The House of Representatives convened at 2:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Sister Mary Benita, Holy Cross Church, Minneapolis, 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
Abrams
Adolphson
Anderson, B.
Anderson, I.
Anderson, J.
Atkins
Beard
Bernardy
Bienart
Blaine
Borrell
Boudreau
Bradley
Brod
Buesgens
Carlson
Clark
Cornish
Cox
Davids
Davnie
DeLaForest
Demmer
Dempsey
Dill
Dorman
Dorn
Eastlund
Eken
Ellison
Entenza
Erhardt
Erickson
Finstad
Fuller
Gerlach
Goodwin
Greiling
Gunther
Haas
Hackbarth
Harder
Hausman
Heidgerken
Hilstrom
Hilty
Holberg
Hoppe
Hornstein
Howes
Huntley
Jacobson
Jaros
Johnson, J.
Johnson, S.
Juhnke
Kahn
Kelfer
Kielkucki
Klinzing
Knoblach
Koenen
Kohls
Krinkie
Kuisle
Lanning
Larson
Latz
Lenczewski
Lesch
Lieder
Lindgren
Lindner
Lipman
Magnus
Mahoney
Mariani
Marquart
McNamara
Mullery
Nelson, C.
Nelson, M.
Nelson, P.
Nornes
Olsen, S.
Olson, M.
Opatz
Osterman
Otrema
Ozemt
Paulsen
Paymar
Penas
Pugh
Pugh
Rhodes
Rukavina
Ruth
Samuelson
Seagren
Seifert
Sertich
Severson
Sieben
Simpson
Slawik
Smith
Solberg
Stang
Strachan
Swenson
Sykora
Thao
Thissen
Tingelstad
Urdahl
Vandeveer
Wagenius
Walker
Walz
Warlow
Westerberg
Wetstrom
Wilkin
Spk. Sviggum

A quorum was present.

Meslow and Murphy were excused.

Pelowski was excused until 3:10 p.m.

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

Abeler, Paymar, Huntley, Bradley and Boudreau introduced:

H. F. No. 212, A bill for an act relating to professions; extending the expiration date of the acupuncture, respiratory care practitioner, licensed traditional midwifery, and health professionals services program advisory committees; amending Minnesota Statutes 2002, sections 147B.05, subdivision 2; 147C.35, subdivision 2; 147D.25, subdivision 2; 214.32, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Blaine, Severson, Lieder, Ozment and Rukavina introduced:

H. F. No. 213, A bill for an act relating to local government; providing reimbursement to fire departments for expenses incurred in extinguishing certain motor vehicle fires; providing cities and towns authority to collect unpaid bills for certain emergency services from nonresidents; appropriating money; amending Minnesota Statutes 2002, sections 161.465; 366.011; 366.012.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Dempsey, Seagren, Hilty, Klinzing, Lindner, Sykora, Magnus, Rhodes, Nornes and Soderstrom introduced:

H. F. No. 214, A bill for an act relating to crime prevention; expanding the fourth-degree assault law; amending Minnesota Statutes 2002, section 609.2231, subdivision 3.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Dempsey, Swenson, Strachan, Juhnke, Erickson and Nornes introduced:

H. F. No. 215, A bill for an act relating to agriculture; exempting Minnesota-produced wine from the prohibition on the sale, possession, and consumption of liquor on the state fairgrounds; amending Minnesota Statutes 2002, section 37.21, subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Davnie, Wagenius, Thissen and Clark introduced:

H. F. No. 216, A bill for an act relating to traffic regulations; restricting authority of commissioner of transportation to increase the speed limit on a portion of marked trunk highway 55 in Minneapolis.

The bill was read for the first time and referred to the Committee on Transportation Policy.
Vandeveer; Lenczewski; Jacobson; Penas; Johnson, J.; Klinzing; Samuelson; McNamara; Krinkie; Kielkucki and Walz introduced:

H. F. No. 217, A bill for an act relating to state government; providing four percent salary decreases for legislators and constitutional officers until June 30, 2005.

The bill was read for the first time and referred to the Committee on State Government Finance.

Ellison, Seagren, Greiling, Hornstein, Davnie, Mariani, Rhodes and Urdahl introduced:

H. F. No. 218, A bill for an act relating to education; providing for a pilot project for the independent review of parental involvement programs; proposing coding for new law in Minnesota Statutes, chapter 124D.

The bill was read for the first time and referred to the Committee on Education Policy.

Erickson introduced:

H. F. No. 219, A bill for an act relating to education; encouraging retired teachers to serve as short-call substitute teachers; amending Minnesota Statutes 2002, section 122A.18, subdivision 7a.

The bill was read for the first time and referred to the Committee on Education Policy.

Erickson introduced:

H. F. No. 220, A bill for an act relating to state government; designating English as the official language; proposing coding for new law in Minnesota Statutes, chapter 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Erickson introduced:

H. F. No. 221, A bill for an act relating to education finance; lowering the actual maximum effort capital loan tax rate for existing loans; making technical corrections to adjust the stated maximum effort capital loan tax rates to match the actual rates; amending Minnesota Statutes 2002, sections 126C.63, subdivision 8, by adding a subdivision; 126C.69, subdivisions 2 and 9.

The bill was read for the first time and referred to the Committee on Education Finance.

Biernat, Greiling and Sviggum introduced:

H. F. No. 222, A bill for an act relating to lobbyists; prohibiting former legislators, constitutional officers, agency heads, and certain legislative employees from lobbying for legislative or administrative action for one year after leaving office; proposing coding for new law in Minnesota Statutes, chapter 10A.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.
Clark, Huntley, Abeler, Walker, Paymar, Goodwin and Mullery introduced:

H. F. No. 223, A bill for an act relating to health; allowing application for designation as an essential community provider; amending Minnesota Statutes 2002, section 62Q.19, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Howes, Marquart, Urdahl, Stang and Juhnke introduced:

H. F. No. 224, A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for the wastewater infrastructure program.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Murphy, Huntley, Jaros, Hilty, Lanning and Marquart introduced:

H. F. No. 225, A bill for an act relating to capital investments; providing funding for dental clinics at Lake Superior Community College and Northwest Technical College; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Murphy, Huntley, Jaros and Hilty introduced:

H. F. No. 226, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for design of an addition to house student services, smart classrooms, and open labs at Lake Superior community and technical college.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Ellison; Thao; Hornstein; Mariani; Nelson, M., and Walker introduced:

H. F. No. 227, A bill for an act relating to elections; voter eligibility; restoring eligibility to vote to certain convicted felons who are not incarcerated; amending Minnesota Statutes 2002, sections 201.014, subdivision 2; 242.31, subdivision 1; 609.165, subdivisions 1, 1a, 1b.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

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.
Demmer was excused for the remainder of today's session.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 74, A bill for an act relating to state government; appropriating money and reducing appropriations for educational, health, human services, corrections, economic development, transportation, public safety, environmental, natural resources, agricultural, and state government purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; providing for the payment of certain refunds; amending Minnesota Statutes 2002, sections 16A.17, by adding a subdivision; 16B.47; 16B.48, subdivision 2; 16B.49; 16C.08, subdivisions 2, 3; 16C.09; 16E.07, subdivision 9; 115A.908, subdivision 2; 115P.05, subdivision 2; 119B.011, by adding a subdivision; 119B.09, subdivisions 1, 2; 119B.12, subdivision 2; 124D.135, subdivision 8; 124D.16, subdivision 6; 124D.20, by adding subdivisions; 124D.52, subdivision 1; 124D.531, subdivisions 1, 5; 126F.77, subdivision 3; 252.27, subdivision 2a; 256.9657, subdivision 1; 256.969, subdivision 3a; 256B.056, subdivisions 1a, 4; 256B.057, subdivision 2; 256B.06, subdivisions 4, 5; 256B.0625, subdivision 13, by adding a subdivision; 256B.0635, subdivisions 1, 2; 256B.19, subdivision 1d; 256B.195, subdivision 4; 256B.32, subdivision 1; 256B.431, subdivision 23, by adding a subdivision; 256B.75; 256J.08, subdivision 85; 256J.11, subdivision 1; 256J.48, subdivision 1; 256J.52, subdivision 2; 256J.53, subdivision 1; 256L.07, subdivision 1; 256L.17, subdivision 2; 268.186; 289A.56, subdivision 4; 297A.75, subdivision 4; 297F.10, subdivision 1; 299A.42; 299A.44, subdivision 1; 299A.465, subdivisions 1, 4; Laws 1997, chapter 203, article 9, section 21, as amended; Laws 2001, First Special Session chapter 3, article 1, section 17, subdivision 11, as amended; Laws 2001, First Special Session chapter 8, article 4, section 11, as amended; Laws 2001, First Special Session chapter 9, article 2, section 31; Laws 2002, chapter 220, article 13, section 9, subdivision 2, as amended; repealing Minnesota Statutes 2002, sections 16B.50; 16C.07; 43A.047; 241.41; 241.42; 241.43; 241.44; 241.441; 241.45; 256.973; 256B.056, subdivisions 1c, 3c; 256B.195, subdivision 5; 256D.053; 256J.11, subdivisions 2, 3; Laws 1999, chapter 205, article 1, section 63.

PATRICK E. FLAHAVEN, Secretary of the Senate

MOTION TO CONCUR

Solberg moved that the House concur in the Senate amendments to H. F. No. 74 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.
CALL OF THE HOUSE

On the motion of Seifert and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler  DeLaForest  Hilstrom  Larson  Otremba  Stanek
Abrams  Dempsey  Hilty  Latz  Ozment  Stang
Adolphson  Dill  Holberg  Lenczewski  Paulsen  Strachan
Anderson, B.  Dorman  Hoppe  Lesch  Paymar  Swenson
Anderson, I.  Dorn  Hornstein  Lieder  Pelowski  Sykora
Anderson, J.  Eastlund  Howes  Lindgren  Pesas  Thao
Atkins  Eken  Huntley  Lindner  Peterson  Thissen
Beard  Ellison  Jacobson  Lipman  Pugh  Tingelstad
Bernardy  Entenza  Jaros  Magnus  Rhodes  Urdahl
Blaine  Erickson  Johnson, J.  Mahoney  Rukavina  Vandevere
Biernat  Erhardt  Johnson, S.  Mariani  Ruth  Wagenius
Borrell  Finstad  Juhnke  Marquart  Samuelson  Walker
Boudreau  Fuller  Kahn  McNamara  Seagren  Walz
Bradley  Gerlach  Kelliher  Mullery  Seifert  Wardlow
Brod  Goodwin  Kielkucki  Nelson, C.  Sertich  Wasiluk
Buesgens  Greiling  Klinzing  Nelson, M.  Severson  Westerberg
Carlson  Guenther  Knoblach  Nelson, P.  Sieben  Westrom
Clark  Haas  Koenen  Nornes  Simpson  Wilkin
Cornish  Hack Barth  Kohls  Olsen, S.  Slawik  Spk. Svigum
Cox  Harder  Krinkie  Olson, M.  Smith
Davids  Hausman  Kuisle  Opatz  Soderstrom
Davnie  Heidgerken  Lanning  Osterman  Solberg

Abrams moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Solberg motion and the roll was called.

Pursuant to rule 2.05, the Speaker excused Eken from voting on the Solberg motion relating to H. F. No. 74.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 46 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Dorn  Hornstein  Latz  Otremba  Solberg
Atkins  Ellison  Huntley  Lesch  Pelowski  Thao
Bernardy  Entenza  Jaros  Lieders  Peterson  Thissen
Biernat  Goodwin  Johnson, S.  Mahoney  Pugh  Wagenius
Carlson  Greiling  Juhnke  Mariani  Rukavina  Walker
Clark  Hausman  Kahn  Marquart  Sertich  Wasiluk
Davnie  Heidgerken  Kelliher  Mullery  Sieben
Dill  Hilty  Koenen  Nelson, M.  Slawik
Those who voted in the negative were:

Abeler  Davids  Heidgerken  Lenczewski  Paulsen  Swenson
Abrams  DeLaForest  Holberg  Lindgren  Paymar  Sykora
Adolphson  Dempsey  Hoppe  Lindner  Penas  Tingelstad
Anderson, B.  Dorman  Howes  Lipman  Rhodes  Urdahl
Anderson, J.  Eastlund  Jacobson  Magnus  Ruth  Vandeveer
Beard  Erhardt  Johnson, J.  McNamara  Samuelson  Walz
Blaine  Erickson  Kielkucki  Nelson, C.  Seagren  Wardlow
Borrell  Finstad  Klinzing  Nelson, P.  Seifert  Westerberg
Boudreau  Fuller  Knoblaich  Nornes  Severson  Westrom
Bradley  Gerlach  Kohls  Olsen, S.  Simpson  Wilkin
Brod  Gunther  Krinkie  Olson, M.  Smith  Spk. Sviggum
Buesgens  Haas  Kuisle  Opatz  Soderstrom
Cornish  Hackbarth  Lanning  Osterman  Stang
Cox  Harder  Larson  Ozment  Strachan

The motion did not prevail.

Knoblach moved that the House refuse to concur in the Senate amendments to H. F. No. 74, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the Knoblach motion and the roll was called.

Pursuant to rule 2.05, the Speaker excused Eken from voting on the Knoblach motion relating to H. F. No. 74.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 77 yeas and 50 nays as follows:

Those who voted in the affirmative were:

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

| Anderson, I. | Ellison | Jaros | Lesch | Paymar | Thao |
| Atkins       | Entenza | Johnson, S. | Lieder | Pelowski | Thissen |
| Bernardy     | Goodwin | Juhnke | Mahoney | Peterson | Wagenius |
| Biernat      | Greiling | Kahn | Mariani | Pugh | Walker |
| Carlson      | Hausman | Kelliher | Marquart | Rukavina | Wasiluk |
| Clark        | Hilstrom | Koenen | Mullery | Sertich |
| Davnie       | Hilty | Larson | Nelson, M. | Sieben |
| Dill         | Hornstein | Latz | Opatz | Slawik |
| Dorn         | Huntley | Lenczewski | Otremba | Solberg |

The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Rukavina moved that the name of Sieben be added as an author on H. F. No. 102. The motion prevailed.

Carlson moved that the name of Davnie be added as an author on H. F. No. 127. The motion prevailed.

Greiling moved that the name of Davnie be added as an author on H. F. No. 128. The motion prevailed.

Greiling moved that the name of Davnie be added as an author on H. F. No. 133. The motion prevailed.

Smith moved that the name of Wilkin be added as an author on H. F. No. 158. The motion prevailed.

Seifert moved that the name of Wilkin be added as an author on H. F. No. 162. The motion prevailed.

Sykora moved that the name of Erickson be added as an author on H. F. No. 168. The motion prevailed.

Olsen, S., moved that the name of Dorman be added as an author on H. F. No. 184. The motion prevailed.

Juhnke moved that the name of Peterson be added as an author on H. F. No. 190. The motion prevailed.

Dill moved that his name be stricken as an author on H. F. No. 192. The motion prevailed.

Erickson moved that the name of Vandeveer be added as an author on H. F. No. 193. The motion prevailed.

Marquart moved that the name of Penas be added as an author on H. F. No. 197. The motion prevailed.

Marquart moved that the name of Lenczewski be added as an author on H. F. No. 198. The motion prevailed.

Anderson, I., moved that the names of Bradley and Nelson, C., be added as authors on H. F. No. 199. The motion prevailed.

Olsen, S., moved that the name of Tingelstad be added as an author on H. F. No. 202. The motion prevailed.

Seagren moved that the names of Beard; Johnson, J., and Cox be added as authors on H. F. No. 206. The motion prevailed.
ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 74:

Knoblach, Bradley, Kuisle, Ozment and Lenczewski.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, January 29, 2003. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, January 29, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives