

## STATE OF MINNESOTA

## SPECIAL SESSION — 2001

## SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JUNE 27, 2001

The House of Representatives convened at 5:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Dr. Abdulhusain Nathani, Jafferi Islamic Center, 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	Dorman	Holberg	Lenczewski	Osskopp	Smith
Abrams	Dorn	Holsten	Leppik	Osthoff	Solberg
Anderson, B.	Eastlund	Howes	Lieder	Otremba	Stanek
Anderson, I.	Entenza	Huntley	Lindner	Ozment	Stang
Bakk	Erhardt	Jacobson	Lipman	Paulsen	Swapinski
Bernardy	Erickson	Jaros	Luther	Pawlenty	Swenson
Biernat	Evans	Jennings	Mahoney	Paymar	Sykora
Bishop	Finseth	Johnson, J.	Mares	Pelowski	Thompson
Boudreau	Folliard	Johnson, R.	Mariani	Penas	Tuma
Bradley	Fuller	Johnson, S.	Marko	Peterson	Vandever
Buesgens	Gerlach	Juhnke	Marquart	Pugh	Wagenius
Carlson	Gleason	Kahn	McElroy	Rhodes	Walker
Cassell	Goodno	Kalis	McGuire	Rifenberg	Walz
Clark, J.	Goodwin	Kelliher	Milbert	Rukavina	Wasiluk
Clark, K.	Gray	Kielkucki	Molnau	Ruth	Wenzel
Daggett	Greiling	Knoblach	Mulder	Schumacher	Westerberg
Davids	Haas	Koskinen	Mullery	Seagren	Westrom
Davnie	Hackbarth	Krinkie	Murphy	Seifert	Wilkin
Dawkins	Harder	Kubly	Ness	Sertich	Winter
Dehler	Hausman	Kuisle	Nornes	Skoe	Workman
Dempsey	Hilstrom	Larson	Olson	Skoglund	Spk. Sviggum
Dibble	Hilty	Leighton	Opatz	Slawik	

A quorum was present.

Gunther, Tingelstad and Wolf were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Hilty moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 26, A bill for an act relating to employment; requiring certain apartment manager background checks to be performed on individuals who have resided in Minnesota less than ten years; amending Minnesota Statutes 2000, section 299C.68, subdivisions 2, 3.

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

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 29, A bill for an act relating to taxation; providing for payment of a sales tax rebate; appropriating money.

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

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 30, A bill for an act proposing an amendment to the Minnesota Constitution, article XIV, by adding a section; dedicating 75 percent of proceeds on transfer of motor vehicles for highway and transit purposes.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 26, 29 and 30 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Bernardy introduced:

H. F. No. 31, A bill for an act relating to education finance; increasing supplemental revenue for independent school district No. 11, Anoka; appropriating money.

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

Goodno and Rifenberg introduced:

H. F. No. 32, A bill for an act relating to health; requiring notice of deaths of unidentified homeless persons; amending Minnesota Statutes 2000, sections 144.05, by adding a subdivision; 149A.90, subdivision 1.

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:

Mr. Speaker:

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

H. F. No. 4, A bill for an act relating to family and early childhood education; providing for children and family support programs, prevention and intervention, self-sufficiency and lifelong learning, and libraries; appropriating money; amending Minnesota Statutes 2000, sections 119A.12, by adding subdivisions; 119A.13, subdivision 4; 119A.21; 119A.22; 119B.011, subdivision 19, by adding a subdivision; 119B.06, by adding a subdivision; 119B.061, subdivision 4; 119B.11, subdivision 1; 119B.13, subdivision 6; 119B.24; 124D.135, by adding subdivisions; 124D.16, subdivision 2, by adding subdivisions; 124D.19, by adding subdivisions; 124D.20, subdivisions 1, 5, by adding a subdivision; 124D.518, subdivision 5; 124D.52, subdivision 2; 124D.522; 124D.531, subdivisions 1, 3, 7; 125A.28; 125B.20, subdivision 1; 134.31, subdivision 5; Laws 2000, chapter 489, article 5, section 23; proposing coding for new law in Minnesota Statutes, chapters 119A; 134; repealing Minnesota Statutes 2000, sections 119A.13, subdivisions 1, 2, 3; 119A.14, subdivision 2; 119A.23; 124D.33; 124D.331; 125B.20, subdivision 3; Minnesota Rules, parts 3530.2610; 3530.2612; 3530.2614; 3530.2616; 3530.2618; 3530.2620; 3530.2622; 3530.2624; 3530.2626; 3530.2628; 3530.2630; 3530.2632; 3530.2634; 3530.2636; 3530.2638; 3530.2640; 3530.2642; 3530.2644.

PATRICK E. FLAHAVEN, Secretary of 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. 5, A bill for an act relating to state government; appropriating money for economic development, housing, and certain agencies of state government; establishing and modifying programs; abolishing the department of economic security; transferring certain duties and funds; creating a transition team for the reorganization of state departments; consolidating housing programs; regulating activities and practices; modifying fees; making conforming changes; requiring reports; codifying reorganization order No. 181; transferring the remaining duties of the commissioner of public service to the commissioner of commerce; instructing the revisor to change certain terms; amending Minnesota Statutes 2000, sections 3.922, by adding a subdivision; 3C.12, subdivision 2; 13.679; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16B.32, subdivision 2; 16B.335, subdivision 4; 16B.56, subdivision 1; 16B.76, subdivision 1; 17.86, subdivision 3; 18.024, subdivision 1; 43A.08, subdivision 1a; 45.012; 103F.325, subdivisions 2, 3; 115A.15, subdivision 5; 116J.8731, subdivision 1; 116L.03; 116L.04, by adding a subdivision; 116L.05, by adding a subdivision; 116L.16; 116O.06, subdivision 2; 123B.65, subdivisions 1, 3, 5; 138.664, by adding a subdivision; 161.45, subdivision 1; 168.61, subdivision 1; 169.073; 174.03, subdivision 7;

181.30; 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, 20; 184.41; 216A.01; 216A.035; 216A.036; 216A.05, subdivision 1; 216A.07, subdivision 1; 216A.08; 216A.085, subdivision 3; 216B.02, subdivisions 1, 7, 8; 216B.16, subdivisions 1, 2, 6b, 15; 216B.162, subdivisions 7, 11; 216B.1675, subdivision 9; 216B.241, subdivisions 1a, 1b, 2b; 216C.01, subdivisions 1, 2, 3; 216C.051, subdivision 6; 216C.37, subdivision 1; 216C.40, subdivision 4; 216C.41, as amended; 237.02; 237.075, subdivisions 2, 9; 237.082; 237.21; 237.30; 237.462, subdivision 6; 237.51, subdivisions 1, 5, 5a; 237.52, subdivisions 2, 4, 5; 237.54, subdivision 2; 237.55; 237.59, subdivision 2; 237.768; 239.01; 239.10; 268.022, subdivision 2; 268.145, subdivision 1; 268.665, by adding a subdivision; 325E.11; 325E.115, subdivision 2; 326.243; 462A.01; 462A.03, subdivisions 1, 6, 10, by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, 26; 462A.06, subdivisions 1, 4; 462A.07, subdivisions 10, 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2, 6; 462A.204, subdivision 3; 462A.205, subdivisions 4, 4a; 462A.209; 462A.2091, subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, by adding subdivisions; 462A.222, subdivision 1a; 462A.24; 462A.33, subdivisions 1, 2, 3, 5, by adding a subdivision; 473.195, by adding a subdivision; 484.50; Laws 1993, chapter 301, section 1, subdivision 4, as amended; Laws 1995, chapter 248, article 12, section 2, as amended; Laws 1995, chapter 248, article 13, section 2, subdivision 2, as amended; Laws 2000, chapter 488, article 8, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 116L; 181; 462A; repealing Minnesota Statutes 2000, sections 184.22, subdivisions 2, 3, 4, 5; 184.37, subdivision 2; 216A.06; 237.69, subdivision 3; 268.975; 268.976; 268.9771; 268.978; 268.9781; 268.9782; 268.9783; 268.979; 268.98; 462A.201, subdivision 4; 462A.207; 462A.209, subdivision 4; 462A.21, subdivision 17; 462A.221, subdivision 4; 462A.30, subdivision 2; 462A.33, subdivisions 4, 6, 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

McElroy moved that the House concur in the Senate amendments to H. F. No. 5 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 5, A bill for an act relating to state government; appropriating money for economic development, housing, and certain agencies of state government; establishing and modifying programs; abolishing the department of economic security; transferring certain duties and funds; creating a transition team for the reorganization of state departments; consolidating housing programs; regulating activities and practices; modifying fees; making conforming changes; requiring reports; codifying reorganization order No. 181; transferring the remaining duties of the commissioner of public service to the commissioner of commerce; instructing the revisor to change certain terms; amending Minnesota Statutes 2000, sections 3.922, by adding a subdivision; 3C.12, subdivision 2; 13.679; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16B.32, subdivision 2; 16B.335, subdivision 4; 16B.56, subdivision 1; 16B.76, subdivision 1; 17.86, subdivision 3; 18.024, subdivision 1; 43A.08, subdivision 1a; 45.012; 103F.325, subdivisions 2, 3; 115A.15, subdivision 5; 116J.8731, subdivision 1; 116L.03; 116L.04, by adding a subdivision; 116L.05, by adding a subdivision; 116L.16; 116O.06, subdivision 2; 123B.65, subdivisions 1, 3, 5; 138.664, by adding a subdivision; 161.45, subdivision 1; 168.61, subdivision 1; 169.073; 174.03, subdivision 7; 181.30; 184.29; 184.30, subdivision 1; 184.38, subdivisions 6, 8, 9, 10, 11, 17, 18, 20; 184.41; 216A.01; 216A.035; 216A.036; 216A.05, subdivision 1; 216A.07, subdivision 1; 216A.08; 216A.085, subdivision 3; 216B.02, subdivisions 1, 7, 8; 216B.16, subdivisions 1, 2, 6b, 15; 216B.162, subdivisions 7, 11; 216B.1675, subdivision 9; 216B.241, subdivisions 1a, 1b, 2b; 216C.01, subdivisions 1, 2, 3; 216C.051, subdivision 6; 216C.37, subdivision 1; 216C.40, subdivision 4; 216C.41, as amended; 237.02; 237.075, subdivisions 2, 9; 237.082; 237.21; 237.30; 237.462, subdivision 6; 237.51, subdivisions 1, 5, 5a; 237.52, subdivisions 2, 4, 5; 237.54, subdivision 2; 237.55; 237.59, subdivision 2; 237.768; 239.01; 239.10; 268.022, subdivision 2; 268.145, subdivision 1; 268.665, by adding a subdivision; 325E.11; 325E.115, subdivision 2; 326.243; 462A.01; 462A.03, subdivisions 1, 6, 10, by adding a subdivision; 462A.04, subdivision 6; 462A.05, subdivisions 14, 14a, 16, 22, 26; 462A.06, subdivisions 1, 4; 462A.07, subdivisions 10, 12; 462A.073, subdivision 1; 462A.15; 462A.17, subdivision 3; 462A.20, subdivision 3; 462A.201, subdivisions 2, 6; 462A.204, subdivision 3; 462A.205, subdivisions 4, 4a; 462A.209; 462A.2091,

subdivision 3; 462A.2093, subdivision 1; 462A.2097; 462A.21, subdivisions 5, 10, by adding subdivisions; 462A.222, subdivision 1a; 462A.24; 462A.33, subdivisions 1, 2, 3, 5, by adding a subdivision; 473.195, by adding a subdivision; 484.50; Laws 1993, chapter 301, section 1, subdivision 4, as amended; Laws 1995, chapter 248, article 12, section 2, as amended; Laws 1995, chapter 248, article 13, section 2, subdivision 2, as amended; Laws 2000, chapter 488, article 8, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 116L; 181; 462A; repealing Minnesota Statutes 2000, sections 184.22, subdivisions 2, 3, 4, 5; 184.37, subdivision 2; 216A.06; 237.69, subdivision 3; 268.975; 268.976; 268.9771; 268.978; 268.9781; 268.9782; 268.9783; 268.979; 268.98; 462A.201, subdivision 4; 462A.207; 462A.209, subdivision 4; 462A.21, subdivision 17; 462A.221, subdivision 4; 462A.30, subdivision 2; 462A.33, subdivisions 4, 6, 7.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Pursuant to rule 2.05, Kelliher and Slawik were excused from voting on the repassage of H. F. No. 5, as amended by the Senate.

There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilstrom	Larson	Osskopp	Smith
Abrams	Dibble	Hilty	Leighton	Osthoff	Solberg
Anderson, B.	Dorman	Holberg	Lenczewski	Otremba	Stanek
Anderson, I.	Dorn	Holsten	Leppik	Ozment	Stang
Bakk	Eastlund	Howes	Lieder	Paulsen	Swapinski
Bernardy	Entenza	Huntley	Lindner	Pawlenty	Swenson
Biernat	Erhardt	Jacobson	Luther	Paymar	Sykora
Bishop	Erickson	Jaros	Mahoney	Pelowski	Thompson
Boudreau	Evans	Jennings	Mares	Penas	Tuma
Bradley	Finseth	Johnson, J.	Marko	Peterson	Vandever
Buesgens	Folliard	Johnson, R.	Marquart	Pugh	Wagenius
Carlson	Fuller	Johnson, S.	McElroy	Rhodes	Walz
Cassell	Gerlach	Juhnke	McGuire	Rifenberg	Wasiluk
Clark, J.	Goodno	Kahn	Milbert	Ruth	Wenzel
Clark, K.	Goodwin	Kalis	Molnau	Schumacher	Westerberg
Daggett	Greiling	Kielkucki	Mullery	Seagren	Westrom
Davids	Haas	Knoblach	Murphy	Seifert	Wilkin
Davnie	Hackbarth	Koskinen	Ness	Sertich	Winter
Dawkins	Harder	Kubly	Nornes	Skoe	Workman
Dehler	Hausman	Kuisle	Opatz	Skoglund	Spk. Sviggum

Those who voted in the negative were:

Gleason	Krinkie	Mariani	Olson	Walker
Gray	Lipman	Mulder	Rukavina	

The bill was repassed, as amended by the Senate, and its title agreed to.

**FISCAL CALENDAR**

Abrams moved that the Fiscal Calendar be continued. The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Abrams moved that the name of Erickson be added as an author on H. F. No. 1. The motion prevailed.

Sykora moved that the name of Erickson be added as an author on H. F. No. 4. The motion prevailed.

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

Molnau moved that the names of Rifenberg and Erickson be added as authors on H. F. No. 30. The motion prevailed.

**FISCAL CALENDAR ANNOUNCEMENTS**

Pursuant to rule 1.22, Bishop announced his intention to place H. F. No. 2 on the Fiscal Calendar for Thursday, June 28, 2001.

Pursuant to rule 1.22, Abrams announced his intention to place H. F. No. 1 on the Fiscal Calendar for Thursday, June 28, 2001.

**ADJOURNMENT**

Pawlenty moved that when the House adjourns today it adjourn until 9:00 a.m., Thursday, June 28, 2001. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Thursday, June 28, 2001.

EDWARD A. BURDICK, Chief Clerk, House of Representatives