, commercial, legal, and cultural contexts of international trade;
 - (8) provide Minnesota businesses with international trade leads and information about the availability and sources of services relating to international trade, such as export financing, licensing, freight forwarding, international advertising, translation, and custom brokering;
 - (9) locate, attract, and promote foreign direct investment and business development in Minnesota to enhance employment opportunities in Minnesota;
 - (10) provide foreign businesses and investors desiring to locate facilities in Minnesota information regarding sources of governmental, legal, real estate, financial, and business services;
 - (11) enter into contracts or other agreements with private persons and public entities, including agreements to establish and maintain offices and other types of representation in foreign countries, to carry out the purposes of promoting international trade and attracting investment from foreign countries to Minnesota and to carry out this section, without regard to section 16C.06; and
 - (12) market trade-related materials to businesses and organizations, and the proceeds of which must be placed in a special revolving account and are appropriated to the commissioner to prepare and distribute trade-related materials.
- (b) The programs and activities of the commissioner of employment and economic development and the Minnesota Trade Division may not duplicate programs and activities of the commissioner of agriculture or the Minnesota World Trade Center.

(c) The commissioner shall notify the chairs of the senate Finance and house ~~Appropriations~~ Ways and Means Committees of each agreement under this subdivision to establish and maintain an office or other type of representation in a foreign country.

Sec. 14. Minnesota Statutes 2002, section 116O.071, subdivision 3, is amended to read:

Subd. 3. [AUTHORITY TO PERFORM REQUESTED EVALUATIONS.] The governor, speaker of the house of representatives, house of representatives minority leader, senate majority leader, senate minority leader, chair of the house of representatives ~~Appropriations~~ Ways and Means Committee, chair of the senate Finance Committee, director, or a member of the legislature considering the introduction or approval of legislation containing funding for scientifically and technologically related research and development may request the corporation to evaluate a loan or grant made or to be made or the proposed legislation for funding scientifically and technologically related research and development to determine (1) whether it complies with the guidelines required by subdivision 1, clause (1), item (ii); (2) whether it is technically feasible; and (3) for development proposals, whether the proposal appears to have the potential for economic development. Ad hoc committees may be appointed by the corporation.

Sec. 15. Minnesota Statutes 2002, section 116P.08, subdivision 3, is amended to read:

Subd. 3. [STRATEGIC PLAN REQUIRED.] (a) The commission shall adopt a strategic plan for making expenditures from the trust fund, including identifying the priority areas for funding for the next six years. The strategic plan must be updated every two years. The plan is advisory only. The commission shall submit the plan, as a recommendation, to the house of representatives ~~Appropriations~~ Ways and Means and senate Finance Committees by January 1 of each odd-numbered year.

(b) The commission may accept or modify the draft of the strategic plan submitted to it by the advisory committee before voting on the plan's adoption.

Sec. 16. Minnesota Statutes 2002, section 144.701, subdivision 4, is amended to read:

Subd. 4. [FILING FEES.] Each report which is required to be submitted to the commissioner of health under sections 144.695 to 144.703 and which is not submitted to a voluntary, nonprofit reporting organization in accordance with section 144.702 shall be accompanied by a filing fee in an amount prescribed by rule of the commissioner of health. Upon the withdrawal of approval of a reporting organization, or the decision of the commissioner to not renew a reporting organization, fees collected under section 144.702 shall be submitted to the commissioner. Fees received under this subdivision shall be deposited in a revolving fund and are appropriated to the commissioner of health for the purposes of sections 144.695 to 144.703. The commissioner shall report the termination or nonrenewal of the voluntary reporting organization to the chair of the Health and Human Services ~~Subdivision of the Appropriations~~ Finance Committee of the house of representatives, to the chair of the Health and Human Services Division of the Finance Committee of the senate, and the commissioner of finance.

Sec. 17. Minnesota Statutes 2002, section 245.90, is amended to read:

245.90 [COURT AWARDED FUNDS, DISPOSITION.]

The commissioner of human services shall notify the house ~~Appropriations~~ Ways and Means and senate Finance Committees of the terms of any contractual arrangement entered into by the commissioner and the attorney general, pursuant to an order of any court of law, which provides for the receipt of funds by the commissioner.

Any funds recovered or received by the commissioner pursuant to an order of any court of law shall be placed in the general fund.

Sec. 18. Minnesota Statutes 2002, section 270.063, subdivision 1, is amended to read:

Subdivision 1. [APPROPRIATION.] For the purpose of collecting delinquent state tax liabilities or debts as defined in section 16D.02, subdivision 3, there is appropriated to the commissioner of revenue an amount representing the cost of collection by contract with collection agencies, revenue departments of other states, or attorneys to enable the commissioner to reimburse these agencies, departments, or attorneys for this service. The commissioner shall report quarterly on the status of this program to the chair of the house Tax and ~~Appropriation~~ Ways and Means Committees and senate Tax and Finance Committees.

Sec. 19. Minnesota Statutes 2002, section 270.71, is amended to read:

270.71 [ACQUISITION AND RESALE OF SEIZED PROPERTY.]

For the purpose of enabling the commissioner of revenue to purchase or redeem seized property in which the state of Minnesota has an interest arising from a lien for unpaid taxes, or to provide for the operating costs of collection activities of the Department of Revenue, there is appropriated to the commissioner an amount representing the cost of such purchases, redemptions, or collection activities. Seized property acquired by the state of Minnesota to satisfy unpaid taxes shall be resold by the commissioner. The commissioner shall preserve the value of seized property while controlling it, including but not limited to the procurement of insurance. For the purpose of refunding the proceeds from the sale of levied or redeemed property which are in excess of the actual tax liability plus costs of acquiring the property, there is hereby created a levied and redeemed property refund account in the agency fund. All amounts deposited into this account are appropriated to the commissioner of revenue. The commissioner shall report quarterly on the status of this program to the chairs of the house Taxes and ~~Appropriations~~ Ways and Means Committees and senate Taxes and Tax Laws and Finance Committees."

Delete the title and insert:

"A bill for an act relating to state government finance; authorizing principles, criteria, and procedures for consolidating and eliminating certain funds and accounts; requiring reports; making technical and clarifying changes to provisions related to the budget process; amending Minnesota Statutes 2002, sections 3.23; 3.98, subdivision 3; 15.16, subdivision 5; 16A.102, subdivision 2, by adding a subdivision; 16A.53, subdivision 1, by adding subdivisions; 16A.531, by adding a subdivision; 16A.641, subdivision 2; 16B.24, subdivision 3; 16B.31, subdivision 3; 85A.02, subdivision 5a; 115A.557, subdivision 4; 116O.071, subdivision 3; 116P.08, subdivision 3; 144.701, subdivision 4; 245.90; 270.063, subdivision 1; 270.71; Minnesota Statutes 2003 Supplement, sections 16A.102, subdivision 1; 84.026; 116J.966, subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2678, A bill for an act relating to natural resources; modifying provisions for the operation of off-highway vehicles; providing an exemption from rulemaking; providing for an off-highway vehicle grant program; modifying decal requirements for off-highway motorcycles; modifying all-terrain vehicle provisions; providing for certain class fees; modifying provisions for reviewing forest classification status; requiring determination of unrefunded gas tax attributable to all-terrain vehicle use; requiring a report; appropriating money; amending Minnesota Statutes 2002, sections 84.798, subdivision 1; 84.925, subdivision 1; 84.9256, subdivision 1; 84.9257; 84.928, subdivisions 2, 6; 89.19; Minnesota Statutes 2003 Supplement, sections 84.773; 84.777; 84.788, subdivision 3; 84.92, subdivision 8; 84.926; Laws 2003, chapter 128, article 1, section 167, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2003 Supplement, section 84.901.

Reported the same back with the following amendments:

Page 2, line 18, after the semicolon, insert "an off-highway vehicle used by a registered surveyor, or assistant, when surveying on public or private property;"

Page 2, after line 27, insert:

"Subd. 3. [PRIVATE LAND ACCESS.] The commissioner may grant a three-year permit to exempt a private landowner or leaseholder from this section when the only reasonable access to a permit applicant's land is across forestry administered lands in state forests."

Page 4, delete section 4

Page 9, lines 13, 26, and 35, delete "FORESTS" and insert "FOREST LANDS"

Page 9, line 30, delete "forests" and insert "forest lands"

Page 10, line 4, delete everything after "trails" and insert "that are not designated for a specific use"

Page 10, line 5, delete "exemption,"

Page 12, after line 9, insert:

"Sec. 14. Minnesota Statutes 2002, section 89.71, is amended by adding a subdivision to read:

Subd. 8. [COUNTY-ADMINISTERED LAND.] The commissioner may not install a gate to obstruct access to a state forest road if the road is used by:

(1) a private landowner to cross county-administered land within a state forest to access the landowner's private property;

(2) a lessee of county land to access the lessee's leasehold; or

(3) a county to gain access to county-administered land within a state forest for county forest management purposes."

Page 13, line 5, delete "must" and insert "may"

Page 14, after line 1, insert:

"Sec. 18. [APPROPRIATION.]

(a) \$400,000 is appropriated from the natural resources fund to the commissioner of natural resources for additional off-highway vehicle trail forest inventory, trail designation, and development. Of this amount, \$280,000 is from the all-terrain vehicle account, \$80,000 is from the off-road vehicle account, and \$40,000 is from the off-highway motorcycle account. This is a onetime only appropriation. The commissioner must assign three additional trail development specialists to assist off-highway groups with grant-in-aid trail development and trail development-related activities.

(b) \$575,000 is appropriated from the natural resources fund to the commissioner of natural resources for additional grants-in-aid. Of this amount, \$402,500 is from the all-terrain vehicle account, \$115,000 is from the off-road vehicle account, and \$57,500 is from the off-highway motorcycle account. This amount is added to the

appropriation in Laws 2003, chapter 128, article 1, section 5, subdivision 6, for a total in fiscal year 2005 of \$1,100,000 in off-highway grants-in-aid. Of this amount, \$877,500 is from the all-terrain vehicle account, \$115,000 is from the off-road vehicle account, and \$107,500 is from the off-highway motorcycle account.

(c) If the appropriations in this section are enacted more than once, the appropriations are to be implemented only once."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 14, before "Minnesota" insert "89.71, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2799, A bill for an act relating to employment; modifying state dislocated worker program provisions; amending Minnesota Statutes 2002, section 116L.17, subdivisions 1, 4, 5, 6; Minnesota Statutes 2003 Supplement, section 116L.17, subdivisions 2, 3; repealing Minnesota Statutes 2002, section 116L.17, subdivision 7.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2002, section 116L.01, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] For the purposes of ~~this chapter~~ sections 116L.01 to 116L.17, the terms defined in this section have the meanings given them.

Sec. 2. Minnesota Statutes 2002, section 116L.05, subdivision 4, is amended to read:

Subd. 4. [LEGISLATIVE RECOMMENDATIONS.] By January 15 of each odd-numbered year, the board must submit recommendations to the house and senate committees with jurisdiction over workforce development programs, regarding modifications to, or elimination of, existing workforce development programs under the board's oversight and the potential implementation of new programs. The recommendations must include recommendations regarding funding levels and sources."

Page 6, line 5, delete "Such" and insert "Long-term"

Page 7, line 26, delete ", in consultation with" and insert "and" and after "board" delete the comma and after "shall" insert "jointly"

Page 7, line 32, delete ", in consultation with the board," and insert "and the board, in consultation with"

Page 7, line 33, delete the comma

Page 8, after line 13, insert:

"Sec. 9. [116L.19] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 116L.19 to 116L.976.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of employment and economic development.

Subd. 3. [DEPARTMENT.] "Department" means the Department of Employment and Economic Development."

Page 8, line 15, delete "section" and insert "sections 116L.04, subdivision 4; and" and delete "is" and insert "are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 116L.01, subdivision 1; 116L.05, subdivision 4;"

Page 1, line 6, after the semicolon, insert "proposing coding for new law in Minnesota Statutes, chapter 116L;"

Page 1, line 7, delete "section" and insert "sections 116L.04, subdivision 4;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 2970, A bill for an act relating to health; modifying fees for radioactive and nuclear material; approving state agreement with the Nuclear Regulatory Commission; amending Minnesota Statutes 2002, section 144.1205, subdivisions 2, 4, 8, 9; repealing Minnesota Statutes 2003 Supplement, section 144.1202, subdivision 4.

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

The report was adopted.

Knoblach from the Committee on Ways and Means to which was referred:

H. F. No. 3061, A bill for an act relating to the State Board of Investment; classifying data related to certain venture capital investments; amending Minnesota Statutes 2002, sections 11A.24, subdivision 6; 13.635, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 25, delete "The following"

Page 2, line 27, delete "is" and insert "are" and after "public" insert ", including"

Page 2, line 28, after "name" insert "and industry group classification"

Page 2, after line 36, insert:

"However, financial or proprietary data received, prepared, used, or retained by the state board in connection with investments authorized by paragraph (a), clause (1), (2), or (4), or in which the state board has considered an investment under these clauses, is nonpublic data under section 13.02, subdivision 9. As used in this section, "financial or proprietary information" means information of a financial or proprietary character that has not been publicly disseminated or that is unavailable from other sources, the release of which would likely cause competitive harm to the state board or to the legal entity or to a portfolio company in which the legal entity holds an interest."

Page 3, line 4, delete "venture capital"

Amend the title as follows:

Page 1, line 3, delete "venture capital"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 804, 2199, 2212, 2246, 2368, 2386, 2446, 2678, 2799 and 2970 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dill introduced:

H. F. No. 3172, A bill for an act relating to sales and use taxes; authorizing the city of Ely to impose a local sales tax.

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

Mullery introduced:

H. F. No. 3173, A bill for an act relating to labor relations; limiting a restriction on use of interest arbitration; amending Minnesota Statutes 2002, section 179A.16, subdivision 9.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 2222, 2141, 1946, 1753, 1373, 1716, 1787, 3 and 2181.

PATRICK E. FLAHAVERN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2222, A resolution memorializing Minnesota's Congressional Delegation to authorize an increase in the existing Boundary Waters Canoe Area Wilderness (BWCAW) reservation fee to be allocated to Minnesota's Permanent School Fund.

The bill was read for the first time.

Sykora moved that S. F. No. 2222 and H. F. No. 2242, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2141, A bill for an act relating to education; modifying the membership of the Commission on National and Community Service; amending Minnesota Statutes 2003 Supplement, section 124D.385, subdivision 2; repealing Minnesota Statutes 2002, sections 124D.41; 124D.42, subdivisions 1, 2, 4, 5, 7; 124D.43; Minnesota Statutes 2003 Supplement, section 124D.42, subdivisions 3, 6.

The bill was read for the first time.

Seagren moved that S. F. No. 2141 and H. F. No. 2191, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1946, A bill for an act relating to employment; directing the commissioner of employment and economic development to conduct an extended employment pilot project.

The bill was read for the first time.

Sertich moved that S. F. No. 1946 and H. F. No. 2035, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1753, A bill for an act relating to utilities; modifying low-income electric rate discount program; amending Minnesota Statutes 2002, section 216B.16, subdivision 14.

The bill was read for the first time.

Westrom moved that S. F. No. 1753 and H. F. No. 1830, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1373, A bill for an act relating to elections; requiring disclosures by certain persons conducting polls; proposing coding for new law in Minnesota Statutes, chapter 211B.

The bill was read for the first time.

Cornish moved that S. F. No. 1373 and H. F. No. 1437, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1716, A bill for an act relating to health; providing an exemption from the hospital construction moratorium; amending Minnesota Statutes 2003 Supplement, section 144.551, subdivision 1.

The bill was read for the first time.

Solberg moved that S. F. No. 1716 and H. F. No. 1896, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1787, A bill for an act relating to local government; authorizing mandatory direct deposit of payroll; amending Minnesota Statutes 2003 Supplement, section 16A.17, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 471.

The bill was read for the first time.

Knoblach moved that S. F. No. 1787 and H. F. No. 1995, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3, A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 2002, section 177.24, subdivision 1.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Rukavina moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Rukavina motion and the roll was called. There were 55 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carlson	Dempsey	Eken	Goodwin	Hilstrom
Atkins	Clark	Dill	Ellison	Greiling	Hilty
Bernardy	Davnie	Dorn	Entenza	Hausman	Hornstein

Huntley	Latz	McNamara	Paymar	Sieben	Walker
Jaros	Lenczewski	Mullery	Pelowski	Slawik	Wasiluk
Johnson, S.	Lesch	Murphy	Peterson	Smith	
Juhnke	Lieder	Nelson, M.	Pugh	Solberg	
Kahn	Mahoney	Opatz	Rukavina	Thao	
Kelliher	Mariani	Otremba	Samuelson	Thissen	
Koenen	Marquart	Otto	Sertich	Wagenius	

Those who voted in the negative were:

Abeler	Cox	Hackbarth	Lanning	Paulsen	Sykora
Abrams	Dauids	Heidgerken	Lindgren	Penas	Tingelstad
Adolphson	DeLaForest	Holberg	Lindner	Rhodes	Urdahl
Anderson, B.	Demmer	Hoppe	Lipman	Ruth	Vandever
Beard	Eastlund	Howes	Magnus	Seagren	Walz
Blaine	Erhardt	Jacobson	Meslow	Seifert	Wardlow
Borrell	Erickson	Johnson, J.	Nelson, C.	Severson	Westerberg
Boudreau	Finstad	Klinzing	Nelson, P.	Simpson	Westrom
Bradley	Fuller	Knoblach	Newman	Soderstrom	Wilkin
Brod	Gerlach	Kohls	Nornes	Stang	Zellers
Buesgens	Gunther	Krinkie	Olson, M.	Strachan	Spk. Sviggum
Cornish	Haas	Kuisle	Ozment	Swenson	

Not having received the constitutionally required two-thirds vote, the motion did not prevail.

The bill was referred to the Committee on Commerce, Jobs and Economic Development.

FIRST READING OF SENATE BILLS, Continued

S. F. No. 2181, A bill for an act relating to the State Lottery; amending provisions relating to the director; creating a task force and requiring a report; amending Minnesota Statutes 2002, section 349A.02, subdivision 1; repealing Minnesota Statutes 2002, section 349A.02, subdivision 2.

The bill was read for the first time.

Wilkin moved that S. F. No. 2181 and H. F. No. 2199, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

CALENDAR FOR THE DAY

Paulsen moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Samuelson moved that the name of Demmer be added as an author on H. F. No. 2246. The motion prevailed.

Lanning moved that the name of Zellers be added as an author on H. F. No. 2525. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, April 15, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, April 15, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

