

ONE HUNDRED TENTH DAY

St. Paul, Minnesota, Friday, May 19, 2006

The Senate met at 10:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Ann Stedman.

The roll was called, and the following Senators answered to their names:

Anderson	Fischbach	Koch	Murphy	Sams
Bachmann	Foley	Koering	Neuville	Saxhaug
Bakk	Frederickson	Kubly	Nienow	Scheid
Belanger	Gerlach	Langseth	Olson	Senjem
Berglin	Hann	Larson	Ortman	Skoe
Betzold	Higgins	LeClair	Pappas	Skoglund
Bonoff	Hottinger	Limmer	Pogemiller	Solon
Chaudhary	Johnson, D.E.	Marko	Ranum	Sparks
Clark	Johnson, D.J.	Marty	Reiter	Stumpf
Cohen	Jungbauer	McGinn	Rest	Tomassoni
Day	Kelley	Metzen	Robling	Vickerman
Dibble	Kierlin	Michel	Rosen	Wergin
Dille	Kiscaden	Moua	Ruud	Wiger

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 3105, 2374 and 2437.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 18, 2006

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 930: A bill for an act relating to gambling; appropriating money for compulsive gambling prevention and education.

Senate File No. 930 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 18, 2006

CONCURRENCE AND REPASSAGE

Senator Kubly moved that the Senate concur in the amendments by the House to S.F. No. 930 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 930 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 47 and nays 2, as follows:

Those who voted in the affirmative were:

Bachmann	Dibble	Koch	Nienow	Senjem
Bakk	Fischbach	Koering	Olson	Skoe
Belanger	Foley	Kubly	Ranum	Skoglund
Berglin	Frederickson	Langseth	Reiter	Sparks
Betzold	Hann	LeClair	Rest	Vickerman
Bonoff	Hottinger	Limmer	Robling	Wergin
Chaudhary	Johnson, D.E.	Marty	Ruud	Wiger
Clark	Jungbauer	McGinn	Sams	
Cohen	Kierlin	Murphy	Saxhaug	
Day	Kiscaden	Neuville	Scheid	

Those who voted in the negative were:

Gerlach Solon

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2576: A bill for an act relating to commerce; regulating the purchase and lease of new ambulances; establishing a manufacturer's duty to repair, refund, or replace; amending Minnesota Statutes 2004, section 325F.665, subdivision 1.

Senate File No. 2576 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 18, 2006

Senator Sparks moved that the Senate do not concur in the amendments by the House to S.F.

No. 2576, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2995: A bill for an act relating to liens; providing for the cancellation of certain automobile liens under certain circumstances; regulating liens for storage charges on certain motor vehicles; amending Minnesota Statutes 2004, section 514.19; Minnesota Statutes 2005 Supplement, section 168A.20, subdivision 5.

Senate File No. 2995 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 18, 2006

Senator Johnson, D.E. moved that S.F. No. 2995 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3023: A bill for an act relating to state agencies; establishing timelines for agency action on certain environmental permits; amending Minnesota Statutes 2004, section 15.99.

Senate File No. 3023 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 18, 2006

Senator Johnson, D.E. moved that S.F. No. 3023 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 785: A bill for an act relating to crime prevention; prohibiting children under the age of 17 from renting or purchasing certain video games; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Senate File No. 785 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 18, 2006

Senator Johnson, D.E. moved that S.F. No. 785 be laid on the table. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12, Senator Pogemiller moved that the following members be excused for a Conference Committee on S.F. No. 2460 at 10:00 a.m.:

Senators Pogemiller, Metzen, Moua, Michel and Tomassoni. The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 3442, 3472, 3538, 3995, 3288, 3697 and 3605.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 18, 2006

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 3442: A bill for an act relating to agriculture; providing for certain inspections; repealing beekeeping regulation provisions; reducing an appropriation; appropriating money; amending Minnesota Statutes 2004, section 28A.15, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 2004, sections 19.50, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12a, 13, 14, 15, 17, 18; 19.51, subdivisions 1, 2; 19.52; 19.53; 19.55; 19.56; 19.561; 19.57; 19.58, subdivisions 1, 2, 4, 5, 9; 19.59; 19.61, subdivision 1; 19.63; 19.65; Minnesota Statutes 2005 Supplement, section 19.64, subdivision 1.

Referred to the Committee on Finance.

H.F. No. 3472: A bill for an act relating to transportation; amending definition of recreational vehicle combination; amending Minnesota Statutes 2005 Supplement, sections 169.01, subdivision 78; 169.81, subdivision 3c.

Senator Johnson, D.E. moved that H.F. No. 3472 be laid on the table. The motion prevailed.

H.F. No. 3538: A bill for an act relating to human services; modifying crib safety requirements; amending Minnesota Statutes 2005 Supplement, section 245A.146, subdivision 3.

Referred to the Committee on Health and Family Security.

H.F. No. 3995: A bill for an act relating to claims against the state; providing for settlement of various claims; appropriating money.

Senator Johnson, D.E. moved that H.F. No. 3995 be laid on the table. The motion prevailed.

H.F. No. 3288: A bill for an act relating to public safety; making the chair of the Metropolitan Council or designee a member of the Statewide Radio Board; amending Minnesota Statutes 2005 Supplement, section 403.36, subdivision 1.

Senator Johnson, D.E. moved that H.F. No. 3288 be laid on the table. The motion prevailed.

H.F. No. 3697: A bill for an act relating to the operation of state government; making changes to health and human services programs and policy; making changes to health policy to comply with federal law; modifying long-term care provisions; modifying treatment of asset recovery for medical

assistance eligibility; requiring evidence of citizenship or nationality for qualified noncitizens; modifying the treatment of payment of benefits from an annuity; making changes to children and families policy to comply with federal law; modifying treatment of MFIP expenditures; allowing waiver of administrative costs under MFIP; imposing an annual federal collections fee; making supplemental appropriations and budget reductions; establishing the Pharmacy Payment Reform Advisory Committee; amending Minnesota Statutes 2004, sections 62A.045; 62S.05, by adding a subdivision; 62S.08, subdivision 3; 62S.081, subdivision 4; 62S.10, subdivision 2; 62S.13, by adding a subdivision; 62S.14, subdivision 2; 62S.15; 62S.20, subdivision 1; 62S.24, subdivisions 1, 3, 4, by adding subdivisions; 62S.25, subdivision 6, by adding a subdivision; 62S.26; 62S.266, subdivision 2; 62S.29, subdivision 1; 62S.30; 144.6501, subdivision 6; 256B.02, subdivision 9; 256B.056, subdivision 2, by adding subdivisions; 256B.0595, subdivisions 1, 3, 4; 256B.76; 256J.021; 256J.626, subdivision 2; 256L.04, subdivision 10; 518.551, subdivision 7; Minnesota Statutes 2005 Supplement, sections 256B.0571; 256B.0595, subdivision 2; 256B.06, subdivision 4; 256D.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 62S; 256B; repealing Minnesota Statutes 2005 Supplement, section 256B.0571, subdivisions 2, 5, 11.

Referred to the Committee on Finance.

H.F. No. 3605: A bill for an act relating to natural resources; providing for land donor appraisal reimbursement; providing for acquisition of land for certain facilities; providing for disposition of certain receipts; modifying state park permit provisions; modifying forest services provided to private owners; granting authority to establish state forest user fees; modifying the State Timber Act; modifying certain definitions; providing certain technical changes; modifying noise standard exemptions; extending certain pilot programs; granting certain authority to the Lower Minnesota River Watershed District; exempting counties from certain rules; requiring reports; eliminating the requirement for a comprehensive forest resource management plan; requiring certain agreements; modifying certain appropriations; appropriating money; amending Minnesota Statutes 2004, sections 84.026; 84.085, subdivision 1; 84.0911, as amended; 84.8205, subdivision 2; 84D.01, subdivisions 9a, 13, 15, 16; 84D.02, subdivision 2; 85.015, subdivisions 2, 7, 8, 11, 12, by adding a subdivision; 85.052, subdivision 4; 85.053, by adding a subdivision; 85.054, by adding subdivisions; 85.32, subdivision 1; 88.79, subdivision 1; 89.01, subdivision 1; 90.14; 90.151, subdivisions 1, 6, by adding a subdivision; 97A.015, subdivision 18; 103D.271, subdivision 7; 103G.611, by adding a subdivision; 103I.005, subdivision 9; 116.07, subdivision 2a; Minnesota Statutes 2005 Supplement, sections 84.8205, subdivision 1; 85.015, subdivision 5; 85.053, subdivision 2; 85.055, subdivision 1; 88.17, subdivision 5; 103G.271, subdivision 6; Laws 2003, chapter 128, article 1, section 165; Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 10; proposing coding for new law in Minnesota Statutes, chapters 85; 89; 90; repealing Minnesota Statutes 2004, sections 89.011, subdivisions 1, 2, 3, 6; 103D.271, subdivision 6; 103G.611, subdivision 6.

Senator Johnson, D.E. moved that H.F. No. 3605 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Senator Johnson, D.E. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 3451 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3451	2933				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3451 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3451, the second engrossment; and insert the language after the enacting clause of S.F. No. 2933, the first engrossment; further, delete the title of H.F. No. 3451, the second engrossment; and insert the title of S.F. No. 2933, the first engrossment.

And when so amended H.F. No. 3451 will be identical to S.F. No. 2933, and further recommends that H.F. No. 3451 be given its second reading and substituted for S.F. No. 2933, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 3116 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3116	2974				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3116 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3116, the fifth engrossment; and insert the language after the enacting clause of S.F. No. 2974, the second engrossment; further, delete the title of H.F. No. 3116, the fifth engrossment; and insert the title of S.F. No. 2974, the second engrossment.

And when so amended H.F. No. 3116 will be identical to S.F. No. 2974, and further recommends that H.F. No. 3116 be given its second reading and substituted for S.F. No. 2974, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 3664 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3664	3333				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3664 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3664, the first engrossment; and insert the language after the enacting clause of S.F. No. 3333; further, delete the title of H.F. No. 3664, the first engrossment; and insert the title of S.F. No. 3333.

And when so amended H.F. No. 3664 will be identical to S.F. No. 3333, and further recommends that H.F. No. 3664 be given its second reading and substituted for S.F. No. 3333, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred

H.F. No. 3237 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3237	2894				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3237 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3237, the second engrossment; and insert the language after the enacting clause of S.F. No. 2894, the first engrossment; further, delete the title of H.F. No. 3237, the second engrossment; and insert the title of S.F. No. 2894, the first engrossment.

And when so amended H.F. No. 3237 will be identical to S.F. No. 2894, and further recommends that H.F. No. 3237 be given its second reading and substituted for S.F. No. 2894, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 3451, 3116, 3664 and 3237 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Dille moved that the names of Senators Solon and Limmer be added as co-authors to S.F. No. 3394. The motion prevailed.

Senator Ortman moved that her name be stricken as a co-author to S.F. No. 3807. The motion

prevailed.

Senator Cohen moved that the name of Senator Solon be added as a co-author to S.F. No. 3817. The motion prevailed.

Senator Lourey introduced –

Senate Resolution No. 217: A Senate resolution congratulating Joey Young for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Lourey introduced –

Senate Resolution No. 218: A Senate resolution congratulating Alex Larson for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Pappas moved that S.F. No. 785 be taken from the table. The motion prevailed.

S.F. No. 785: A bill for an act relating to crime prevention; prohibiting children under the age of 17 from renting or purchasing certain video games; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Senator Pappas moved that the Senate do not concur in the amendments by the House to S.F. No. 785, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Senator Rest moved that S.F. No. 3023 be taken from the table. The motion prevailed.

S.F. No. 3023: A bill for an act relating to state agencies; establishing timelines for agency action on certain environmental permits; amending Minnesota Statutes 2004, section 15.99.

CONCURRENCE AND REPASSAGE

Senator Rest moved that the Senate concur in the amendments by the House to S.F. No. 3023 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 3023 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Hann	Langseth	Pappas	Skoe
Belanger	Higgins	Larson	Pogemiller	Skoglund
Betzold	Hottinger	Limmer	Ranum	Solon
Bonoff	Johnson, D.E.	Marko	Reiter	Sparks
Chaudhary	Johnson, D.J.	Marty	Rest	Stumpf
Clark	Jungbauer	McGinn	Robling	Tomassoni
Cohen	Kelley	Metzen	Rosen	Vickerman
Day	Kierlin	Michel	Ruud	Wergin
Dibble	Kiscaden	Moua	Sams	Wiger
Fischbach	Koch	Neuville	Saxhaug	
Foley	Koering	Nienow	Scheid	
Gerlach	Kubly	Olson	Senjem	

Those who voted in the negative were:

Bachmann LeClair

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Senator Johnson, D.E. moved that the Senate take up the Consent Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CONSENT CALENDAR

H.F. No. 2721: A bill for an act relating to environment; extending the individual sewage treatment system pilot program; modifying application of storm water rules; amending Laws 2003, chapter 128, article 1, section 165.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hann	Limmer	Pogemiller	Skoglund
Bachmann	Higgins	Marko	Ranum	Solon
Belanger	Johnson, D.E.	Marty	Reiter	Sparks
Betzold	Johnson, D.J.	McGinn	Rest	Stumpf
Chaudhary	Jungbauer	Metzen	Robling	Tomassoni
Clark	Kelley	Michel	Rosen	Vickerman
Cohen	Kierlin	Moua	Ruud	Wergin
Day	Koch	Murphy	Sams	Wiger
Dibble	Kubly	Neuville	Saxhaug	
Fischbach	Langseth	Nienow	Scheid	
Foley	Larson	Olson	Senjem	
Gerlach	LeClair	Pappas	Skoe	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Anderson moved that S.F. No. 2995 be taken from the table. The motion prevailed.

S.F. No. 2995: A bill for an act relating to liens; providing for the cancellation of certain automobile liens under certain circumstances; regulating liens for storage charges on certain motor vehicles; amending Minnesota Statutes 2004, section 514.19; Minnesota Statutes 2005 Supplement, section 168A.20, subdivision 5.

CONCURRENCE AND REPASSAGE

Senator Anderson moved that the Senate concur in the amendments by the House to S.F. No.

2995 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2995 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gerlach	Langseth	Nienow	Scheid
Bachmann	Hann	Larson	Olson	Senjem
Belanger	Higgins	LeClair	Pappas	Skoe
Betzold	Hottinger	Limmer	Pogemiller	Skoglund
Bonoff	Johnson, D.E.	Marko	Ranum	Solon
Chaudhary	Johnson, D.J.	Marty	Reiter	Sparks
Clark	Jungbauer	McGinn	Rest	Stumpf
Cohen	Kelley	Metzen	Robling	Tomassoni
Day	Kierlin	Michel	Rosen	Vickerman
Dibble	Koch	Moua	Ruud	Wergin
Fischbach	Koering	Murphy	Sams	Wiger
Foley	Kubly	Neuville	Saxhaug	

So the bill, as amended, was repassed and its title was agreed to.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 11:30 a.m. The motion prevailed.

The hour of 11:30 a.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

APPOINTMENTS

Senator Johnson, D.E. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 2576: Senators Sparks, Berglin and Larson.

S.F. No. 785: Senators Pappas, Limmer and Robling.

Senator Johnson, D.E. moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3116 and that the rules of the Senate be so far suspended as to give H.F. No. 3116, now on General Orders, its third reading and

place it on its final passage. The motion prevailed.

H.F. No. 3116: A bill for an act relating to game and fish; restricting the use of four by four trucks on certain public lands; modifying critical habitat private sector matching account provisions; providing definitions; providing for and modifying disposition of certain revenue; modifying provisions for designating game refuges; modifying restrictions on motorized watercraft and recreational vehicles in wildlife management areas; providing for inspection of equipment used to take wild animals; modifying certain penalty and fee amounts; modifying certain game and fish license provisions; authorizing the marking of canoe and boating routes; modifying firearms possession provisions for persons under 16; providing for collecting antler sheds; modifying firearms safety course requirements; modifying certain provisions for taking and possessing game and fish; modifying restrictions on using lights to locate animals; modifying provisions for fishing contests; authorizing county bounties on coyotes; providing for a moratorium on use of public waters for aquaculture; modifying regulation of all-terrain vehicles; creating two classes of all-terrain vehicles; requiring rulemaking; removing a spearing restriction; appropriating money; amending Minnesota Statutes 2004, sections 84.803, subdivision 2; 84.92, subdivision 8, by adding subdivisions; 84.928, by adding a subdivision; 84.943, subdivision 3; 85.32, subdivision 1; 97A.015, by adding subdivisions; 97A.055, subdivision 2; 97A.065, subdivision 2; 97A.075, subdivision 1; 97A.085, subdivision 4; 97A.101, subdivision 4; 97A.251, subdivision 1; 97A.321; 97A.465, by adding a subdivision; 97A.475, subdivision 2; 97A.535, subdivision 1; 97B.015, by adding a subdivision; 97B.021, subdivision 1, by adding a subdivision; 97B.081, subdivision 1; 97B.301, subdivision 7; 97B.311; 97C.025; 97C.081, subdivisions 4, 6, 8, 9; 97C.205; 97C.315, subdivision 2; 97C.355, subdivision 7; 97C.371, subdivisions 3, 4; Minnesota Statutes 2005 Supplement, sections 84.9256, subdivision 1; 84.9257; 84.926, subdivision 4; 84.928, subdivision 1; 97A.405, subdivision 4; 97A.475, subdivision 3; 97A.551, subdivision 6; 197.65; proposing coding for new law in Minnesota Statutes, chapters 84; 97B; 348; repealing Minnesota Statutes 2004, section 97C.355, subdivision 6; Minnesota Rules, part 6264.0400, subpart 8, item H.

Senator Skoe moved to amend H.F. No. 3116, as amended pursuant to Rule 45, adopted by the Senate May 19, 2006, as follows:

(The text of the amended House File is identical to S.F. No. 2974.)

Page 2, after line 5, insert:

"Sec. 2. Minnesota Statutes 2004, section 85.32, subdivision 1, is amended to read:

Subdivision 1. **Areas marked.** The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to mark canoe and boating routes on the Ottertail, Little Fork, Big Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines, Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro, Pomme de Terre within Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in Swift County to Montevideo in Chippewa County, Long Prairie, Red River of the North, and Crow Rivers which have historic and scenic values and to mark appropriately points of interest, portages, camp sites, and all dams, rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe and watercraft travelers."

Page 18, after line 23, insert:

"Sec. 43. **APPROPRIATION; NATURAL RESOURCES FUND.**

\$65,000 is appropriated from the water recreation account in the natural resources fund to the commissioner of natural resources to cooperate with local units of government in marking routes and designating river accesses and campsites under Minnesota Statutes, section 85.32. This is a onetime appropriation. The money is available until expended and does not cancel."

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Nienow moved to amend H.F. No. 3116, as amended pursuant to Rule 45, adopted by the Senate May 19, 2006, as follows:

(The text of the amended House File is identical to S.F. No. 2974.)

Page 7, delete section 18

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Ruud moved to amend H.F. No. 3116, as amended pursuant to Rule 45, adopted by the Senate May 19, 2006, as follows:

(The text of the amended House File is identical to S.F. No. 2974.)

Page 1, after line 25, insert:

"Section 1. [84.8045] RESTRICTIONS ON OFF-ROAD VEHICLES ON COUNTY AND STATE FOREST LANDS.

Off-road vehicle trails may not be established on county forest or state forest lands administered by the commissioner except:

(1) on state and county forest roads; and

(2) off-road vehicle use areas as provided by section 84.915."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 46 and nays 13, as follows:

Those who voted in the affirmative were:

Bachmann	Fischbach	Kierlin	Michel	Rosen
Belanger	Foley	Koch	Moua	Ruud
Berglin	Frederickson	Koering	Neuville	Skoglund
Betzold	Gerlach	Kubly	Olson	Solon
Bonoff	Hann	Langseth	Ortman	Vickerman
Chaudhary	Higgins	Larson	Pappas	Wiger
Clark	Hottinger	LeClair	Ranum	
Cohen	Johnson, D.E.	Marko	Reiter	
Day	Johnson, D.J.	Marty	Rest	
Dibble	Kelley	McGinn	Robling	

Those who voted in the negative were:

Bakk	Nienow	Scheid	Sparks	Wergin
Jungbauer	Sams	Senjem	Stumpf	
Metzen	Saxhaug	Skoe	Tomassoni	

The motion prevailed. So the amendment was adopted.

Senator Frederickson moved to amend H.F. No. 3116, as amended pursuant to Rule 45, adopted by the Senate May 19, 2006, as follows:

(The text of the amended House File is identical to S.F. No. 2974.)

Page 17, delete section 39

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Hottinger	Marty	Ranum
Belanger	Day	Johnson, D.J.	McGinn	Reiter
Berglin	Dibble	Jungbauer	Michel	Rest
Betzold	Foley	Kelley	Moua	Skoglund
Bonoff	Frederickson	Kiscaden	Neuville	Wiger
Chaudhary	Hann	Larson	Pappas	
Clark	Higgins	LeClair	Pogemiller	

Those who voted in the negative were:

Bachmann	Koch	Murphy	Ruud	Solon
Bakk	Koering	Nienow	Sams	Sparks
Fischbach	Kubly	Olson	Saxhaug	Stumpf
Gerlach	Langseth	Ortman	Scheid	Tomassoni
Johnson, D.E.	Marko	Robling	Senjem	Vickerman
Kierlin	Metzen	Rosen	Skoe	Wergin

The motion prevailed. So the amendment was adopted.

H.F. No. 3116 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Bachmann	Gerlach	Langseth	Olson	Senjem
Bakk	Hann	Larson	Ortman	Skoe
Belanger	Higgins	LeClair	Pappas	Skoglund
Betzold	Hottinger	Limmer	Pogemiller	Solon
Bonoff	Johnson, D.E.	Marko	Ranum	Sparks
Chaudhary	Johnson, D.J.	Marty	Reiter	Stumpf
Clark	Jungbauer	McGinn	Rest	Tomassoni
Cohen	Kelley	Metzen	Robling	Vickerman
Day	Kierlin	Michel	Rosen	Wergin
Dibble	Kiscaden	Moua	Ruud	Wiger
Fischbach	Koch	Murphy	Sams	
Foley	Koering	Neuville	Saxhaug	
Frederickson	Kubly	Nienow	Scheid	

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

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3451 and that the rules of the

Senate be so far suspended as to give H.F. No. 3451, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 3451: A bill for an act relating to governmental operations; regulating certain historic properties; providing standards for dedication of land to the public in a proposed development; authorizing a dedication fee on certain new housing units; authorizing the conveyance of certain surplus state lands; requiring a study and report; removing a route from the trunk highway system; amending Minnesota Statutes 2004, section 462.358, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 2004, section 161.115, subdivisions 173, 225.

Senator Wergin moved to amend H.F. No. 3451, as amended pursuant to Rule 45, adopted by the Senate May 19, 2006, as follows:

(The text of the amended House File is identical to S.F. No. 2933.)

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2004, section 462.358, subdivision 2b, is amended to read:

Subd. 2b. **Dedication.** (a) The regulations may require that a reasonable portion of the buildable land, as defined by municipal ordinance, of any proposed subdivision be dedicated to the public or preserved for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements, parks, recreational facilities as defined in section 471.191, playgrounds, trails, wetlands, or open space. The requirement must be imposed by ordinance or under the procedures established in section 462.353, subdivision 4a.

~~(b) In addition, the regulations may require that a reasonable portion of any proposed subdivision be dedicated to the public or preserved for conservation purposes or for public use as parks, recreational facilities as defined and outlined in section 471.191, playgrounds, trails, wetlands, or open space; provided that (1) the municipality may choose to accept an equivalent amount in cash from the applicant for part or all of the portion required to be dedicated to such public uses or purposes based on the fair market value of the land no later than at the time of final approval, (2) any cash payments received shall be placed in a special fund by the municipality used only for the purposes for which the money was obtained, and may not be used for ongoing operation or maintenance, (3) in establishing the reasonable portion to be dedicated, the regulations may consider the open space, park, recreational, or common areas and facilities which the applicant proposes to reserve for the subdivision, and (4) the municipality reasonably determines that it will need to acquire that portion of land for the purposes stated in this paragraph as a result of approval of the subdivision. The basis for calculating the amount to be dedicated or preserved must be established by ordinance or pursuant to the procedures established in section 462.353, subdivision 4a. (b) If a municipality adopts the ordinance or proceeds under section 462.353, subdivision 4a, as required by paragraph (a), the municipality must adopt a capital improvement budget and have a parks and open space plan or have a parks, trails, and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and paragraphs (c) to (i).~~

(c) The municipality may choose to accept a cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision, based on fair market value of the land, no later than at the time of final approval.

(d) In establishing the portion to be dedicated or preserved or the cash fee, the regulations shall give due consideration to the open space, recreational, or common areas and facilities open to the public that the applicant proposes to reserve for the subdivision.

(e) The municipality must reasonably determine that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

(f) Cash payments received must be placed by the municipality in a special fund to be used only for the purposes for which the money was obtained.

(g) Cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park systems plan. Cash payments must not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(h) The municipality must not deny the approval of a subdivision based solely on an inadequate supply of parks, open spaces, trails, or recreational facilities within the municipality.

(i) Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then the park dedication or per-lot cash fee must apply only to the net increase of lots.

Sec. 2. **DEDICATION FEE.**

The Minneapolis Park and Recreation Board and the Minneapolis City Council may jointly exercise the powers conferred under Minnesota Statutes, section 462.358, with respect to requiring that a reasonable portion of land be dedicated to the public or imposing a dedication fee on new housing units in the city, wherever located, for public parks, playgrounds, recreational facilities, wetlands, or open space. The dedication of land or dedication fee must be imposed by an ordinance jointly enacted by the park board and the city council. The ordinance may exclude senior housing and affordable housing from paying the fee or the dedication of land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b), and 2c, apply to the imposition, application, and use of the dedication of land or the dedication fee.

Sec. 3. **EFFECTIVE DATE.**

Section 2 is effective upon compliance by the Minneapolis Park and Recreation Board and the Minneapolis City Council with Minnesota Statutes, section 645.021."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 3451 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Bachmann	Gerlach	Langseth	Olson	Skoglund
Bakk	Hann	Larson	Ortman	Solon
Belanger	Higgins	LeClair	Pappas	Sparks
Betzold	Hottinger	Limmer	Reiter	Stumpf
Bonoff	Johnson, D.E.	Marko	Rest	Tomassoni
Chaudhary	Johnson, D.J.	McGinn	Robling	Vickerman
Clark	Jungbauer	Metzen	Rosen	Wergin
Cohen	Kierlin	Michel	Sams	Wiger
Day	Kiscaden	Moua	Saxhaug	
Dibble	Koch	Murphy	Scheid	
Fischbach	Koering	Neuville	Senjem	
Foley	Kubly	Nienow	Skoe	

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

MOTIONS AND RESOLUTIONS - CONTINUED**SUSPENSION OF RULES**

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3664 and that the rules of the Senate be so far suspended as to give H.F. No. 3664, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 3664: A bill for an act relating to the military; expanding eligibility for the salary differential program for state employees ordered into active military service; permitting military personnel stationed outside Minnesota to use state parks without fee while home on leave; providing leave without pay to family members of soldiers wounded or killed while in active service, and for family members of deployed soldiers to attend send-off or homecoming ceremonies; establishing a policy statement supportive of military service; providing certain job protections for persons ordered into active military service; adding cross-references; directing institutions of higher education to provide credit for military training and experience for veterans; clarifying law governing renewal of occupational licenses and professional certifications during and following active military service; authorizing National Guard security guard employees to carry certain weapons; authorizing the placement of plaques honoring certain veterans in the Court of Honor; amending Minnesota Statutes 2004, sections 85.053, by adding a subdivision; 190.055; 326.56; 609.67, subdivisions 3, 5; 626.88, subdivision 1; Minnesota Statutes 2005 Supplement, sections 43A.183; 192.502, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 181; 190; 197.

Senator Vickerman moved that the amendment made to H.F. No. 3664 by the Committee on Rules and Administration in the report adopted May 19, 2006, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Dibble moved to amend H.F. No. 3664 as follows:

Page 5, line 13, delete "or" and before the period, insert ", or family or household member as defined in section 518B.01, subdivision 2"

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

Senator Skoglund moved to amend H.F. No. 3664 as follows:

Page 5, line 13, delete "or" and before the period, insert ", or family or household member as defined in section 518B.01, subdivision 2"

Page 6, line 5, delete "or" and before the period, insert ", or family or household member as defined in section 518B.01, subdivision 2"

CALL OF THE SENATE

Senator Dibble imposed a call of the Senate for the balance of the proceedings on H.F. No. 3664. The Sergeant at Arms was instructed to bring in the absent members.

Senator Johnson, D.E. moved that H.F. No. 3664 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Johnson, D.E. moved that H.F. No. 3288 be taken from the table. The motion prevailed.

H.F. No. 3288: A bill for an act relating to public safety; making the chair of the Metropolitan Council or designee a member of the Statewide Radio Board; amending Minnesota Statutes 2005 Supplement, section 403.36, subdivision 1.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3288 and that the rules of the Senate be so far suspended as to give H.F. No. 3288 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 3288 was read the second time.

H.F. No. 3288 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Koering	Neuville	Scheid
Bakk	Foley	Kubly	Nienow	Senjem
Belanger	Frederickson	Langseth	Olson	Skoe
Betzold	Hann	Larson	Ortman	Skoglund
Bonoff	Higgins	Limmer	Pappas	Solon
Chaudhary	Hottinger	Marko	Ranum	Sparks
Clark	Johnson, D.E.	Marty	Rest	Stumpf
Cohen	Jungbauer	McGinn	Robling	Tomassoni
Day	Kelley	Metzen	Rosen	Vickerman
Dibble	Kierlin	Michel	Ruud	Wergin
Dille	Kiscaden	Moua	Sams	Wiger

Those who voted in the negative were:

Bachmann	Johnson, D.J.	LeClair
Gerlach	Koch	Reiter

So the bill passed and its title was agreed to.

Senator Higgins moved that S.F. No. 3099, No. 18 on General Orders, be stricken and laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Johnson, D.E. moved that H.F. No. 3995 be taken from the table. The motion prevailed.

H.F. No. 3995: A bill for an act relating to claims against the state; providing for settlement of various claims; appropriating money.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3995 and that the rules of the Senate be so far suspended as to give H.F. No. 3995 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 3995 was read the second time.

Senator Skoglund moved to amend H.F. No. 3995 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 3995, and insert the language after the enacting clause, and the title, of S.F. No. 3631, as introduced.

The motion prevailed. So the amendment was adopted.

H.F. No. 3995 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Koering	Nienow	Scheid
Bachmann	Frederickson	Kubly	Olson	Senjem
Bakk	Gerlach	Langseth	Ortman	Skoe
Belanger	Hann	Larson	Pappas	Skoglund
Betzold	Higgins	LeClair	Ranum	Solon
Bonoff	Johnson, D.E.	Limmer	Reiter	Sparks
Chaudhary	Johnson, D.J.	Marko	Rest	Stumpf
Clark	Jungbauer	Marty	Robling	Tomassoni
Cohen	Kelley	McGinn	Rosen	Vickerman
Day	Kierlin	Metzen	Ruud	Wergin
Dibble	Kiscaden	Moua	Sams	Wiger
Dille	Koch	Neuville	Saxhaug	

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

Senator Skoglund moved that S.F. No. 3631, No. 92 on General Orders, be stricken and laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Johnson, D.E. moved that H.F. No. 3472 be taken from the table. The motion prevailed.

H.F. No. 3472: A bill for an act relating to transportation; amending definition of recreational vehicle combination; amending Minnesota Statutes 2005 Supplement, sections 169.01, subdivision 78; 169.81, subdivision 3c.

SUSPENSION OF RULES

Senator Johnson, D.E. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3472 and that the rules of the Senate be so far suspended as to give H.F. No. 3472 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 3472 was read the second time.

H.F. No. 3472 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Belanger	Chaudhary	Day	Fischbach
Bachmann	Betzold	Clark	Dibble	Foley
Bakk	Bonoff	Cohen	Dille	Frederickson

Gerlach	Koering	Moua	Robling	Sparks
Hann	Kubly	Murphy	Rosen	Stumpf
Higgins	Langseth	Neuville	Ruud	Tomassoni
Johnson, D.E.	Larson	Nienow	Sams	Vickerman
Johnson, D.J.	LeClair	Olson	Saxhaug	Wergin
Jungbauer	Limmer	Ortman	Scheid	Wiger
Kelley	Marko	Pappas	Senjem	
Kierlin	Marty	Ranum	Skoe	
Kiscaden	McGinn	Reiter	Skoglund	
Koch	Metzen	Rest	Solon	

So the bill passed and its title was agreed to.

Senator Johnson, D.E. moved that S.F. No. 3083, No. 29 on General Orders, be stricken and laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 2302.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 19, 2006

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Ruud moved that S.F. No. 3806 be withdrawn from the Committee on Commerce and returned to its author. The motion prevailed.

RECONSIDERATION

Having voted on the prevailing side, Senator Wergin moved that the vote whereby H.F. No. 3451 was passed by the Senate on May 19, 2006, be now reconsidered. The motion prevailed. So the vote was reconsidered.

H.F. No. 3451: A bill for an act relating to governmental operations; regulating certain historic properties; providing standards for dedication of land to the public in a proposed development; authorizing a dedication fee on certain new housing units; authorizing the conveyance of certain surplus state lands; requiring a study and report; removing a route from the trunk highway system; amending Minnesota Statutes 2004, section 462.358, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 2004, section 161.115, subdivisions 173, 225.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Koering	Olson	Skoe
Bachmann	Frederickson	Kubly	Ortman	Skoglund
Bakk	Gerlach	Langseth	Pappas	Solon
Belanger	Hann	Larson	Ranum	Sparks
Betzold	Higgins	LeClair	Reiter	Stumpf
Bonoff	Hottinger	Limmer	Rest	Tomassoni
Chaudhary	Johnson, D.E.	Marko	Robling	Vickerman
Clark	Johnson, D.J.	Marty	Rosen	Wergin
Cohen	Jungbauer	McGinn	Ruud	Wiger
Day	Kelley	Metzen	Sams	
Dibble	Kierlin	Moua	Saxhaug	
Dille	Kiscaden	Neuville	Scheid	
Fischbach	Koch	Nienow	Senjem	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Moua introduced—

S.F. No. 3819: A bill for an act relating to alcohol; allowing a liquor license to be issued near Metropolitan State University in St. Paul; amending Minnesota Statutes 2005 Supplement, section 340A.412, subdivision 4.

Referred to the Committee on Commerce.

Senators Neuville, Olson, Hann and Nienow introduced—

S.F. No. 3820: A bill for an act relating to health care; developing a statewide plan for the redesign of the health care system.

Referred to the Committee on Health and Family Security.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 8:15 p.m. The motion prevailed.

The hour of 8:15 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3116:

H.F. No. 3116: A bill for an act relating to game and fish; restricting the use of four by four trucks on certain public lands; modifying critical habitat private sector matching account provisions; providing definitions; providing for and modifying disposition of certain revenue; modifying provisions for designating game refuges; modifying restrictions on motorized watercraft and recreational vehicles in wildlife management areas; providing for inspection of equipment used to take wild animals; modifying certain penalty and fee amounts; modifying certain game and fish license provisions; authorizing the marking of canoe and boating routes; modifying firearms possession provisions for persons under 16; providing for collecting antler sheds; modifying firearms safety course requirements; modifying certain provisions for taking and possessing game and fish; modifying restrictions on using lights to locate animals; modifying provisions for fishing contests; authorizing county bounties on coyotes; providing for a moratorium on use of public waters for aquaculture; modifying regulation of all-terrain vehicles; creating two classes of all-terrain vehicles; requiring rulemaking; removing a spearing restriction; appropriating money; amending Minnesota Statutes 2004, sections 84.803, subdivision 2; 84.92, subdivision 8, by adding subdivisions; 84.928, by adding a subdivision; 84.943, subdivision 3; 85.32, subdivision 1; 97A.015, by adding subdivisions; 97A.055, subdivision 2; 97A.065, subdivision 2; 97A.075, subdivision 1; 97A.085, subdivision 4; 97A.101, subdivision 4; 97A.251, subdivision 1; 97A.321; 97A.465, by adding a subdivision; 97A.475, subdivision 2; 97A.535, subdivision 1; 97B.015, by adding a subdivision; 97B.021, subdivision 1, by adding a subdivision; 97B.081, subdivision 1; 97B.301, subdivision 7; 97B.311; 97C.025; 97C.081, subdivisions 4, 6, 8, 9; 97C.205; 97C.315, subdivision 2; 97C.355, subdivision 7; 97C.371, subdivisions 3, 4; Minnesota Statutes 2005 Supplement, sections 84.9256, subdivision 1; 84.9257; 84.926, subdivision 4; 84.928, subdivision 1; 97A.405, subdivision 4; 97A.475, subdivision 3; 97A.551, subdivision 6; 197.65; proposing coding for new law in Minnesota Statutes, chapters 84; 97B; 348; repealing Minnesota Statutes 2004, section 97C.355, subdivision 6; Minnesota Rules, part 6264.0400, subpart 8, item H.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

McNamara, Hackbarth and Dill have been appointed as such committee on the part of the House.

House File No. 3116 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 19, 2006

Senator Saxhaug moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 3116, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3199: A bill for an act relating to family law; changing certain child support and maintenance provisions; amending Minnesota Statutes 2004, sections 518.175, subdivision 1; 518.551, subdivision 6, by adding a subdivision; 518.5513, subdivision 3; Minnesota Statutes 2005 Supplement, section 518.005, subdivision 6; Laws 2005, chapter 164, sections 4; 5; 8; 9; 10; 11; 14; 15; 16; 17, subdivision 1; 18; 20; 21; 22, subdivisions 2, 3, 4, 16, 17, 18; 23, subdivisions 1, 2; 24; 25; 26, subdivision 2, as amended; 31; 32; proposing coding for new law in Minnesota Statutes, chapter 518; repealing Minnesota Statutes 2004, section 518.54, subdivision 6; Laws 2005, chapter 164, section 12.

Senate File No. 3199 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 19, 2006

Senator Day, for Senator Neuville, moved that the Senate do not concur in the amendments by the House to S.F. No. 3199, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Senator Johnson, D.E. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 3199: Senators Neuville, Betzold and Skoglund.

H.F. No. 3116: Senators Saxhaug, Kubly and Jungbauer.

Senator Johnson, D.E. moved that the foregoing appointments be approved. The motion prevailed.

MEMBERS EXCUSED

Senators Lourey and Pariseau were excused from the Session of today. Senators Johnson, D.J.; Marko and Stumpf were excused from the Session of today from 10:00 to 10:30 a.m. Senator Kelley was excused from the Session of today from 10:00 to 10:30 a.m. and from 12:15 to 12:40 p.m. Senator Pappas was excused from the Session of today from 10:00 to 10:35 a.m. Senator Anderson was excused from the Session of today from 10:00 to 10:45 a.m. Senator Dille was excused from

the Session of today from 10:00 a.m. to 12:40 p.m. Senator Berglin was excused from the Session of today from 10:30 to 11:00 a.m. and from 12:15 to 1:00 p.m. Senator Bakk was excused from the Session of today from 10:35 a.m. to 12:00 noon. Senator Pogemiller was excused from the Session of today from 12:00 noon to 1:45 p.m. Senator Rosen was excused from the Session of today from 12:50 to 1:00 p.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Saturday, May 20, 2006. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

