STATE OF MINNESOTA

SPECIAL SESSION — 2005

NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JUNE 9, 2005

The House of Representatives convened at 11:00 a.m. and was called to order by Ron Abrams, Speaker pro tempore.

Prayer was offered by Second Lieutenant Michael Lotzer, U.S. Army Chaplain Program and also a chaplain with the Union Gospel Mission.

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
Abrams
Anderson, B.
Anderson, I.
Atkins
Beard
Bernardy
Blaine
Bradley
Brod
Buesgens
Carlson
Charron
Cox
Cybart
Davids
Davnie
Dean
DeLaForest
Dempsey
Dill

Dittrich
Dorn
Dorn
Eastlund
Eken
Emmer
Entenza
Erhardt
Erickson
Finstad
Fritz
Garofalo
Gazelka
Goodwin
Greiling
Gunther
Hackbarth
Hamilton
Hansen
Haasman
Heidgerken

Hilstrom
Holberg
Hoppe
Hornstein
Hortman
Hosch
Howes
Huntley
Jaros
Johnson, J.
Johnson, John.
Johnson, S.
Juhnke
Kahn
Kelliher
Klinzing
Knoblauch
Koenen
Krinkie
Lanning

Latz
Lenczewski
Lesch
Liebling
Lieder
Lillie
Loefler
Magnus
Mahoney
Marquart
McNamara
Meslow
Moe
Mullery
Murphy
Nelson, M.
Nelson, P.
Newman
Nornes
Olson
Otrema

Ozment
Pausen
Pelowski
Penas
Soderstrom
Peppin
Sorber
Sykora
Thao
Peterson, S.
Tingelstad
Poppe
Powell
Rukavina
Ruth
Ruud
Sailer
Samuelson
Scalze
Seifert
Sertich
Spk. Sviggum

Simpson
Slawik
Smith
Thao
Tingelstad
Urdahl
Vandever
Walker
Warlow
Welti
Westerberg
Wilkin
Zellers

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A quorum was present.

Clark, Cornish, Demmer, Kohls, Mariani, Opatz, Paymar, Thissen and Wagenius were excused.

Ellison and Larson were excused until 11:20 a.m.

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

Seifert introduced:

H. F. No. 58, A bill for an act relating to elections; prohibiting certain contributions and solicitations during special legislative sessions; amending Minnesota Statutes 2004, sections 10A.273, subdivisions 1, 2; 211A.14.

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

Juhnke; Hornstein; Carlson; Solberg; Nelson, M.; Loeffler; Simon; Ellison and Wagenius introduced:

H. F. No. 59, A bill for an act relating to highways; requiring commissioner of transportation to allow use of certain high-occupancy vehicle lanes without toll in off-peak hours; amending Minnesota Statutes 2004, section 160.93, subdivision 4.

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

Kahn; Mahoney; Hornstein; Lesch; Ellison; Sykora; Abeler; Peterson, N., and Erhardt introduced:

H. F. No. 60, A bill for an act relating to the state; appointing a poet laureate; appropriating gift or grant money received; proposing coding for new law in Minnesota Statutes, chapter 138.

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

Slawik, Greiling, Dittrich, Davnie and Lillie introduced:

H. F. No. 61, A bill for an act relating to education finance; increasing funding for early education programs; appropriating money; amending Minnesota Statutes 2004, section 124D.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Finstad, Kelliher, Sviggum, Sertich, Udahl, Lillie, Demmer, Marquart, Westerberg, Hilstrom, Brod, Juhnke, Hamilton, Slawik, Magnus, Koenen, Blaine, Hosch, Garofalo, Scalze and Lanning introduced:

H. F. No. 62, A bill for an act relating to a ballpark for major league baseball; providing for the financing, construction, operation, and maintenance of the ballpark and related facilities; establishing the Minnesota Ballpark Authority; defining members of the authority as public officials; providing powers and duties of the authority; providing a community ownership option upon sale of the team; authorizing Hennepin County to issue bonds and to contribute to ballpark costs and to engage in ballpark and related activities; authorizing local sales and use taxes and
revenues; requiring actions by the state, the city of Minneapolis, and the Hennepin County Regional Railroad Authority; amending Minnesota Statutes 2004, sections 10A.01, subdivision 35; 297A.71, by adding a subdivision; repealing Minnesota Statutes 2004, sections 473I.01; 473I.02; 473I.03; 473I.04; 473I.05; 473I.06; 473I.07; 473I.08; 473I.09; 473I.10; 473I.11; 473I.12; 473I.13.

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

Seifert, Blaine, DeLaForest and Finstad introduced:

H. F. No. 63, A bill for an act relating to the financing of state government; proposing the Stop Special Session Act of 2005; modifying the definition of fiscal year and making conforming changes; amending Minnesota Statutes 2004, sections 16A.011, subdivision 14; 16A.1522, subdivision 3; 16A.45, subdivision 1; 16A.62; 645.02.

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

Solberg introduced:

H. F. No. 64, A bill for an act relating to retirement; authorizing repayment of a refund from the Public Employees Retirement Association.

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

Lieder, Larson, Hausman, Hornstein and Juhnke introduced:

H. F. No. 65, A bill for an act relating to transportation; modifying distribution of county state-aid highway funds; adjusting passenger automobile tax rates and depreciation schedule; increasing motor fuel tax rates; allocating revenue from motor vehicle sales tax; authorizing issuance of $1,000,000,000 in state trunk highway bonds; appropriating money; amending Minnesota Statutes 2004, sections 162.07, subdivision 1, by adding subdivisions; 168.013, subdivision 1a; 296A.07, subdivision 3; 296A.08, subdivision 2; 297B.09, subdivision 1.

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

Mahoney; Anderson, I.; Lieder; Severson; Cybart; Johnson, S., and Nelson, M., introduced:

H. F. No. 66, A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature; appropriating money for a new football stadium for the University of Minnesota; authorizing the issuance of general obligation bonds.

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

Krinkie introduced:

H. F. No. 67, A bill for an act relating to a ballpark for major league baseball; providing a state policy for professional sports facilities; providing for the financing, construction, operation, and maintenance of the ballpark and related facilities; establishing the Minnesota Ballpark Authority; authorizing Hennepin County to issue bonds and to contribute to ballpark costs and to engage in ballpark and related activities; requiring some incremental
revenue from a new sports facility to be paid to certain public bodies; authorizing local sales and use taxes and revenues; requiring actions by the state, the city of Minneapolis, and the Hennepin County Regional Railroad Authority; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 2004, sections 473I.01; 473I.02; 473I.03; 473I.04; 473I.05; 473I.06; 473I.07; 473I.08; 473I.09; 473I.10; 473I.11; 473I.12; 473I.13.

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

Marquart introduced:

H. F. No. 68, A bill for an act relating to property tax aids; changing the city local government aid formula; amending Minnesota Statutes 2004, sections 477A.011, subdivisions 34, as amended, 35; 477A.013, subdivisions 8, 9; 477A.03, subdivision 2a, by adding a subdivision.

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

Lenczewski introduced:

H. F. No. 69, A bill for an act relating to health care; imposing a cigarette health impact fee; establishing a health impact fund; imposing a floor stocks fee; amending Minnesota Statutes 2004, sections 297F.10, subdivision 1; 297F.185; 325D.32, subdivision 9; proposing coding for new law in Minnesota Statutes, chapters 16A; 256.

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

**MOTIONS AND RESOLUTIONS**

Severson moved that the name of Gazelka be added as an author on H. F. No. 8. The motion prevailed.

Samuelson moved that her name be stricken as an author on H. F. No. 19. The motion prevailed.

Hilty moved that the name of Howes be added as an author on H. F. No. 23. The motion prevailed.

Hansen moved that the name of Johnson, S., be added as an author on H. F. No. 40. The motion prevailed.

Huntley moved that the name of Sailer be added as an author on H. F. No. 41. The motion prevailed.

Mullery introduced:

House Resolution No. 1, A House resolution recognizing July 31 through August 14, 2005, as a time for PEACE Games in Minneapolis to end violence.

The resolution was referred to the Committee on Rules and Legislative Administration.
Olson introduced:

House Concurrent Resolution No. 5, A House concurrent resolution proposing House and Senate expenditure limits for fiscal years 2006 and 2007 for the finance bills listed in this resolution for consideration in the 2005 First Special Session.

MOTION TO SUSPEND RULES

Olson moved that the rules be so far suspended that House Concurrent Resolution No. 5 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Olson motion and the roll was called. There were 45 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Buesgens
Cox
Dittrich
Dorman
Eastlund
Eken
Erhardt
Erickson
Garofalo
Goodwin
Greiling
Hausman
Heidgerken
Hornstein
Hortman
Hosch
Jaros
Juhnke
Kahn
Klinzing
Koenen

Those who voted in the negative were:

Abrams
Anderson, I.
Atkins
Beard
Bernardy
Blaine
Bradley
Brod
Carlson
Charroon
Cybart
Davids
Dean
DeLaForest
Dempsey
Dill
Dorn
Emmer
Entenza
Finstad
Fritz
Gazelka
Gunter
Hackbart
Hamilton
Hansen
Hilstrom
Hilty
Holberg
Hoppe
Howes
Huntley
Johnson, R.
Johnson, S.
Kellihier
Knoblach
Latz
Lesch
Lieder
Lillie
Magnus
Mahoney
McNamara
Meslow
Mullery
Murphy
Nelson, M.
Nelson, P.
Newman
Nornes
Ozment
Paulsen
Penas
Peppin
Peterson, A.
Peterson, N.
Powell
Ruth
Sailer
Samuelson
Scalze
Seifert
Sertich
Severson
Sieben
Simpson
Slawik
Smith
Solberg
Sykora
Wardlow
Westerberg
Westrom
Wilkin
Zellers
Spk. Sviggum

The motion did not prevail.

The concurrent resolution was referred to the Committee on Rules and Legislative Administration.
ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, June 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 2:00 p.m., Monday, June 13, 2005.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives