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 twentieth day of May 2003 at 11:00 a.m.

PROCLAMATION FOR SPECIAL SESSION 2003

Whereas, The Eighty-Third Legislature adjourned without enacting legislation essential to the health, well-being and safety of the citizens of Minnesota; and

Whereas, The unfinished matters of the Legislature include essential laws regarding the operation of state government, the operation of local governments, education, public safety, transportation, tax reform, energy management, health, human services, economic development and natural resources; and

Whereas, The time permitted by law for passage of such legislation during the 2003 session for the Legislature has expired, and an extraordinary occasion as envisioned by Article IV, Section 12 of the Minnesota Constitution is thereby created; and

Whereas, The people of Minnesota are best served by avoidance of a government shutdown and a prompt conclusion of legislative business, with a limited agenda and, to the extent possible prior agreement on laws to be enacted.

Now Therefore, I, Tim Pawlenty, Governor of Minnesota, do hereby summon you members of the Legislature, to convene in Special Session on Tuesday, May 20, 2003, at 11:00 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 20th day of May in the year of our Lord two thousand and three, and of the State the one hundred forty-fifth.

MARY KIFFMEYER  
Secretary of State

TIM PAWLENTY  
Governor

At the hour of 11:00 a.m. and pursuant to the Proclamation of the Governor and pursuant to Minnesota Statutes 2002, Section 3.073, the Honorable Ron Abrams, Speaker pro tempore, called the House of Representatives to order.
Prayer was offered by the Reverend Lonnie E. Titus, 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  Hilty  Latz  Otremba  Soderstrom
Abrams  Dempsey  Holberg  Lenczewski  Otto  Solberg
Adolphson  Dill  Hoppe  Lesch  Ozment  Stang
Anderson, I.  Dorman  Hornstein  Lieder  Paulsen  Strachan
Anderson, J.  Dorn  Howes  Lindgren  Paymar  Swenson
Atkins  Eastlund  Huntley  Lindner  Pelowski  Sykora
Beard  Eken  Jacobson  Lipman  Penas  Thao
Bernardy  Ellison  Jaros  Magnus  Peterson  Thissen
Biermat  Entenza  Johnson, J.  Mahoney  Powell  Tingelstad
Blaine  Erhardt  Johnson, S.  Mariani  Pugh  Urdahl
Borrell  Erickson  Juhnke  Marquart  Rhodes  Vandeveer
Boudreau  Finstad  Kahn  McNamara  Rukavina  Wagenius
Bradley  Fuller  Kelliber  Mullery  Ruth  Walz
Brod  Gerlach  Kielkucki  Murphy  Samuelson  Wardlow
Buesgens  Goodwin  Klinzing  Nelson, C.  Seagren  Wasiluk
Carlson  Greiling  Knoblach  Nelson, M.  Seifert  Westerberg
Clark  Gunther  Koenen  Nelson, P.  Sertich  Westrom
Cornish  Haas  Kohls  Nornes  Severson  Wilkin
Cox  Hackbarth  Krinkie  Olsen, S.  Sieben  Zellers
Davids  Harder  Kuisle  Olson, M.  Simpson  Spk. Svigum
Davnie  Heidgerken  Lanning  Opatz  Slawik
DeLaForest  Hilstrom  Larson  Osterman  Smith

A quorum was present.

Anderson, B., and Meslow were excused.

Walker was excused until 3:10 p.m.  Hausman was excused until 3:50 p.m.

Pursuant to Minnesota Statutes 2002, Section 3.073, Speaker pro tempore Abrams declared the House of Representatives organized for the 2003 Special Session.

Paulsen 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.

Slawik was excused between the hours of 11:40 a.m. and 3:35 p.m.

Paulsen 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 Speaker pro tempore Abrams.
Biernat was excused between the hours of 1:30 p.m. and 3:15 p.m.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Haas introduced:

H. F. No. 1, A bill for an act relating to state government; appropriating money for the general legislative and administrative expenses of state government and economic development; modifying provisions related to state and local government operations; modifying certain fee and revenue provisions; requiring certain contractor bonding; requiring licensure of certain gambling equipment sales persons; modifying provisions of various state boards and commissions; modifying certain insurance provisions; modifying certain cosmetology provisions; modifying certain lawful gambling provisions; requiring studies; amending Minnesota Statutes 2002, sections 3.885, subdivision 1; 3.971, subdivision 2; 6.48; 6.49; 6.54; 6.55; 6.64; 6.65; 6.66; 6.67; 6.68, subdivision 1; 6.70; 6.71; 6.74; 8.06; 10A.01, subdivision 21; 10A.02, by adding a subdivision; 10A.025, subdivision 2; 10A.03, subdivision 1; 10A.04, subdivisions 1, 2, 4, 5, 6, by adding a subdivision; 10A.34, subdivision 1a; 14.091; 14.48, by adding a subdivision; 16A.102, subdivision 1; 16A.11, subdivision 3; 16A.1285, subdivision 3; 16A.151, subdivision 5; 16A.17, by adding a subdivision; 16A.40; 16A.501; 16A.642, subdivision 1; 16B.24, subdivision 5; 16B.35, subdivision 1; 16B.465, subdivisions 1a, 1; 16B.47; 16B.48, subdivision 2; 16C.02, subdivision 6; 16C.03, by adding a subdivision; 16C.05, subdivision 2, by adding a subdivision; 16C.06, subdivision 1; 16C.08, subdivisions 2, 3, 4, by adding a subdivision; 16C.10, subdivision 7; 16D.08, subdivision 2; 16E.01, subdivision 3; 16E.07, subdivision 9; 43A.17, subdivision 9; 69.772, subdivision 2; 115A.929; 116J.8771; 197.608; 237.49; 237.52, subdivision 3; 237.701, subdivision 1; 240.03; 240.10; 240.15, subdivision 6; 240.155, subdivision 1; 240.03, subdivision 10; 240A.04; 240A.06, subdivision 1; 256B.435, subdivision 2a; 268.186; 270.052; 270.44; 270A.07, subdivision 1; 289A.08, subdivision 16; 306.95; 394.12, subdivision 25, by adding a subdivision; 349.151, subdivisions 4, 4b; 349.155, subdivision 3; 349.16, subdivision 6; 349.161, subdivisions 1, 4, 5; 349.162, subdivision 1; 349.163, subdivisions 2, 6; 349.164, subdivision 4; 349.165, subdivision 3; 349.166, subdivisions 1, 2; 349A.08, subdivision 5; 403.02, subdivision 10; 403.06; 403.07, subdivisions 1, 2, 3; 403.09, subdivision 1; 403.11; 403.13; 458D.17, subdivision 5; 471.696; 471.999; 473.891, subdivision 10, by adding a subdivision; 473.898, subdivisions 1, 3; 473.901; 473.902, by adding a subdivision; 473.907, subdivision 1; 477A.014, subdivision 4; Laws 1998, chapter 366, section 80, as amended; Laws 2002, chapter 331, section 19; proposing coding for new law in Minnesota Statutes, chapters 3A; 6; 16C; 43A; 60A; 326; 349; repealing Minnesota Statutes 2002, sections 3.305, subdivision 5; 3.971, subdivision 8; 3.11; 4A.055; 6.77; 12.221, subdivision 5; 16A.87; 16B.50; 16C.07; 16E.09; 149A.97, subdivision 8; 155A.03, subdivisions 14, 15; 155A.07, subdivision 9; 163.10; 306.97; Minnesota Rules, part 1950.1070.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Haas 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.
Haas 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.

The Speaker assumed the Chair.

H. F. No. 1, A bill for an act relating to state government; appropriating money for the general legislative and administrative expenses of state government and economic development; modifying provisions related to state and local government operations; modifying certain fee and revenue provisions; requiring certain contractor bonding; requiring licensure of certain gambling equipment sales persons; modifying provisions of various state boards and commissions; modifying certain insurance provisions; modifying certain cosmetology provisions; modifying certain lawful gambling provisions; requiring studies; amending Minnesota Statutes 2002, sections 3.885, subdivision 1; 3.971, subdivision 2; 6.48; 6.49; 6.54; 6.55; 6.64; 6.65; 6.66; 6.67; 6.68, subdivision 1; 6.70; 6.71; 6.74; 8.06; 10A.01, subdivision 21; 10A.02, by adding a subdivision; 10A.025, subdivision 2; 10A.03, subdivision 1; 10A.04, subdivisions 1, 2, 4, 5, 6, by adding a subdivision; 10A.34, subdivision 1a; 14.091; 14.48, by adding a subdivision; 16A.102, subdivision 1; 16A.11, subdivision 3; 16A.1285, subdivision 3; 16A.151, subdivision 5; 16A.17, by adding a subdivision; 16A.40; 16A.501; 16A.642, subdivision 1; 16B.24, subdivision 5; 16B.35, subdivision 1; 16B.465, subdivisions 1a, 7; 16B.47; 16B.48, subdivision 2; 16C.02, subdivision 6; 16C.03, by adding a subdivision; 16C.05, subdivision 2, by adding a subdivision; 16C.06, subdivision 1; 16C.08, subdivisions 2, 3, 4, by adding a subdivision; 16C.10, subdivision 7; 16D.08, subdivision 2; 16E.01, subdivision 3; 16E.07, subdivision 9; 43A.17, subdivision 9; 69.772, subdivision 2; 115A.929; 116.8771; 197.608; 237.49; 237.52, subdivision 3; 237.701, subdivision 1; 240.03; 240.10; 240.15, subdivision 6; 240.155, subdivision 1; 240A.03, subdivision 10; 240A.04; 240A.06, subdivision 1; 256B.435, subdivision 2a; 268.186; 270.052; 270.44; 270A.07, subdivision 1; 289A.08, subdivision 16; 306.95; 349.12, subdivision 25, by adding a subdivision; 349.151, subdivisions 4, 4b; 349.155, subdivision 3; 349.16, subdivision 6; 349.161, subdivisions 1, 4, 5; 349.162, subdivision 1; 349.163, subdivisions 2, 6; 349.164, subdivision 4; 349.165, subdivision 3; 349.166, subdivisions 1, 2; 349A.08, subdivision 5; 403.02, subdivision 10; 403.06; 403.07, subdivisions 1, 2, 3; 403.09, subdivision 1; 403.11; 403.113; 458D.17, subdivision 5; 471.696; 471.999; 473.891, subdivision 10, by adding a subdivision; 473.898, subdivisions 1, 3; 473.901; 473.902, by adding a subdivision; 473.907, subdivision 1; 477A.014, subdivision 4; Laws 1998, chapter 366, section 80, as amended; Laws 2002, chapter 331, section 19; proposing coding for new law in Minnesota Statutes, chapters 3A; 6; 16C; 43A; 60A; 326; 349; repealing Minnesota Statutes 2002, sections 3.305, subdivision 5; 3.971, subdivision 8; 3A.11; 4A.055; 6.77; 12.221, subdivision 5; 16A.87; 16B.50; 16C.07; 16E.09; 149A.97, subdivision 8; 155A.03, subdivisions 14, 15; 155A.07, subdivision 9; 163.10; 306.97; Minnesota Rules, part 1950.1070.

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 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler  Abrams  Blaine  Cornish  Dorman  Fuller  Harder
Adolphson  Boudreau  Borrell  Cox  Eastlund  Gerlach  Heidgerken
Anderson, J.  Bradley  Demmer  Erdhardt  Gunther  Hoppe
Beard  Brod  Dempsey  Erickson  Haas  Jacobson

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 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler  Abrams  Blaine  Cornish  Dorman  Fuller  Harder
Adolphson  Boudreau  Borrell  Cox  Eastlund  Gerlach  Heidgerken
Anderson, J.  Bradley  Demmer  Erdhardt  Gunther  Hoppe
Beard  Brod  Dempsey  Erickson  Haas  Jacobson
Those who voted in the negative were:

Anderson, I.
Atkins
Bernardy
Buesgens
Carlson
Clark
Davnie
DeLaForest
Dill
Dorn

Eken
Ellison
Entenza
Goodwin
Greiling
Hilstrom
Hilty
Holberg
Hornstein
Howes

Huntley
Johnson, S.
Juhnke
Kahll
Kelliher
Koenen
Larson
Latz
Lenczewski

Lesch
Lipman
Mahoney
Mariani
Marquart
Mullery
Murphy
Nelson, M.
Olson, M.

Opatz
Otto
Paymar
Pelowski
Peterson
Powell
Pugh
Rukavina
Sertich

Sieben
Solberg
Thao
Thissen
Vanderveer
Wagenius
Walker
Wasiluk

The bill was passed and its title agreed to.

Paulsen 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.

MOTION TO FIX TIME TO CONVENE

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, May 21, 2003. The motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

The following House File was introduced:

Smith introduced:

H. F. No. 2, A bill for an act relating to criminal justice; appropriating money for the courts, public defenders, public safety, corrections, and other criminal justice agencies; establishing, funding, modifying, and regulating public safety, criminal justice, judiciary, law enforcement, corrections, crime victims, CriMNet, and driving while impaired policies, programs, duties, activities, or practices; requiring studies and reports; clarifying the reporting
requirements of predatory registration law; imposing criminal and civil penalties; setting or increasing fines, surcharges, and fees; amending Minnesota Statutes 2002, sections 13.87, subdivision 3; 15A.0815, subdivision 3; 16A.151, subdivision 2; 152.021, subdivisions 2a, 3; 169A.03, subdivision 21, by adding a subdivision; 169A.20, subdivision 2; 169A.25, subdivision 1; 169A.26, subdivision 1; 169A.27, subdivision 1; 169A.275, subdivisions 3, 4, by adding a subdivision; 169A.40, subdivision 3; 169A.44; 169A.51, subdivision 5; 169A.53, subdivision 3; 169A.54, subdivision 6; 169A.60, subdivisions 8, 13; 241.016, subdivision 1; 243.166, subdivisions 3, 4a; 243.48, subdivision 1; 243.53, subdivision 1; 260B.105, subdivisions 1, 2; 260B.143, subdivision 1; 260C.163, subdivision 5; 270A.03, subdivision 5; 271.06, subdivision 4; 299A.42; 299A.44, subdivision 1; 299A.465, subdivision 4; 299C.05; 299C.06; 299C.10, subdivision 4, by adding a subdivision; 299C.48; 299F.46, subdivision 1, by adding subdivisions; 299M.01, by adding subdivisions; 299M.03, by adding subdivisions; 299M.04; 299M.11, subdivisions 1, 2; 340A.301, by adding a subdivision; 357.021, subdivisions 2, 6, 7; 357.022; 357.08; 363.073, by adding a subdivision; 590.05; 609.101, subdivision 4; 609.105, subdivision 1, by adding subdivisions; 609.119; 609.135, subdivisions 1, 2; 609.145, by adding a subdivision; 609.223, by adding a subdivision; 609.322, by adding a subdivision; 609.3241; 609.527, subdivision 3; 609.5312, subdivisions 3, 4; 609.66, subdivision 1a, by adding a subdivision; 609.68; 609.681; 609.748, subdivisions 3, 4, 5; 611.14; 611.17; 611.18; 611.25, subdivision 1; 611.26, subdivision 6; 611.272; 624.22, subdivision 1; 629.471, by adding a subdivision; 641.14; 641.263, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 169A; 243; 244; 256B; 299F; 609; 611A; 641; repealing Minnesota Statutes 2002, sections 13.855; 123B.73; 152.135, subdivision 4; 241.41; 241.42; 241.43; 241.44; 241.441; 241.45; 244.19, subdivision 3a; Laws 2002, chapter 220, article 6, section 6.

The bill was read for the first time.

**SUSPENSION OF RULES**

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Smith 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 Smith motion and the roll was called. There were 79 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Abeler
Abrams
Adolphson
Anderson, J.
Beard
Blaine
Borrell
Boudreau
Bradley
Brod
Buesgens
Cornish
Cox
Davids
DeLaForest
Demmer
Dempsey
Dorman
Eastlund
Erhardt
Erickson
Finstad
Fuller
Gerlach
Gunther
Haas
Hackbarth
Harder
Heidgerken
Holberg
Hoppe
Howes
Jacobson
Johnson, J.
Kielkucki
Klinzing
Knoblach
Kohls
Krinkie
Kuisle
Lanning
Lindgren
Lindner
Lipman
Magnus
McNamara
Nelson, C.
Nelson, P.
Nornes
Olson, S.
Olson, M.
Ostman
Ozment
Paulsen
Penas
Powell
Rhodes
Ruth
Samuelson
Seagren
Seifert
Severson
Simpson
Smith
Soderstrom
Stang
Strachan
Swenson
Sykora
Tingelstad
Spk. Sviggum
Walz
Wardlaw
Westerberg
Westrom
Wilkin
Zellers
Spk. Sviggum
Those who voted in the negative were:

Anderson, I.   Dorn   Hilty   Latz   Pelowski   Thissen
Atkins        Eken   Hornstein   Lesch   Peterson   Wagenius
Bernardy      Ellison   Huntley   Lieder   Pugh   Walker
Biernat       Entenza   Johnson, S.   Mariani   Sertich   Wasiluk
Carlson       Goodwin   Juhnke   Mullery   Sieben
Clark         Greiling   Kahn   Murphy   Slawik
Davnie        Haussman   Kelliher   Otremba   Solberg
Dill          Hilstrom   Koenen   Paymar   Thao

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

There being no objection, H. F. No. 2 was laid on the table.

ADJOURNMENT

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, May 21, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives