

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JANUARY 17, 2007

The House of Representatives convened at 11:30 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Kevin McDonough, Archdiocese of St. Paul and Minneapolis.

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	Hilty	Lillie	Paulsen	Sviggum
Anderson, B.	Dittrich	Holberg	Loeffler	Paymar	Swails
Anderson, S.	Dominguez	Hoppe	Madore	Pelowski	Thao
Anzelc	Doty	Hornstein	Magnus	Peppin	Thissen
Atkins	Eastlund	Hortman	Mahoney	Peterson, A.	Tillberry
Beard	Eken	Hosch	Mariani	Peterson, N.	Tingelstad
Benson	Emmer	Howes	Marquart	Peterson, S.	Tschumper
Berns	Erhardt	Huntley	Masin	Poppe	Urdahl
Bigham	Erickson	Jaros	McFarlane	Rukavina	Wagenius
Bly	Faust	Johnson	McNamara	Ruth	Walker
Brod	Fritz	Juhnke	Moe	Ruud	Ward
Brown	Gardner	Kahn	Morgan	Sailer	Wardlow
Brynaert	Garofalo	Kalin	Morrow	Scalze	Welti
Buesgens	Gottwalt	Knuth	Mullery	Seifert	Westrom
Bunn	Greiling	Koenen	Murphy, E.	Sertich	Winkler
Carlson	Gunther	Kohls	Murphy, M.	Severson	Wollschlager
Clark	Hackbarth	Kranz	Nelson	Shimanski	Zellers
Cornish	Hamilton	Laine	Nornes	Simon	Spk. Kelliher
Davnie	Hansen	Lanning	Norton	Simpson	
Dean	Hausman	Lenczewski	Olin	Slawik	
DeLaForest	Haws	Lesch	Olson	Slocum	
Demmer	Heidgerken	Liebling	Otremba	Smith	
Dettmer	Hilstrom	Lieder	Ozment	Solberg	

A quorum was present.

Finstad was excused.

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

Hackbarth introduced:

H. F. No. 171, A bill for an act relating to taxation; modifying the amount of gasoline fuel tax attributable to the use of all-terrain vehicles; amending Minnesota Statutes 2006, section 296A.18, subdivision 4.

The bill was read for the first time and referred to the Committee on Finance.

Nornes introduced:

H. F. No. 172, A bill for an act relating to taxation; authorizing the town of Scambler in Ottertail County to impose an aggregate tax under certain circumstances; amending Minnesota Statutes 2006, section 298.75, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson, Eastlund and Anderson, B., introduced:

H. F. No. 173, A bill for an act relating to human services; increasing payment rates for nursing facilities in specified counties to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.431, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

DeLaForest introduced:

H. F. No. 174, A bill for an act relating to sales tax; eliminating the sales tax on local government purchases; amending Minnesota Statutes 2006, section 297A.70, subdivisions 2, 3.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson introduced:

H. F. No. 175, A bill for an act relating to health; excluding aid and attendance benefits from the MinnesotaCare definition of income; amending Minnesota Statutes 2006, section 256L.01, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Thissen introduced:

H. F. No. 176, A bill for an act relating to state government; establishing Preservation of State Documents Act; proposing coding for new law in Minnesota Statutes, chapter 16E.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Lesch introduced:

H. F. No. 177, A bill for an act relating to health; establishing the fair share health care fund; requiring large employers to report information on health care costs; requiring certain large employers to make payments to the fair share health care fund; requiring the designation and provision of subsidies for approved health coverage options; proposing coding for new law in Minnesota Statutes, chapters 16A; 175.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Fritz, Bly, Ward and Nornes introduced:

H. F. No. 178, A bill for an act relating to education finance; increasing funding for the early childhood family education program; increasing the minimum population guarantee used to calculate early childhood family education program revenue; increasing the revenue for the home visiting early childhood family education program; amending Minnesota Statutes 2006, section 124D.135, subdivisions 1, 6.

The bill was read for the first time and referred to the Committee on Finance.

Hackbarth introduced:

H. F. No. 179, A bill for an act relating to elections; changing a petition requirement; amending Minnesota Statutes 2006, section 205A.05, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Sertich introduced:

H. F. No. 180, A bill for an act relating to economic development; dissolving the Hibbing Area Redevelopment Agency; transferring assets and liabilities to the Hibbing Economic Development Authority.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Sertich, Sviggum and Simon introduced:

H. F. No. 181, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; removing references to legislative days.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Murphy, E., and Thissen introduced:

H. F. No. 182, A bill for an act relating to insurance; providing more affordable conversion health coverage as a bridge to Medicare for persons 60 to 65 years of age; amending Minnesota Statutes 2006, section 62A.65, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Murphy, E., introduced:

H. F. No. 183, A bill for an act relating to human services; providing limited medical assistance coverage for individuals eligible for Medicare Part D; amending Minnesota Statutes 2006, section 256B.0625, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bigham, Smith, Olin, Berns, Simon, Lillie, Atkins, Hilstrom, Abeler and Dittrich introduced:

H. F. No. 184, A bill for an act relating to crime; amending the crime of burglary in the second degree; amending Minnesota Statutes 2006, sections 609.581, by adding subdivisions; 609.582, subdivision 2.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

Ward introduced:

H. F. No. 185, A bill for an act relating to human services; modifying group residential housing supplemental rates; amending Minnesota Statutes 2006, section 256I.05, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Finance.

Erickson introduced:

H. F. No. 186, A bill for an act relating to taxation; eliminating the imposition and refund of sales tax on capital equipment; eliminating an obsolete provision; amending Minnesota Statutes 2006, sections 297A.68, subdivision 5; 297A.75.

The bill was read for the first time and referred to the Committee on Taxes.

Brod; Paulsen; Hamilton; Heidgerken; Lanning; Erickson; McFarlane; Shimanski; Anderson, B.; Simpson; Dettmer; Dean; Kohls; Berns; DeLaForest; Hoppe; Urdahl; Severson; Demmer and Beard introduced:

H. F. No. 187, A bill for an act relating to estate taxation; conforming to the federal exemption amount; amending Minnesota Statutes 2006, section 291.03, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson introduced:

H. F. No. 188, A bill for an act relating to state government; defining special district; requiring special districts to file governance documents with the state auditor; requiring audits of special districts; proposing coding for new law in Minnesota Statutes, chapter 6.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

DeLaForest introduced:

H. F. No. 189, A bill for an act relating to crime; repealing the law prohibiting ticket scalping; repealing Minnesota Statutes 2006, section 609.805.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

DeLaForest, Kohls, Zellers and Brod introduced:

H. F. No. 190, A bill for an act relating to education; establishing additional grounds for automatic revocation of a teaching license; amending Minnesota Statutes 2006, section 122A.20, subdivision 1.

The bill was read for the first time and referred to the Committee on E-12 Education.

MOTIONS AND RESOLUTIONS

Lesch moved that the name of Dettmer be added as an author on H. F. No. 21. The motion prevailed.

Greiling moved that the name of Garofalo be added as an author on H. F. No. 89. The motion prevailed.

Anderson, S., moved that the names of Haws and Erhardt be added as authors on H. F. No. 98. The motion prevailed.

Huntley moved that the names of McNamara, Johnson and Scalze be added as authors on H. F. No. 110. The motion prevailed.

Loeffler moved that the name of Johnson be added as an author on H. F. No. 111. The motion prevailed.

Thao moved that the names of Buesgens, Holberg and Kohls be added as authors on H. F. No. 113. The motion prevailed.

Atkins moved that the name of Lesch be added as an author on H. F. No. 116. The motion prevailed.

Emmer moved that the names of Dean and Kohls be added as authors on H. F. No. 121. The motion prevailed.

Slawik moved that the name of Morgan be added as an author on H. F. No. 123. The motion prevailed.

Mahoney moved that the name of Hansen be added as an author on H. F. No. 132. The motion prevailed.

Haws moved that the name of Dominguez be added as an author on H. F. No. 137. The motion prevailed.

Simon moved that the name of Dominguez be added as an author on H. F. No. 138. The motion prevailed.

Kranz moved that the names of Hilstrom, Anzelc and Johnson be added as authors on H. F. No. 139. The motion prevailed.

Garofalo moved that his name be stricken as an author on H. F. No. 148. The motion prevailed.

DeLaForest moved that the name of McNamara be added as an author on H. F. No. 151. The motion prevailed.

Bigham moved that the name of Lesch be added as an author on H. F. No. 155. The motion prevailed.

Morgan moved that the names of Hilstrom and Johnson be added as authors on H. F. No. 157. The motion prevailed.

Kahn moved that the names of Lesch and Johnson be added as authors on H. F. No. 159. The motion prevailed.

Haws moved that the names of McNamara and Swails be added as authors on H. F. No. 162. The motion prevailed.

Peppin moved that the name of Westrom be added as an author on H. F. No. 165. The motion prevailed.

Slawik moved that the name of Johnson be added as an author on H. F. No. 169. The motion prevailed.

Slawik moved that the name of Johnson be added as an author on H. F. No. 170. The motion prevailed.

MOTION TO FIX TIME TO CONVENE

Sertich moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, January 18, 2007. The motion prevailed.

Sertich moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

RECESS

RECONVENED

The Speaker called the House to order at 11:45 a.m.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by the Reverend Chad Erlenborn, Wooddale Church, Eden Prairie, Minnesota.

The roll being called the following Senators answered to their names: Anderson, Bakk and Berglin.

Senator Pogemiller moved that further proceedings of the roll call be suspended. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable Russell A. Anderson, Chief Justice of the Supreme Court, and the Honorable Associate Justices of the Supreme Court, plus the Honorable Edward Toussaint, Jr., Chief Judge of the Court of Appeals of the State of Minnesota. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Mark Ritchie, Secretary of State; Rebecca Otto, State Auditor and Lori Swanson, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of former Governors: the Honorable Wendell R. Anderson and the Honorable Albert H. Quie. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of former United States Senator David Durenberger. The former United States Senator was escorted to the seat reserved for him.

The Sergeant at Arms announced the arrival of the Honorable Carol L. Molnau, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Tim Pawlenty, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Tim Pawlenty was presented by the President of the Joint Convention, the Honorable Margaret Anderson Kelliher, and the Governor delivered his "State of the State Address" to the members of the Joint Convention and their guests.

Following the address, Senator Pogemiller moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, January 18, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives