

## STATE OF MINNESOTA

## SPECIAL SESSION — 2005

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 TWELFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JUNE 20, 2005

The House of Representatives convened at 2:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Ed Wilson, Former Chaplain with the St. Paul Salvation Army.

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

A quorum was present.

Blaine, Davids, DeLaForest, Finstad, Gazelka, Goodwin, Greiling, Hilstrom, Jaros, Lanning, Lesch, Mariani, Penas, Ruth, Slawik and Tingelstad were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson, N., 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:

Anderson, B., introduced:

H. F. No. 88, A bill for an act relating to veterans; authorizing license plates for veterans of global war on terrorism; amending Minnesota Statutes 2004, section 168.123, subdivisions 1, 2, by adding a subdivision.

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

Johnson, R., introduced:

H. F. No. 89, A bill for an act relating to education finance; requiring the commissioner of education to conduct a study on the effect of property tax payments on charter school finances; requiring a report.

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

Johnson, S.; Mahoney; Hausman; Paymar; Lesch and Entenza introduced:

H. F. No. 90, A bill for an act relating to capital improvements; appropriating money to construct an interpretive center at the Bruce Vento Nature Sanctuary in St. Paul; authorizing the sale of state bonds.

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

Vandever introduced:

H. F. No. 91, A bill for an act relating to highways; appropriating money and authorizing issuance of trunk highway bonds for an interchange at I-35 and County State-Aid Highway 23.

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

Abrams and Solberg introduced:

H. F. No. 92, A bill for an act relating to a University of Minnesota football stadium; providing a process for state support of a football stadium at the University of Minnesota; appropriating money; amending Minnesota Statutes 2004, sections 297A.71, by adding a subdivision; 340A.404, subdivision 4a; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Solberg; Lenczewski; Sertich; Goodwin; Anderson, I., and Mullery introduced:

H. F. No. 93, A bill for an act relating to the financing of state government; providing for structural balance in the state budget; appropriating money for education, the environment, agriculture, economic development, transportation, and health and human services with certain conditions; fixing and limiting fees; regulating the

deposit of money in the state treasury; regulating transfers between appropriations and accounts; requiring certain studies and reports; shortening the holding period for abandoned securities; amending Minnesota Statutes 2004, sections 123B.54; 127A.49, subdivision 2; 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, as amended; 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; 256.975, subdivision 9; 256B.0625, subdivision 13; 256B.0911, subdivision 1a; 256M.40, subdivision 2; 345.47, subdivisions 3, 3a; proposing coding for new law in Minnesota Statutes, chapters 93; 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; 256.955.

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

Lenczewski, Rukavina, Solberg, Sertich, Kelliher, Goodwin and Anderson, I., introduced:

H. F. No. 94, A bill for an act relating to taxation; requiring withholding; providing for taxation of certain income; eliminating certain deductions; conforming with certain federal income tax changes; prohibiting state contracts with certain vendors; providing for taxation of cigarettes, liquor, and rented and leased vehicles; modifying certain sales tax exemptions; defining "direct business" for purposes of insurance taxes; modifying the homestead market value credit reimbursement; establishing a tax compliance program; appropriating money; amending Minnesota Statutes 2004, sections 16C.03, by adding a subdivision; 289A.20, subdivision 2; 289A.38, by adding a subdivision; 289A.60, by adding a subdivision; 290.01, subdivisions 19, 19a, 19b, 19c, 19d, 31; 290.06, subdivision 2c; 290.067, subdivision 2a; 290.091, subdivision 2; 290.10; 290.17, subdivision 2; 290.92, by adding a subdivision; 290A.03, subdivisions 3, 15; 297A.61, subdivision 4, by adding a subdivision; 297A.67, subdivision 8, by adding a subdivision; 297A.68, subdivisions 2, 5; 297I.01, by adding a subdivision; Laws 2001, First Special Session chapter 5, article 12, section 95; proposing coding for new law in Minnesota Statutes, chapters 289A; 295; 297A; 297F.

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

Seifert and Sviggum introduced:

H. F. No. 95, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4; placing limits on the terms of office of legislators.

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

## MOTIONS AND RESOLUTIONS

Slawik moved that the name of Loeffler be added as an author on H. F. No. 34. The motion prevailed.

Slawik moved that the name of Loeffler be added as an author on H. F. No. 61. The motion prevailed.

Seifert moved that the name of Brod be added as an author on H. F. No. 63. The motion prevailed.

Mahoney moved that the name of Gunther be added as an author on H. F. No. 66. The motion prevailed.

Holberg moved that the name of Beard be added as an author on H. F. No. 71. The motion prevailed.

Latz moved that the name of Peterson, S., be added as an author on H. F. No. 74. The motion prevailed.

Erhardt moved that the name of Peterson, S., be added as an author on H. F. No. 75. The motion prevailed.

Tingelstad moved that the names of Solberg, McNamara, Abeler, Carlson, Kahn, Hansen and Dill be added as authors on H. F. No. 78. The motion prevailed.

Erhardt moved that the name of Latz be added as an author on H. F. No. 79. The motion prevailed.

Hansen moved that the names of Kahn and Seifert be added as authors on H. F. No. 83. The motion prevailed.

Larson moved that the names of Wilkin and Powell be added as authors on H. F. No. 85. The motion prevailed.

Olson, Heidgerken and Erickson introduced:

House Concurrent Resolution No. 6, A House concurrent resolution proposing an amount for net state revenues for fiscal years 2006 and 2007.

#### MOTION TO SUSPEND RULES

Olson moved that the rules be so far suspended that House Concurrent Resolution No. 6 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 39 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Hortman	Krinkie	Opatz	Soderstrom
Anderson, B.	Eastlund	Hosch	Larson	Otremba	Thissen
Buesgens	Eken	Howes	Liebling	Pelowski	Urdahl
Cox	Ellison	Johnson, J.	Lillie	Peterson, N.	Welti
Davnie	Erickson	Kahn	Marquart	Peterson, S.	
Demmer	Fritz	Klinzing	Moe	Scalze	
Dittrich	Heidgerken	Koenen	Olson	Simon	

Those who voted in the negative were:

Abrams	Carlson	Dill	Hackbarth	Hornstein	Kohls
Anderson, I.	Charron	Dorn	Hamilton	Huntley	Latz
Atkins	Clark	Emmer	Hansen	Johnson, R.	Lenczewski
Beard	Cornish	Entenza	Hausman	Johnson, S.	Lieder
Bernardy	Cybart	Erhardt	Hilty	Juhnke	Loeffler
Bradley	Dean	Garofalo	Holberg	Kelliher	Magnus
Brod	Dempsey	Gunther	Hoppe	Knoblach	Mahoney

McNamara	Nornes	Powell	Severson	Vandev eer	Zellers
Meslow	Ozment	Rukavina	Sieben	Wagenius	Spk. Sviggum
Mullery	Paulsen	Ruud	Simpson	Walker	
Murphy	Paymar	Sailer	Smith	Wardlow	
Nelson, M.	Peppin	Samuelson	Solberg	Westerberg	
Nelson, P.	Peterson, A.	Seifert	Sykora	Westrom	
Newman	Poppe	Sertich	Thao	Wilkin	

The motion did not prevail.

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

#### 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 49 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Hortman	Lillie	Peterson, N.	Thissen
Anderson, B.	Ellison	Hosch	Loeffler	Poppe	Urdahl
Buesgens	Emmer	Johnson, J.	Marquart	Rukavina	Walker
Clark	Erickson	Juhnke	Moe	Sailer	Welti
Cox	Fritz	Kahn	Olson	Scalze	
Demmer	Garofalo	Koenen	Opatz	Severson	
Dittrich	Hausman	Krinkie	Otremba	Simon	
Dorman	Heidgerken	Larson	Paymar	Smith	
Eastlund	Hornstein	Liebling	Pelowski	Soderstrom	

Those who voted in the negative were:

Abrams	Dean	Hoppe	Magnus	Peppin	Vandev eer
Anderson, I.	Dempsey	Hoves	Mahoney	Peterson, A.	Wagenius
Atkins	Dill	Huntley	McNamara	Peterson, S.	Wardlow
Beard	Dorn	Johnson, R.	Meslow	Powell	Westerberg
Bernardy	Entenza	Johnson, S.	Mullery	Ruud	Westrom
Bradley	Erhardt	Kelliher	Murphy	Samuelson	Wilkin
Brod	Gunther	Klinzing	Nelson, M.	Seifert	Zellers
Carlson	Hackbarth	Knoblach	Nelson, P.	Sertich	Spk. Sviggum
Charron	Hamilton	Kohls	Newman	Sieben	
Cornish	Hansen	Latz	Nornes	Simpson	
Cybart	Hilty	Lenczewski	Ozment	Solberg	
Davnie	Holberg	Lieder	Paulsen	Thao	

The motion did not prevail.

## ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, June 23, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Thursday, June 23, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives