

## STATE OF MINNESOTA

## SPECIAL SESSION — 2005

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 NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JUNE 9, 2005

The House of Representatives convened at 11:00 a.m. and was called to order by Ron Abrams, Speaker pro tempore.

Prayer was offered by Second Lieutenant Michael Lotzer, U.S. Army Chaplain Program and also a chaplain with the Union Gospel Mission.

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	Dittrich	Hilstrom	Latz	Ozment	Simpson
Abrams	Dorman	Hilty	Lenczewski	Paulsen	Slawik
Anderson, B.	Dorn	Holberg	Lesch	Pelowski	Smith
Anderson, I.	Eastlund	Hoppe	Liebling	Penas	Soderstrom
Atkins	Eken	Hornstein	Lieder	Peppin	Solberg
Beard	Emmer	Hortman	Lillie	Peterson, A.	Sykora
Bernardy	Entenza	Hosch	Loeffler	Peterson, N.	Thao
Blaine	Erhardt	Howes	Magnus	Peterson, S.	Tingelstad
Bradley	Erickson	Huntley	Mahoney	Poppe	Urdahl
Brod	Finstad	Jaros	Marquart	Powell	Vandever
Buesgens	Fritz	Johnson, J.	McNamara	Rukavina	Walker
Carlson	Garofalo	Johnson, R.	Meslow	Ruth	Wardlow
Charron	Gazelka	Johnson, S.	Moe	Ruud	Welti
Cox	Goodwin	Juhnke	Mullery	Sailer	Westerberg
Cybart	Greiling	Kahn	Murphy	Samuelson	Westrom
Davids	Gunther	Kelliher	Nelson, M.	Scalze	Wilkin
Davnie	Hackbarth	Klinzing	Nelson, P.	Seifert	Zellers
Dean	Hamilton	Knoblach	Newman	Sertich	Spk. Sviggum
DeLaForest	Hansen	Koenen	Nornes	Severson	
Dempsey	Hausman	Krinkie	Olson	Sieben	
Dill	Heidgerken	Lanning	Otremba	Simon	

A quorum was present.

Clark, Cornish, Demmer, Kohls, Mariani, Opatz, Paymar, Thissen and Wagenius were excused.

Ellison and Larson were excused until 11:20 a.m.

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

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Seifert introduced:

H. F. No. 58, A bill for an act relating to elections; prohibiting certain contributions and solicitations during special legislative sessions; amending Minnesota Statutes 2004, sections 10A.273, subdivisions 1, 2; 211A.14.

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

Juhnke; Hornstein; Carlson; Solberg; Nelson, M.; Loeffler; Simon; Ellison and Wagenius introduced:

H. F. No. 59, A bill for an act relating to highways; requiring commissioner of transportation to allow use of certain high-occupancy vehicle lanes without toll in off-peak hours; amending Minnesota Statutes 2004, section 160.93, subdivision 4.

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

Kahn; Mahoney; Hornstein; Lesch; Ellison; Sykora; Abeler; Peterson, N., and Erhardt introduced:

H. F. No. 60, A bill for an act relating to the state; appointing a poet laureate; appropriating gift or grant money received; proposing coding for new law in Minnesota Statutes, chapter 138.

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

Slawik, Greiling, Dittrich, Davnie and Lillie introduced:

H. F. No. 61, A bill for an act relating to education finance; increasing funding for early education programs; appropriating money; amending Minnesota Statutes 2004, section 124D.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Finstad, Kelliher, Sviggum, Sertich, Urdahl, Lillie, Demmer, Marquart, Westerberg, Hilstrom, Brod, Juhnke, Hamilton, Slawik, Magnus, Koenen, Blaine, Hosch, Garofalo, Scalze and Lanning introduced:

H. F. No. 62, A bill for an act relating to a ballpark for major league baseball; providing for the financing, construction, operation, and maintenance of the ballpark and related facilities; establishing the Minnesota Ballpark Authority; defining members of the authority as public officials; providing powers and duties of the authority; providing a community ownership option upon sale of the team; authorizing Hennepin County to issue bonds and to contribute to ballpark costs and to engage in ballpark and related activities; authorizing local sales and use taxes and

revenues; requiring actions by the state, the city of Minneapolis, and the Hennepin County Regional Railroad Authority; amending Minnesota Statutes 2004, sections 10A.01, subdivision 35; 297A.71, by adding a subdivision; repealing Minnesota Statutes 2004, sections 473I.01; 473I.02; 473I.03; 473I.04; 473I.05; 473I.06; 473I.07; 473I.08; 473I.09; 473I.10; 473I.11; 473I.12; 473I.13.

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

Seifert, Blaine, DeLaForest and Finstad introduced:

H. F. No. 63, A bill for an act relating to the financing of state government; proposing the Stop Special Session Act of 2005; modifying the definition of fiscal year and making conforming changes; amending Minnesota Statutes 2004, sections 16A.011, subdivision 14; 16A.1522, subdivision 3; 16A.45, subdivision 1; 16A.62; 645.02.

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

Solberg introduced:

H. F. No. 64, A bill for an act relating to retirement; authorizing repayment of a refund from the Public Employees Retirement Association.

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

Lieder, Larson, Hausman, Hornstein and Juhnke introduced:

H. F. No. 65, A bill for an act relating to transportation; modifying distribution of county state-aid highway funds; adjusting passenger automobile tax rates and depreciation schedule; increasing motor fuel tax rates; allocating revenue from motor vehicle sales tax; authorizing issuance of \$1,000,000,000 in state trunk highway bonds; appropriating money; amending Minnesota Statutes 2004, sections 162.07, subdivision 1, by adding subdivisions; 168.013, subdivision 1a; 296A.07, subdivision 3; 296A.08, subdivision 2; 297B.09, subdivision 1.

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

Mahoney; Anderson, I.; Lieder; Severson; Cybart; Johnson, S., and Nelson, M., introduced:

H. F. No. 66, A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature; appropriating money for a new football stadium for the University of Minnesota; authorizing the issuance of general obligation bonds.

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

Krinkie introduced:

H. F. No. 67, A bill for an act relating to a ballpark for major league baseball; providing a state policy for professional sports facilities; providing for the financing, construction, operation, and maintenance of the ballpark and related facilities; establishing the Minnesota Ballpark Authority; authorizing Hennepin County to issue bonds and to contribute to ballpark costs and to engage in ballpark and related activities; requiring some incremental

revenue from a new sports facility to be paid to certain public bodies; authorizing local sales and use taxes and revenues; requiring actions by the state, the city of Minneapolis, and the Hennepin County Regional Railroad Authority; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 2004, sections 473I.01; 473I.02; 473I.03; 473I.04; 473I.05; 473I.06; 473I.07; 473I.08; 473I.09; 473I.10; 473I.11; 473I.12; 473I.13.

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

Marquart introduced:

H. F. No. 68, A bill for an act relating to property tax aids; changing the city local government aid formula; amending Minnesota Statutes 2004, sections 477A.011, subdivisions 34, as amended, 35; 477A.013, subdivisions 8, 9; 477A.03, subdivision 2a, by adding a subdivision.

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

Lenczewski introduced:

H. F. No. 69, A bill for an act relating to health care; imposing a cigarette health impact fee; establishing a health impact fund; imposing a floor stocks fee; amending Minnesota Statutes 2004, sections 297F.10, subdivision 1; 297F.185; 325D.32, subdivision 9; proposing coding for new law in Minnesota Statutes, chapters 16A; 256.

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 Gazelka be added as an author on H. F. No. 8. The motion prevailed.

Samuelson moved that her name be stricken as an author on H. F. No. 19. The motion prevailed.

Hilty moved that the name of Howes be added as an author on H. F. No. 23. The motion prevailed.

Hansen moved that the name of Johnson, S., be added as an author on H. F. No. 40. The motion prevailed.

Huntley moved that the name of Sailer be added as an author on H. F. No. 41. The motion prevailed.

Mullery introduced:

House Resolution No. 1, A House resolution recognizing July 31 through August 14, 2005, as a time for PEACE Games in Minneapolis to end violence.

The resolution was referred to the Committee on Rules and Legislative Administration.

Olson introduced:

House Concurrent Resolution No. 5, A House concurrent resolution proposing House and Senate expenditure limits for fiscal years 2006 and 2007 for the finance bills listed in this resolution for consideration in the 2005 First Special Session.

#### MOTION TO SUSPEND RULES

Olson moved that the rules be so far suspended that House Concurrent Resolution No. 5 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Olson motion and the roll was called. There were 45 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Abeler	Erhardt	Hortman	Krinkie	Peterson, N.	Tingelstad
Anderson, B.	Erickson	Hosch	Liebling	Peterson, S.	Urdahl
Buesgens	Garofalo	Jaros	Loeffler	Poppe	Vandever
Cox	Goodwin	Johnson, J.	Marquart	Rukavina	Walker
Dittrich	Greiling	Juhnke	Moe	Ruud	Welti
Dorman	Hausman	Kahn	Olson	Simon	
Eastlund	Heidgerken	Klinzing	Otremba	Soderstrom	
Eken	Hornstein	Koenen	Pelowski	Thao	

Those who voted in the negative were:

Abrams	DeLaForest	Hilstrom	Lillie	Penas	Slawik
Anderson, I.	Dempsey	Hilty	Magnus	Peppin	Smith
Atkins	Dill	Holberg	Mahoney	Peterson, A.	Solberg
Beard	Dorn	Hoppe	McNamara	Powell	Sykora
Bernardy	Emmer	Howes	Meslow	Ruth	Wardlow
Blaine	Entenza	Huntley	Mullery	Sailer	Westerberg
Bradley	Finstad	Johnson, R.	Murphy	Samuelson	Westrom
Brod	Fritz	Johnson, S.	Nelson, M.	Scalze	Wilkin
Carlson	Gazelka	Kelliher	Nelson, P.	Seifert	Zellers
Charron	Gunther	Knoblach	Newman	Sertich	Spk. Sviggum
Cybart	Hackbarth	Latz	Nornes	Severson	
Davids	Hamilton	Lesch	Ozment	Sieben	
Dean	Hansen	Lieder	Paulsen	Simpson	

The motion did not prevail.

The concurrent resolution was referred to the Committee on Rules and Legislative Administration.

## ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, June 13, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 2:00 p.m., Monday, June 13, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives