STATE OF MINNESOTA

SPECIAL SESSION — 2007

FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, SEPTEMBER 11, 2007

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 Tuesday, the eleventh day of September 2007 at 5:00 p.m.

PROCLAMATION FOR SPECIAL SESSION 2007

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

Whereas, On August 18 and 19, 2007, extremely heavy rains caused severe flooding in Dodge, Fillmore, Houston, Olmsted, Steele, Wabasha, and Winona Counties and these counties have been declared a major 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 in southeastern Minnesota.

Now Therefore, I, Tim Pawlenty, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Tuesday, September 11, 2007, at 5:00 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 tenth day of September in the year of our Lord two thousand and seven, and of the State the one hundred forty-ninth.

MARK RITCHIE
Secretary of State

TIM PAWLENTY
Governor
At the hour of 5:00 p.m. and pursuant to the Proclamation of the Governor and pursuant to Minnesota Statutes 2006, 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 Paul Rogers, House Chaplain.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

Speaker Kelliher introduced the new House member, Representative Steve Drazkowski from District 28B, and announced that he had previously been administered and subscribed to the oath of office on Thursday, August 16, 2007, and that his election certificate was on file. He was elected in a special election held on Tuesday, August 7, 2007 to replace Representative Steve Svigum, whose resignation was effective on Tuesday, July 17, 2007.

The roll was called and the following members were present:

Abeler
Anderson, B.
Anderson, S.
Anzelc
Atkins
Beard
Benson
Berns
Bigham
Bly
Brod
Brown
Brynaert
Buengs
Bunn
Carlson
Clark
Cornish
Davnie
Dean
DeLaForest
Demmer

Dettmer
Dill
Dittrich
Domínguez
Doty
Drazkowski
Eastlund
Eken
Emmer
Erhardt
Erickson
Faust
Faustr
Finstad
Fritz
Gardner
Garofalo
Greiling
Gunther
Hackbarth
Hamilton
Hansen
Hausman

Haws
Heidgerken
Hilstrom
Hilty
Holberg
Hoppe
Hornstein
Hortman
Hosch
Howes
Huntley
Iahns
Jaros
Johnson
Juhnke
Kahn
Kalin
Knuth
Koenen
Kohls
Kranz
Laine
Lenczewski

Lesch
Liebling
Lieder
Lillie
Loeffler
Madore
Magnus
Mahoney
Mariani
Marquart
Masin
McFarlane
McNamara
Moe
Morgan
Morrow
Mullery
Murphy, E.
Murphy, M.
Nelson
Nornes
Norton

Olin
Olson
Otremba
Ozment
Paulsen
Paymar
Pelowski
Peppin
Peterson, A.
Peterson, N.
Peterson, S.
Pope
Poppe
Port
Rukavina
Ruth
Ruud
Sailer
Seifert
Sertich
Severson
Shimanski
Simon
Spk. Kelliher

A quorum was present.

Gottwalt, Lanning, Scalze and Urdahl were excused.

Pursuant to Minnesota Statutes 2006, Section 3.073, the Speaker declared the House of Representatives organized for the 2007 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.

IN MEMORIAM

The members of the House paused for a moment of silence in memory of the victims and their families of the September 11, 2001, terrorist attacks, the collapse of the I-35W bridge in Minneapolis and the devastating floods in Southeastern Minnesota.

IN MEMORIAM

The members of the House paused for a moment of silence in memory of former Representative Mary Forsythe of Edina, Minnesota, who passed away on Thursday, September 6, 2007.

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.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Tschumper, Pelowski, Welti, Liebling, Drazkowski, Poppe, Norton, Ruth, Demmer, Marquart, Lieder, Clark, Kahn, Brown, Walker, Fritz, Kelliher and Dominguez introduced:

H. F. No. 1, A bill for an act relating to disaster relief; providing money to match and supplement federal disaster assistance for property damaged by the floods of August 2007; providing for temporary waivers of certain program requirements and other relief; providing for flood enrollment impact aid to school districts; providing for property tax abatements and reimbursements; modifying certain property tax and aid provisions in designated counties; facilitating use of federal money to rebuild I-35W bridge over the Mississippi River in the city of Minneapolis; providing aid to local governments and individuals affected by floods, fires, drought, and other disasters; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2006, sections 18E.04, subdivision 4; 72A.20, subdivision 12; 273.124, subdivision 14; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 2006, section 273.123.

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, Pelowski 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

Pelowski 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.

Pursuant to rule 1.50, Sertich moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

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

Page 13, line 20, delete "$29,255,000" and insert "$30,255,000"

The motion prevailed and the amendment was adopted.

Pelowski moved to amend H. F. No. 1, as amended, as follows:

Page 10, after line 23, insert:

"This appropriation is also for the costs of a licensed well contractor to decontaminate any private domestic wells after the second sample result shows positive for bacteria. The Department of Health shall conduct indoor air quality investigation and sampling in public facilities and nonprofit organizations. $100,000 will be appropriated from the capacity building grants for this purpose."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1, A bill for an act relating to disaster relief; providing money to match and supplement federal disaster assistance for property damaged by the floods of August 2007; providing for temporary waivers of certain program requirements and other relief; providing for flood enrollment impact aid to school districts; providing for property tax abatements and reimbursements; modifying certain property tax and aid provisions in designated counties;
facilitating use of federal money to rebuild I-35W bridge over the Mississippi River in the city of Minneapolis; providing aid to local governments and individuals affected by floods, fires, drought, and other disasters; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2006, sections 18E.04, subdivision 4; 72A.20, subdivision 12; 273.124, subdivision 14; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 2006, section 273.123.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, S.
Anzelc
Atkins
Beard
Benson
Berns
Bigham
Bly
Brod
Brown
Brynaert
Buesgens
Bunn
Carlson
Clark
Cornish
Davnie
Dean
DeLaForest
Demmer

Dettmer
Dill
Dittrich
Domínguez
Doty
Drazkowski
Eastlund
Eken
Emmer
Erhardt
Erickson
Faust
Fritsch
Gardner
Garofalo
Greiling
Gunther
Hackworth
Hamilton
Hansen
Hausman

Haws
Heidgerken
Hillery
Holberg
Hoppe
Hornstein
Hortman
Hosch
Howes
Huntley
Jaros
Johnson
Juhnke
Kahn
Kalin
Knuth
Koenen
Kohls
Kranz
Laine

Lesch
Liebling
Lieder
Lillie
Loeffler
Madore
Magnus
Mahoney
Mariani
Marquart
Masin
McFarlane
Mconomara
Moe
Morgan
Morrow
Mullery
Murphy, E.
Murphy, M.
Nelson
Nornes

Olin
Olson
Otremba
Ozment
Paalsten
Paymar
Pelowski
Peppin
Peterson, A.
Peterson, N.
Peterson, S.
Peppe
Poppe
Rukavina
Rukavina
Ruth
Ruud
Sailer
Seifert
Sertich
Severson
Shimanski
Simon

Slawik
Slocum
Smith
Solberg
Swails
Tao
Thissen
Thompson
Tilley
Tingelstad
Tschumper
Wagensius
Walker
Ward
Warlow
Welti
Westrom
Winkler
Wollschlager
Zellers

Spk. Kelliher

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

The following House Files were introduced:

Pelowski, Hilty, Heidgerken, Kalin and Poppe introduced:

H. F. No. 2, A bill for an act relating to elections; requiring voting systems accessible to individuals with disabilities in township elections; amending Minnesota Statutes 2006, section 206.57, subdivision 5.

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

H. F. No. 3, A bill for an act relating to insurance; prohibiting insurers from penalizing insureds for certain types of motor vehicle claims and from providing certain incorrect information regarding the effect of a motor vehicle claim on future insurability or premium rates; amending Minnesota Statutes 2006, sections 65B.133, subdivision 5a; 72A.20, subdivision 12.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

This is to notify you that the Senate is now duly organized for the 2007 Special Session pursuant to the Minnesota Constitution and Minnesota Statutes.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

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

S. F. No. 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3, A bill for an act relating to elections; requiring voting systems accessible to individuals with disabilities in township elections; amending Minnesota Statutes 2006, section 206.57, subdivision 5.

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, Pelowski moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3 be given its second and third readings and be placed upon its final passage. The motion prevailed.
Pelowski moved that the rules of the House be so far suspended that S. F. No. 3 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 3 was read for the second time.

S. F. No. 3, A bill for an act relating to elections; requiring voting systems accessible to individuals with disabilities in township elections; amending Minnesota Statutes 2006, section 206.57, subdivision 5.

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 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Huntley  Madore

The bill was passed and its title agreed to.
MOTIONS AND RESOLUTIONS

Sertich moved that the Chief Clerk be and is hereby authorized to correct and approve the Journal of the House, 2007 Special Session, for today, Tuesday, September 11, 2007, 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 is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 2007 Special Session sine die. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following appointments and changes in committee assignments:

Agriculture, Rural Economies and Veterans Affairs: Delete the name of Heidgerken and add the name of Drazkowski.

Finance: Add the name of Heidgerken.

Finance/State Government Finance Division: Add the name of Drazkowski.

Ways and Means: Add the name of Drazkowski.

MOTION TO ADJOURN 2007
SPECIAL SESSION SINE DIE

Sertich moved that the House adjourn sine die for the 2007 Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 2007 Special Session.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives