

STATE OF MINNESOTA  
SPECIAL SESSION — 2005

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EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, JULY 1, 2005

The House of Representatives convened at 9:00 a.m. and was called to order by Marty Seifert, Speaker pro tempore.

Prayer was offered by the Reverend Lonnie E. Titus, House Chaplain.

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

A quorum was present.

Abeler, Dorman and Meslow were excused.

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

Paulsen 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 Speaker pro tempore Abrams.

DeLaForest, Kahn, Larson, Lesch, Opatz and Penas were excused for the remainder of today's session.

### **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Kahn introduced:

H. F. No. 120, A bill for an act relating to natural resources and land acquisition; proposing an amendment to the Minnesota Constitution, article XI, section 14; creating a Minnesota Conservation Heritage Council; imposing a cigarette fee; 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.

Nelson, P.; Eastlund; Cox; Heidgerken and Vandever introduced:

H. F. No. 121, A bill for an act relating to the legislature; prohibiting payment of compensation to legislators during a period of government shutdown; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Hortman introduced:

H. F. No. 122, A bill for an act relating to transportation; imposing highway user debt service fee on gasoline and special fuel; imposing 0.25 percent sales tax for transit purposes in counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright if approved in a referendum; authorizing issuance of \$2,750,000,000 in state trunk highway bonds; appropriating money; amending Minnesota Statutes 2004, sections 296A.07, subdivision 4, by adding a subdivision; 296A.08, subdivision 3, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 161; 296A; 297A.

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

Smith introduced:

H. F. No. 123, A bill for an act relating to eminent domain; prohibiting acquisition by eminent domain for private economic development purposes; proposing coding for new law in Minnesota Statutes, chapter 117.

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

Cox and Sviggum introduced:

H. F. No. 124, A bill for an act relating to health care; imposing a tobacco use 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.

Buesgens introduced:

H. F. No. 125, A bill for an act relating to state government; providing for lottery gaming machines; imposing a tax on gaming machine and card club revenue; providing powers and duties to director; authorizing blackjack and other card games and imposing tax on gross receipts; creating the Clean Water Legacy Act; providing authority, direction, and funding to achieve and maintain water quality standards for Minnesota's surface waters in accordance with section 303(d) of the federal Clean Water Act; modifying soil and water cost-share contract provisions; extending citizen water monitoring; creating a municipal grant program; modifying tax exemption amounts; modifying net income apportionment provisions; modifying city government aid provisions; restructuring teacher retirement fund; consolidating the Minneapolis Teachers Retirement Fund Association; authorizing issuance of pension obligation bonds; modifying pension provisions; appropriating money for transit, transportation, environment, retirement, and salary supplements; amending Minnesota Statutes 2004, sections 103C.501, subdivision 5; 115.06, subdivision 4; 116.182, subdivision 2; 240.13, by adding a subdivision; 240.30, subdivision 8; 240.35, subdivision 1; 290.091, subdivisions 2, 3; 290.191, subdivisions 2, 3; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivisions 3, 6; 349A.13; 354.05, subdivisions 2, 13; 354.42, subdivisions 2, 3; 354A.011, subdivisions 15a, 27; 354A.021, subdivision 1; 354A.092; 354A.093, subdivision 1; 354A.095; 354A.096; 354A.12, subdivisions 1, 2, 2a, 3a, 3b, 3c, 3d; 354A.30; 354A.31, subdivision 4; 354A.32, subdivision 1; 354A.39; 354A.40, subdivision 1; 354A.41; 356.20, subdivision 2; 356.214, subdivision 1; 356.215, subdivisions 8, 11; 356.30, subdivision 3; 356.302, subdivision 7; 356.303, subdivision 4; 356.315, by adding a subdivision; 356.42, subdivision 3; 356.465, subdivision 3; 423A.02, subdivision 1b; 477A.011, subdivisions 34, 36, as amended; 477A.013, subdivisions 8, 9; 477A.03, subdivision 2a; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; Laws 2005, chapter 20, article 1, section 39; proposing coding for new law in Minnesota Statutes, chapters 128D; 297A; 349A; 354; 446A; proposing coding for new law as Minnesota Statutes, chapter 114D; repealing Minnesota Statutes 2004, sections 354A.051; 354A.105; 354A.23, subdivision 1; 354A.28.

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

## MOTIONS AND RESOLUTIONS

Carlson moved that the name of Loeffler be added as an author on H. F. No. 99. The motion prevailed.

Knoblach moved that the names of Lanning; Peterson, N.; Severson and McNamara be added as authors on H. F. No. 112. The motion prevailed.

Davids moved that the names of Abeler, Erhardt, Cybart, Solberg and Peterson, N., be added as authors on H. F. No. 117. The motion prevailed.

Thissen moved that the names of Abeler and Davids be added as authors on H. F. No. 118. The motion prevailed.

Erhardt moved that the name of Loeffler be added as an author on H. F. No. 119. The motion prevailed.

## MOTION TO SUSPEND RULES

Sertich moved that the rules of the House be so far suspended that H. F. No. 99 be recalled from the Committee on Rules and Legislative Administration, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Sertich motion and the roll was called. There were 63 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Huntley	Lillie	Pelowski	Slawik
Atkins	Fritz	Jaros	Loeffler	Peterson, A.	Smith
Bernardy	Goodwin	Johnson, R.	Mahoney	Peterson, S.	Solberg
Carlson	Greiling	Johnson, S.	Mariani	Poppe	Thao
Clark	Hansen	Juhnke	Marquart	Rukavina	Thissen
Davnie	Hausman	Kelliher	Moe	Ruud	Wagenius
Dempsey	Hilstrom	Koenen	Mullery	Sailer	Walker
Dill	Hilty	Latz	Murphy	Scalze	Welti
Dittrich	Hornstein	Lenczewski	Nelson, M.	Sertich	
Dorn	Hortman	Liebling	Otremba	Sieben	
Eken	Hosch	Lieder	Paymar	Simon	

Those who voted in the negative were:

Abrams	Cybart	Gazelka	Kohls	Paulsen	Sykora
Anderson, B.	Davids	Gunther	Krinkie	Peppin	Tingelstad
Beard	Dean	Hackbarth	Lanning	Peterson, N.	Urdahl
Blaine	Demmer	Hamilton	Magnus	Powell	Vandevier
Bradley	Eastlund	Heidgerken	McNamara	Ruth	Wardlow
Brod	Emmer	Holberg	Nelson, P.	Samuelson	Westerberg
Buesgens	Erhardt	Hoppe	Newman	Seifert	Westrom
Charron	Erickson	Johnson, J.	Nornes	Severson	Wilkin
Cornish	Finstad	Klinzing	Olson	Simpson	Zellers
Cox	Garofalo	Knoblach	Ozment	Soderstrom	Spk. Sviggum

Not having received the required two-thirds vote, the motion did not prevail.

## ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 9:00 a.m., Saturday, July 2, 2005. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 9:00 a.m., Saturday, July 2, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives