

STATE OF MINNESOTA

SECOND SPECIAL SESSION — 2010

FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, OCTOBER 18, 2010

In obedience to the Proclamation of the Honorable Tim Pawlenty, Governor of the State of Minnesota, summoning the two houses of the Legislature to meet in Special Session, the members of the House of Representatives assembled in the Chamber of the House of Representatives at the Capitol in Saint Paul on Monday, the eighteenth day of October 2010 at 1:00 p.m.

PROCLAMATION FOR SECOND SPECIAL SESSION 2010

Whereas, The Minnesota Constitution allows the Governor to call a special session of the legislature on "extraordinary occasions;" and

Whereas, On September 22, 2010, and continuing thereafter, extremely heavy rains caused severe flooding throughout southern Minnesota, and Blue Earth, Cottonwood, Dodge, Faribault, Freeborn, Goodhue, Jackson, Lincoln, Lyon, Martin, Mower, Murray, Olmsted, Pipestone, Rice, Rock, Steele, Wabasha, Waseca, Watonwan, and Winona counties have been declared a federal disaster area by the President of the United States; and

Whereas, The flooding has caused extensive damage and loss of property to individuals, businesses, and local governments; and

Whereas, The Governor has exercised his emergency powers under existing law to direct available agency resources to assist individuals and local governments; however, the immediate needs in the disaster areas exceed the resources available through the federal government and existing state resources; and

Whereas, I have consulted with legislative leaders and have reached agreement that immediate action by the state legislature to provide the necessary relief and the people of Minnesota will be best served by a one-day special session with the limited agenda of providing disaster relief for southern Minnesota, as well as areas affected by the June 17-26, 2010, severe storms, tornadoes, and flooding that were the subject of a separate disaster area declared by the President of the United States.

Now Therefore, I, Tim Pawlenty, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Monday, October 18, 2010, at 1:00 p.m. at the State Capitol in Saint Paul, Minnesota.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this 14th day of October in the year of our Lord two thousand and ten, and of the State the one hundred fifty-second.

MARK RITCHIE
Secretary of State

TIM PAWLENTY
Governor

At the hour of 1:00 p.m. and pursuant to the Proclamation of the Governor and pursuant to Minnesota Statutes 2008, Section 3.073, the Honorable Margaret Anderson Kelliher, Speaker of the House, called the House of Representatives to order.

Prayer was offered by the Reverend Dennis J. Johnson, 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:

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

A quorum was present.

Kalin, Mahoney and Smith were excused.

Pursuant to Minnesota Statutes 2008, Section 3.073, the Speaker declared the House of Representatives organized for the 2010 Second Special Session.

Sertich moved that the Chief Clerk be and is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is now duly organized pursuant to law for this Special Session. The motion prevailed.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

This is to notify you that the Senate is now duly organized for the 2010 Second Special Session pursuant to the Minnesota Constitution and Minnesota Statutes.

PETER S. WATTSON, Secretary of the Senate (Legislative)

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Kath, Fritz, Drazkowski, Carlson, Kelliher, Cornish, Murdock, Hamilton, Sertich, Davids, Demmer, Solberg, Zellers, Morrow, Welti, Marquart, Falk, Brown, Liebling, Norton, Bly and Gunther introduced:

H. F. No. 1, A bill for an act relating to disaster assistance; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale of state bonds; providing flood loss aid and property tax relief; making cash flow and other budgetary adjustments; appropriating money for flood and tornado relief; amending Laws 2008, chapter 152, article 2, section 3, subdivision 2, as amended; repealing Laws 2010, First Special Session chapter 1, article 24, sections 1; 2; 3.

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, Kath 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

Kath 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.

H. F. No. 1, A bill for an act relating to disaster assistance; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale of state bonds; providing flood loss aid and property tax relief; making cash flow and other budgetary adjustments; appropriating money for flood and tornado relief; amending Laws 2008, chapter 152, article 2, section 3, subdivision 2, as amended; repealing Laws 2010, First Special Session chapter 1, article 24, sections 1; 2; 3.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

The following House Files were introduced:

Huntley introduced:

H. F. No. 2, A bill for an act relating to insurance coverage; requiring the commissioner of commerce to establish an open enrollment period for child-only health plans.

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

Drazkowski introduced:

H. F. No. 3, A bill for an act relating to disaster relief; amending Minnesota Statutes 2010, section 12A.07, subdivision 2.

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

Davnie and Clark introduced:

H. F. No. 4, A bill for an act relating to education; creating the Minnesota Safe Schools for All Act; providing for harassment, bullying, intimidation, and violence policies; amending Minnesota Statutes 2010, sections 121A.03; 124D.10, subdivision 8; repealing Minnesota Statutes 2010, section 121A.0695.

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

Clark introduced:

H. F. No. 5, A bill for an act relating to public health; requiring the commissioner of health to research and report on autism; requiring the Department of Human Services to train autism service providers; requiring notification of autism service options for medical assistance and MinnesotaCare recipients.

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

Clark, Davnie, Hayden, Kahn and Hausman introduced:

H. F. No. 6, A resolution memorializing the President of the United States and Congress to review the FBI raids on Minnesota activists.

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

Rukavina introduced:

H. F. No. 7, A bill for an act relating to taxation; individual income; conforming to the federal exclusion of health care coverage for dependents through age 26; amending Minnesota Statutes 2010, section 290.01, subdivision 19.

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

IN MEMORIAM

The members of the House paused for a moment of silence in memory of former Representative Jack Fena of Hibbing, Minnesota, who served from 1959-1972, and former Representative Michael J. George of Mahtomedi, Minnesota, who served from 1975-1978, both of whom recently passed away.

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 disaster assistance; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale of state bonds; providing flood loss aid and property tax relief; making cash flow and other budgetary adjustments; appropriating money for flood and tornado relief; amending Laws 2008, chapter 152, article 2, section 3, subdivision 2, as amended; repealing Laws 2010, First Special Session chapter 1, article 24, sections 1; 2; 3.

PETER S. WATTSON, Secretary of the Senate (Legislative)

Madam Speaker:

This is to notify you that the Senate is about to adjourn the 2010 Second Special Session sine die.

PETER S. WATTSON, Secretary of the Senate (Legislative)

MOTIONS AND RESOLUTIONS

Kath moved that the names of Kelly and Severson be added as authors on H. F. No. 1. The motion prevailed.

Huntley moved that the name of Kahn be added as an author on H. F. No. 2. The motion prevailed.

Davnie moved that the names of Kahn; Murphy, E.; Hornstein and Hayden be added as authors on H. F. No. 4. The motion prevailed.

Rukavina moved that the name of Kahn be added as an author on H. F. No. 7. The motion prevailed.

Sertich moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 2010 Second Special Session, for today, October 18, 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 Second Special Session sine die. The motion prevailed.

ADJOURNMENT OF THE 2010 SECOND SPECIAL SESSION SINE DIE

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

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives