

STATE OF MINNESOTA

FIRST SPECIAL SESSION — 2010

 SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 17, 2010

The House of Representatives convened at 7:30 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by Representative Mary Murphy, District 6B, Hermantown, 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	Dettmer	Hilstrom	Lenczewski	Nornes	Simon
Anderson, B.	Dill	Hilty	Lesch	Norton	Slawik
Anderson, P.	Dittrich	Holberg	Liebling	Obermueller	Slocum
Anderson, S.	Doepke	Hoppe	Lieder	Olin	Smith
Anzelc	Doty	Hornstein	Lillie	Otremba	Solberg
Beard	Downey	Hortman	Loeffler	Paymar	Sterner
Benson	Drazkowski	Hosch	Loon	Pelowski	Swails
Bigham	Eastlund	Howes	Mack	Peppin	Thao
Bly	Emmer	Huntley	Mahoney	Persell	Thissen
Brod	Falk	Jackson	Mariani	Peterson	Tillberry
Brown	Faust	Johnson	Marquart	Poppe	Torkelson
Brynaert	Fritz	Juhnke	Masin	Reinert	Urdahl
Buesgens	Gardner	Kahn	McFarlane	Rosenthal	Wagenius
Bunn	Gottwalt	Kalin	McNamara	Rukavina	Ward
Carlson	Greiling	Kath	Morgan	Ruud	Welti
Champion	Gunther	Kelly	Morrow	Sailer	Westrom
Clark	Hackbarth	Kiffmeyer	Mullery	Sanders	Winkler
Cornish	Hamilton	Knuth	Murdock	Scalze	Zellers
Davids	Hansen	Koenen	Murphy, E.	Seifert	Spk. Kelliher
Davnie	Hausman	Kohls	Murphy, M.	Sertich	
Dean	Haws	Laine	Nelson	Severson	
Demmer	Hayden	Lanning	Newton	Shimanski	

A quorum was present.

Atkins, Eken, Garofalo, Magnus and Scott were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Sterner moved that further reading of the Journal be dispensed with 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 File was introduced:

Carlson, Huntley, Lenczewski and Sertich introduced:

H. F. No. 1, A bill for an act relating to the state budget; balancing proposed general fund spending and anticipated general fund revenue; modifying certain payment schedules to improve cash flow; making reductions in appropriations for E-12 education, higher education, environment and natural resources, energy and commerce, agriculture, economic development, transportation, public safety, state government, human services, and health; modifying calculation of state tax aids and credits; providing for deposit of certain receipts in the special revenue fund rather than the general fund; making changes to health and human services policy provisions including state health care programs, continuing care, children and family services, health care reform, Department of Health, public health, health plans; increasing fees; requiring reports; making supplemental and contingent appropriations and reductions for the Departments of Health and Human Services and other health-related boards and councils; amending Minnesota Statutes 2008, sections 3.9741, subdivision 2; 8.15, subdivision 3; 13.03, subdivision 10; 13.3806, subdivision 13; 16C.23, subdivision 6; 62D.08, by adding a subdivision; 62J.692, subdivision 4; 62Q.19, subdivision 1; 103B.101, subdivision 9; 103I.681, subdivision 11; 116J.551, subdivision 1; 123B.75, subdivisions 5, 9, by adding a subdivision; 126C.48, subdivision 7; 127A.441; 127A.45, subdivisions 2, 3, 13, by adding a subdivision; 127A.46; 144.05, by adding a subdivision; 144.226, subdivision 3; 144.293, subdivision 4; 144.603; 144.605, subdivisions 2, 3, by adding a subdivision; 144.608, subdivision 1; 144.651, subdivision 2; 144.9504, by adding a subdivision; 144A.51, subdivision 5; 144D.03, subdivision 2; 144D.04, subdivision 2; 144E.37; 144G.06; 152.126, as amended; 190.32; 214.40, subdivision 7; 246.18, by adding a subdivision; 254B.01, subdivision 2; 254B.02, subdivisions 1, 5; 254B.03, subdivision 4, by adding a subdivision; 254B.05, subdivision 4; 254B.06, subdivision 2; 254B.09, subdivision 8; 256.01, by adding a subdivision; 256B.04, subdivision 14a; 256B.055, by adding a subdivision; 256B.056, subdivisions 3, 4; 256B.057, subdivision 9; 256B.0625, subdivisions 8, 8a, 8b, 18a, 22, 31, by adding subdivisions; 256B.0631, subdivisions 1, 3; 256B.0644, as amended; 256B.0915, by adding a subdivision; 256B.19, subdivision 1c; 256B.69, subdivision 27, by adding a subdivision; 256B.692, subdivision 1; 256B.76, subdivisions 2, 4; 256D.03, subdivision 3b; 256D.0515; 256I.05, by adding a subdivision; 256J.24, subdivision 6; 256L.07, by adding a subdivision; 256L.11, subdivision 6; 256L.12, subdivisions 5, 9; 256L.15, subdivision 1; 257.69, subdivision 2; 260C.331, subdivision 6; 273.1384, subdivision 6, as added; 276.112; 289A.60, by adding a subdivision; 299C.48; 299E.02; 446A.086, subdivision 2, as amended; 469.177, subdivision 11; 517.08, subdivision 1c, as amended; 518.165, subdivision 3; 609.3241; 611.20, subdivision 3; Minnesota Statutes 2009 Supplement, sections 123B.54; 137.025, subdivision 1; 157.16, subdivision 3; 252.27, subdivision 2a; 256.969, subdivision 2b; 256.975, subdivision 7; 256B.0625, subdivision 13h; 256B.0659, subdivision 11; 256B.0911, subdivision 1a; 256B.441, subdivision 55; 256B.69, subdivisions 5a, 23; 256B.76, subdivision 1; 256B.766; 256D.03, subdivision 3, as amended; 256J.425, subdivision 3; 256J.621; 256L.03, subdivision 5; 270.97; 289A.20, subdivision 4; 327.15, subdivision 3; 517.08, subdivision 1b; Laws 1994, chapter 531, section 1; Laws 2005, First Special Session chapter 4, article 8, section 66, as amended; Laws 2009, chapter 79, article 3, section 18; article 5, sections 17; 18; 22; 75, subdivision 1; 78, subdivision 5; article 8, sections 4; 51; 84; article 13, sections 3, subdivisions 1, as amended, 3, as amended, 4, as amended, 8, as amended; 4, subdivision 4, as amended; 5, subdivision 8, as amended; Laws 2009, chapter 96, article 1, section 24, subdivisions 2, 4, 5, 6, 7; article 2, section 67, subdivisions 2, 3, 4, 7, 9; article 3, section 21, subdivisions 2, 4, 5; article 4, section 12, subdivisions 2, 3, 4, 6; article 5, section 13, subdivisions 4, 6, 7, 9; article 6, section 11, subdivisions 2, 3, 4, 6, 7, 8, 9, 12; article 7, section 3, subdivision 2; Laws 2009, chapter 173, article 1, section 17; Laws 2010, chapter 200, article 1, sections 12, subdivisions 5, 6, 7, 8; 16; 21; article 2, section 2, subdivisions 1, 4, 5, 8; Laws 2010, chapter 215, article 3, section 3, subdivision 6; article 13, section 6; proposing coding for new law in Minnesota Statutes, chapters 62D; 62E; 62Q;

137; 144; 144D; 246; 254B; 256; 256B; 477A; repealing Minnesota Statutes 2008, sections 144.607; 254B.02, subdivisions 2, 3, 4; 254B.09, subdivisions 4, 5, 7; 256D.03, subdivisions 3, 3a, 5, 6, 7, 8; Laws 2009, chapter 79, article 7, section 26, subdivision 3; Laws 2010, chapter 200, article 1, sections 12, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 18; 19.

The bill was read for the first time.

DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Carlson moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

SUSPENSION OF RULES

Carlson moved that the Rules of the House be so far suspended that H. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 1 was read for the second time.

Carlson moved to amend H. F. No. 1 as follows:

Page 69, lines 21 to 23, delete the new language

Page 72, after line 26, insert:

"Sec. 3. Minnesota Statutes 2009 Supplement, section 256.969, subdivision 3a, is amended to read:

Subd. 3a. **Payments.** (a) Acute care hospital billings under the medical assistance program must not be submitted until the recipient is discharged. However, the commissioner shall establish monthly interim payments for inpatient hospitals that have individual patient lengths of stay over 30 days regardless of diagnostic category. Except as provided in section 256.9693, medical assistance reimbursement for treatment of mental illness shall be reimbursed based on diagnostic classifications. Individual hospital payments established under this section and sections 256.9685, 256.9686, and 256.9695, in addition to third party and recipient liability, for discharges occurring during the rate year shall not exceed, in aggregate, the charges for the medical assistance covered inpatient services paid for the same period of time to the hospital. This payment limitation shall be calculated separately for medical assistance and general assistance medical care services. The limitation on general assistance medical care shall be effective for admissions occurring on or after July 1, 1991. Services that have rates established under subdivision 11 or 12, must be limited separately from other services. After consulting with the affected hospitals, the commissioner may consider related hospitals one entity and may merge the payment rates while maintaining separate provider numbers. The operating and property base rates per admission or per day shall be derived from the best Medicare and claims data available when rates are established. The commissioner shall determine the best Medicare and claims data, taking into consideration variables of recency of the data, audit disposition, settlement status, and the ability to set rates in a timely manner. The commissioner shall notify hospitals of payment rates by December 1 of the year preceding the rate year. The rate setting data must reflect the admissions data used to establish relative values. Base year changes from 1981 to the base year established for the rate year beginning January 1, 1991, and for subsequent rate years, shall not be limited to the limits ending June 30, 1987, on the maximum rate of increase

under subdivision 1. The commissioner may adjust base year cost, relative value, and case mix index data to exclude the costs of services that have been discontinued by the October 1 of the year preceding the rate year or that are paid separately from inpatient services. Inpatient stays that encompass portions of two or more rate years shall have payments established based on payment rates in effect at the time of admission unless the date of admission preceded the rate year in effect by six months or more. In this case, operating payment rates for services rendered during the rate year in effect and established based on the date of admission shall be adjusted to the rate year in effect by the hospital cost index.

(b) For fee-for-service admissions occurring on or after July 1, 2002, the total payment, before third-party liability and spenddown, made to hospitals for inpatient services is reduced by .5 percent from the current statutory rates.

(c) In addition to the reduction in paragraph (b), the total payment for fee-for-service admissions occurring on or after July 1, 2003, made to hospitals for inpatient services before third-party liability and spenddown, is reduced five percent from the current statutory rates. Mental health services within diagnosis related groups 424 to 432, and facilities defined under subdivision 16 are excluded from this paragraph.

(d) In addition to the reduction in paragraphs (b) and (c), the total payment for fee-for-service admissions occurring on or after August 1, 2005, made to hospitals for inpatient services before third-party liability and spenddown, is reduced 6.0 percent from the current statutory rates. Mental health services within diagnosis related groups 424 to 432 and facilities defined under subdivision 16 are excluded from this paragraph. Notwithstanding section 256.9686, subdivision 7, for purposes of this paragraph, medical assistance does not include general assistance medical care. Payments made to managed care plans shall be reduced for services provided on or after January 1, 2006, to reflect this reduction.

(e) In addition to the reductions in paragraphs (b), (c), and (d), the total payment for fee-for-service admissions occurring on or after July 1, 2008, through June 30, 2009, made to hospitals for inpatient services before third-party liability and spenddown, is reduced 3.46 percent from the current statutory rates. Mental health services with diagnosis related groups 424 to 432 and facilities defined under subdivision 16 are excluded from this paragraph. Payments made to managed care plans shall be reduced for services provided on or after January 1, 2009, through June 30, 2009, to reflect this reduction.

(f) In addition to the reductions in paragraphs (b), (c), and (d), the total payment for fee-for-service admissions occurring on or after July 1, 2009, through June 30, 2010, made to hospitals for inpatient services before third-party liability and spenddown, is reduced 1.9 percent from the current statutory rates. Mental health services with diagnosis related groups 424 to 432 and facilities defined under subdivision 16 are excluded from this paragraph. Payments made to managed care plans shall be reduced for services provided on or after July 1, 2009, through June 30, 2010, to reflect this reduction.

(g) In addition to the reductions in paragraphs (b), (c), and (d), the total payment for fee-for-service admissions occurring on or after July 1, 2010, made to hospitals for inpatient services before third-party liability and spenddown, is reduced 1.79 percent from the current statutory rates. Mental health services with diagnosis related groups 424 to 432 and facilities defined under subdivision 16 are excluded from this paragraph. Payments made to managed care plans shall be reduced for services provided on or after July 1, 2010, to reflect this reduction.

(h) In addition to the reductions in paragraphs (b), (c), (d), (f), and (g), the total payment for fee-for-service admissions occurring on or after July 1, 2009, made to hospitals for inpatient services before third-party liability and spenddown, is reduced one percent from the current statutory rates. Facilities defined under subdivision 16 are excluded from this paragraph. Payments made to managed care plans shall be reduced for services provided on or after October 1, 2009, to reflect this reduction.

(i) In addition to the reductions in paragraphs (b), (c), (d), (g), and (h), the total payment for fee-for-service admissions occurring on or after July 1, 2011, made to hospitals for inpatient services before third-party liability and spenddown, is reduced 1.96 percent from the current statutory rates. Facilities defined under subdivision 16 are excluded from this paragraph. Payments made to managed care plans shall be reduced for services provided on or after January 1, 2011, to reflect this reduction.

EFFECTIVE DATE. This section is effective July 1, 2011."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1, as amended, was read for the third time.

CALL OF THE HOUSE

On the motion of Sertich and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dettmer	Hilstrom	Lenczewski	Nornes	Simon
Anderson, B.	Dill	Hilty	Lesch	Norton	Slawik
Anderson, P.	Dittrich	Holberg	Liebling	Obermueller	Slocum
Anderson, S.	Doepke	Hoppe	Lieder	Olin	Smith
Anzelc	Doty	Hornstein	Lillie	Otremba	Solberg
Beard	Downey	Hortman	Loeffler	Paymar	Sterner
Benson	Drazkowski	Hosch	Loon	Pelowski	Swails
Bigham	Eastlund	Howes	Mack	Peppin	Thao
Bly	Emmer	Huntley	Mahoney	Persell	Thissen
Brod	Falk	Jackson	Mariani	Peterson	Tillberry
Brown	Faust	Johnson	Marquart	Poppe	Torkelson
Brynaert	Fritz	Juhnke	Masin	Reinert	Urdahl
Buesgens	Gardner	Kahn	McFarlane	Rosenthal	Wagenius
Bunn	Gottwalt	Kalin	McNamara	Rukavina	Ward
Carlson	Greiling	Kath	Morgan	Ruud	Welti
Champion	Gunther	Kelly	Morrow	Sailer	Westrom
Clark	Hackbarth	Kiffmeyer	Mullery	Sanders	Winkler
Cornish	Hamilton	Knuth	Murdock	Scalze	Zellers
Davids	Hansen	Koenen	Murphy, E.	Seifert	Spk. Kelliher
Davnie	Hausman	Kohls	Murphy, M.	Sertich	
Dean	Haws	Laine	Nelson	Severson	
Demmer	Hayden	Lanning	Newton	Shimanski	

All members answered to the call.

H. F. No. 1, A bill for an act relating to the state budget; balancing proposed general fund spending and anticipated general fund revenue; modifying certain payment schedules to improve cash flow; making reductions in appropriations for E-12 education, higher education, environment and natural resources, energy and commerce, agriculture, economic development, transportation, public safety, state government, human services, and health; modifying calculation of state tax aids and credits; providing for deposit of certain receipts in the special revenue fund rather than the general fund; making changes to health and human services policy provisions including state health care programs, continuing care, children and family services, health care reform, Department of Health,

public health, health plans; increasing fees; requiring reports; making supplemental and contingent appropriations and reductions for the Departments of Health and Human Services and other health-related boards and councils; amending Minnesota Statutes 2008, sections 3.9741, subdivision 2; 8.15, subdivision 3; 13.03, subdivision 10; 13.3806, subdivision 13; 16C.23, subdivision 6; 62D.08, by adding a subdivision; 62J.692, subdivision 4; 62Q.19, subdivision 1; 103B.101, subdivision 9; 103I.681, subdivision 11; 116J.551, subdivision 1; 123B.75, subdivisions 5, 9, by adding a subdivision; 126C.48, subdivision 7; 127A.441; 127A.45, subdivisions 2, 3, 13, by adding a subdivision; 127A.46; 144.05, by adding a subdivision; 144.226, subdivision 3; 144.293, subdivision 4; 144.603; 144.605, subdivisions 2, 3, by adding a subdivision; 144.608, subdivision 1; 144.651, subdivision 2; 144.9504, by adding a subdivision; 144A.51, subdivision 5; 144D.03, subdivision 2; 144D.04, subdivision 2; 144E.37; 144G.06; 152.126, as amended; 190.32; 214.40, subdivision 7; 246.18, by adding a subdivision; 254B.01, subdivision 2; 254B.02, subdivisions 1, 5; 254B.03, subdivision 4, by adding a subdivision; 254B.05, subdivision 4; 254B.06, subdivision 2; 254B.09, subdivision 8; 256.01, by adding a subdivision; 256B.04, subdivision 14a; 256B.055, by adding a subdivision; 256B.056, subdivisions 3, 4; 256B.057, subdivision 9; 256B.0625, subdivisions 8, 8a, 8b, 18a, 22, 31, by adding subdivisions; 256B.0631, subdivisions 1, 3; 256B.0644, as amended; 256B.0915, by adding a subdivision; 256B.19, subdivision 1c; 256B.69, subdivision 27, by adding a subdivision; 256B.692, subdivision 1; 256B.76, subdivisions 2, 4; 256D.03, subdivision 3b; 256D.031, subdivision 5, as added; 256D.0515; 256I.05, by adding a subdivision; 256J.24, subdivision 6; 256L.07, by adding a subdivision; 256L.11, subdivision 6; 256L.12, subdivisions 5, 9; 256L.15, subdivision 1; 257.69, subdivision 2; 260C.331, subdivision 6; 273.1384, subdivision 6, as added; 276.112; 289A.60, by adding a subdivision; 299C.48; 299E.02; 446A.086, subdivision 2, as amended; 469.177, subdivision 11; 517.08, subdivision 1c, as amended; 518.165, subdivision 3; 609.3241; 611.20, subdivision 3; Minnesota Statutes 2009 Supplement, sections 123B.54; 137.025, subdivision 1; 157.16, subdivision 3; 252.27, subdivision 2a; 256.969, subdivisions 2b, 3a; 256.975, subdivision 7; 256B.0625, subdivision 13h; 256B.0659, subdivision 11; 256B.0911, subdivision 1a; 256B.441, subdivision 55; 256B.69, subdivisions 5a, 23; 256B.76, subdivision 1; 256B.766; 256D.03, subdivision 3, as amended; 256J.425, subdivision 3; 256J.621; 256L.03, subdivision 5; 270.97; 289A.20, subdivision 4; 327.15, subdivision 3; 517.08, subdivision 1b; Laws 1994, chapter 531, section 1; Laws 2005, First Special Session chapter 4, article 8, section 66, as amended; Laws 2009, chapter 79, article 3, section 18; article 5, sections 17; 18; 22; 75, subdivision 1; 78, subdivision 5; article 8, sections 4; 51; 84; article 13, sections 3, subdivisions 1, as amended, 3, as amended, 4, as amended, 8, as amended; 4, subdivision 4, as amended; 5, subdivision 8, as amended; Laws 2009, chapter 96, article 1, section 24, subdivisions 2, 4, 5, 6, 7; article 2, section 67, subdivisions 2, 3, 4, 7, 9; article 3, section 21, subdivisions 2, 4, 5; article 4, section 12, subdivisions 2, 3, 4, 6; article 5, section 13, subdivisions 4, 6, 7, 9; article 6, section 11, subdivisions 2, 3, 4, 6, 7, 8, 9, 12; article 7, section 3, subdivision 2; Laws 2009, chapter 173, article 1, section 17; Laws 2010, chapter 200, article 1, sections 12, subdivisions 6, 7, 8; 16; 21; article 2, section 2, subdivisions 1, 4, 5, 8; Laws 2010, chapter 215, article 3, section 3, subdivision 6; article 13, section 6; proposing coding for new law in Minnesota Statutes, chapters 62D; 62E; 62Q; 137; 144; 144D; 246; 254B; 256; 256B; 477A; repealing Minnesota Statutes 2008, sections 144.607; 254B.02, subdivisions 2, 3, 4; 254B.09, subdivisions 4, 5, 7; 256D.03, subdivisions 3, 3a, 5, 6, 7, 8; Laws 2009, chapter 79, article 7, section 26, subdivision 3; Laws 2010, chapter 200, article 1, sections 12, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 18; 19.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 97 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Anderson, P.	Buesgens	Dill	Gunther	Hornstein	Kahn
Anzelc	Bunn	Dittrich	Hamilton	Hortman	Kalin
Beard	Carlson	Doty	Hansen	Hosch	Kath
Benson	Champion	Falk	Haws	Howes	Kelly
Bigham	Clark	Faust	Hayden	Huntley	Knuth
Bly	Cornish	Fritz	Hilstrom	Jackson	Koenen
Brown	Davnie	Gardner	Hilty	Johnson	Laine
Brynaert	Dean	Gottwalt	Hoppe	Juhnke	Lanning

Lenczewski	McNamara	Norton	Rosenthal	Solberg	Welti
Lieder	Morgan	Obermueller	Ruud	Sterner	Winkler
Lillie	Morrow	Olin	Sailer	Swails	Zellers
Loeffler	Mullery	Otremba	Scalze	Thao	Spk. Kelliher
Mahoney	Murphy, E.	Pelowski	Sertich	Thissen	
Mariani	Murphy, M.	Persell	Simon	Tillberry	
Marquart	Nelson	Peterson	Slawik	Urdahl	
Masin	Newton	Poppe	Slocum	Wagenius	
McFarlane	Nornes	Reinert	Smith	Ward	

Those who voted in the negative were:

Abeler	Dettmer	Greiling	Lesch	Peppin	Torkelson
Anderson, B.	Doepke	Hackbarth	Liebling	Rukavina	Westrom
Anderson, S.	Downey	Hausman	Loon	Sanders	
Brod	Drazkowski	Holberg	Mack	Seifert	
Davids	Eastlund	Kiffmeyer	Murdock	Severson	
Demmer	Emmer	Kohls	Paymar	Shimanski	

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

MOTION TO ADJOURN 2010 SPECIAL SESSION SINE DIE

Buesgens moved that the House adjourn sine die for the 2010 Special Session.

A roll call was requested and properly seconded.

The question was taken on the Buesgens motion and the roll was called. There were 47 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Drazkowski	Hoppe	Mack	Severson
Anderson, B.	Davnie	Eastlund	Hosch	McFarlane	Shimanski
Anderson, P.	Dean	Emmer	Howes	McNamara	Smith
Anderson, S.	Demmer	Gottwalt	Kelly	Murdock	Torkelson
Beard	Dettmer	Gunther	Kiffmeyer	Nornes	Urdahl
Brod	Dill	Hackbarth	Kohls	Peppin	Westrom
Buesgens	Doepke	Hamilton	Lanning	Sanders	Zellers
Cornish	Downey	Holberg	Loon	Seifert	

Those who voted in the negative were:

Anzelc	Carlson	Fritz	Hilstrom	Juhnke	Lenczewski
Benson	Champion	Gardner	Hilty	Kahn	Lesch
Bigham	Clark	Greiling	Hornstein	Kalin	Liebling
Bly	Dittrich	Hansen	Hortman	Kath	Lieder
Brown	Doty	Hausman	Huntley	Knuth	Lillie
Brynaert	Falk	Haws	Jackson	Koenen	Loeffler
Bunn	Faust	Hayden	Johnson	Laine	Mahoney

Mariani	Murphy, M.	Paymar	Rukavina	Slocum	Wagenius
Marquart	Nelson	Pelowski	Ruud	Solberg	Ward
Masin	Newton	Persell	Sailer	Sterner	Welti
Morgan	Norton	Peterson	Scalze	Swails	Winkler
Morrow	Obermueller	Poppe	Sertich	Thao	Spk. Kelliher
Mullery	Olin	Reinert	Simon	Thissen	
Murphy, E.	Otremba	Rosenthal	Slawik	Tillberry	

The motion did not prevail.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

The following House File was introduced:

Greiling, Mariani, Hilstrom, Morgan, Benson, Tillberry, Newton, Ward, Brynaert, Sterner, Morrow, Kath, Darnie, Welti, Dittrich, Sailer, Brown, Laine, Scalze, Bigham, Peterson, Slocum and Clark introduced:

H. F. No. 2, A bill for an act relating to education; providing for policy and funding for kindergarten through grade 12 education including general education, education excellence, special programs, facilities and technology, accounting, and state agencies; authorizing rulemaking; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 11A.16, subdivision 5; 120A.22, subdivision 11; 120A.24; 120B.15; 121A.15, subdivision 8; 122A.16; 122A.18, subdivision 2; 122A.23, subdivision 2; 123B.12; 123B.42, subdivision 1; 123B.44, subdivision 1; 123B.57, as amended; 123B.63, subdivision 3; 124D.09, subdivision 20; 125A.03; 125A.21, subdivisions 2, 3, 5, 7; 125A.69, subdivision 1; 125A.79, subdivision 1; 126C.40, subdivision 1; 127A.42, subdivision 2; 127A.43; 127A.45, by adding a subdivision; 171.05, subdivision 2; 171.17, subdivision 1; 171.22, subdivision 1; 181A.05, subdivision 1; Minnesota Statutes 2009 Supplement, sections 16A.152, subdivision 2, as amended; 120B.30, subdivisions 1, 3, 4, by adding a subdivision; 120B.35, subdivision 3; 120B.36, subdivision 1; 124D.10, subdivisions 3, 4, 6a, 23; 125A.02, subdivision 1; 125A.091, subdivision 7; 125A.63, subdivisions 2, 4, 5; 126C.41, subdivision 2; Laws 1999, chapter 241, article 4, section 25; Laws 2009, chapter 79, article 5, section 60; Laws 2009, chapter 96, article 2, section 67, subdivision 14; proposing coding for new law in Minnesota Statutes, chapters 120B; 125A; repealing Minnesota Statutes 2008, sections 120A.26, subdivisions 1, 2; 125A.54.

The bill was read for the first time.

DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Greiling moved that the rule therein be suspended and an urgency be declared so that H. F. No. 2 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 Greiling motion and the roll was called. There were 85 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Anzelc	Faust	Johnson	Mariani	Pelowski	Sterner
Benson	Fritz	Juhnke	Marquart	Persell	Swails
Bigham	Gardner	Kahn	Masin	Peterson	Thao
Bly	Greiling	Kalin	Morgan	Poppe	Thissen
Brown	Hansen	Kath	Morrow	Reinert	Tillberry
Brynaert	Hausman	Knuth	Mullery	Rosenthal	Wagenius
Bunn	Haws	Koenen	Murphy, E.	Rukavina	Ward
Carlson	Hayden	Laine	Murphy, M.	Ruud	Welti
Champion	Hilstrom	Lenczewski	Nelson	Sailer	Winkler
Clark	Hilty	Lesch	Newton	Scalze	Spk. Kelliher
Davnie	Hornstein	Liebling	Norton	Sertich	
Dill	Hortman	Lieder	Obermueller	Simon	
Dittrich	Hosch	Lillie	Olin	Slawik	
Doty	Huntley	Loeffler	Otremba	Slocum	
Falk	Jackson	Mahoney	Paymar	Solberg	

Those who voted in the negative were:

Anderson, B.	Dean	Gottwalt	Kiffmeyer	Nornes	Urdahl
Anderson, P.	Demmer	Gunther	Kohls	Peppin	Westrom
Anderson, S.	Dettmer	Hackbarth	Lanning	Sanders	Zellers
Beard	Doepke	Hamilton	Loon	Seifert	
Brod	Downey	Holberg	Mack	Severson	
Buesgens	Drazkowski	Hoppe	McFarlane	Shimanski	
Cornish	Eastlund	Howes	McNamara	Smith	
Dauids	Emmer	Kelly	Murdock	Torkelson	

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

MOTIONS AND RESOLUTIONS

Sertich moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 2010 Special Session, for today, May 17, 2010, and that he be authorized to include in the Journal for today any subsequent proceedings. The motion prevailed.

Sertich moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 2010 Special Session sine die. The motion prevailed.

Sertich 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 the Speaker.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

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

H. F. No. 1, A bill for an act relating to the state budget; balancing proposed general fund spending and anticipated general fund revenue; modifying certain payment schedules to improve cash flow; making reductions in appropriations for E-12 education, higher education, environment and natural resources, energy and commerce, agriculture, economic development, transportation, public safety, state government, human services, and health; modifying calculation of state tax aids and credits; providing for deposit of certain receipts in the special revenue fund rather than the general fund; making changes to health and human services policy provisions including state health care programs, continuing care, children and family services, health care reform, Department of Health, public health, health plans; increasing fees; requiring reports; making supplemental and contingent appropriations and reductions for the Departments of Health and Human Services and other health-related boards and councils; amending Minnesota Statutes 2008, sections 3.9741, subdivision 2; 8.15, subdivision 3; 13.03, subdivision 10; 13.3806, subdivision 13; 16C.23, subdivision 6; 62D.08, by adding a subdivision; 62J.692, subdivision 4; 62Q.19, subdivision 1; 103B.101, subdivision 9; 103I.681, subdivision 11; 116J.551, subdivision 1; 123B.75, subdivisions 5, 9, by adding a subdivision; 126C.48, subdivision 7; 127A.441; 127A.45, subdivisions 2, 3, 13, by adding a subdivision; 127A.46; 144.05, by adding a subdivision; 144.226, subdivision 3; 144.293, subdivision 4; 144.603; 144.605, subdivisions 2, 3, by adding a subdivision; 144.608, subdivision 1; 144.651, subdivision 2; 144.9504, by adding a subdivision; 144A.51, subdivision 5; 144D.03, subdivision 2; 144D.04, subdivision 2; 144E.37; 144G.06; 152.126, as amended; 190.32; 214.40, subdivision 7; 246.18, by adding a subdivision; 254B.01, subdivision 2; 254B.02, subdivisions 1, 5; 254B.03, subdivision 4, by adding a subdivision; 254B.05, subdivision 4; 254B.06, subdivision 2; 254B.09, subdivision 8; 256.01, by adding a subdivision; 256B.04, subdivision 14a; 256B.055, by adding a subdivision; 256B.056, subdivisions 3, 4; 256B.057, subdivision 9; 256B.0625, subdivisions 8, 8a, 8b, 18a, 22, 31, by adding subdivisions; 256B.0631, subdivisions 1, 3; 256B.0644, as amended; 256B.0915, by adding a subdivision; 256B.19, subdivision 1c; 256B.69, subdivision 27, by adding a subdivision; 256B.692, subdivision 1; 256B.76, subdivisions 2, 4; 256D.03, subdivision 3b; 256D.031, subdivision 5, as added; 256D.0515; 256L.05, by adding a subdivision; 256J.24, subdivision 6; 256L.07, by adding a subdivision; 256L.11, subdivision 6; 256L.12, subdivisions 5, 9; 256L.15, subdivision 1; 257.69, subdivision 2; 260C.331, subdivision 6; 273.1384, subdivision 6, as added; 276.112; 289A.60, by adding a subdivision; 299C.48; 299E.02; 446A.086, subdivision 2, as amended; 469.177, subdivision 11; 517.08, subdivision 1c, as amended; 518.165, subdivision 3; 609.3241; 611.20, subdivision 3; Minnesota Statutes 2009 Supplement, sections 123B.54; 137.025, subdivision 1; 157.16, subdivision 3; 252.27, subdivision 2a; 256.969, subdivisions 2b, 3a; 256.975, subdivision 7; 256B.0625, subdivision 13h; 256B.0659, subdivision 11; 256B.0911, subdivision 1a; 256B.441, subdivision 55; 256B.69, subdivisions 5a, 23; 256B.76, subdivision 1; 256B.766; 256D.03, subdivision 3, as amended; 256J.425, subdivision 3; 256J.621; 256L.03, subdivision 5; 270.97; 289A.20, subdivision 4; 327.15, subdivision 3; 517.08, subdivision 1b; Laws 1994, chapter 531, section 1; Laws 2005, First Special Session chapter 4, article 8, section 66, as amended; Laws 2009, chapter 79, article 3, section 18; article 5, sections 17; 18; 22; 75, subdivision 1; 78, subdivision 5; article 8, sections 4; 51; 84; article 13, sections 3, subdivisions 1, as amended, 3, as amended, 4, as amended, 8, as amended; 4, subdivision 4, as amended; 5, subdivision 8, as amended; Laws 2009, chapter 96, article 1, section 24, subdivisions 2, 4, 5, 6, 7; article 2, section 67, subdivisions 2, 3, 4, 7, 9; article 3, section 21, subdivisions 2, 4, 5; article 4, section 12, subdivisions 2, 3, 4, 6; article 5, section 13, subdivisions 4, 6, 7, 9; article 6, section 11, subdivisions 2, 3, 4, 6, 7, 8, 9, 12; article 7, section 3, subdivision 2; Laws 2009, chapter 173, article 1, section 17; Laws 2010, chapter 200, article 1, sections 12, subdivisions 6, 7, 8; 16; 21; article 2, section 2, subdivisions 1, 4, 5, 8; Laws 2010, chapter 215, article 3, section 3, subdivision 6; article 13, section 6; proposing coding for new law in Minnesota Statutes,

chapters 62D; 62E; 62Q; 137; 144; 144D; 246; 254B; 256; 256B; 477A; repealing Minnesota Statutes 2008, sections 144.607; 254B.02, subdivisions 2, 3, 4; 254B.09, subdivisions 4, 5, 7; 256D.03, subdivisions 3, 3a, 5, 6, 7, 8; Laws 2009, chapter 79, article 7, section 26, subdivision 3; Laws 2010, chapter 200, article 1, sections 12, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 18; 19.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Madam Speaker:

This is to notify you that the Senate is about to adjourn the Special Session sine die.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

ADJOURNMENT OF THE 2010 SPECIAL SESSION SINE DIE

Sertich moved that the House adjourn sine die for the 2010 Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 2010 Special Session.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives