

STATE OF MINNESOTA

SPECIAL SESSION — 2005

TENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JUNE 13, 2005

The House of Representatives convened at 2:00 p.m. and was called to order by Marty Seifert, Speaker pro tempore.

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

A quorum was present.

Buesgens, Clark, Cornish, Dorman, Finstad, Gunther, Klinzing, Kohls, Mariani and Smith were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Dill 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:

Smith introduced:

H. F. No. 70, A bill for an act relating to family law; requiring notification of noncustodial parents, corrections agents, local welfare agencies, and the court, when custodial parent resides with certain convicted persons; changing certain presumptions relating to paternity; changing certain provisions concerning adoption communication or contact agreements; modifying provisions relating to background checks for child placement assessments; modifying family court referee appeal provision; modifying notice information in marital dissolution summons; modifying provisions relating to parenting plan custody designations; changing certain procedures for removal of a child's residence from Minnesota; prohibiting person convicted of certain crime from consideration for custody of unrelated child; requiring certain information in summary real estate disposition judgments; identifying pension plans subject to marital property division; amending Minnesota Statutes 2004, sections 257.55, subdivision 1; 257.57, subdivision 2; 257.62, subdivision 5; 257C.03, subdivision 7; 259.58; 484.65, subdivision 9; 518.091, subdivision 1; 518.1705, subdivisions 4, 7; 518.175, subdivision 3; 518.179, by adding a subdivision; 518.18; 518.191, subdivisions 2, 4; 518.54, subdivisions 4a, 14, by adding a subdivision; 518.551, subdivision 1; 518.58, subdivision 4; Laws 2005, chapter 136, article 15, section 5; Laws 2005, chapter 164, section 31; proposing coding for new law in Minnesota Statutes, chapters 244; 257.

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

Holberg introduced:

H. F. No. 71, A bill for an act relating to appropriations; appropriating money for transportation, public safety, and public transit agencies, programs, and activities; providing for general contingent accounts and tort claims; creating accounts; modifying provisions relating to motor vehicles and dealers, driver and vehicle records and fees, and vehicle accident reports; amending Minnesota Statutes 2004, sections 168.013, subdivision 8; 168.12, subdivisions 2, 2a, 2b, 2c, 2d, 2e, 5; 168.1255, subdivision 4; 168.127, subdivision 6; 168.129, subdivision 5; 168.1293, subdivision 7; 168.1296, subdivision 5; 168.27, subdivision 11; 168.33, subdivision 7; 168.381, subdivision 4; 168A.152, subdivision 2; 168A.29, subdivision 1; 168A.31; 169.09, subdivision 13; 169A.60, subdivision 16; 171.06, subdivisions 2, 2a; 171.061, subdivision 4; 171.07, subdivision 11; 171.13, subdivision 6, by adding a subdivision; 171.26; 171.29, subdivision 2; 171.36; proposing coding for new law in Minnesota Statutes, chapters 168, 299A; repealing Minnesota Statutes 2004, sections 168.012, subdivision 12; 168.041, subdivision 11; 168.105, subdivision 6; 168.123, subdivision 5; 168.1235, subdivision 5; 168.128, subdivision 4; 168.231; 168.345, subdivisions 3, 4; 170.23; 171.12, subdivision 8; 171.185.

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

Brod introduced:

H. F. No. 72, A bill for an act relating to elections; temporarily suspending a deadline for certification of electronic voting systems.

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

Anderson, B., introduced:

H. F. No. 73, A bill for an act relating to highways; designating I-94 as 88th Infantry (Blue Devils) Division Highway; amending Minnesota Statutes 2004, section 161.14, by adding a subdivision.

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

Latz introduced:

H. F. No. 74, A bill for an act relating to employment; creating the large employer fair share health care fund; requiring certain large employers to make payments to the fund; regulating assets of the fund; authorizing the commissioner of employment and economic development to adopt rules; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Erhardt introduced:

H. F. No. 75, A bill for an act relating to transportation; modifying provisions relating to highway ditches, state-aid highways and streets, traffic signals, railroads and grade crossings, commercial motor vehicles, day activity center buses, other motor vehicles, slow-moving vehicle signs, vehicle wheel flaps, traffic regulations, drivers' licenses and permits, and rules of the commissioner of transportation; designating Biauxwah Bridge, Roussain Cemetery, and Purple Heart Memorial Highway; redefining Paul Bunyan Expressway; removing expiration for Commuter Rail Corridor Coordinating Committee; requiring training for peace officers who engage in vehicle weight enforcement; repealing provisions regulating motor bicycle rental businesses; making technical and clarifying changes; amending Minnesota Statutes 2004, sections 160.232; 161.14, subdivision 25, by adding subdivisions; 162.02, subdivisions 2, 3a; 162.09, subdivisions 2, 3a; 162.14, subdivision 6; 169.01, subdivision 75; 169.06, subdivisions 5, 6; 169.18, subdivision 4; 169.28, subdivision 2; 169.448, by adding a subdivision; 169.522; 169.733; 169.824, subdivision 2; 169.85, subdivisions 1, 6; 171.01, subdivision 22; 171.05, subdivisions 1, 2; 171.30, subdivision 1; 174.86, subdivision 5; 219.166; 219.567; proposing coding for new law in Minnesota Statutes, chapter 162; repealing Minnesota Statutes 2004, sections 168.831; 168.832; 168.833; 168.834; 168.835; 168.836; 168.837.

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

MOTIONS AND RESOLUTIONS

Emmer moved that the name of Sykora be added as an author on H. F. No. 28. The motion prevailed.

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

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

Seifert moved that the name of Erickson be added as an author on H. F. No. 58. The motion prevailed.

Kahn moved that the name of Charron be added as an author on H. F. No. 60. The motion prevailed.

Seifert moved that the names of Wilkin and Erickson be added as authors on H. F. No. 63. The motion prevailed.

Lieder moved that the name of Anderson, I., be added as an author on H. F. No. 65. The motion prevailed.

Mahoney moved that the names of Marquart; Peterson, A., and Lillie be added as authors on H. F. No. 66. The motion prevailed.

Krinkie moved that the name of Westrom be added as an author on H. F. No. 67. The motion prevailed.

MOTION TO SUSPEND RULES

Olson moved that the rules be so far suspended that House Concurrent Resolution No. 5 be recalled from the Committee on Rules and Legislative Administration 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 57 yeas and 65 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|------------|-------------|----------|--------------|------------|
| Abeler | Erickson | Howes | Lillie | Peterson, N. | Thao |
| Anderson, B. | Garofalo | Jaros | Loeffler | Peterson, S. | Thissen |
| Cox | Goodwin | Johnson, J. | Marquart | Poppe | Tingelstad |
| Dean | Greiling | Johnson, S. | Moe | Rukavina | Urdahl |
| Demmer | Hamilton | Juhnke | Murphy | Ruud | Vandever |
| Dittrich | Hausman | Kahn | Olson | Scalze | Welti |
| Eastlund | Heidgerken | Koenen | Opatz | Severson | Westrom |
| Eken | Hornstein | Larson | Otremba | Simon | |
| Ellison | Hortman | Lenczewski | Paymar | Soderstrom | |
| Emmer | Hosch | Liebling | Pelowski | Solberg | |

Those who voted in the negative were:

| | | | | | |
|--------------|------------|-------------|------------|--------------|--------------|
| Abrams | Davids | Hansen | Lieder | Paulsen | Simpson |
| Anderson, I. | Davnie | Hilstrom | Magnus | Penas | Slawik |
| Atkins | DeLaForest | Hilty | Mahoney | Peppin | Sykora |
| Beard | Dempsey | Holberg | McNamara | Peterson, A. | Wagenius |
| Bernardy | Dill | Hoppe | Meslow | Powell | Walker |
| Blaine | Dorn | Huntley | Mullery | Ruth | Wardlow |
| Bradley | Entenza | Johnson, R. | Nelson, M. | Sailer | Westerberg |
| Brod | Erhardt | Kelliher | Nelson, P. | Samuelson | Wilkin |
| Carlson | Fritz | Knoblach | Newman | Seifert | Zellers |
| Charron | Gazelka | Lanning | Nornes | Sertich | Spk. Sviggum |
| Cybart | Hackbarth | Latz | Ozment | Sieben | |

The motion did not prevail.

MOTION TO ADJOURN SINE DIE

Jaros moved that the House adjourn sine die for the 2005 Special Session.

A roll call was requested and properly seconded.

Speaker pro tempore Seifert called Abrams to the Chair.

MOTION TO FIX TIME TO CONVENE

Paulsen moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, June 16, 2005.

A roll call was requested and properly seconded.

The question was taken on the Paulsen motion and the roll was called. There were 106 yeas and 18 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|--------------|------------|-------------|------------|--------------|--------------|
| Abeler | Demmer | Hilty | Lieder | Pelowski | Simpson |
| Abrams | Dempsey | Hoppe | Lillie | Penas | Slawik |
| Anderson, B. | Dill | Hornstein | Loeffler | Peppin | Soderstrom |
| Anderson, I. | Dittrich | Hortman | Magnus | Peterson, A. | Solberg |
| Atkins | Dorn | Hosch | Mahoney | Peterson, N. | Sykora |
| Beard | Eastlund | Howes | Marquart | Peterson, S. | Thissen |
| Bernardy | Eken | Huntley | McNamara | Poppe | Tingelstad |
| Blaine | Emmer | Johnson, J. | Meslow | Powell | Urdahl |
| Bradley | Entenza | Johnson, R. | Moe | Ruth | Wagenius |
| Brod | Erhardt | Juhnke | Mullery | Ruud | Wardlow |
| Carlson | Erickson | Kelliher | Murphy | Sailer | Welti |
| Charron | Fritz | Knoblach | Nelson, M. | Samuelson | Westerberg |
| Cox | Gazelka | Lanning | Nelson, P. | Scalze | Westrom |
| Cybart | Hackbarth | Larson | Newman | Seifert | Wilkin |
| Davids | Hamilton | Latz | Nornes | Sertich | Zellers |
| Davnie | Hansen | Lenczewski | Opatz | Severson | Spk. Sviggum |
| Dean | Heidgerken | Lesch | Ozment | Sieben | |
| DeLaForest | Hilstrom | Liebling | Paulsen | Simon | |

Those who voted in the negative were:

| | | | | | |
|----------|----------|-------------|---------|----------|------------|
| Ellison | Greiling | Jaros | Koenen | Otremba | Thao |
| Garofalo | Hausman | Johnson, S. | Krinkie | Paymar | Vandevveer |
| Goodwin | Holberg | Kahn | Olson | Rukavina | Walker |

The motion prevailed.

ADJOURNMENT

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 11:00 a.m., Thursday, June 16, 2005.

