

STATE OF MINNESOTA
SPECIAL SESSION — 2013

FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, SEPTEMBER 9, 2013

In obedience to the Proclamation of the Honorable Mark Dayton, 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 ninth day of September 2013 at 10:00 a.m.

PROCLAMATION FOR SPECIAL SESSION 2013

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

Whereas, From June 20, 2013 through June 26, 2013, severe storms and flooding occurred, causing historic damage to the Counties of Benton, Big Stone, Douglas, Faribault, Fillmore, Freeborn, Grant, Houston, McLeod, Hennepin, Morrison, Pope, Sibley, Stearns, Stevens, Swift, Traverse, Wilken; and

Whereas, The Honorable Barack Obama, President of the United States of America, declared that a major disaster exists in the State of Minnesota, and granted federal aid for public infrastructure; and

Whereas, I have exercised my emergency powers under existing law to direct agency resources to affected individuals and local governments; however, the immediate needs in the disaster areas far exceed available federal and state resources; and

Whereas, I have consulted with legislative leaders and have reached an agreement that immediate action by the State Legislature is necessary to provide assistance and aid to impacted local governments, business, and individuals; and

Whereas, The people of Minnesota are best served by a one-day special session with the limited agenda of passing a 2013 Disaster Relief Appropriations Bill; and

Whereas, Elected leaders of the Legislature have agreed upon an agenda and procedure to complete a special session within one legislative day.

Now, Therefore, I, Mark Dayton, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Monday, September 9, 2013, at 10:00 a.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 6th day of September.

MARK RITCHIE
Secretary of State

MARK DAYTON
Governor

At the hour of 10:00 a.m. and pursuant to the Proclamation of the Governor and pursuant to Minnesota Statutes 2012, Section 3.073, the Honorable Paul Thissen, Speaker of the House, called the House of Representatives to order.

Prayer was offered by the Reverend Kevin Schill, Grace United Methodist Church, Burnsville, 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	Lillie	Newton	Scott
Albright	Dorholt	Holberg	Loeffler	Nornes	Selcer
Allen	Drazkowski	Hoppe	Lohmer	Norton	Simon
Anderson, P.	Erickson, R.	Hornstein	Loon	O'Driscoll	Simonson
Anderson, S.	Erickson, S.	Hortman	Mack	O'Neill	Slocum
Anzelc	Fabian	Howe	Mahoney	Paymar	Sundin
Atkins	Falk	Huntley	Mariani	Pelowski	Swedzinski
Barrett	Faust	Isaacson	Marquart	Peppin	Theis
Benson, J.	Fischer	Johnson, B.	Masin	Persell	Torkelson
Benson, M.	FitzSimmons	Johnson, C.	McDonald	Petersburg	Uglen
Bernardy	Franson	Johnson, S.	McNamar	Poppe	Urdahl
Bly	Freiberg	Kahn	McNamara	Pugh	Wagenius
Brynaert	Green	Kelly	Melin	Quam	Ward, J.A.
Carlson	Gruenhagen	Kiel	Metsa	Radinovich	Ward, J.E.
Clark	Gunther	Kresha	Moran	Rosenthal	Wills
Cornish	Hackbarth	Laine	Mullery	Runbeck	Winkler
Daudt	Halverson	Leidiger	Murphy, E.	Sanders	Woodard
Davids	Hamilton	Lenczewski	Murphy, M.	Savick	Yarusso
Davnie	Hansen	Lesch	Myhra	Sawatzky	Zellers
Dean, M.	Hausman	Liebling	Nelson	Schoen	Zerwas
Dehn, R.	Hertaus	Lien	Newberger	Schomacker	Spk. Thissen

A quorum was present.

Anderson, M.; Beard; Dill; Erhardt; Kieffer and Morgan were excused.

Garofalo was excused until 1:00 p.m.

Fritz was excused until 1:50 p.m.

Pursuant to Minnesota Statutes 2012, Section 3.073, the Speaker declared the House of Representatives organized for the 2013 Special Session.

Murphy, E., 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.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Poppe; Carlson; Davids; McNamar; Falk; Savick; Hilstrom; Ward, J.E.; Freiberg; Barrett and Anderson, P., introduced:

H. F. No. 1, A bill for an act relating to disaster assistance; appropriating money to match federal disaster aid for the June 2013 severe storms and flooding; appropriating money for the April 2013 winter storms; reducing prior appropriations.

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

McNamar; Faust; Ward, J.E.; Sawatzky; Radinovich; Johnson, C.; Anzelc; Persell and Savick introduced:

H. F. No. 2, A bill for an act relating to sales and use tax; repealing the tax on labor for farm equipment repair services; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

Dettmer introduced:

H. F. No. 3, A bill for an act relating to the military; appropriating money for a grant to support activities related to the commissioning of the USS Minnesota.

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

Hansen, Metsa, Hausman, Atkins and Beard introduced:

H. F. No. 4, A bill for an act relating to natural disasters; creating a disaster response contingency account to partially match federal disaster assistance when the legislature is not in session; appropriating money; amending Minnesota Statutes 2012, section 12A.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 12A.

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

Kelly; Zellers; Hoppe; Sanders; Zerwas; Nornes; Anderson, S.; Fabian; Anderson, M.; Albright; McNamara; Uglem; Wills; Franson; Gruenhagen; Torkelson; Gunther; Abeler; Dettmer; Peppin; Anderson, P., and Mack introduced:

H. F. No. 5, A bill for an act relating to sales and use tax; repealing the tax on storage and warehousing services; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

Halverson, Atkins and Savick introduced:

H. F. No. 6, A bill for an act relating to sales and use tax; delaying and repealing the sales tax on storage and warehousing services; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended; Laws 2013, chapter 143, article 8, section 2.

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

Franson, Wills and Anderson, P., introduced:

H. F. No. 7, A bill for an act relating to tobacco taxation; rates of taxation; repealing changes to the cigarette and tobacco products excise tax enacted in the 2013 regular session.

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

Franson, Wills, Scott, Mack and O'Neill introduced:

H. F. No. 8, A bill for an act relating to collective bargaining; repealing the authorization for collective bargaining among family child care providers; repealing Laws 2013, chapter 128, article 1, sections 1; 2; 3; 4; 5; 6; 7.

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

Davnie introduced:

H. F. No. 9, A bill for an act relating to education; providing for safe and supportive schools by prohibiting bullying; authorizing rulemaking; amending Minnesota Statutes 2012, sections 120B.36, subdivision 1, as amended; 121A.55; 122A.60, subdivisions 1a, 3; 124D.10, subdivision 8, as amended; 124D.895, subdivision 1; 124D.8955; 125B.15; 127A.42, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121A; 127A; repealing Minnesota Statutes 2012, sections 121A.03; 121A.0695.

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

Hamilton and Schomacker introduced:

H. F. No. 10, A bill for an act relating to taxation; sales and use; repealing the tax on repairing and maintaining commercial and industrial machinery and equipment; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

Falk introduced:

H. F. No. 11, A bill for an act relating to taxation; sales and use; repealing the tax on labor for farm equipment repair services; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

Barrett introduced:

H. F. No. 12, A bill for an act relating to stadiums; requiring private stadium revenues to be paid into the state treasury; requiring stand-alone owner payment; amending elements of the stadium financing package; amending Minnesota Statutes 2012, section 473J.15, by adding subdivisions.

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

Holberg introduced:

H. F. No. 13, A bill for an act relating to stadiums; eliminating certain not public data classifications related to the Minnesota Sports Facilities Authority; amending Minnesota Statutes 2012, sections 473J.09, subdivision 4; 473J.11, subdivision 1; 473J.15, subdivisions 6, 9.

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

Zellers; Kelly; Hoppe; Zerwas; Nornes; Anderson, S.; Fabian; Albright; Myhra; Anderson, M.; McNamara; Benson, M.; Dettmer; Wills; Garofalo; Torkelson; Franson; O'Driscoll; Gunther; Mack; Abeler; Peppin; Anderson, P., and Woodard introduced:

H. F. No. 14, A bill for an act relating to taxation; sales and use; repealing the tax on certain business transactions; amending Minnesota Statutes 2012, sections 297A.61, subdivision 3, as amended; 297A.68, by adding a subdivision.

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

Scott introduced:

H. F. No. 15, A bill for an act relating to taxation; sales and use; repealing the tax on certain business transactions; amending Minnesota Statutes 2012, sections 297A.61, subdivision 3, as amended; 297A.68, by adding a subdivision.

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

Quam introduced:

H. F. No. 16, A bill for an act relating to taxation; sales and use; repealing the tax on repairing and maintaining commercial and industrial machinery and equipment; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

Quam introduced:

H. F. No. 17, A bill for an act relating to sales and use tax; repealing the tax on repairing and maintaining electronic and precision equipment; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

Quam introduced:

H. F. No. 18, A bill for an act relating to taxation; corporate franchise; modifying rules for foreign operating corporations and exclusion of foreign royalties; amending Minnesota Statutes 2012, sections 289A.08, subdivision 3, as amended; 290.01, subdivisions 19c, as amended, 19d, as amended, by adding a subdivision; 290.0921, subdivision 3, as amended, by adding a subdivision; 290.095, subdivision 2, as amended; 290.10, subdivision 1, as amended; 290.17, subdivision 4, as amended; 290.191, subdivision 5, as amended.

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

Quam introduced:

H. F. No. 19, A bill for an act relating to sales and use tax; repealing the tax on storage and warehousing services; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

O'Neill; Anderson, M.; Franson; Wills; Runbeck and Torkelson introduced:

H. F. No. 20, A bill for an act relating to taxation; sales and use; repealing the tax on storage and warehousing services; amending Minnesota Statutes 2012, section 297A.61, subdivision 3, as amended.

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

Murphy, E., 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.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 1, A bill for an act relating to disaster assistance; appropriating money to match federal disaster aid for the June 2013 severe storms and flooding; appropriating money for the April 2013 winter storms; reducing prior appropriations.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

This is to notify you that the Senate is now duly organized for the 2013 Special Session pursuant to the Minnesota Constitution and Minnesota Statutes.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

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

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1.

JOANNE M. ZOFF, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1, A bill for an act relating to disaster assistance; appropriating money to match federal disaster aid for the June 2013 severe storms and flooding; appropriating money for the April 2013 winter storms; reducing prior appropriations.

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, Murphy, E., moved that the rule therein be suspended and an urgency be declared and that the rules of the House be so far suspended so that S. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

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

S. F. No. 1, A bill for an act relating to disaster assistance; appropriating money to match federal disaster aid for the June 2013 severe storms and flooding; appropriating money for the April 2013 winter storms; reducing prior appropriations.

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 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Barrett	Clark	Dettmer	Faust	Green
Albright	Benson, J.	Cornish	Dorholt	Fischer	Gruenhagen
Allen	Benson, M.	Daudt	Drazkowski	FitzSimmons	Gunther
Anderson, P.	Bernardy	Davids	Erickson, R.	Franson	Hackbarth
Anderson, S.	Bly	Davnie	Erickson, S.	Freiberg	Halverson
Anzelc	Brynaert	Dean, M.	Fabian	Fritz	Hamilton
Atkins	Carlson	Dehn, R.	Falk	Garofalo	Hansen

Hertaus	Kresha	Masin	Norton	Savick	Wagenius
Hilstrom	Laine	McDonald	O'Driscoll	Sawatzky	Ward, J.A.
Holberg	Leidiger	McNamar	O'Neill	Schoen	Ward, J.E.
Hoppe	Lenczewski	McNamara	Paymar	Schomacker	Wills
Hornstein	Lesch	Melin	Pelowski	Scott	Winkler
Hortman	Liebling	Metsa	Peppin	Selcer	Woodard
Howe	Lien	Moran	Persell	Simon	Yarusso
Huntley	Lillie	Mullery	Petersburg	Simonson	Zellers
Isaacson	Loeffler	Murphy, E.	Poppe	Slocum	Zerwas
Johnson, B.	Lohmer	Murphy, M.	Pugh	Sundin	Spk. Thissen
Johnson, C.	Loon	Myhra	Quam	Swedzinski	
Johnson, S.	Mack	Nelson	Radinovich	Theis	
Kahn	Mahoney	Newberger	Rosenthal	Torkelson	
Kelly	Mariani	Newton	Runbeck	Uglen	
Kiel	Marquart	Nornes	Sanders	Urdahl	

Those who voted in the negative were:

Hausman

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Poppe moved that the names of Loeffler and Pelowski be added as authors on H. F. No. 1. The motion prevailed.

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

Dettmer moved that the names of Leidiger; Myhra; Johnson, B.; Scott; Wills; Erickson, S.; Gruenhagen; Woodard; Pugh; Benson, M.; Franson and Draskowski be added as authors on H. F. No. 3. The motion prevailed.

Hansen moved that the names of Gunther, Bly, Savick, Winkler, Radinovich, Fischer, Bernardy, Falk, Masin, Persell, Loeffler, Kahn and Gruenhagen be added as authors on H. F. No. 4. The motion prevailed.

Kelly moved that the names of Myhra, Rosenthal, Pugh, Loon and Leidiger be added as authors on H. F. No. 5. The motion prevailed.

Halverson moved that the names of Rosenthal, Dorholt and Sawatzky be added as authors on H. F. No. 6. The motion prevailed.

Franson moved that the names of Scott, Pugh and Draskowski be added as authors on H. F. No. 7. The motion prevailed.

Franson moved that the names of Johnson, B.; Erickson, S.; Pugh; Draskowski and Leidiger be added as authors on H. F. No. 8. The motion prevailed.

Hamilton moved that the names of Wills, Franson and Leidiger be added as authors on H. F. No. 10. The motion prevailed.

Barrett moved that the names of Zellers; Erickson, S.; Pugh; O'Neill and Leidiger be added as authors on H. F. No. 12. The motion prevailed.

Holberg moved that the names of Hansen; Scott; Fabian; Loon; Myhra; Zellers; Erickson, S.; Pugh; Gruenhagen and Drazkowski be added as authors on H. F. No. 13. The motion prevailed.

Zellers moved that the names of Johnson, B.; Loon; Pugh; Gruenhagen and Barrett be added as authors on H. F. No. 14. The motion prevailed.

Scott moved that the names of Loon; Runbeck; Erickson, S., and Franson be added as authors on H. F. No. 15. The motion prevailed.

Quam moved that the names of Wills and Drazkowski be added as authors on H. F. No. 16. The motion prevailed.

O'Neill moved that the names of Loon, Barrett and Drazkowski be added as authors on H. F. No. 20. The motion prevailed.

Murphy, E., 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 2013 Special Session sine die. The motion prevailed.

Murphy, E., moved that the Chief Clerk be and is hereby authorized to correct and approve the Journal of the House, 2013 Special Session, for today, Monday, September 9, 2013, and that he be authorized to include in the Journal for today any subsequent proceedings. The motion prevailed.

ADJOURNMENT OF THE 2013 SPECIAL SESSION SINE DIE

Murphy, E., moved that the House adjourn sine die for the 2013 Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 2013 Special Session.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

