

## STATE OF MINNESOTA

## SPECIAL SESSION — 2005

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 SIXTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, JUNE 3, 2005

The House of Representatives convened at 10:00 a.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by the Reverend Dr. Jeffrey Stewart, Director, Minneapolis Police Chaplain Corps, Minneapolis, Minnesota.

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

The roll was called and the following members were present:

Abeler	Demmer	Hausman	Larson	Nornes	Sieben
Anderson, B.	Dempsey	Heidgerken	Latz	Olson	Simon
Anderson, I.	Dittrich	Hilstrom	Lenczewski	Opatz	Slawik
Atkins	Eastlund	Hoppe	Lesch	Otremba	Smith
Beard	Eken	Hornstein	Liebling	Paulsen	Soderstrom
Bernardy	Emmer	Hortman	Lieder	Paymar	Thao
Blaine	Entenza	Hosch	Lillie	Pelowski	Thissen
Bradley	Erhardt	Howes	Loeffler	Peppin	Tingelstad
Brod	Erickson	Huntley	Mahoney	Peterson, A.	Urdahl
Buesgens	Fritz	Jaros	Marquart	Peterson, N.	Vandever
Carlson	Garofalo	Johnson, R.	McNamara	Peterson, S.	Wagenius
Charron	Gazelka	Juhnke	Meslow	Poppe	Wardlow
Cornish	Goodwin	Kahn	Moe	Powell	Welti
Cox	Greiling	Kelliher	Mullery	Rukavina	Westerberg
Cybart	Gunther	Klinzing	Murphy	Ruth	Westrom
Davids	Hackbarth	Koenen	Nelson, M.	Ruud	Wilkin
Dean	Hamilton	Kohls	Nelson, P.	Samuelson	Zellers
DeLaForest	Hansen	Krinkie	Newman	Scalze	Spk. Sviggum

A quorum was present.

Abrams; Clark; Davnie; Dill; Dorman; Dorn; Ellison; Finstad; Hilty; Holberg; Johnson, J.; Johnson, S.; Knoblach; Lanning; Magnus; Mariani; Ozment; Penas; Sailer; Seifert; Sertich; Severson; Simpson; Solberg; Sykora and Walker were excused.

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

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Emmer and Newman introduced:

H. F. No. 28, A bill for an act relating to elections; campaign finance; changing certain disclosure requirements; limiting independent expenditures by political party units; regulating electioneering communications; increasing certain expenditure limits; broadening the definition of "corporation"; prohibiting certain government contributions; establishing a work group; amending Minnesota Statutes 2004, sections 10A.01, by adding a subdivision; 10A.14, subdivision 1; 10A.20, by adding subdivisions; 10A.25, subdivision 2; 10A.322, subdivisions 2, 4, by adding a subdivision; 211B.15, subdivision 1; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A; 211B.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Emmer and Olson introduced:

H. F. No. 29, A bill for an act relating to elections; regulating campaign finance; requiring annual notice of a state employee's right to reduce union dues expended for certain purposes; requiring an accounting of certain expenditures by a union to its members; broadening the definition of "corporation"; prohibiting certain government contributions; amending Minnesota Statutes 2004, sections 10A.01, by adding a subdivision; 10A.14, subdivision 1; 10A.20, by adding subdivisions; 10A.25, subdivision 2; 211B.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 10A; 179A; 211B.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Latz and Westrom introduced:

H. F. No. 30, A bill for an act relating to retirement; providing survivor benefits to spouse of St. Louis Park police officer killed while on active duty in Iraq.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Eken, Lieder, Moe, Otremba, Koenen, Fritz, Hansen, Sailer, Bernardy and Marquart introduced:

H. F. No. 31, A bill for an act relating to human services; providing inflation adjustments for long-term care providers; changing certain income tax provisions; amending Minnesota Statutes 2004, sections 256B.431, by adding a subdivision; 256B.434, subdivision 4; 256B.5012, by adding a subdivision; 256B.765; 290.01, subdivisions 6b, 19d; 290.17, subdivisions 2, 4.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Westerberg and Gunther introduced:

H. F. No. 32, A bill for an act relating to gambling; authorizing the operation of lottery gaming machines and conduct of other nonlottery games at a gaming facility; licensing and regulating the gaming facility; imposing a gaming transaction fee on gaming at the gaming facility; appropriating money; amending Minnesota Statutes 2004, sections 240.13, by adding a subdivision; 240.135; 240.30, subdivision 1; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.04; 349A.10, subdivisions 3, 6; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; 299L; 349A.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Cox, Thao, McNamara and Johnson, R., introduced:

H. F. No. 33, A bill for an act relating to higher education; regulating resident tuition; proposing coding for new law in Minnesota Statutes, chapter 135A.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Slawik, Lanning, Nornes, Clark and Mahoney introduced:

H. F. No. 34, A bill for an act relating to human services; modifying the child care assistance income eligibility provisions; establishing a provider rate differential for accreditation; temporarily suspending child care license fees; modifying the child care assistance parent fee schedule; amending Minnesota Statutes 2004, sections 119B.09, subdivision 1, as amended; 119B.13, by adding a subdivision; 245A.10, by adding a subdivision; repealing Laws 2003, First Special Session chapter 14, article 9, section 36.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Peterson, A., and Thissen introduced:

H. F. No. 35, A bill for an act relating to energy; requiring utilities to meet certain renewable energy standards; amending Minnesota Statutes 2004, section 216B.1691.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Blaine introduced:

H. F. No. 36, A bill for an act relating to highways; designating Purple Heart Memorial Highway; amending Minnesota Statutes 2004, section 161.14, subdivision 25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Greiling introduced:

H. F. No. 37, A bill for an act relating to education; providing increased funding for child care assistance, early childhood family education programs, general community education, adult basic education, special education, and the general education formula allowance; suspending and reducing certain fees relating to child care; imposing a temporary individual income tax surtax; providing grants; appropriating money; amending Minnesota Statutes 2004, sections 119B.09, subdivision 1, as amended; 119B.13, by adding a subdivision; 124D.135, subdivision 1; 124D.20, subdivision 3; 124D.52, subdivision 3; 124D.531, subdivisions 1, 4; 125A.76, subdivisions 1, 4; 125A.79, subdivisions 1, 6; 126C.10, subdivision 2; 245A.10, by adding a subdivision; 290.06, by adding a subdivision; repealing Laws 2003, First Special Session chapter 14, article 9, section 36.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Zellers; Peppin; Bradley; Abrams; Carlson; Nelson, M.; Peterson, S.; Hilstrom; Hortman; Anderson, B., and Dittrich introduced:

H. F. No. 38, A bill for an act relating to health; allowing construction of a new hospital in the city of Maple Grove; amending Minnesota Statutes 2004, section 144.551, subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Zellers; Peppin; Bradley; Abrams; Carlson; Nelson, M.; Hilstrom; Peterson, S.; Hortman; Anderson, B., and Dittrich introduced:

H. F. No. 39, A bill for an act relating to health; providing an exception to the hospital construction moratorium; amending Minnesota Statutes 2004, section 144.551, subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Hansen and Atkins introduced:

H. F. No. 40, A bill for an act relating to natural resources; creating a farmland and natural areas fund; establishing a cigarette fee; creating a council; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 116V.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Huntley, Goodwin, Thissen, Hausman, Otremba, Liebling, Loeffler, Ruud and Lieder introduced:

H. F. No. 41, A bill for an act relating to health; eliminating the MinnesotaCare limited benefit set for adults without children; providing an increase for certain facilities and providers; repealing the MA and alternative care cost recovery and lien provisions; reducing fees for parents of children on TEFRA and other programs; permitting individuals and small employers to purchase health insurance through state plans; reducing health care taxes; establishing a prescription drug discount program; reducing the county share for long-term placements; adding a health care cost containment fee on cigarette distributors; reducing expenditures for professional contracts; reducing spending on managed care and health care access fund; increasing MinnesotaCare premiums; transferring funds; appropriating money; amending Minnesota Statutes 2004, sections 43A.27, subdivision 2, by adding a subdivision;

252.27, subdivision 2a; 256B.15, subdivisions 1, 1a, 2, 3, 4; 256B.19, subdivision 1; 256B.431, by adding a subdivision; 256B.5012, by adding a subdivision; 256B.765; 256L.02, by adding a subdivision; 256L.03, subdivision 1; 256L.04, subdivisions 1, 7a, by adding subdivisions; 256L.05, subdivisions 1, 3a; 256L.07, as amended; 256L.09, by adding a subdivision; 256L.12, subdivision 6; 256L.15, subdivisions 2, as amended, 3, by adding a subdivision; 256L.17, subdivision 5; 295.52, subdivisions 1, 1a, 2, 3; 325D.32, subdivision 9; 514.981, subdivision 6; 524.3-805; proposing coding for new law in Minnesota Statutes, chapters 43A; 62J; 256; repealing Minnesota Statutes 2004, sections 256B.15, subdivisions 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k; 256L.035; 514.991; 514.992; 514.993; 514.994; 514.995.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Rukavina and Juhnke introduced:

H. F. No. 42, A bill for an act relating to taxes; adding a fourth bracket to the income tax; increasing the cigarette tax; modifying the dedication of cigarette tax revenues; imposing a floor stocks tax; amending Minnesota Statutes 2004, sections 290.06, subdivision 2c; 297F.05, subdivision 1; 297F.10, subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Rukavina and Solberg introduced:

H. F. No. 43, A bill for an act relating to counties; authorizing county boards to contract for the sale of biomass; amending Minnesota Statutes 2004, section 282.04, subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Smith and Murphy introduced:

H. F. No. 44, A bill for an act relating to retirement; various public pension plans; clarifying and revising various plan provisions; eliminating obsolete provisions; defining final average salary; modifying the definition of allowable service to include time on strike; permitting judges to purchase service credit for an authorized leave; requiring specified payments; clarifying references to actuarial services in determining actuarial equivalence; defining covered salary to include certain employer contributions to supplemental retirement plans; specifying itemized detail of plan administrative expenses in annual financial reporting; excluding police officers of the University of Minnesota from the public employees police and fire fund; clarifying collection procedures relating to charter schools; adding a uniform nonassignment and legal process exemption provision; adding employees of Bridges Medical Services, Hutchinson Area Health Care, and Northfield Hospital to privatization coverage; extending date for filing special law approval with the secretary of state for the RenVilla Nursing Home; requiring the privatization periodic filing of updated copies of articles of incorporation and bylaws; modifying a higher education individual retirement account plan investment option provision; implementing the recommendations of the Volunteer Firefighter Relief Association working group of the state auditor; modifying the trigger date for filing financial reports; revising the per firefighter financing requirements for monthly benefit service pensions; modifying the options for crediting interest on deferred service pensions; clarifying the deferred service pension options available to defined contribution plans; providing for the crediting of service during military service leaves; requiring the amortization of experience losses; clarifying the compliance requirements for the qualification for fire state aid; modifying a limit on mutual fund investments; clarifying corporate stock and exchange traded funds investment authority; modifying the municipal representation requirements on relief association governing boards; clarifying exemptions from process and taxation; providing that certain laws do not apply to the consolidation of

specified volunteer firefighter relief associations; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; authorizing the Maplewood Firefighters Relief Association to transfer assets to the Oakdale Firefighters Relief Association to cover service credits earned by certain individuals; appropriating money; amending Minnesota Statutes 2004, sections 3A.01, subdivisions 1, 2, 6, 8, by adding subdivisions; 3A.011; 3A.02, subdivisions 1, 1b, 3, 4, 5; 3A.03, subdivisions 1, 2; 3A.04, subdivisions 1, 2, 3, 4, by adding a subdivision; 3A.05; 3A.07; 3A.10, subdivision 1; 3A.12; 3A.13; 43A.17, subdivision 9; 69.011, subdivision 2b, by adding a subdivision; 69.021, subdivisions 5, 11; 69.051, subdivisions 1, 1a; 69.33; 69.77, subdivision 4; 69.771; 69.772, subdivisions 3, 4; 69.773, subdivisions 4, 5; 69.775; 352.01, subdivisions 2a, 4, 5, 12, 21, 23, by adding a subdivision; 352.021, subdivisions 1, 2, 3, 4; 352.04, subdivisions 1, 12; 352.041, subdivisions 1, 2, 3, 5; 352.115, subdivisions 2, 3; 352.15, subdivisions 1, 3, 4; 352.22, subdivision 10; 352.87, subdivision 3; 352.91, by adding a subdivision; 352.93, subdivision 1; 352B.01, subdivisions 1, 2, 3; 352B.02, subdivision 1e; 352B.071; 352C.021, by adding a subdivision; 352C.091, subdivision 1; 352C.10; 352D.01; 352D.015, subdivisions 3, 4; 352D.02, subdivision 1; 352D.03; 352D.05, subdivision 4; 352D.085, subdivision 1; 352D.09, subdivision 5; 352D.12; 353.01, subdivisions 6, 10, 14, 32, 33, by adding a subdivision; 353.025; 353.026; 353.027; 353.028; 353.14; 353.15, subdivisions 1, 3; 353.27, subdivision 11; 353.271; 353.28, subdivisions 5, 6; 353.29, subdivision 3; 353.31, subdivision 1c; 353.32, subdivision 9; 353.33, subdivisions 3, 12; 353.64, by adding a subdivision; 353.651, subdivision 3; 353.656, subdivision 1; 353F.02, subdivision 4; 354.05, subdivision 7, by adding a subdivision; 354.091; 354.094, subdivision 1; 354.10, subdivisions 1, 3, 4; 354.33, subdivision 5; 354.39; 354.41, subdivision 2; 354.42, by adding a subdivision; 354.44, subdivisions 2, 6; 354A.011, subdivision 3a, by adding a subdivision; 354A.021, subdivision 5, by adding a subdivision; 354A.097, subdivision 1; 354A.31, subdivisions 4, 4a, 5; 354B.21, subdivisions 2, 3; 354B.25, subdivision 2; 355.01, subdivision 3e; 356.20, subdivision 4; 356.215, subdivision 8; 356.216; 356.24, subdivision 1; 356.47, subdivision 3; 356.551; 356.65, subdivision 2; 356A.06, subdivision 7; 383B.46, subdivision 2; 383B.47; 383B.48; 383B.49; 422A.01, subdivisions 6, 11, by adding a subdivision; 422A.05, subdivision 2c; 422A.06, subdivisions 3, 5, 7, 8; 422A.10, subdivisions 1, 2; 422A.101, subdivision 3; 422A.15, subdivision 1; 422A.16, subdivision 9; 422A.22, subdivisions 1, 3, 4, 6; 422A.231; 422A.24; 423B.05, subdivision 3; 423B.09, subdivision 1, by adding a subdivision; 423B.10, subdivision 1; 423B.17; 423C.05, subdivision 2; 423C.09; 424A.02, subdivisions 3, 4, 7; 424A.04, subdivision 1; 424B.10, subdivision 1; 471A.10; 490.121, subdivisions 1, 4, 6, 7, 13, 14, 15, 20, 21, 22, by adding subdivisions; 490.122; 490.123, subdivisions 1, 1a, 1b, 1c, 2, 3; 490.124, subdivisions 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13; 490.125, subdivisions 1, 2; 490.126; 490.133; 525.05; Laws 1999, chapter 222, article 16, section 16, as amended; Laws 2000, chapter 461, article 4, section 4, as amended; Laws 2004, chapter 267, article 12, section 4; proposing coding for new law in Minnesota Statutes, chapters 352C; 356; 383B; 423C; 424A; proposing coding for new law as Minnesota Statutes, chapter 490A; repealing Minnesota Statutes 2004, sections 3A.01, subdivisions 3, 4, 6a, 7; 3A.02, subdivision 2; 3A.04, subdivision 1a; 3A.09; 352.119, subdivision 1; 352.15, subdivision 1a; 352C.01; 352C.011; 352C.021; 352C.031; 352C.033; 352C.04; 352C.051; 352C.09; 352C.091, subdivisions 2, 3; 353.15, subdivision 2; 353.29, subdivision 2; 353.34, subdivision 3b; 353.36, subdivisions 2, 2a, 2b, 2c; 353.46, subdivision 4; 353.651, subdivision 2; 353.663; 353.74; 353.75; 354.10, subdivision 2; 354.59; 422A.101, subdivision 4; 422A.22, subdivisions 2, 5; 422A.221; 490.021; 490.025; 490.101; 490.102; 490.103; 490.105; 490.106; 490.107; 490.108; 490.109; 490.1091; 490.12; 490.121, subdivisions 2, 3, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20; 490.124, subdivision 6; 490.132; 490.15; 490.16; 490.18.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

## MOTIONS AND RESOLUTIONS

Severson moved that the name of Tingelstad be added as an author on H. F. No. 8. The motion prevailed.

Ozment moved that the names of Nelson, P., and Tingelstad be added as authors on H. F. No. 10. The motion prevailed.

Ozment moved that the name of Nelson, P., be added as an author on H. F. No. 11. The motion prevailed.

Eken moved that the names of Moe; Lillie; Goodwin; Clark; Anderson, I.; Hausman; Koenen; Greiling; Johnson, S.; Otremba; Fritz; Scalze and Bernardy be added as authors on H. F. No. 17. The motion prevailed.

Cox moved that the names of Sailer and Scalze be added as authors on H. F. No. 22. The motion prevailed.

#### ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 2:00 p.m., Tuesday, June 7, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, June 7, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

