

STATE OF MINNESOTA

SPECIAL SESSION — 2005

 TWENTY-SECOND DAY

SAINT PAUL, MINNESOTA, FRIDAY, JULY 8, 2005

The House of Representatives convened at 10:00 a.m. and was called to order by Erik Paulsen, Speaker pro tempore.

Prayer was offered by Larry Lotzer, Associate Chaplain and Director, Union Gospel Mission, Twin Cities, Gateway Prison Re-entry to Society Program.

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

A quorum was present.

Anderson, B.; Cox; Demmer; Finstad; Gazelka; Hausman; Klinzing; Kohls; Larson and Mariani were excused.

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

Seifert 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.

Greiling, Koenen, Loeffler, Opatz, Penas and Sieben were excused for the remainder of today's session.

Pursuant to rule 1.50, Paulsen moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

Paulsen introduced:

House Concurrent Resolution No. 8, A House concurrent resolution relating to the adjournment of the House of Representatives and the Senate on July 8, 2005.

SUSPENSION OF RULES

Paulsen moved that the rules be so far suspended that House Concurrent Resolution No. 8 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 8

A House concurrent resolution relating to the adjournment of the House of Representatives and the Senate on July 8, 2005.

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring, that upon adjournment on July 8, 2005, the House of Representatives and the Senate may each adjourn for more than three days during the 2005 First Special Session.

Paulsen moved that House Concurrent Resolution No. 8 be now adopted. The motion prevailed and House Concurrent Resolution No. 8 was adopted.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2005 Special Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Special Session Laws Chapter No.</i>	<i>Time and Date Approved 2005</i>	<i>Date Filed 2005</i>
69*		1	9:10 p.m. June 30	June 30

Sincerely,

MARY KIFFMEYER
Secretary of State

[NOTE: * Indicates that S. F. No. 69, Special Session Chapter No. 1, contains line-item vetoes.]

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Bernardy introduced:

H. F. No. 131, A bill for an act relating to education finance; creating a supplemental compensatory revenue calculation; amending Minnesota Statutes 2004, section 126C.10, subdivision 3, by adding a subdivision.

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

MOTIONS AND RESOLUTIONS

Sertich moved that the names of Anderson, I., and Clark be added as authors on H. F. No. 128. The motion prevailed.

SUSPENSION OF RULES

Howes moved that the rules of the House be so far suspended that H. F. No. 111 be recalled from the Committee on Rules and Legislative Administration, be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 111 was reported to the House.

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Knoblach moved that the rule therein be suspended and an urgency be declared so that H. F. No. 111 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 111 was read for the second time.

Knoblach, Solberg and Sertich moved to amend H. F. No. 111 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [CONTINUING APPROPRIATIONS.]

(a) Retroactively from July 1, 2005, amounts sufficient to continue the operation of state government through July 13, 2005, as determined by the commissioner of finance, are appropriated from the appropriate fund or account in the state treasury to each unit of state government or other entity that received appropriations from the state for June 2005, as a result of money appropriated in Laws 2003, First Special Session chapters 9, 14, 19, and 21.

(b) The amounts appropriated must be sufficient, but not exceed the amounts needed, to continue the operation of government at base level as it existed in June 2005. Determination of amounts may be made on a proration of annual appropriations or another reasonable basis. The appropriations must not include appropriations in the acts specified in paragraph (a) that are designated as onetime appropriations or are onetime in nature. This requirement does not affect standing appropriations that are annually appropriated by statute."

Knoblach moved to amend the Knoblach et al amendment to H. F. No. 111 as follows:

Page 1, line 5, delete "13" and insert "14"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Knoblach et al amendment, as amended, to H. F. No. 111. The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 111, A bill for an act relating to the state budget; providing for transitional financing for certain governmental functions under certain conditions.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hoppe	Liebling	Paulsen	Simpson
Abrams	Dill	Hornstein	Lieder	Paymar	Slawik
Anderson, I.	Dittrich	Hortman	Lillie	Pelowski	Smith
Atkins	Dorn	Hosch	Magnus	Peterson, A.	Soderstrom
Beard	Eastlund	Howes	Mahoney	Peterson, N.	Solberg
Bernardy	Eken	Huntley	Marquart	Peterson, S.	Sykora
Blaine	Ellison	Jaros	McNamara	Poppe	Thao
Bradley	Entenza	Johnson, J.	Meslow	Powell	Thissen
Brod	Erhardt	Johnson, R.	Moe	Rukavina	Urdahl
Carlson	Erickson	Johnson, S.	Mullery	Ruth	Wagenius
Charron	Fritz	Juhnke	Murphy	Ruud	Walker
Clark	Goodwin	Kahn	Nelson, M.	Sailer	Wardlow
Cornish	Gunther	Kelliher	Nelson, P.	Samuelson	Welti
Cybart	Hamilton	Knoblach	Newman	Scalze	Westerberg
Davids	Hansen	Lanning	Nornes	Seifert	Westrom
Davnie	Heidgerken	Latz	Olson	Sertich	Spk. Sviggum
Dean	Hilstrom	Lenczewski	Otremba	Severson	
DeLaForest	Hilty	Lesch	Ozment	Simon	

Those who voted in the negative were:

Buesgens	Garofalo	Holberg	Peppin	Zellers
Emmer	Hackbarth	Krinkie	Vandever	

The bill was passed, as amended, and its title agreed to.

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.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 8, A House concurrent resolution relating to the adjournment of the House of Representatives and the Senate on July 8, 2005.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 111, A bill for an act relating to the state budget; providing for transitional financing for certain governmental functions under certain conditions.

PATRICK E. FLAHAVEN, Secretary of the Senate

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, July 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 11:00 a.m., Wednesday, July 13, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives