

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FORTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 3, 1993

The House of Representatives convened at 9:00 a.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Frederick O. Atkinson, Clergy of the United Methodist Church, Lakefield, 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:

Abrams	Dauner	Haukoos	Krinkie	Neary	Reding	Trimble
Anderson, I.	Davids	Hausman	Krueger	Nelson	Rest	Tunheim
Anderson, R.	Dawkins	Holsten	Lasley	Ness	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Leppik	Olson, E.	Rice	Vellenga
Battaglia	Delmont	Huntley	Lieder	Olson, K.	Rodosovich	Vickerman
Bauerly	Dempsey	Jacobs	Limmer	Olson, M.	Rukavina	Wagenius
Beard	Dorn	Jaros	Lindner	Onnen	Sarna	Waltman
Bergson	Erhardt	Jennings	Lourey	Opatz	Seagren	Weaver
Bertram	Evans	Johnson, A.	Luther	Orenstein	Sekhon	Wejcman
Bettermann	Farrell	Johnson, R.	Lynch	Orfield	Simoneau	Wenzel
Bishop	Frerichs	Johnson, V.	Macklin	Osthoff	Skoglund	Winter
Blatz	Garcia	Kahn	Mahon	Ostrom	Smith	Wolf
Brown, C.	Girard	Kalis	Mariani	Ozment	Solberg	Worke
Brown, K.	Goodno	Kelley	McCollum	Pauly	Stanis	Workman
Carlson	Greenfield	Kelso	Molnau	Pawlenty	Steensma	Spk. Long
Carruthers	Greiling	Kinkel	Morrison	Pelowski	Sviggum	
Clark	Gruenes	Klinzing	Mosel	Perlt	Swenson	
Commers	Gutknecht	Knickerbocker	Munger	Peterson	Tomassoni	
Cooper	Hasskamp	Koppendraye	Murphy	Pugh	Tompkins	

A quorum was present.

Milbert was excused until 9:25 a.m. McGuire was excused until 9:40 a.m. Welle was excused until 9:45 a.m. Sparby was excused until 10:30 a.m. Jefferson was excused until 10:40 a.m.

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

REPORTS OF CHIEF CLERK

S. F. No. 1046 and H. F. No. 1220, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Orenstein moved that the rules be so far suspended that S. F. No. 1046 be substituted for H. F. No. 1220 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1619 and H. F. No. 575, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Battaglia moved that the rules be so far suspended that S. F. No. 1619 be substituted for H. F. No. 575 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 1046 and 1619 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Steensma, Trimble and Morrison introduced:

H. F. No. 1763, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Farrell introduced:

H. F. No. 1764, A bill for an act relating to occupations and professions; adding traffic escort services to occupations regulated by the board of private detective and protective agent services; amending Minnesota Statutes 1992, sections 169.20, subdivision 5; 326.32, subdivisions 5, 8, 9, and 10; 326.33, subdivision 1; 326.3311; 326.3331; 326.336, subdivisions 1 and 3; 326.338, subdivision 4, and by adding a subdivision; 326.3381, subdivisions 1 and 2; 326.3382; 326.3383, subdivision 1; 326.3384, subdivision 1; 326.3386, subdivisions 1, 2, 3, 4, and 6; and 326.3387.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Sparby, Goodno and Winter introduced:

H. F. No. 1765, A bill for an act relating to taxation; providing for sales tax rebates for retailers in border city enterprise zones; appropriating money; amending Minnesota Statutes 1992, section 469.171, subdivision 6, and by adding a subdivision.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Rest introduced:

H. A. No. 17, A proposal to study a vending machine decal fee system.

The advisory was referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

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

H. F. No. 270, A bill for an act relating to the city of St. Paul; authorizing payment of refunds to the estates of certain deceased firefighters.

H. F. No. 1228, A bill for an act relating to retirement; public employees retirement association and Minneapolis employees retirement fund; providing for the retention of pension coverage for certain transferred employees.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

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

H. F. No. 430, A bill for an act relating to human services; requiring the department of health and human services to develop plans to reduce duplication and paperwork in reviews conducted.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kinkel moved that the House concur in the Senate amendments to H. F. No. 430 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 430, A bill for an act relating to human services; requiring the departments of health and human services to develop plans to reduce duplication and paperwork in reviews conducted.

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

The question was taken on the repassage of the bill and the roll was called. There were 116 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bertram	Dauner	Evans	Gutknecht	Johnson, R.	Koppendrayer
Anderson, I.	Bettermann	Davids	Frerichs	Hasskamp	Johnson, V.	Krinkie
Anderson, R.	Blatz	Dawkins	Garcia	Haukoos	Kalis	Krueger
Asch	Brown, K.	Dehler	Girard	Holsten	Kelley	Lasley
Battaglia	Carlson	Delmont	Goodno	Hugoson	Kelso	Leppik
Bauerly	Carruthers	Dempsey	Greenfield	Huntley	Kinkel	Lieder
Beard	Commers	Dorn	Greiling	Jacobs	Klinzing	Limmer
Bergson	Cooper	Erhardt	Gruenes	Johnson, A.	Knickerbocker	Lindner

Luther	Murphy	Orfield	Reding	Simoneau	Tompkins	Wenzel
Lynch	Neary	Osthoff	Rest	Skoglund	Trimble	Winter
Macklin	Nelson	Ostrom	Rhodes	Smith	Tunheim	Wolf
Mahon	Ness	Pauly	Rice	Solberg	Van Dellen	Worke
Mariani	Olson, K.	Pawlenty	Rodosovich	Stanius	Vellenga	Workman
McCollum	Olson, M.	Pelowski	Rukavina	Steensma	Vickerman	Spk. Long
Molnau	Onnen	Perlt	Sarna	Sviggum	Waltman	
Morrison	Opatz	Peterson	Seagren	Swenson	Weaver	
Munger	Orenstein	Pugh	Sekhon	Tomassoni	Wejcman	

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

Madam Speaker:

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

H. F. No. 113, A bill for an act relating to traffic regulations; specifying that a pedestrian lawfully in a crosswalk with pedestrian control signals must be given the right-of-way by all vehicles; amending Minnesota Statutes 1992, section 169.06, subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Orenstein moved that the House concur in the Senate amendments to H. F. No. 113 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 113, A bill for an act relating to traffic regulations; specifying that a pedestrian lawfully in a crosswalk with pedestrian control signals must be given the right-of-way by all vehicles; amending Minnesota Statutes 1992, section 169.06, subdivision 6.

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

The question was taken on the repassage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Haukoos	Krueger	Neary	Reding	Tomassoni
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rest	Tompkins
Anderson, R.	Dehler	Hugoson	Leppik	Ness	Rhodes	Trimble
Asch	Delmont	Huntley	Lieder	Olson, K.	Rice	Tunheim
Bauerly	Dempsey	Jacobs	Limmer	Olson, M.	Rodosovich	Van Dellen
Beard	Dorn	Jaros	Lindner	Onnen	Rukavina	Vellenga
Bergson	Erhardt	Johnson, A.	Luther	Opatz	Sarna	Vickerman
Bertram	Evans	Johnson, R.	Lynch	Orenstein	Seagren	Waltman
Bettermann	Frerichs	Johnson, V.	Macklin	Orfield	Sekhon	Weaver
Blatz	Garcia	Kalis	Mahon	Osthoff	Simoneau	Wejcman
Brown, K.	Girard	Kelley	Mariani	Ostrom	Skoglund	Wenzel
Carlson	Goodno	Kelso	McCollum	Pauly	Smith	Winter
Carruthers	Greenfield	Kinkel	Molnau	Pawlenty	Solberg	Wolf
Clark	Greiling	Klinzing	Morrison	Pelowski	Stanius	Worke
Commers	Gruenes	Knickerbocker	Mosel	Perlt	Steensma	Workman
Cooper	Gutknecht	Koppendrayner	Munger	Peterson	Sviggum	Spk. Long
Dauner	Hasskamp	Krinkie	Murphy	Pugh	Swenson	

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

Madam Speaker:

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

H. F. No. 9, A bill for an act relating to insurance; health; requiring coverage for elimination or treatment of port-wine stains; proposing coding for new law in Minnesota Statutes, chapter 62A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Skoglund moved that the House concur in the Senate amendments to H. F. No. 9 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 9, A bill for an act relating to insurance; health; requiring coverage for elimination or treatment of port-wine stains; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

The question was taken on the repassage of the bill and the roll was called. There were 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krueger	Murphy	Reding	Trimble
Anderson, I.	Davids	Hausman	Lasley	Neary	Rest	Tunheim
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Lieder	Ness	Rice	Vellenga
Battaglia	Delmont	Huntley	Limmer	Olson, K.	Rodosovich	Vickerman
Bauerly	Dempsey	Jacobs	Lindner	Olson, M.	Rukavina	Wagenius
Beard	Dorn	Jaros	Lourey	Onnen	Sarna	Waltman
Bergson	Erhardt	Johnson, A.	Luther	Opatz	Seagren	Weaver
Bertram	Evans	Johnson, R.	Lynch	Orenstein	Sekhon	Wejzman
Bettermann	Frerichs	Johnson, V.	Macklin	Orfield	Simoneau	Wenzel
Blatz	Garcia	Kalis	Mahon	Osthoff	Skoglund	Winter
Brown, C.	Girard	Kelley	Mariani	Ostrom	Smith	Wolf
Brown, K.	Goodno	Kelso	McCollum	Pauly	Solberg	Worke
Carlson	Greenfield	Kinkel	Milbert	Pawlenty	Stanis	Workman
Carruthers	Greiling	Klinzing	Molnau	Pelowski	Steensma	Spk. Long
Clark	Gruenes	Knickerbocker	Morrison	Perlt	Swenson	
Commers	Gutknecht	Koppendrayner	Mosel	Peterson	Tomassoni	
Cooper	Hasskamp	Krinkie	Munger	Pugh	Tompkins	

Those who voted in the negative were:

Svigum

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

Madam Speaker:

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

H. F. No. 969, A bill for an act relating to transportation; adopting federal motor carrier safety regulations; allowing small motor carriers to file abbreviated annual reports; providing for registration of interstate motor carriers; defining

terms; allowing 45-foot buses to be operated in the state; exempting drivers of lightweight vehicles from driver qualification rules; requiring information on shipping documents and other motor carrier records; making technical changes; imposing penalties; amending Minnesota Statutes 1992, sections 168.011, subdivision 3; 168.1281, subdivision 3; 169.781, subdivision 3; 169.81, subdivision 2; 221.011, by adding subdivisions; 221.031, subdivisions 1, 2, 2a, 2b, 3, 3a, 3b, 3c, 5, and 6; 221.0313, subdivision 1; 221.033, subdivisions 2 and 2a; 221.035, subdivision 2; 221.036, subdivisions 1 and 3; 221.172; 221.81, subdivision 3e; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Laws 1992, chapters 568, section 1; and 578, section 15.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pauly moved that the House concur in the Senate amendments to H. F. No. 969 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 969, A bill for an act relating to transportation; changing requirement for town road account distribution; defining exempt carriers to include certain tow trucks; adopting federal motor carrier safety regulations; allowing small motor carriers to file abbreviated annual reports; providing for registration of interstate motor carriers; defining terms; allowing 45-foot buses to be operated in the state; exempting drivers of lightweight vehicles from driver qualification rules; requiring information on shipping documents and other motor carrier records; making technical changes; imposing penalties; amending Minnesota Statutes 1992, sections 162.081, subdivision 4; 164.06, subdivision 2; 168.011, subdivision 3; 168.1281, subdivision 3; 169.01, subdivision 52; 169.81, subdivision 2; 221.011, by adding subdivisions; 221.025; 221.031, subdivisions 1, 2, 2a, 2b, 3, 3a, 3b, 3c, 5, and 6; 221.0313, subdivision 1; 221.033, subdivisions 2 and 2a; 221.035, subdivision 2; 221.036, subdivisions 1 and 3; 221.172; 221.81, subdivision 3e; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Laws 1992, chapters 568, section 1; and 578, section 15.

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

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krueger	Murphy	Reding	Trimble
Anderson, I.	Davids	Hausman	Lasley	Neary	Rest	Tunheim
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Lieder	Ness	Rice	Vellenga
Battaglia	Delmont	Jacobs	Limmer	Olson, K.	Rodosovich	Vickerman
Bauerly	Dempsey	Jaros	Lindner	Olson, M.	Sarna	Wagenius
Beard	Dorn	Johnson, A.	Lourey	Onnen	Seagren	Waltman
Bergson	Erhardt	Johnson, R.	Luther	Opatz	Sekhon	Weaver
Bertram	Evans	Johnson, V.	Lynch	Orenstein	Simoneau	Wenzel
Bettermann	Frerichs	Kahn	Macklin	Orfield	Skoglund	Winter
Blatz	Garcia	Kalis	Mahon	Osthoff	Smith	Wolf
Brown, C.	Girard	Kelley	Mariani	Ostrom	Solberg	Worke
Brown, K.	Goodno	Kelso	McCollum	Pauly	Stanius	Workman
Carlson	Greenfield	Kinkel	Milbert	Pawlenty	Steensma	Spk. Long
Carruthers	Greiling	Klinzing	Molnau	Pelowski	Sviggum	
Clark	Gruenes	Krickerbocker	Morrison	Perlt	Swenson	
Commers	Gutknecht	Koppendrayar	Mosel	Peterson	Tomassoni	
Cooper	Hasskamp	Krinkie	Munger	Pugh	Tompkins	

Those who voted in the negative were:

Huntley Rukavina

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

Madam Speaker:

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

S. F. No. 1201, A bill for an act relating to health occupations and professions; board of psychology; extending deadline by which previously qualified persons may file a declaration of intent to seek licensure as a licensed psychologist without further examination; requiring the board to issue notices of extension; modifying reciprocity licensing requirement; providing for disciplinary actions; consolidating and modifying enforcement remedies; providing penalties; amending Minnesota Statutes 1992, sections 1031.345, subdivision 1; 116.75; 116.76, subdivision 1; 116.77; 116.82, subdivision 3; 144.71, subdivision 1; 145A.07, subdivision 1; 148.89, by adding a subdivision; 148.905, subdivision 1; 148.921, subdivisions 2 and 3; 148.925, subdivision 1; 148.98; 326.37, subdivision 1; 327.16, subdivision 6; and 327.20, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 144; and 148; repealing Minnesota Statutes 1992, sections 1031.701; 1031.705; 116.83; 144.1211; 144.386, subdivision 4; 144.73, subdivisions 2, 3, and 4; 144.76; 148.95; 157.081; 326.43; 326.53, subdivision 2; 326.63; 326.78, subdivisions 4, 6, 7, and 8; 326.79; 326.80; 327.18; and 327.24, subdivisions 1 and 2.

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

Messrs. Finn, Betzold and Dille.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Asch moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1201. The motion prevailed.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. Nos. 1225, 10, 1445, 299, 1133 and 1114.

H. F. No. 1225 was reported to the House.

Wenzel, Steensma, Koppendrayner, Nelson, Dauner and Johnson, V., moved to amend H. F. No. 1225, the fourth engrossment, as follows:

Page 14, after line 35, insert:

"Sec. 21. [EDUCATION SPECIALIST; MANDATE.]

The department of education shall retain the position of education specialist II and its current responsibilities.

Qualified candidates for the position must have a background in agriculture and at least a masters degree in agriculture education plus three years teaching experience in agriculture education.

The individual would also serve as state advisor for the student organization Future Farmers of America (FFA) and the majority of time should be devoted to administration and management of secondary agriculture education programs."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Wenzel et al amendment and the roll was called. There were 108 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dauner	Hasskamp	Lasley	Neary	Pugh	Trimble
Anderson, R.	Davids	Hugoson	Leppik	Nelson	Reding	Tunheim
Battaglia	Dawkins	Huntley	Lieder	Ness	Rest	Van Dellen
Bauerly	Dehler	Jacobs	Lindner	Olson, E.	Rhodes	Vellenga
Beard	Dempsey	Jaros	Lourey	Olson, K.	Rice	Vickerman
Bergson	Dorn	Jennings	Luther	Olson, M.	Rodosovich	Waltman
Bertram	Evans	Johnson, A.	Lynch	Onnen	Rukavina	Weaver
Bettermann	Farrell	Johnson, R.	Macklin	Opatz	Sarna	Wenzel
Blatz	Frerichs	Johnson, V.	Mahon	Orenstein	Seagren	Winter
Brown, C.	Garcia	Kalis	Mariani	Orfield	Sekhon	Wolf
Brown, K.	Girard	Kelley	McGuire	Ostrom	Smith	Worke
Carlson	Goodno	Kelso	Milbert	Ozment	Solberg	Spk. Long
Carruthers	Greenfield	Kinkel	Molnau	Pawlenty	Steensma	
Clark	Greiling	Klinzing	Mosel	Pelowski	Sviggum	
Commers	Gruenes	Koppendrayner	Munger	Perlt	Swenson	
Cooper	Gutknecht	Krueger	Murphy	Peterson	Tomassoni	

Those who voted in the negative were:

Abrams	Delmont	Hausman	Krinkie	Morrison	Simoneau	Tompkins
Asch	Erhardt	Holsten	Limmer	Osthoff	Skoglund	Wagenius
Bishop	Haukoos	Knickerbocker	McCollum	Pauly	Stanius	Workman

The motion prevailed and the amendment was adopted.

Reding moved to amend H. F. No. 1225, the fourth engrossment, as amended, as follows:

Page 2, line 18, restore the old language

Page 2, line 19, delete the new language

The motion prevailed and the amendment was adopted.

H. F. No. 1225, A bill for an act relating to agriculture; authorizing use of money in the agricultural chemical response and reimbursement account for administrative costs; exempting certain pesticides from the ACRRA surcharge; requiring a report; appropriating money; repealing the hazardous substance labeling act; amending Minnesota Statutes 1992, sections 18B.01, by adding subdivisions; 18B.135; 18B.14, subdivision 2; 18B.26, subdivision 3; 18B.31, subdivision 1; 18B.36, subdivision 2; 18B.37, subdivision 2; 18C.005, subdivisions 13 and 35; 18C.115, subdivision 2; 18C.211, subdivision 1; 18C.215, subdivision 2; 18C.305, subdivision 2; 18E.03, subdivisions 2 and 5; 21.85, subdivision 10; 325F.19, subdivision 7; repealing Minnesota Statutes 1992, sections 18B.07, subdivision 3; 18C.211, subdivision 3; 18C.215, subdivision 3; 24.32; 24.33; 24.34; 24.35; 24.36; 24.37; 24.38; 24.39; 24.40; 24.41; 24.42; 25.46; and 25.47.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krueger	Murphy	Pugh	Trimble
Anderson, I.	Dauids	Hausman	Lasley	Neary	Rest	Tunheim
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Lieder	Ness	Rice	Vellenga
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Dorn	Jaros	Lourey	Olson, M.	Sarna	Waltman
Bergson	Erhardt	Jennings	Luther	Ornen	Seagren	Weaver
Bertram	Evans	Johnson, R.	Lynch	Opatz	Sekhon	Wejzman
Bettermann	Farrell	Johnson, V.	Macklin	Orenstein	Simoneau	Welle
Bishop	Frerichs	Kahn	Mahon	Orfield	Skoglund	Wenzel
Blatz	Garcia	Kalis	Mariani	Osthoff	Smith	Winter
Brown, C.	Girard	Kelley	McCollum	Ostrom	Solberg	Wolf
Brown, K.	Goodno	Kelso	McGuire	Ozment	Stanis	Worke
Carlson	Greenfield	Kinkel	Milbert	Pauly	Steensma	Workman
Carruthers	Greiling	Klinzing	Molnau	Pawlenty	Sviggum	Spk. Long
Clark	Gruenes	Knickerbocker	Morrison	Pelowski	Swenson	
Commers	Gutknecht	Koppendrayner	Mosel	Perlt	Tomassoni	
Cooper	Hasskamp	Krinkie	Munger	Peterson	Tompkins	

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

H. F. No. 10 was reported to the House.

Bauerly moved to amend H. F. No. 10, the third engrossment, as follows:

Page 4, line 9, delete "business, industry" and insert "affected local businesses, industries, occupations and labor, as well as the local community"

Page 4, line 10, delete "occupations, labor, and the community"

Page 6, line 12, delete "business," and insert "and should include representatives of affected local businesses, industries and labor, as well as the local community"

Delete line 13 up to the period

Page 6, line 21, after the period insert "The applicant may select a name to identify the project."

Page 7, line 5, delete "Of"

Page 7, delete lines 6 to 8 and insert "Up to \$200,000 of this appropriation may be used by the commissioner of the department of education to contract for services to provide technical assistance in creating a clearinghouse for information, recruiting businesses, developing skills standards, developing evaluation criteria, and establishing a databank for youth apprenticeship programs. The appropriation is available until June 30, 1995."

The motion prevailed and the amendment was adopted.

Johnson, R.; Winter; Bauerly; Johnson, V., and Lourey moved to amend H. F. No. 10, the third engrossment, as amended, as follows:

Page 5, line 27, after the period insert "The representatives for the Minnesota Education Association and the Minnesota Federation of Teachers must be selected from geographically diverse areas of the state. The two representatives each from business, labor, and industry organizations should reflect geographically diverse areas of the state."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 10, A bill for an act relating to education; establishing a youth apprenticeship program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krinkie	Murphy	Pugh	Tompkins
Anderson, I.	Dauids	Hausman	Krueger	Neary	Reding	Trimble
Anderson, R.	Dawkins	Holsten	Lasley	Nelson	Rest	Tunheim
Asch	Dehler	Hugoson	Leppik	Ness	Rhodes	Van Dellen
Battaglia	Delmont	Huntley	Lieder	Olson, E.	Rice	Vellenga
Bauerly	Dempsey	Jacobs	Limmer	Olson, K.	Rodosovich	Vickerman
Beard	Dorn	Jaros	Lindner	Olson, M.	Rukavina	Wagenius
Bergson	Erhardt	Jennings	Lourey	Ornen	Sarna	Waltman
Bertram	Evans	Johnson, A.	Luther	Opatz	Seagren	Weaver
Bettermann	Farrell	Johnson, R.	Lynch	Orenstein	Sekhon	Wejzman
Bishop	Frerichs	Johnson, V.	Macklin	Orfield	Simoneau	Welle
Blatz	Garcia	Kahn	Mahon	Osthoff	Skoglund	Wenzel
Brown, C.	Girard	Kalis	Mariani	Ostrom	Smith	Winter
Brown, K.	Goodno	Kelley	McGuire	Ozment	Solberg	Wolf
Carlson	Greenfield	Kelso	Milbert	Pauly	Stanisus	Worke
Carruthers	Greiling	Kinkel	Molnau	Pawlenty	Steensma	Workman
Clark	Gruenes	Klinzing	Morrison	Pelowski	Sviggum	Spk. Long
Commers	Gutknecht	Knickerbocker	Mosel	Perlt	Swenson	
Cooper	Hasskamp	Koppendrayner	Munger	Peterson	Tomassoni	

Those who voted in the negative were:

McCollum

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

The Speaker called Bauerly to the Chair.

H. F. No. 1445, A bill for an act relating to industrial development; authorizing a grant to a nonprofit organization to promote expanding flexible collaborative manufacturing networks statewide.

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

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Holsten	Lasley	Nelson	Rhodes	Van Dellen
Anderson, I.	Dawkins	Hugoson	Leppik	Ness	Rice	Vellenga
Anderson, R.	Dehler	Huntley	Lieder	Olson, E.	Rodosovich	Vickerman
Asch	Delmont	Jacobs	Limmer	Olson, K.	Rukavina	Wagenius
Battaglia	Dempsey	Jaros	Lindner	Olson, M.	Sarna	Waltman
Bauerly	Dorn	Jefferson	Lourey	Onnen	Seagren	Weaver
Beard	Erhardt	Jennings	Luther	Opatz	Sekhon	Wejman
Bergson	Evans	Johnson, A.	Lynch	Orenstein	Simoneau	Welle
Bertram	Farrell	Johnson, R.	Macklin	Orfield	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, V.	Mahon	Osthoff	Smith	Winter
Bishop	Garcia	Kahn	Mariani	Ostrom	Solberg	Wolf
Blatz	Girard	Kalis	McCollum	Ozment	Sparby	Worke
Brown, C.	Goodno	Kelley	McGuire	Pauly	Stanius	Workman
Brown, K.	Greenfield	Kelso	Milbert	Pawlenty	Steensma	Spk. Long
Carlson	Greiling	Kinkel	Molnau	Pelowski	Swiggum	
Carruthers	Gruenes	Klinzing	Morrison	Perl	Swenson	
Clark	Gutknecht	Knickerbocker	Mosel	Peterson	Tomassoni	
Commers	Hasskamp	Koppendrayner	Munger	Pugh	Tompkins	
Cooper	Haukoos	Krinkie	Murphy	Reding	Trimble	
Dauner	Hausman	Krueger	Neary	Rest	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 299, A bill for an act relating to elections; changing requirements and procedures for maintaining precinct boundary data; appropriating money; amending Minnesota Statutes 1992, sections 204B.14, subdivisions 5 and 6; and 204B.146.

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

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

Those who voted in the affirmative were:

Abrams	Carruthers	Girard	Jennings	Leppik	Mosel	Ozment
Anderson, I.	Clark	Goodno	Johnson, A.	Lieder	Munger	Pauly
Anderson, R.	Commers	Greenfield	Johnson, R.	Limmer	Murphy	Pawlenty
Asch	Cooper	Greiling	Johnson, V.	Lindner	Neary	Pelowski
Battaglia	Dauner	Gruenes	Kahn	Lourey	Nelson	Perl
Bauerly	Dauids	Gutknecht	Kalis	Luther	Ness	Peterson
Beard	Dawkins	Hasskamp	Kelley	Lynch	Olson, E.	Pugh
Bergson	Dehler	Haukoos	Kelso	Macklin	Olson, K.	Reding
Bertram	Delmont	Hausman	Kinkel	Mahon	Olson, M.	Rest
Bettermann	Dempsey	Holsten	Klinzing	Mariani	Onnen	Rhodes
Bishop	Dorn	Hugoson	Knickerbocker	McCollum	Opatz	Rice
Blatz	Evans	Huntley	Koppendrayner	McGuire	Orenstein	Rodosovich
Brown, C.	Farrell	Jacobs	Krinkie	Milbert	Orfield	Rukavina
Brown, K.	Frerichs	Jaros	Krueger	Molnau	Osthoff	Sarna
Carlson	Garcia	Jefferson	Lasley	Morrison	Ostrom	Seagren

Sekhon	Solberg	Sviggum	Trimble	Vickerman	Wejcman	Wolf
Simoneau	Sparby	Swenson	Tunheim	Wagenius	Welle	Worke
Skoglund	Stanius	Tomassoni	Van Dellen	Waltman	Wenzel	Workman
Smith	Steensma	Tompkins	Vellenga	Weaver	Winter	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 1133 was reported to the House.

Hausman moved to amend H. F. No. 1133, the first engrossment, as follows:

Page 1, line 22, delete "shall" and insert "may"

The motion prevailed and the amendment was adopted.

H. F. No. 1133, A bill for an act relating to energy; directing the public service department to evaluate and implement a policy to promote the use of motor vehicles powered by alternate fuels; appropriating money; amending Minnesota Statutes 1992, section 216C.01, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 216B; and 216C.

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

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

Those who voted in the affirmative were:

Abrams	Dauner	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, I.	Dauids	Holsten	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dawkins	Hugoson	Lasley	Neary	Reding	Tompkins
Asch	Dehler	Huntley	Leppik	Nelson	Rest	Trimble
Battaglia	Delmont	Jacobs	Lieder	Ness	Rhodes	Tunheim
Bauerly	Dempsey	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Beard	Dorn	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bergson	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bertram	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bettermann	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Bishop	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Blatz	Girard	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, C.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Welle
Brown, K.	Greenfield	Kelley	McCollum	Ostrom	Smith	Wenzel
Carlson	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Carruthers	Gruenes	Kinkel	Milbert	Pauly	Sparby	Wolf
Clark	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Worke
Commers	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Workman
Cooper	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum	Spk. Long

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

H. F. No. 1114 was reported to the House.

Rukavina moved to amend H. F. No. 1114, the second engrossment, as follows:

Page 2, after line 23, insert:

"Sec. 4. Minnesota Statutes 1992, section 97B.041, is amended to read:

97B.041 [POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED IN DEER ZONES.]

A person may not possess a firearm or ammunition outdoors during the period beginning the tenth day before the open firearms season and ending the second day after the close of the season within an area where deer may be taken by a firearm, except:

(1) during the open season and in an area where big game may be taken, a firearm and ammunition authorized for taking big game in that area may be used to take big game in that area if the person has a valid big game license in possession;

(2) an unloaded firearm that is in a case or in a closed trunk of a motor vehicle;

(3) a shotgun and shells containing No. 4 buckshot or smaller diameter lead shot or steel shot;

(4) a handgun or rifle and only short, long, and long rifle cartridges that are caliber of .22 inches;

(5) handguns possessed by a person authorized to carry a handgun under sections 624.714 and 624.715 for the purpose authorized; and

(6) on a target range operated under a permit from the commissioner; and

(7) a rifle and ammunition may be possessed on private property for the sole purpose of sighting in the rifle."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Evans moved to amend H. F. No. 1114, the second engrossment, as amended, as follows:

Page 2, after line 36, insert:

"Sec. 5. Minnesota Statutes 1992, section 97A.091, subdivision 2, is amended to read:

Subd. 2. [WHEN HUNTING ALLOWED.] (a) The commissioner may allow hunting of a protected wild animal species within any portion of a state game refuge, including a state park, during the next regular open season. Hunting in a refuge may be allowed only if the commissioner finds:

(1) the population of the species exceeds the refuge's carrying capacity;

(2) the species is causing substantial damage to agricultural or forest crops in the vicinity;

(3) the species or other protected wild animals are threatened by the species population; or

(4) a harvestable surplus of the species exists.

(b) The commissioner may prescribe rules for any hunting allowed within a refuge.

In any selection process to award licenses of permits to take deer within a refuge, up to 20 percent of the licenses or permits may be granted to applicants age 65 or over or to disabled applicants qualified for a permit under section 97B.055, subdivision 3, or 97B.106."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kinkel; Johnson, R.; Anderson, I.; Solberg; Rukavina; Anderson, R.; Hasskamp; Bettermann; Goodno; Tomassoni; Sarna and Kahn offered an amendment, as amended by Morrison, to H. F. No. 1114, the second engrossment, as amended.

POINT OF ORDER

Osthoff raised a point of order pursuant to rule 3.09 that the Kinkel et al amendment, as amended by Morrison, was not in order. Speaker pro tempore Bauerly ruled the point of order well taken and the amendment, as amended, out of order.

Osthoff moved to amend H. F. No. 1114, the second engrossment, as amended, as follows:

Page 2, after line 23, insert:

"Sec. 4. Minnesota Statutes 1992, section 97B.041, is amended to read:

97B.041 [POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED IN DEER ZONES.]

A person may not possess a firearm or ammunition outdoors during the period beginning the tenth day before the open firearms season and ending the second day after the close of the season within an area where deer may be taken by a firearm, except:

(1) during the open season and in an area where big game may be taken, a firearm and ammunition authorized for taking big game in that area may be used to take big game in that area if the person has a valid big game license in possession;

(2) an unloaded firearm that is in a case or in a closed trunk of a motor vehicle;

(3) a shotgun and shells containing No. 4 buckshot or smaller diameter lead shot or steel shot;

(4) a handgun or rifle and only short, long, and long rifle cartridges that are caliber of .22 inches;

(5) handguns possessed by a person authorized to carry a handgun under sections 624.714 and 624.715 for the purpose authorized; and

(6) on a target range operated under a permit from the commissioner; and

(7) a rifle may be possessed on private property when written permission has been granted by the owner of the property for the sole purpose of sighting in the rifle."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1114, A bill for an act relating to game and fish; stamp design; training of hunting dogs; clothing requirements; raccoon season; rough fish taking by nonresidents; muskie size limits; taking of mussels; advance of matching funds; financing waterfowl development; defining "undressed bird"; regulating the taking of deer; regulating seasons on muskrat, mink, otter, and beaver; required license to take and condition of fish brought into the state from Canada; authorizing suspension of requirements upon action by Canadian authorities; amending Minnesota Statutes 1992, sections 84.085, by adding a subdivision; 97A.015, subdivision 49, and by adding a subdivision; 97A.045, subdivision 7; 97A.091, subdivision 2; 97A.531; 97B.005, subdivisions 2 and 3; 97B.041; 97B.071; 97B.621, subdivision 1; 97B.911; 97B.915; 97B.921; 97B.925; 97C.375; 97C.405; and 97C.701, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 97A; repealing Minnesota Statutes 1992, sections 97A.541; 97C.701, subdivisions 3, 4, and 5; 97C.705; and 97C.711.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendraye	Mosel	Perlt	Swenson
Anderson, I.	Davids	Hausman	Krunkie	Munger	Peterson	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tompkins
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Trimble
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Tunheim
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Van Dellen
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Vellenga
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vickerman
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Wagenius
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Waltman
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Weaver
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Wejzman
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wenzel
Brown, K.	Goodno	Kalis	Mariani	Osthoft	Skoglund	Winter
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wolf
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Worke
Clark	Gruenes	Kinkel	Milbert	Pauly	Stanis	Workman
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Steensma	Spk. Long
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Sviggum	

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

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1259, A bill for an act relating to the city of Minneapolis; extending authority to guarantee certain loans; amending Laws 1988, chapter 594, section 6, as amended.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1259 was read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

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

H. F. No. 1420, A bill for an act relating to probate; providing for determination of reasonable compensation for certain guardians and conservators; changing provisions for guardians and conservators of certain institutionalized persons; amending Minnesota Statutes 1992, sections 525.54, subdivisions 1 and 3; 525.544, subdivision 2; 525.58, subdivision 4; and 525.703, subdivisions 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McGuire moved that the House concur in the Senate amendments to H. F. No. 1420 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1420, A bill for an act relating to probate; providing for determination of reasonable compensation for certain guardians and conservators; changing provisions for guardians and conservators of certain institutionalized persons; amending Minnesota Statutes 1992, sections 525.54, subdivisions 1 and 3; 525.544, subdivision 2; 525.58, subdivision 4; and 525.703, subdivisions 2 and 3.

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

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Haukoos	Koppendraye	Munger	Peterson	Swenson
Anderson, I.	Dawkins	Hausman	Krinkie	Murphy	Pugh	Tomassoni
Anderson, R.	Dehler	Holsten	Krueger	Nelson	Reding	Tompkins
Asch	Delmont	Hugoson	Lasley	Ness	Rest	Trimble
Battaglia	Dempsey	Huntley	Leppik	Olson, E.	Rhodes	Tunheim
Bauerly	Dorn	Jaros	Lieder	Olson, K.	Rice	Van Dellen
Beard	Erhardt	Jefferson	Limmer	Olson, M.	Rodosovich	Vellenga
Bergson	Evans	Jennings	Lindner	Onnen	Rukavina	Vickerman
Bertram	Farrell	Johnson, A.	Luther	Opatz	Sarna	Wagenius
Bettermann	Frerichs	Johnson, R.	Lynch	Orenstein	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orfield	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Osthoff	Simoneau	Wejcman
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McGuire	Ozment	Smith	Winter
Carruthers	Greiling	Kelso	Milbert	Pauly	Sparby	Wolf
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Stanius	Worke
Cooper	Gutknecht	Klinzing	Morrison	Pelowski	Steensma	Workman
Dauner	Hasskamp	Knickerbocker	Mosel	Perl	Sviggum	Spk. Long

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

Madam Speaker:

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

H. F. No. 1720, A bill for an act relating to metropolitan government; requiring at least one member of metropolitan transit commission to be disabled user of transit system; amending Minnesota Statutes 1992, section 473.404, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jefferson moved that the House concur in the Senate amendments to H. F. No. 1720 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1720, A bill for an act relating to metropolitan government; requiring one member of the metropolitan transit commission to be disabled user of transit system; amending Minnesota Statutes 1992, section 473.404, subdivision 2.

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

The question was taken on the repassage of the bill and the roll was called. There were 121 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Blatz	Dawkins	Garcia	Holsten	Johnson, V.	Krueger
Anderson, R.	Brown, C.	Dehler	Goodno	Hugoson	Kahn	Lasley
Asch	Brown, K.	Delmont	Greenfield	Huntley	Kalis	Leppik
Battaglia	Carlson	Dempsey	Greiling	Jacobs	Kelley	Lieder
Bauerly	Carruthers	Dorn	Gruenes	Jaros	Kelso	Limmer
Beard	Clark	Erhardt	Gutknecht	Jefferson	Kinkel	Lindner
Bergson	Cooper	Evans	Hasskamp	Jennings	Klinzing	Lourey
Bertram	Dauner	Farrell	Haukoos	Johnson, A.	Knickerbocker	Luther
Bettermann	Davids	Frerichs	Hausman	Johnson, R.	Koppendraye	Lynch

Macklin	Munger	Opatz	Peterson	Seagren	Tomassoni	Wenzel
Mahon	Murphy	Orenstein	Pugh	Sekhon	Tompkins	Winter
Mariani	Neary	Orfield	Reding	Simoneau	Trimble	Wolf
McCollum	Nelson	Osthoff	Rest	Skoglund	Tunheim	Spk. Long
McGuire	Ness	Ozment	Rhodes	Smith	Van Dellen	
Milbert	Olson, E.	Pauly	Rice	Sparby	Vellenga	
Molnau	Olson, K.	Pawlenty	Rodosovich	Stanius	Vickerman	
Morrison	Olson, M.	Pelowski	Rukavina	Steensma	Wagenius	
Mosel	Onnen	Perlt	Sarna	Swenson	Wejcman	

Those who voted in the negative were:

Abrams	Krinkie	Sviggum	Weaver	Workman
Girard	Ostrom	Waltman	Worke	

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

Madam Speaker:

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

H. F. No. 1749, A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonding; appropriating money; amending Minnesota Statutes, section 16B.24, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124C; and 137.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kalis moved that the House refuse to concur in the Senate amendments to H. F. No. 1749, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1749:

Kalis, Solberg, Reding, Trimble and Bishop.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of S. F. No. 1619.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Battaglia moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1619 be given its third reading and be placed upon its final passage. The motion prevailed.

Battaglia moved that the Rules of the House be so far suspended that S. F. No. 1619 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 1619 was reported to the House.

Battaglia moved to amend S. F. No. 1619, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [97A.159] [1837 TREATY AREA AGREEMENT.]

Subdivision 1. [PURPOSE.] The purpose of this section is to resolve issues in dispute between the state of Minnesota and the Mille Lacs Band of Chippewa Indians that relate to hunting, fishing, and gathering in the ceded area described in the July 29, 1837, treaty between the Chippewa and the government of the Statutes at Large, volume 7, page 536. This treaty was proclaimed by the United States on June 15, 1838. The recognition of certain rights claimed by the band under this treaty has been sought in a civil action brought in the United States District Court for the District of Minnesota, Fourth Division, entitled Mille Lacs Band of Chippewa Indians, et al. v. State of Minnesota, et al., Civ. No. 4-90-605. The state desires to settle all outstanding matters relating to this dispute under the 1837 treaty as well as all issues arising from the band's rights to fish in the waters of Mille Lacs lake under the treaty made February 22, 1855, and proclaimed by the United States on April 7, 1855, Statutes at Large, volume 10, page 1165.

Subd. 2. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Amended settlement agreement" means the original settlement agreement as amended in accordance with subdivision 3.

(c) "Band" means the Mille Lacs Band of Chippewa Indians.

(d) "Band conservation code" means the band conservation code as defined in the original settlement agreement.

(e) "Harvest" means harvest as defined in the original settlement agreement.

(f) "Minnesota ceded territory" means the Minnesota ceded territory as defined in the original settlement agreement.

(g) "Original settlement agreement" means the document entitled "Settlement Agreement Between the Mille Lacs Band of Chippewa Indians and the State of Minnesota Regarding Treaty Hunting, Fishing, and Gathering Rights" on file and of record in the United States District Court for the District of Minnesota, Fourth Division, in the action entitled Mille Lacs Band of Chippewa Indians, et al. v. State of Minnesota, et al., Civ. No. 4-90-605.

(h) "Treaty fishing zone" or "zone" means the treaty fishing zone in Mille Lacs lake as defined in the original settlement agreement.

Subd. 3. [AUTHORITY TO ENTER INTO AMENDED SETTLEMENT AGREEMENT.] (a) The legislature authorizes the commissioner to enter into an amended settlement agreement with the Mille Lacs Band of Chippewa Indians consisting of the provisions of the original settlement agreement, as amended in accordance with paragraph (b).

(b) The amended settlement agreement must provide that:

(1) the treaty fishing zone exists solely to delineate the area of Mille Lacs lake in which the band may harvest game fish by spearing and netting in accordance with the band conservation code and does not affect activities of nonband members in the zone;

(2) the annual band harvest of game fish by spearing and netting in the treaty fishing zone is limited to seven percent of the total annual harvest of fish by species in Mille Lacs lake;

(3) 7,500 additional acres of public land will be transferred to the United States in trust for the band, for a total of 15,000 acres;

(4) before agreeing to the substitution of other waters for those specified in part IV, section B, paragraph 4, subparagraph c, of the original settlement agreement, relating to netting and spearing of game fish by band members,

the commissioner shall consult with the affected counties and with the chairs of the standing committees of the legislature having jurisdiction over natural resources; and

(5) the state and the band have until August 31, 1993, to ratify the amended settlement agreement.

Subd. 4. [NONBAND HARVEST UNDER BAND PERMIT.] In addition to existing nonband member harvest under state law, nonband members may harvest natural resources in the Minnesota ceded territory as permitted by the amended settlement agreement and the band conservation code.

Subd. 5. [COMMISSIONER'S POWERS AND DUTIES.] (a) Notwithstanding any other law to the contrary, the commissioner on behalf of the state, shall take all actions, by rule or otherwise, necessary to carry out the duties and obligations of the state arising from the amended settlement agreement whether or not specifically enumerated in this section.

(b) Powers of the commissioner granted in paragraph (a) include the following:

(1) the implementation of the exemption of members of the band from state laws relating to hunting, fishing, and the gathering of wild rice within the areas described in the amended settlement agreement, together with exemption from related possession and transportation laws, to the extent necessary to effectuate the terms of the amended settlement agreement;

(2) the establishment of policies, procedures, and rules for the enforcement by conservation officers of the band conservation code to the extent necessary to effectuate the terms of the amended settlement agreement;

(3) the conveyance of 15,000 acres of state land, including any interests in minerals owned by the state located thereon, to the band as provided in the amended settlement agreement;

(4) the condemnation of fee title, including mineral interests owned by the state, to state public lands as defined by chapter 92 for the purpose of conveying lands under the amended settlement agreement;

(5) upon request by a county, compensation of the county for the fair market value of lands or interests in land owned or managed by the county that are conveyed under clause (3); and

(6) upon request by a county, and within the limits of money appropriated for the purpose, compensation of the county for law enforcement and other costs incurred as a result of implementation of the amended settlement agreement, provided the commissioner determines the costs are reasonable.

Subd. 6. [AUTHORITY TO CONVEY CERTAIN LANDS; PAYMENTS IN LIEU OF TAXES.] (a) Notwithstanding any other law to the contrary, the commissioner may convey to the band, under subdivision 5, paragraph (b), clause (3), lands that border on public waters; lands acquired under chapter 282; lands owned in fee; lands owned in trust for local taxing districts; school trust lands; university trust lands; and game preserves, areas, and projects established under sections 84A.01, 84A.20, and 84A.31. When lands under the jurisdiction of the commissioner of revenue are selected, the commissioner of revenue shall convey title to those lands. Not more than 15 percent of the total lands transferred may be lands that are both held in trust for local taxing districts and administered by the counties.

(b) The commissioner shall continue to make payments in accordance with sections 97A.061 and 477A.11 to 477A.13, for lands conveyed under subdivision 5, paragraph (b), clause (3), at the rate for the type of land conveyed.

Subd. 7. [FUTURE APPROPRIATION NEEDS.] The commissioner shall prepare and submit to the governor for inclusion in the budget an itemization of the funds required to implement subdivision 5, paragraph (b), clauses (4) to (6).

Sec. 2. [APPROPRIATIONS.]

(a) \$8,600,000 is appropriated from the general fund to the commissioner of natural resources for payment to the Mille Lacs Band of Chippewa Indians.

(b) \$175,000 is appropriated from the general fund to the commissioner of natural resources for fiscal year 1994 and \$317,000 for fiscal year 1995 for land transfer costs under section 1. Any balance not expended in the first year does not cancel and is available for expenditure in the second year.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment. Section 2, paragraph (a), is effective 30 days after the effective date of the amended settlement agreement.

Delete the title and insert:

"A bill for an act relating to natural resources; resolving claims raised by the Mille Lacs Band of Chippewa Indians regarding hunting, fishing, and gathering rights under treaty; nonband harvest under band permit; authority to transfer land; compensation to counties; condemnation authority; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A."

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Abrams	Carruthers	Hasskamp	Kelso	Mosel	Pugh	Tomassoni
Anderson, I.	Clark	Hausman	Kinkel	Munger	Reding	Trimble
Anderson, R.	Commers	Huntley	Klinzing	Murphy	Rest	Tunheim
Asch	Dauner	Jacobs	Lasley	Neary	Rhodes	Vellenga
Battaglia	Dawkins	Jaros	Leppik	Olson, E.	Rice	Wagenius
Bauerly	Delmont	Jefferson	Lieder	Orenstein	Rodosovich	Wejcman
Beard	Dorn	Jennings	Lourey	Orfield	Rukavina	Winter
Bishop	Evans	Johnson, A.	Mahon	Ostrom	Sekhon	Wolf
Blatz	Farrell	Johnson, R.	Mariani	Pauly	Simoneau	Spk. Long
Brown, C.	Garcia	Kahn	McCollum	Pelowski	Skoglund	
Brown, K.	Greenfield	Kalis	McGuire	Perlt	Sparby	
Carlson	Greiling	Kelley	Milbert	Peterson	Steensma	

Those who voted in the negative were:

Bertram	Frerichs	Hugoson	Lindner	Ness	Sarna	Van Dellen
Bettermann	Girard	Johnson, V.	Luther	Olson, M.	Seagren	Vickerman
Cooper	Goodno	Knickerbocker	Lynch	Onnen	Smith	Waltman
Davids	Gruenes	Koppendrayner	Macklin	Opatz	Stanius	Weaver
Dehler	Gutknecht	Krinkie	Molnau	Osthoff	Sviggum	Wenzel
Dempsey	Haukoos	Krueger	Morrison	Ozment	Swenson	Worke
Erhardt	Holsten	Limmer	Nelson	Pawlenty	Tompkins	Workman

The motion prevailed and the amendment was adopted.

Battaglia moved to amend S. F. No. 1619, as amended, as follows:

Page 1, line 16, before "Statutes" insert "United States"

Page 3, delete lines 10 to 12 and insert:

"(i) consult with the chairs of the standing committees of the legislature having jurisdiction over natural resources;

(ii) allow the affected counties 60 days to review and comment on the proposed substitution; and

(iii) consider any comments of the counties in making a decision on the substitution;

(5) it is not the intent, through the amended settlement agreement, to either recognize or deny the present validity of the boundaries of the band's reservation as established by the treaty of February 22, 1855;

(6) it is not the intent, through the amended settlement agreement, to recognize, deny, or in any way alter the rights, if any, of any other signatory of the treaty of July 29, 1837;

(7) any revision of the amended settlement agreement must be ratified by:

(i) a resolution adopted by the band assembly and signed by the chief executive of the band; and

(ii) legislation enacted into law; and"

Page 3, line 13, delete "(5)" and insert "(8)"

Page 3, after line 19, insert:

"Subd. 5. [CONSTITUTIONALITY OF SETTLEMENT AGREEMENT REQUIRED.] The legislature intends that the amended settlement agreement conform with all state and federal constitutional requirements and federal and state law. The attorney general shall approve and certify that the amended settlement agreement complies with substantive and procedural state and federal constitutional requirements and federal and state law before the amended settlement agreement is submitted to the federal district court."

Renumber the remaining subdivisions in sequence

Page 4, after line 8, insert:

"(4) the acquisition, in accordance with subdivision 8, of resorts in the vicinity of the treaty fishing zone, and the retention, management, and resale of the acquired resorts;"

Renumber remaining clauses in sequence

Page 5, line 1, delete "(6)" and insert "(7), and subdivision 8"

Page 5, after line 1, insert:

"Subd. 8. [ACQUISITION OF RESORTS.] (a) The acquisition of resorts by the commissioner under subdivision 6, paragraph (b), clause (4), must be carried out in accordance with this subdivision. To qualify to have a resort acquired by the commissioner, the owner of the resort must comply with paragraphs (b) and (c).

(b) The resort owner must demonstrate to the commissioner that:

(1) the resort is riparian to Mille Lacs Lake and is located within section 2, 3, 4, 11, or 12, Township 42 North, Range 27 West, or sections 16, 17, 18, 21, 22, 27, 28, or 33, Township 43 North, Range 27 West;

(2) the resort was commercially operated by the owner in 1992 or 1993;

(3) an audit of the resort's financial statement demonstrates that revenue has substantially diminished as compared with years before 1993; and

(4) the diminishment of revenue is a result of the establishment of the treaty fishing zone in the vicinity of the resort.

(c) A resort owner must give notice of an intent to be considered for eligibility under this section to the commissioner in writing by December 1, 1993, and must submit a written request for acquisition of the resort to the commissioner by July 1, 1998.

(d) The price paid by the commissioner to acquire a resort under this subdivision must be the fair market value as of July 1, 1992, or as of the date of the resort owner's written request for acquisition under paragraph (c), whichever is greater.

(e) The purchase of resorts under this subdivision must be carried out in accordance with established procedures under applicable state and federal law.

(f) Notwithstanding section 477A.12, if the commissioner acquires a resort under this subdivision, the payments under sections 477A.11 to 477A.13 shall be in an amount equal to the taxes payable in 1993.

(g) The commissioner shall, within three years after the purchase of a resort under this subdivision, either: (1) use the area to provide public access to the lake; or (2) sell the resort. Section 92.45 does not apply to the sale of a resort under this paragraph."

The motion prevailed and the amendment was adopted.

Lourey moved to amend S. F. No. 1619, as amended, as follows:

Page 4, after line 33, insert:

"(c) A landowner residing on lakeshore waters specified in part IV, section B, paragraph 4, subparagraph C, of the original settlement agreement, may exchange his or her land with land owned by the commissioner of natural resources upon approval by the land exchange board."

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

Stanius and Koppendraye moved to amend S. F. No. 1619, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [LEGISLATIVE INTENT.]

It is the intent of the legislature that the state honor all Indian rights existing under treaties with the federal government.

Sec. 2. [STATE TO SEEK DETERMINATION OF TREATY RIGHTS.]

The commissioner of natural resources and the attorney general shall seek a determination, from Congress or an appropriate federal court, of the hunting, fishing, and wild rice gathering rights of the signatory bands of Chippewa Indians within the area ceded to the United States in the 1837 Treaty with the Chippewa, Statutes at Large, volume 7, page 536."

Delete the title and insert:

"A bill for an act relating to natural resources; requiring the commissioner of natural resources and the attorney general to seek a determination of rights of the Mille Lacs Band of Chippewa Indians under the 1837 Treaty."

A roll call was requested and properly seconded.

The question was taken on the Stanius and Koppendrayer amendment and the roll was called. There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Beard	Frerichs	Johnson, V.	Lindner	Olson, M.	Seagren	Weaver
Bergson	Girard	Kelso	Lynch	Onnen	Smith	Wenzel
Bertram	Goodno	Klinzing	Macklin	Opatz	Sparby	Worke
Bettermann	Gruenes	Knickerbocker	Milbert	Osthoff	Stanis	Workman
Cooper	Gutknecht	Koppendraye	Molnau	Ozment	Svigum	
Davids	Haukoos	Krinkie	Morrison	Pawlenty	Swenson	
Dehler	Holsten	Krueger	Mosel	Perlt	Tompkins	
Dempsey	Hugoson	Leppik	Nelson	Rhodes	Vickerman	
Erhardt	Jacobs	Limmer	Ness	Sarna	Waltman	

Those who voted in the negative were:

Abrams	Clark	Greiling	Kelley	Munger	Reding	Tunheim
Anderson, I.	Commers	Hausman	Kinkel	Murphy	Rest	Van Dellen
Asch	Dauner	Huntley	Lasley	Neary	Rodosovich	Vellenga
Battaglia	Dawkins	Jaros	Lieder	Olson, E.	Rukavina	Wagenius
Bishop	Delmont	Jefferson	Lourey	Orenstein	Sekhon	Wejcman
Blatz	Dorn	Jennings	Luther	Orfield	Skoglund	Welle
Brown, C.	Evans	Johnson, A.	Mahon	Ostrom	Solberg	Winter
Brown, K.	Farrell	Johnson, R.	Mariani	Pauly	Steensma	Wolf
Carlson	Garcia	Kahn	McCollum	Pelowski	Tomassoni	Spk. Long
Carruthers	Greenfield	Kalis	McGuire	Peterson	Trimble	

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

Stanis; Worke; Johnson, V.; Holsten and Koppendrayer moved to amend S. F. No. 1619, as amended, as follows:

Page 2, line 32, delete "and netting"

Page 2, lines 35 and 36, delete "and netting"

Page 3, after line 2, insert:

"(3) band members may harvest fish by netting in Mille Lacs lake only to the extent allowed for nonband members;"

Page 3, line 3, delete "(3)" and insert "(4)"

Page 3, line 6, delete "(4)" and insert "(5)"

Page 3, line 13, delete "(5)" and insert "(6)"

A roll call was requested and properly seconded.

The question was taken on the Stanis et al amendment and the roll was called.

POINT OF ORDER

Krinkie raised a point of order pursuant to rule 4.08 relating to people remaining by the Chief Clerk's desk while the yeas and nays are being called. The Speaker ruled the point of order well taken.

There were 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Bauerly	Dempsey	Jacobs	Leppik	Nelson	Rhodes	Vickerman
Beard	Erhardt	Jennings	Limmer	Ness	Sarna	Waltman
Bergson	Frerichs	Johnson, A.	Lindner	Olson, M.	Seagren	Weaver
Bertram	Girard	Johnson, V.	Luther	Onnen	Smith	Wenzel
Bettermann	Goodno	Kelso	Lynch	Opatz	Stanius	Worke
Carruthers	Gruenes	Klinzing	Macklin	Osthoff	Steensma	Workman
Cooper	Gutknecht	Knickerbocker	Mahon	Ozment	Sviggum	
Dauner	Haukoos	Koppendraye	Milbert	Pawlenty	Swenson	
Davids	Holsten	Krinkie	Molnau	Perlt	Tompkins	
Dehler	Hugoson	Krueger	Mosel	Pugh	Van Dellen	

Those who voted in the negative were:

Abrams	Commers	Huntley	Lourey	Orenstein	Rukavina	Wagenius
Anderson, I.	Dawkins	Jaros	Mariani	Orfield	Sekhon	Wejcman
Anderson, R.	Dorn	Jefferson	McCollum	Ostrom	Simoneau	Welle
Battaglia	Evans	Johnson, R.	McGuire	Pauly	Skoglund	Winter
Bishop	Farrell	Kahn	Morrison	Pelowski	Solberg	Wolf
Blatz	Garcia	Kalis	Munger	Peterson	Sparby	Spk. Long
Brown, C.	Greenfield	Kelley	Murphy	Reding	Tomassoni	
Brown, K.	Greiling	Kinkel	Neary	Rest	Trimble	
Carlson	Hasskamp	Lasley	Olson, E.	Rice	Tunheim	
Clark	Hausman	Lieder	Olson, K.	Rodosovich	Vellenga	

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

Sparby was excused between the hours of 2:50 p.m. and 5:25 p.m.

Stanius; Koppendraye; Johnson, V., and Seagren moved to amend S. F. No. 1619, as amended, as follows:

Page 3, after line 5, insert:

"(4) the commissioner shall obtain legislative approval before conveying land within a state park to the band."

Page 3, line 6, delete "(4)" and insert "(5)"

Page 3, line 13, delete "(5)" and insert "(6)"

A roll call was requested and properly seconded.

The question was taken on the Stanius et al amendment and the roll was called. There were 96 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Haukoos	Limmer	Nelson	Pugh	Tompkins
Anderson, I.	Dauner	Holsten	Lindner	Ness	Reding	Tunheim
Anderson, R.	Davids	Hugoson	Luther	Olson, K.	Rest	Van Dellen
Asch	Dehler	Jacobs	Lynch	Olson, M.	Rhodes	Vickerman
Bauerly	Delmont	Johnson, V.	Macklin	Onnen	Rodosovich	Waltman
Beard	Dempsey	Kalis	McCollum	Opatz	Sarna	Weaver
Bergson	Dorn	Kelley	McGuire	Orenstein	Seagren	Welle
Bertram	Erhardt	Kelso	Milbert	Osthoff	Simoneau	Wenzel
Bettermann	Farrell	Klinzing	Molnau	Ostrom	Smith	Winter
Blatz	Frerichs	Knickerbocker	Morrison	Ozment	Solberg	Wolf
Brown, K.	Girard	Koppendraye	Mosel	Pawlenty	Stanius	Worke
Carlson	Goodno	Krinkie	Munger	Pelowski	Steensma	Workman
Carruthers	Gruenes	Krueger	Murphy	Perlt	Sviggum	
Commers	Gutknecht	Leppik	Neary	Peterson	Swenson	

Those who voted in the negative were:

Battaglia	Evans	Huntley	Kinkel	Mariani	Rukavina	Vellenga
Bishop	Garcia	Jaros	Lasley	Olson, E.	Sekhon	Wagenius
Brown, C.	Greenfield	Jefferson	Lieder	Orfield	Skoglund	Wejcmán
Clark	Greiling	Jennings	Lourey	Pauly	Tomassoni	Spk. Long
Dawkins	Hausman	Kahn	Mahon	Rice	Trimble	

The motion prevailed and the amendment was adopted.

Stanis and Koppendraye moved to amend S. F. No. 1619, as amended, as follows:

Page 5, after line 1, insert:

"Subd. 8. [OJIBWE CONSERVATION CODE.] The Conservation Code of the Mille Lacs Band of Ojibwe Indians for the Minnesota Ceded Territory is enacted as part of Minnesota law effective upon the issuance of the federal district court order that recognizes the approval by the band and the Minnesota legislature of the treaty agreement that is the subject of this section. The code shall be codified in Minnesota Statutes. Like changes to other Minnesota law, changes to the code that are adopted after the issuance of the order shall take effect when they are enacted as changes to Minnesota statute."

A roll call was requested and properly seconded.

The question was taken on the Stanis and Koppendraye amendment and the roll was called. There were 34 yeas and 97 nays as follows:

Those who voted in the affirmative were:

Bertram	Erhardt	Gutknecht	Knickerbocker	Molnau	Ozment	Vickerman
Bettermann	Frerichs	Haukoos	Koppendraye	Morrison	Smith	Waltman
Davids	Girard	Holsten	Krinkie	Ness	Stanis	Worke
Dehler	Goodno	Hugoson	Limmer	Olson, M.	Swenson	Workman
Dempsey	Gruenes	Johnson, V.	Lindner	Onnen	Tompkins	

Those who voted in the negative were:

Abrams	Clark	Huntley	Leppik	Nelson	Reding	Tomassoni
Anderson, I.	Commers	Jacobs	Lieder	Olson, E.	Rest	Trimble
Anderson, R.	Cooper	Jaros	Lourey	Olson, K.	Rhodes	Tunheim
Asch	Dauner	Jefferson	Luther	Opatz	Rice	Van Dellen
Battaglia	Dawkins	Jennings	Lynch	Orenstein	Rodosovich	Vellenga
Bauerly	Delmont	Johnson, A.	Macklin	Orfield	Rukavina	Wagenius
Beard	Dorn	Kahn	Mahon	Osthoff	Sarna	Weaver
Bergson	Evans	Kalis	McCollum	Ostrom	Seagren	Wejcmán
Bishop	Farrell	Kelley	McGuire	Pauly	Sekhon	Welle
Blatz	Garcia	Kelso	Milbert	Pawlenty	Simoneau	Wenzel
Brown, C.	Greenfield	Kinkel	Mosel	Pelowski	Skoglund	Winter
Brown, K.	Greiling	Klinzing	Munger	Perlt	Solberg	Wolf
Carlson	Hasskamp	Krueger	Murphy	Peterson	Steensma	Spk. Long
Carruthers	Hausman	Lasley	Neary	Pugh	Sviggum	

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

Stanius, Koppendraye, Sviggum and Johnson, V., moved to amend S. F. No. 1619, as amended, as follows:

Page 3, line 12, after the semicolon insert:

"(5) the band harvest by net of walleyes during the ice-free period may not begin until walleyes have finished spawning or the opening of the state walleye season, whichever is earlier;"

Page 3, line 13, delete "(5)" and insert "(6)"

A roll call was requested and properly seconded.

The question was taken on the Stanius et al amendment and the roll was called. There were 70 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hugoson	Leppik	Nelson	Pugh	Swenson
Anderson, R.	Dempsey	Jacobs	Limmer	Ness	Reding	Tompkins
Asch	Erhardt	Johnson, A.	Lindner	Olson, K.	Rhodes	Van Dellen
Beard	Frerichs	Johnson, V.	Luther	Olson, M.	Sarna	Vickerman
Bergson	Girard	Kelso	Lynch	Onnen	Seagren	Waltman
Bertram	Goodno	Klinzing	Macklin	Opatz	Simoneau	Weaver
Bettermann	Gruenes	Knickerbocker	Milbert	Osthoff	Smith	Welle
Carruthers	Gutknecht	Koppendraye	Molnau	Ozment	Stanius	Wenzel
Dauner	Haukoos	Krinkie	Morrison	Pawlenty	Steensma	Worke
Davids	Holsten	Krueger	Mosel	Perlt	Sviggum	Workman

Those who voted in the negative were:

Anderson, I.	Cooper	Hasskamp	Kinkel	Murphy	Rest	Tunheim
Battaglia	Dawkins	Hausman	Lasley	Neary	Rice	Vellenga
Bishop	Delmont	Huntley	Lieder	Olson, E.	Rodosovich	Wagenius
Blatz	Dorn	Jaros	Lourey	Orenstein	Rukavina	Wejzman
Brown, C.	Evans	Jefferson	Mahon	Orfield	Sekhon	Winter
Brown, K.	Farrell	Jennings	Mariani	Ostrom	Skoglund	Wolf
Carlson	Garcia	Kahn	McCollum	Pauly	Solberg	Spk. Long
Clark	Greenfield	Kalis	McGuire	Pelowski	Tomassoni	
Commers	Greiling	Kelley	Munger	Peterson	Trimble	

The motion prevailed and the amendment was adopted.

Stanius, Koppendraye, Holsten and Johnson, V., moved to amend S. F. No. 1619, as amended, as follows:

Page 3, after line 14, insert:

"(c) Lands transferred to the band under the amended settlement agreement are subject to state environmental and natural resource protection laws after the transfer including water, solid waste, hazardous waste, and radioactive waste laws; groundwater and wetland protection laws; and laws relating to the requirement of environmental assessment worksheets and impact statements."

A roll call was requested and properly seconded.

The question was taken on the Stanius et al amendment and the roll was called. There were 42 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Bertram	Erhardt	Haukoos	Limmer	Ness	Smith	Vickerman
Bettermann	Frerichs	Holsten	Lindner	Olson, M.	Stanius	Waltman
Cooper	Girard	Hugoson	Milbert	Onnen	Sviggum	Weaver
Davids	Goodno	Johnson, V.	Molnau	Opatz	Swenson	Wolf
Dehler	Gruenes	Knickerbocker	Morrison	Ozment	Tompkins	Worke
Dempsey	Gutknecht	Koppendraye	Mosel	Pawlenty	Van Dellen	Workman

Those who voted in the negative were:

Abrams	Carruthers	Hausman	Krinkie	Nelson	Rhodes	Tunheim
Anderson, I.	Clark	Huntley	Krueger	Olson, E.	Rice	Vellenga
Anderson, R.	Commers	Jacobs	Lasley	Olson, K.	Rodosovich	Wagenius
Asch	Dauner	Jaros	Leppik	Orenstein	Rukavina	Wejzman
Battaglia	Dawkins	Jefferson	Lieder	Orfield	Sarna	Welle
Bauerly	Delmont	Jennings	Lourey	Ostrom	Seagren	Wenzel
Beard	Dorn	Johnson, A.	Luther	Pauly	Sekhon	Winter
Bergson	Evans	Kahn	Lynch	Pelowski	Simoneau	Spk. Long
Bishop	Farrell	Kalis	Macklin	Perlt	Skoglund	
Blatz	Garcia	Kelley	McCollum	Peterson	Solberg	
Brown, C.	Greenfield	Kelso	McGuire	Pugh	Steensma	
Brown, K.	Greiling	Kinkel	Murphy	Reding	Tomassoni	
Carlson	Hasskamp	Klinzing	Neary	Rest	Trimble	

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

Farrell and Orfield moved to amend S. F. No. 1619, as amended by the Stanius, Koppendraye, Sviggum and Johnson, V., amendment, as follows:

Page 1, line 7 of the Stanius, Koppendraye, Sviggum and Johnson, V., amendment, after "earlier" insert ", except that this clause does not limit band members in the exercise of their spiritual and cultural beliefs"

A roll call was requested and properly seconded.

Osthoff moved to amend the Farrell and Orfield amendment to S. F. No. 1619, as amended by the Stanius, Koppendraye, Sviggum and Johnson, V., amendment, as follows:

Page 1, line 5 of the Farrell and Orfield amendment, after "beliefs" insert "in the taking of fish by spear"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Bettermann	Dempsey	Gruenes	Jacobs	Knickerbocker	Lindner
Asch	Cooper	Erhardt	Gutknecht	Johnson, A.	Koppendraye	Lynch
Beard	Dauner	Frerichs	Haukoos	Johnson, V.	Krinkie	Macklin
Bergson	Davids	Girard	Holsten	Kelso	Krueger	Mahon
Bertram	Dehler	Goodno	Hugoson	Klinzing	Limmer	Milbert

Molnau	Onnen	Perlt	Seagren	Sviggum	Waltman
Morrison	Opatz	Pugh	Simoneau	Swenson	Weaver
Mosel	Osthoff	Reding	Smith	Tompkins	Wenzel
Ness	Ozment	Rhodes	Stanius	Van Dellen	Worke
Olson, M.	Pawlenty	Sarna	Steensma	Vickerman	Workman

Those who voted in the negative were:

Abrams	Clark	Hausman	Lasley	Neary	Rest	Vellenga
Anderson, R.	Commers	Huntley	Leppik	Nelson	Rice	Wagenius
Battaglia	Dawkins	Jaros	Lieder	Olson, E.	Rodosovich	Wejcman
Bauerly	Delmont	Jefferson	Lourey	Olson, K.	Rukavina	Welle
Bishop	Dorn	Jennings	Luther	Orenstein	Sekhon	Winter
Blatz	Evans	Johnson, R.	Mariani	Orfield	Skoglund	Wolf
Brown, C.	Farrell	Kahn	McCollum	Ostrom	Solberg	Spk. Long
Brown, K.	Garcia	Kalis	McGuire	Pauly	Tomassoni	
Carlson	Greenfield	Kelley	Munger	Pelowski	Trimble	
Carruthers	Greiling	Kinkel	Murphy	Peterson	Tunheim	

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

POINT OF ORDER

Stanius raised a point of order pursuant to section 398 of "Mason's Manual of Legislative Procedure" relating to decisions on amendments as final. The Speaker ruled the point of order not well taken.

The question recurred on the Farrell and Orfield amendment and the roll was called. There were 67 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Hausman	Lasley	Neary	Rhodes	Tunheim
Anderson, R.	Commers	Huntley	Leppik	Olson, E.	Rice	Vellenga
Battaglia	Cooper	Jaros	Lieder	Olson, K.	Rodosovich	Wagenius
Bauerly	Dawkins	Jefferson	Lourey	Orenstein	Rukavina	Wejcman
Bishop	Dorn	Jennings	Luther	Orfield	Sekhon	Winter
Blatz	Evans	Johnson, R.	Mariani	Ostrom	Simoneau	Wolf
Brown, C.	Farrell	Kahn	McCollum	Pauly	Skoglund	Spk. Long
Brown, K.	Garcia	Kelley	McGuire	Pelowski	Solberg	
Carlson	Greenfield	Kelso	Munger	Peterson	Tomassoni	
Carruthers	Greiling	Kinkel	Murphy	Rest	Trimble	

Those who voted in the negative were:

Anderson, I.	Dempsey	Jacobs	Lindner	Olson, M.	Seagren	Weaver
Asch	Erhardt	Johnson, A.	Lynch	Onnen	Smith	Welle
Beard	Frerichs	Johnson, V.	Macklin	Opatz	Stanius	Wenzel
Bergson	Girard	Kalis	Mahon	Osthoff	Steensma	Worke
Bertram	Goodno	Klinzing	Milbert	Ozment	Sviggum	Workman
Bettermann	Gruenes	Knickerbocker	Molnau	Pawlenty	Swenson	
Dauner	Gutknecht	Koppendrayner	Morrison	Perlt	Tompkins	
Davids	Haukoos	Krinkie	Mosel	Pugh	Van Dellen	
Dehler	Holsten	Krueger	Nelson	Reding	Vickerman	
Delmont	Hugoson	Limmer	Ness	Sarna	Waltman	

The motion prevailed and the amendment was adopted.

The Speaker called Bauerly to the Chair.

Rukavina moved to amend S. F. No. 1619, as amended, as follows:

Page 2, after line 34, insert:

"(2) an additional zone where spearing, but not netting, of game fish by band members is permitted in accordance with the band conservation code is created to include the waters of Mille Lacs lake within 500 feet of the shore beginning at the point where the north township line of Township 43 North, Range 27 West, intersects the west shore of Mille Lacs lake; thence south and east to a point where the north township line of Township 42 North, Range 25 West, intersects the east shore of Mille Lacs lake, but not including the treaty fishing zone;"

Page 2, line 35, delete "(2)" and insert "(3)" and after "the" insert "total"

Page 2, line 36, after "zone" insert "and the zone described in clause (2)"

Page 3, line 3, delete "(3)" and insert "(4)"

Page 3, line 6, delete "(4)" and insert "(5)"

Page 3, line 13, delete "(5)" and insert "(6)"

A roll call was requested and properly seconded.

The question was taken on the Rukavina amendment and the roll was called. There were 19 yeas and 110 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark	Hausman	Johnson, R.	Mariani	Sekhon	Wagenius
Battaglia	Greenfield	Huntley	Kahn	Murphy	Tomassoni	
Brown, C.	Greiling	Jaros	Kinkel	Rukavina	Trimble	

Those who voted in the negative were:

Abrams	Dehler	Hugoson	Lieder	Nelson	Peterson	Tompkins
Anderson, R.	Delmont	Jacobs	Limner	Ness	Pugh	Tunheim
Asch	Dempsey	Jefferson	Lindner	Olson, E.	Reding	Van Dellen
Beard	Dorn	Jennings	Lourey	Olson, K.	Rest	Vellenga
Bergson	Erhardt	Johnson, A.	Luther	Olson, M.	Rhodes	Vickerman
Bertram	Evans	Johnson, V.	Lynch	Onnen	Rodosovich	Waltman
Bettermann	Farrell	Kalis	Macklin	Opatz	Sarna	Weaver
Blatz	Frerichs	Kelley	Mahon	Orenstein	Seagren	Wejcmán
Brown, K.	Garcia	Kelso	McCollum	Orfield	Simoneau	Welle
Carlson	Girard	Klinzing	McGuire	Osthoff	Skoglund	Wenzel
Carruthers	Goodno	Knickerbocker	Milbert	Ostrom	Smith	Winter
Commers	Gruenes	Koppendrayer	Molnau	Ozment	Solberg	Wolf
Cooper	Gutknecht	Krinkie	Morrison	Pauly	Stanius	Worke
Dauner	Hasskamp	Krueger	Mosel	Pawlenty	Steensma	Workman
Davids	Haukoos	Lasley	Munger	Pelowski	Sviggun	
Dawkins	Holsten	Leppik	Neary	Perlt	Swenson	

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

Ness; Osthoff; Bertram; Johnson V.; Seagren; Bettermann; Koppendraye and Girard moved to amend S. F. No. 1619, as amended, as follows:

Page 4, after line 33, insert:

"(c) The authority of the commissioner under paragraph (a) to convey lands that border public waters does not include the authority to convey lands that constitute public access to Mille Lacs lake on the day of final enactment of this act."

A roll call was requested and properly seconded.

The question was taken on the Ness et al amendment and the roll was called. There were 104 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hugoson	Lieder	Nelson	Pugh	Tomassoni
Anderson, I.	Davids	Jacobs	Limmer	Ness	Reding	Tompkins
Anderson, R.	Dehler	Jennings	Lindner	Olson, E.	Rest	Tunheim
Asch	Dempsey	Johnson, A.	Lourey	Olson, K.	Rhodes	Van Dellen
Bauerly	Dorn	Johnson, R.	Luther	Olson, M.	Rodosovich	Vickerman
Beard	Erhardt	Johnson, V.	Lynch	Onnen	Sarna	Waltman
Bergson	Evans	Kelso	Macklin	Opatz	Seagren	Weaver
Bertram	Farrell	Kinkel	Mahon	Orfield	Simoneau	Wejcman
Bettermann	Frerichs	Klinzing	McCollum	Osthoff	Skoglund	Welle
Blatz	Girard	Knickerbocker	Milbert	Ostrom	Smith	Wenzel
Brown, K.	Goodno	Koppendraye	Molnau	Ozment	Solberg	Winter
Carlson	Gruenes	Krinkie	Morrison	Pawlenty	Stanis	Wolf
Carruthers	Gutknecht	Krueger	Mosel	Pelowski	Steensma	Worke
Commers	Haukoos	Lasley	Munger	Perlt	Sviggum	Workman
Cooper	Holsten	Leppik	Neary	Peterson	Swenson	

Those who voted in the negative were:

Battaglia	Dawkins	Hausman	Kahn	McGuire	Rukavina	Wagenius
Bishop	Delmont	Huntley	Kalis	Murphy	Sekhon	
Brown, C.	Greenfield	Jaros	Kelley	Orenstein	Trimble	
Clark	Greiling	Jefferson	Mariani	Pauly	Vellenga	

The motion prevailed and the amendment was adopted.

Ness; Osthoff; Bertram; Johnson, V.; Girard; Koppendraye; Bettermann and Seagren moved to amend S. F. No. 1619, as amended, as follows:

Page 3, line 3, after "land" insert ", excluding county park land"

Page 4, line 2, after "land," insert "excluding county park land,"

A roll call was requested and properly seconded.

The question was taken on the Ness et al amendment and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Anderson, R.	Battaglia	Beard	Bertram	Bishop	Brown, C.
Anderson, I.	Asch	Bauerly	Bergson	Bettermann	Blatz	Brown, K.

Carlson	Girard	Kalis	Macklin	Opatz	Rukavina	Vellenga
Carruthers	Goodno	Kelley	Mahon	Orenstein	Sarna	Vickerman
Clark	Greenfield	Kelso	McCollum	Orfield	Seagren	Wagenius
Commers	Greiling	Kinkel	McGuire	Osthoff	Sekhon	Waltman
Cooper	Gruenes	Klinzing	Milbert	Ostrom	Simoneau	Weaver
Dauner	Gutknecht	Knickerbocker	Molnau	Ozment	Skoglund	Wejcmán
Davids	Haukoos	Koppendrayner	Morrison	Pauly	Smith	Welle
Dawkins	Holsten	Krinkie	Mosel	Pawlenty	Solberg	Wenzel
Dehler	Hugoson	Krueger	Munger	Pelowski	Stanis	Winter
Delmont	Huntley	Lasley	Murphy	Perl	Steensma	Wolf
Dempsey	Jacobs	Leppik	Neary	Peterson	Sviggum	Worke
Dorn	Jefferson	Lieder	Nelson	Pugh	Swenson	Workman
Erhardt	Jennings	Limmer	Ness	Reding	Tomassoni	Spk. Long
Evans	Johnson, A.	Lindner	Olson, E.	Rest	Tompkins	
Farrell	Johnson, R.	Lourey	Olson, K.	Rhodes	Trimble	
Frerichs	Johnson, V.	Luther	Olson, M.	Rice	Tunheim	
Garcia	Kahn	Lynch	Onnen	Rodosovich	Van Dellen	

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Ness, Osthoff, Pawlenty and Bertram moved to amend S. F. No. 1619, as amended, as follows:

Page 4, line 2, after "(3)" insert "if approved by the commissioner of administration,"

Page 4, line 5, after "(4)" insert "if approved by the commissioner of administration,"

Page 4, line 19, after "contrary," insert "if approved by the commissioner of administration,"

A roll call was requested and properly seconded.

The question was taken on the Ness et al amendment and the roll was called. There were 51 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Gutknecht	Krinkie	Ness	Smith	Weaver
Bergson	Dehler	Haukoos	Krueger	Olson, M.	Stanis	Worke
Bertram	Dempsey	Holsten	Leppik	Onnen	Sviggum	Workman
Bettermann	Erhardt	Hugoson	Limmer	Osthoff	Swenson	
Blatz	Frerichs	Johnson, A.	Lindner	Ozment	Tompkins	
Commers	Girard	Johnson, V.	Luther	Pawlenty	Van Dellen	
Cooper	Goodno	Knickerbocker	Macklin	Rhodes	Vickerman	
Dauner	Gruenes	Koppendrayner	Molnau	Seagren	Waltman	

Those who voted in the negative were:

Anderson, I.	Dawkins	Jaros	Lourey	Nelson	Reding	Trimble
Anderson, R.	Delmont	Jefferson	Lynch	Olson, E.	Rest	Tunheim
Asch	Dorn	Jennings	Mahon	Olson, K.	Rice	Vellenga
Battaglia	Evans	Johnson, R.	Mariani	Opatz	Rodosovich	Wagenius
Bauerly	Farrell	Kahn	McCollum	Orenstein	Rukavina	Wejcmán
Beard	Garcia	Kalis	McGuire	Orfield	Sarna	Welle
Bishop	Greenfield	Kelley	Milbert	Ostrom	Sekhon	Wenzel
Brown, C.	Greiling	Kelso	Morrison	Pauly	Simoneau	Winter
Brown, K.	Hasskamp	Kinkel	Mosel	Pelowski	Skoglund	Wolf
Carlson	Hausman	Klinzing	Munger	Perl	Solberg	Spk. Long
Carruthers	Huntley	Lasley	Murphy	Peterson	Steensma	
Clark	Jacobs	Lieder	Neary	Pugh	Tomassoni	

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

Lourey moved to amend S. F. No. 1619, as amended, as follows:

Page 4, after line 33, insert:

"(c) The commissioner shall provide information to landowners residing on lakeshore waters specified in part IV, section B, paragraph 4, subparagraph C, of the original settlement agreement, on the settlement agreement and options available under existing law, including, but not limited to, exchanging a landowner's land with state land upon the landowner's request and upon approval of the land exchange board."

A roll call was requested and properly seconded.

The question was taken on the Lourey amendment and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hausman	Krinkie	Neary	Reding	Trimble
Anderson, I.	Davids	Holsten	Krueger	Nelson	Rest	Tunheim
Anderson, R.	Dawkins	Hugoson	Lasley	Ness	Rhodes	Van Dellen
Asch	Dehler	Huntley	Leppik	Olson, E.	Rice	Vellenga
Battaglia	Delmont	Jacobs	Lieder	Olson, K.	Rodosovich	Vickerman
Bauerly	Dempsey	Jaros	Limmer	Olson, M.	Rukavina	Wagenius
Beard	Dorn	Jefferson	Lindner	Onnen	Sarna	Waltman
Bergson	Erhardt	Jennings	Lourey	Opatz	Seagren	Weaver
Bertram	Evans	Johnson, A.	Luther	Orenstein	Sekhon	Wejcman
Bettermann	Farrell	Johnson, R.	Lynch	Orfield	Simoneau	Welle
Bishop	Frerichs	Johnson, V.	Mahon	Osthoff	Skoglund	Wenzel
Blatz	Garcia	Kahn	Mariani	Ostrom	Smith	Winter
Brown, C.	Girard	Kalis	McGuire	Ozment	Solberg	Wolf
Brown, K.	Goodno	Kelley	Milbert	Pauly	Stanius	Worke
Carlson	Greenfield	Kelso	Molnau	Pawlenty	Steensma	Workman
Carruthers	Greiling	Kinkel	Morrison	Pelowski	Sviggum	Spk. Long
Clark	Gruenes	Klinzing	Mosel	Perlt	Swenson	
Commers	Gutknecht	Knickerbocker	Munger	Peterson	Tomassoni	
Cooper	Haukoos	Koppendraye	Murphy	Pugh	Tompkins	

Those who voted in the negative were:

Hasskamp

The motion prevailed and the amendment was adopted.

S. F. No. 1619 was read for the third time, as amended.

CALL OF THE HOUSE

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

Abrams	Bauerly	Bishop	Carruthers	Davids	Dorn	Garcia
Anderson, I.	Beard	Blatz	Clark	Dawkins	Erhardt	Girard
Anderson, R.	Bergson	Brown, C.	Commers	Dehler	Evans	Goodno
Asch	Bertram	Brown, K.	Cooper	Delmont	Farrell	Greenfield
Battaglia	Bettermann	Carlson	Dauner	Dempsey	Frerichs	Greiling

Gruenes	Johnson, V.	Limmer	Munger	Ozment	Seagren	Van Dellen
Gutknecht	Kahn	Lindner	Murphy	Pauly	Sekhon	Vellenga
Hasskamp	Kalis	Lourey	Neary	Pawlenty	Simoneau	Vickerman
Haukoos	Kelley	Luther	Nelson	Pelowski	Skoglund	Wagenius
Hausman	Kelso	Lynch	Ness	Perlt	Smith	Waltman
Holsten	Kinkel	Macklin	Olson, E.	Peterson	Solberg	Weaver
Hugoson	Klinzing	Mahon	Olson, K.	Pugh	Stanisus	Wejcmán
Huntley	Knickerbocker	Mariani	Olson, M.	Reding	Steensma	Welle
Jacobs	Koppendraye	McCollum	Onnen	Rest	Sviggum	Wenzel
Jaros	Krinkie	McGuire	Opatz	Rhodes	Swenson	Winter
Jefferson	Krueger	Milbert	Orenstein	Rice	Tomassoni	Wolf
Jennings	Lasley	Molnau	Orfield	Rodosovich	Tompkins	Worke
Johnson, A.	Leppik	Morrison	Osthoff	Rukavina	Trimble	Workman
Johnson, R.	Lieder	Mosel	Ostrom	Sarna	Tunheim	Spk. Long

Anderson, I., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

S. F. No. 1619, A bill for an act relating to natural resources; resolving claims raised by the Mille Lacs Band of Chippewa Indians regarding hunting, fishing, and gathering rights under treaty; nonband harvest under band permit; authority to transfer land; compensation to counties; resort acquisition; condemnation authority; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

There were 64 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abrams	Commers	Jaros	Lourey	Orenstein	Sekhon	Welle
Anderson, R.	Dawkins	Jefferson	Mariani	Orfield	Skoglund	Winter
Battaglia	Dorn	Jennings	McCollum	Ostrom	Solberg	Wolf
Bishop	Evans	Johnson, R.	McGuire	Pauly	Sparby	Spk. Long
Blatz	Farrell	Kahn	Morrison	Pelowski	Tomassoni	
Brown, C.	Garcia	Kelley	Munger	Peterson	Trimble	
Brown, K.	Greenfield	Kinkel	Murphy	Rhodes	Tunheim	
Carlson	Greiling	Lasley	Neary	Rice	Vellenga	
Carruthers	Hausman	Leppik	Olson, E.	Rodosovich	Wagenius	
Clark	Huntley	Lieder	Olson, K.	Rukavina	Wejcmán	

Those who voted in the negative were:

Anderson, I.	Dehler	Haukoos	Koppendraye	Molnau	Perlt	Sviggum
Asch	Delmont	Holsten	Krinkie	Mosel	Pugh	Swenson
Bauerly	Dempsey	Hugoson	Krueger	Nelson	Reding	Tompkins
Beard	Erhardt	Jacobs	Limmer	Ness	Rest	Van Dellen
Bergson	Frerichs	Johnson, A.	Lindner	Olson, M.	Sarna	Vickerman
Bertram	Girard	Johnson, V.	Luther	Onnen	Seagren	Waltman
Bettermann	Goodno	Kalis	Lynch	Opatz	Simoneau	Weaver
Cooper	Gruenes	Kelso	Macklin	Osthoff	Smith	Wenzel
Dauner	Gutknecht	Klinzing	Mahon	Ozment	Stanisus	Worke
Davids	Hasskamp	Knickerbocker	Milbert	Pawlenty	Steensma	Workman

The bill was not passed, as amended.

CALL OF THE HOUSE LIFTED

Simoneau moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bill as a Special Order to be acted upon immediately preceding printed Special Orders for today, Monday, May 3, 1993:

H. F. No. 571.

SPECIAL ORDERS

H. F. No. 571 was reported to the House.

Greiling, Vellenga, Carlson, Abrams, Knickerbocker, Seagren, Kelso and Bauerly moved to amend H. F. No. 571, as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1992, section 124A.029, subdivision 4, is amended to read: ...

Subd. 4. [PER PUPIL REVENUE OPTION.] A district may, by school board resolution, request that the department convert the levy authority under section 124.912, subdivisions 2 and 3, or its current referendum revenue, excluding authority based on a dollar amount, authorized before July 1, ~~1994~~ 1993, to an allowance per pupil. The district must adopt a resolution and submit a copy of the resolution to the department by July 1, ~~1992~~ 1993. The department shall convert a district's revenue for fiscal year ~~1994~~ 1995 and later years as follows: the revenue allowance equals the amount determined by dividing the district's maximum revenue under section 124A.03 or 124.912, subdivisions 2 and 3, for fiscal year ~~1993~~ 1994 by the district's ~~1992-1993~~ 1993-1994 actual pupil units. A district's maximum revenue for all later years for which the revenue is authorized equals the revenue allowance times the district's actual pupil units for that year. If a district has referendum authority under section 124A.03 and levy authority under section 124.912, subdivisions 2 and 3, and the district requests that each be converted, the department shall convert separate revenue allowances for each. However, if a district's referendum revenue is limited to a dollar amount, the maximum revenue under section 124A.03 must not exceed that dollar amount. If the referendum authority of a district is converted according to this subdivision, the authority expires ~~July 1, 1997~~ June 30, 1999, unless it is scheduled to expire sooner."

Page 1, line 6, delete "Section 1." and insert "Sec. 2."

Page 1, line 20, delete "2" and insert "3"

Page 1, line 21, delete "This section" and insert "Section 1 is effective the day following final enactment. Section 2"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Van Dellen moved to amend H. F. No. 571, as amended, as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1992, section 127.15, is amended to read:

127.15 [DEALING IN SCHOOL SUPPLIES.]

Except as provided for in sections 471.87 and 471.88, no teacher in the public schools, nor any state, county, town, city, or district school officer, including any superintendent of schools, or any member of any school board, nor any person connected with the public school system in any capacity, shall be interested directly or indirectly in the sale, proceeds, or profits of any book, apparatus, or furniture used, or to be used, in any school with which the person is connected in any official capacity. Any person violating any of the provisions of this section shall forfeit not less than \$50, nor more than \$200 for each such offense. This section shall not apply to a person who may have an interest in the sale of any book of which that person is the author. Nothing in this section shall prohibit the spouse of an employee or officer covered by this section from contracting for the sale or lease of books, apparatus, furniture, or other supplies to be used in a school district with which the employee or officer is connected in any official capacity, as long as the employee's or officer's position does not involve approving contracts for supplies and the school board unanimously approves the transaction."

Page 1, line 21, delete "this section is" and insert "sections 1 and 2 are"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to education; authorizing certain contracts with school board members and with the spouses of school district employees; amending Minnesota Statutes 1992, sections 127.15; and 471.88, by adding a subdivision."

The motion prevailed and the amendment was adopted.

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

Tunheim moved to amend H. F. No. 571, as amended, as follows:

Page 1, line 14, delete "\$5,000" and insert "\$20,000"

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

H. F. No. 571, A bill for an act relating to education; extending dates for per pupil revenue option; authorizing certain contracts with school board members and with the spouses of school district employees; amending Minnesota Statutes 1992, sections 124A.029, subdivision 4; 127.15; and 471.88, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Abrams	Anderson, R.	Battaglia	Beard	Bettermann	Brown, K.	Carruthers
Anderson, I.	Asch	Bauerly	Bertram	Blatz	Carlson	Clark

Commers	Gutknecht	Kalis	Lynch	Opatz	Seagren	Vickerman
Cooper	Hasskamp	Kelley	Macklin	Orenstein	Sekhon	Wagenius
Dauner	Haukoos	Kelso	Mahon	Orfield	Skoglund	Waltman
Dehler	Hausman	Kinkel	McCollum	Osthoff	Solberg	Weaver
Delmont	Holsten	Klinzing	McGuire	Ostrom	Sparby	Wejcmán
Dempsey	Hugoson	Knickerbocker	Milbert	Ozment	Stanis	Welle
Dorn	Huntley	Koppendrayer	Molnau	Pawlenty	Steensma	Wenzel
Erhardt	Jacobs	Krinkie	Morrison	Perlt	Sviggum	Winter
Evans	Jaros	Krueger	Mosel	Peterson	Swenson	Worke
Farrell	Jefferson	Leppik	Munger	Pugh	Tomassoni	Workman
Frerichs	Jennings	Lieder	Murphy	Reding	Tompkins	Spk. Long
Garcia	Johnson, A.	Limmer	Neary	Rhodes	Trimble	
Girard	Johnson, R.	Lindner	Nelson	Rodosovich	Tunheim	
Greenfield	Johnson, V.	Lourey	Ness	Rukavina	Van Dellen	
Greiling	Kahn	Luther	Olson, E.	Sarna	Vellenga	

Those who voted in the negative were:

Brown, C.	Goodno	Lasley	Olson, M.	Pelowski	Wolf
Davids	Gruenes	Olson, K.	Onnen	Smith	

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

Anderson, I., moved that the remaining bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Dempsey moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Thursday, April 29, 1993, when the vote was taken on the Workman amendment to H. F. No. 671, the second engrossment, as amended." The motion prevailed.

Dempsey moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Wednesday, April 28, 1993, when the vote was taken on the final passage of H. F. No. 1199, as amended." The motion prevailed.

Hasskamp moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Wednesday, April 28, 1993, when the vote was taken on the final passage of H. F. No. 1199, as amended." The motion prevailed.

Kalis moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Friday, April 30, 1993, when the vote was taken on the Dehler amendment to H. F. No. 1178, the third engrossment, as amended." The motion prevailed.

Ozment moved that H. F. No. 342 be returned to its author. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 287:

Wagenius, Ozment, Rukavina, Hausman and Pauly.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 546:

Waltman, Munger and Pauly.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1201:

Asch, Pugh and Davids.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 9:00 a.m., Tuesday, May 4, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Tuesday, May 4, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives