STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 4, 2011

In accordance with the Constitution and the Laws of the State of Minnesota, the members-elect of the House of Representatives assembled in the Chamber of the House of Representatives in the Capitol in Saint Paul on Tuesday, the fourth day of January 2011.

At the hour of twelve o'clock noon and pursuant to Minnesota Statutes 2010, Section 3.05, the Honorable Mark Ritchie, Secretary of State, called the members-elect to order and appointed the Honorable Carol McFarlane from District 53B as Clerk pro tempore.

Prayer was offered by the Reverend Grady St. Dennis, Director of Church Relations, Gustavus Adolphus College, St. Peter, Minnesota.

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

The Clerk pro tempore called the roll by legislative district in numerical order, and the following members-elect presented proof of their eligibility to be sworn in and seated as members of the House of Representatives:

1ADan Fabian	11A Torrey Westrom
1B Debra "Deb" Kiel	11B Mary Franson
2A Kent Eken	12A John Ward
2B David Hancock	12B Mike LeMieur
3ATom Anzelc	13A Paul Anderson
3BCarolyn McElfatrick	13B Bruce Vogel
4AJohn Persell	14A Tim O'Driscoll
4BLarry Howes	14BLarry Hosch
5ATom Rukavina	15A Steve Gottwalt
5B Anthony "Tony" Sertich	15B King Banaian
6A David Dill	16A Sondra Erickson
6B Mary Murphy	16B Mary Kiffmeyer
7AThomas Huntley	17A Kurt Daudt
7BKerry Gauthier	17B Bob Barrett
8ABill Hilty	18A Ron Shimanski
8BRoger Crawford	18B Dean Urdahl
9AMorrie Lanning	19A Bruce Anderson
9BPaul Marquart	19B Joe McDonald
10A Bud Nornes	20A Andrew Falk
10B Mark Murdock	20BLyle Koenen
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21A	Chris Swedzinski	44B	Ryan Winkler
21B	Paul Torkelson	45A	=
22A	Joe Schomacker	45B	. Lyndon R. Carlson
22B	Rod Hamilton	46A	. Michael Nelson
23A	Terry Morrow	46B	. Debra Hilstrom
23B	Kathy Brynaert	47A	. Denise R. Dittrich
24A	Bob Gunther	47B	. Melissa Hortman
24B	Tony Cornish	48A	. Tom Hackbarth
25A	Glenn Gruenhagen	48B	Jim Abeler
25B	Kelby Woodard	49A	Peggy Scott
26A	Kory Kath	49B	. Branden Petersen
26B	Patti Fritz	50A	Carolyn Laine
27A	Rich Murray	50B	. Kate Knuth
27B	Jeanne Poppe	51A	Tim Sanders
28A	Tim Kelly	51B	Tom Tillberry
	Steve Drazkowski	52A	. Bob Dettmer
29A	Duane Quam	52B	
29B		53A	Linda Runbeck
30A	Tina Liebling	53B	
30B		54A	. Mindy Greiling
31A	Gene Pelowski, Jr.	54B	
	Gregory M. Davids	55A	. Leon M. Lillie
32A		55B	Nora Slawik
32B		56A	Kathy Lohmer
33A	Steve Smith	56B	Andrea Kieffer
33B		57A	
34A	Ernie Leidiger		. Denny McNamara
34B		58A	
35A		58B	. Bobby Joe Champion
35B	Mark Buesgens	59A	Diane Loeffler
	Mary Liz Holberg	59B	. Phyllis Kahn
36B		60A	
37A		60B	
37B		61A	Karen Clark
38A	Diane Anderson	61B	Jeff Hayden
38B		62A	Jim Davnie
39A		62B	
39B		63A	
40A		63B	
	Ann Lenczewski	64A	
41A		64B	•
41B		65A	
42A		65B	
42B		66A	
43A		66B	
43B		67A	-
44A	Steve Simon	67B	. Sheldon Johnson

134 eligible persons answered to the call by legislative district.

OATH OF OFFICE

The members-elect subscribed to the oath of office as administered to them by the Honorable Kathleen A. Blatz, retired Chief Justice of the Minnesota Supreme Court.

The members took their seats in the Chamber of the House of Representatives.

The roll was called and the following members were present:

Abeler	Dean	Hansen	Lanning	Murphy, E.	Shimanski
Anderson, B.	Dettmer	Hausman	Leidiger	Murphy, M.	Simon
Anderson, D.	Dill	Hayden	LeMieur	Murray	Slawik
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Myhra	Slocum
Anderson, S.	Doepke	Hilty	Lesch	Nelson	Smith
Anzelc	Downey	Holberg	Liebling	Nornes	Stensrud
Atkins	Drazkowski	Hoppe	Lillie	Norton	Swedzinski
Banaian	Eken	Hornstein	Loeffler	O'Driscoll	Thissen
Barrett	Erickson	Hortman	Lohmer	Paymar	Tillberry
Beard	Fabian	Hosch	Loon	Pelowski	Torkelson
Benson, J.	Falk	Howes	Mack	Peppin	Urdahl
Benson, M.	Franson	Huntley	Mahoney	Persell	Vogel
Bills	Fritz	Johnson	Mariani	Petersen, B.	Wagenius
Brynaert	Garofalo	Kahn	Marquart	Peterson, S.	Ward
Buesgens	Gauthier	Kath	Mazorol	Poppe	Wardlow
Carlson	Gottwalt	Kelly	McDonald	Quam	Westrom
Champion	Greene	Kieffer	McElfatrick	Rukavina	Winkler
Clark	Greiling	Kiel	McFarlane	Runbeck	Woodard
Cornish	Gruenhagen	Kiffmeyer	McNamara	Sanders	Zellers
Crawford	Gunther	Knuth	Moran	Scalze	
Daudt	Hackbarth	Koenen	Morrow	Schomacker	
Davids	Hamilton	Kriesel	Mullery	Scott	
Davnie	Hancock	Laine	Murdock	Sertich	

A quorum was present.

ELECTION OF OFFICERS

The Secretary of State announced the next order of business to be the election of the Speaker.

The name of Kurt Zellers was placed in nomination by Abeler. The nomination was seconded by Kelly.

The name of Paul Thissen was placed in nomination by Marquart. The nomination was seconded by Slocum.

There being no further nominations, the Secretary of State declared the nominations closed.

The Clerk pro tempore called the roll on the election of a Speaker.

The following members of the House voted for Zellers:

Abeler	Crawford	Gottwalt	Kiffmeyer	McNamara	Scott
Anderson, B.	Daudt	Gruenhagen	Kriesel	Murdock	Shimanski
Anderson, D.	Davids	Gunther	Lanning	Murray	Smith
Anderson, P.	Dean	Hackbarth	Leidiger	Myhra	Stensrud
Anderson, S.	Dettmer	Hamilton	LeMieur	Nornes	Swedzinski
Banaian	Doepke	Hancock	Lohmer	O'Driscoll	Torkelson
Barrett	Downey	Holberg	Loon	Peppin	Urdahl
Beard	Drazkowski	Hoppe	Mack	Petersen, B.	Vogel
Benson, M.	Erickson	Howes	Mazorol	Quam	Wardlow
Bills	Fabian	Kelly	McDonald	Runbeck	Westrom
Buesgens	Franson	Kieffer	McElfatrick	Sanders	Woodard
Cornish	Garofalo	Kiel	McFarlane	Schomacker	Zellers

Zellers received 72 votes.

The following members of the House voted for Thissen:

Anzelc	Falk	Hortman	Liebling	Nelson	Slocum
Atkins	Fritz	Hosch	Lillie	Norton	Thissen
Benson, J.	Gauthier	Huntley	Loeffler	Paymar	Tillberry
Brynaert	Greene	Johnson	Mahoney	Persell	Wagenius
Carlson	Greiling	Kahn	Mariani	Peterson, S.	Ward
Champion	Hansen	Kath	Marquart	Poppe	Winkler
Clark	Hausman	Knuth	Moran	Rukavina	
Davnie	Hayden	Koenen	Morrow	Scalze	
Dill	Hilstrom	Laine	Mullery	Sertich	
Dittrich	Hilty	Lenczewski	Murphy, E.	Simon	
Eken	Hornstein	Lesch	Murphy, M.	Slawik	

Thissen received 61 votes.

Kurt Zellers, having received a majority of the votes cast, was declared duly elected Speaker of the House of Representatives.

Loon, McDonald, Woodard, Hayden and Lillie were appointed to escort the Speaker-elect to the rostrum.

OATH OF OFFICE

The oath of office was administered to Speaker-elect Kurt Zellers by the Honorable Ron Abrams, District Court Judge, Hennepin County. The Speaker expressed his appreciation for the honor bestowed upon him.

The Speaker announced the next order of business to be the election of the Chief Clerk.

The name of Albin A. Mathiowetz was placed in nomination by Smith. The nomination was seconded by Tillberry.

There being no further nominations, the Speaker declared the nominations closed.

The Clerk pro tempore called the roll on the election of the Chief Clerk and the following voted for Mathiowetz:

Abeler	Dean	Hansen	Lanning	Murphy, E.	Shimanski
Anderson, B.	Dettmer	Hausman	Leidiger	Murphy, M.	Simon
Anderson, D.	Dill	Hayden	LeMieur	Murray	Slawik
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Myhra	Slocum
Anderson, S.	Doepke	Hilty	Lesch	Nelson	Smith
Anzelc	Downey	Holberg	Liebling	Nornes	Stensrud
Atkins	Drazkowski	Hoppe	Lillie	Norton	Swedzinski
Banaian	Eken	Hornstein	Loeffler	O'Driscoll	Thissen
Barrett	Erickson	Hortman	Lohmer	Paymar	Tillberry
Beard	Fabian	Hosch	Loon	Pelowski	Torkelson
Benson, J.	Falk	Howes	Mack	Peppin	Urdahl
Benson, M.	Franson	Huntley	Mahoney	Persell	Vogel
Bills	Fritz	Johnson	Mariani	Petersen, B.	Wagenius
Brynaert	Garofalo	Kahn	Marquart	Peterson, S.	Ward
Buesgens	Gauthier	Kath	Mazorol	Poppe	Wardlow
Carlson	Gottwalt	Kelly	McDonald	Quam	Westrom
Champion	Greene	Kieffer	McElfatrick	Rukavina	Winkler
Clark	Greiling	Kiel	McFarlane	Runbeck	Woodard
Cornish	Gruenhagen	Kiffmeyer	McNamara	Sanders	Spk. Zellers
Crawford	Gunther	Knuth	Moran	Scalze	
Daudt	Hackbarth	Koenen	Morrow	Schomacker	
Davids	Hamilton	Kriesel	Mullery	Scott	
Davnie	Hancock	Laine	Murdock	Sertich	

Albin A. Mathiowetz, having received a majority of the votes cast, was declared duly elected Chief Clerk of the House of Representatives.

OATH OF OFFICE

The oath of office was administered to the Chief Clerk-elect by the Speaker.

The Speaker announced the next order of business to be the election of other elected officers of the House of Representatives.

Kiffmeyer offered the following resolution and moved its adoption:

Resolved, that the election of other officers be made on one roll call unless there should be more than one nomination for any one office.

The motion prevailed and the resolution was adopted.

Kiffmeyer placed the following names in nomination for elected officers of the Minnesota House of Representatives:

The name of Patrick D. Murphy for First Assistant Chief Clerk.

The name of Gail C. Romanowski for Second Assistant Chief Clerk.

The name of Jonathan Larson for First Assistant Sergeant at Arms.

The name of Jason E. Braun for Second Assistant Sergeant at Arms/Postmaster.

The name of Jenny S. Nash for Assistant Sergeant at Arms.

The name of Soliving K. Kong for Assistant Postmaster.

The name of Carl T. Hamre for Index Clerk.

There being no further nominations, the Speaker declared the nominations closed.

The Chief Clerk called the roll on the election of the other officers and the following members voted for the other officers:

Abeler	Dean	Hansen	Lanning	Murphy, E.	Shimanski
Anderson, B.	Dettmer	Hausman	Leidiger	Murphy, M.	Simon
Anderson, D.	Dill	Hayden	LeMieur	Murray	Slawik
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Myhra	Slocum
Anderson, S.	Doepke	Hilty	Lesch	Nelson	Smith
Anzelc	Downey	Holberg	Liebling	Nornes	Stensrud
Atkins	Drazkowski	Hoppe	Lillie	Norton	Swedzinski
Banaian	Eken	Hornstein	Loeffler	O'Driscoll	Thissen
Barrett	Erickson	Hortman	Lohmer	Paymar	Tillberry
Beard	Fabian	Hosch	Loon	Pelowski	Torkelson
Benson, J.	Falk	Howes	Mack	Peppin	Urdahl
Benson, M.	Franson	Huntley	Mahoney	Persell	Vogel
Bills	Fritz	Johnson	Mariani	Petersen, B.	Wagenius
Brynaert	Garofalo	Kahn	Marquart	Peterson, S.	Ward
Buesgens	Gauthier	Kath	Mazorol	Poppe	Wardlow
Carlson	Gottwalt	Kelly	McDonald	Quam	Westrom
Champion	Greene	Kieffer	McElfatrick	Rukavina	Winkler
Clark	Greiling	Kiel	McFarlane	Runbeck	Woodard
Cornish	Gruenhagen	Kiffmeyer	McNamara	Sanders	Spk. Zellers
Crawford	Gunther	Knuth	Moran	Scalze	
Daudt	Hackbarth	Koenen	Morrow	Schomacker	
Davids	Hamilton	Kriesel	Mullery	Scott	
Davnie	Hancock	Laine	Murdock	Sertich	

The nominees, having received a majority of the votes cast, were declared duly elected to their respective offices.

OATH OF OFFICE

The oath of office was administered by the Speaker to those elected to the above offices.

Dean offered the following resolution and moved its adoption:

Be It Resolved by the House of Representatives of the State of Minnesota that the Temporary Rules of the House for this session, the 87th Regular Session, are the same as the Permanent Rules of the House for the last session, the 86th Regular Session, as they existed on May 16, 2010, with the following exceptions:

Rule 1.01 shall read:

1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, the House convenes at 12:00 p.m. 3:00 p.m. The Speaker must take the chair at the appointed hour and call the House to order.

The call to order is followed by a prayer by the Chaplain or time for a brief meditation, then by the pledge of allegiance to the flag of the United States of America, and then by a call of the roll of members. The names of members present and members excused must be entered in the Journal of the House.

Rule 4.03 shall read:

- 4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS. (a) The Committee on Ways and Means must hold hearings as necessary to determine state expenditures and revenues for the fiscal biennium.
- (b) Within 25 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt a budget resolution. The budget resolution: (1) must set the maximum limit on net expenditures for the next fiscal biennium for the general fund, (2) must set an amount or amounts to be set aside as a budget reserve and a cash flow account, (3) must set net spending limits for each budget category represented by the major finance and revenue bills identified in paragraph (e), and (4) may set limits for expenditures from funds other than the general fund. The budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (1), (2), (3), and (4). After the Committee adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless a different or amended resolution is adopted.
- (c) During the regular session in the even-numbered year, before the Committee on Ways and Means reports a bill containing net increases or decreases in expenditures as compared to general fund expenditures in the current fiscal biennium estimated by the most recent state budget forecast, the Committee may adopt a budget resolution. If adopted, the resolution must account for the net changes in expenditures. The resolution may also (1) set limits for changes in net expenditures for each budget category represented by the major finance and revenue bills identified in paragraph (e), and (2) set limits for expenditures from funds other than the general fund.

If the Committee adopts a budget resolution, it is effective during the regular session that year, unless a different or amended resolution is adopted.

- (d) The major finance or revenue bills may be combined or separated by a majority vote of either the Committee on Finance, the Committee on Ways and Means, or the Committee on Rules and Legislative Administration. Combined or separated bills must conform to the limits in the resolution as those limits apply to the accounts in those bills.
 - (e) Major finance and revenue bills are:

the higher education and workforce development finance bill;

the K-12 education finance bill;

the early childhood finance bill;
the agriculture, rural economies, and veterans affairs finance bill;
the environment and natural resources finance bill;
the health care and human services finance bill;
the state government finance bill;
the transportation finance bill;
the public safety finance bill;
the cultural and outdoor resources finance bill;
the energy finance bill;
the housing and public health finance bill;
the capital investment bill; and
the tax bill.

- (f) After the adoption of a resolution by the Committee on Ways and Means, the Finance Committee, each finance committee division, and the Committee on Taxes must reconcile each bill described in Rule 4.10 with the resolution. When reporting a finance or revenue bill, each committee or division must provide to the Committee on Ways and Means a fiscal statement reconciling the bill with the resolution.
- (g) After the adoption of a resolution by the Committee on Ways and Means, the Committee on Ways and Means must reconcile finance and revenue bills with the resolution. When reporting a bill, the chair of the Committee must certify to the House that the Committee has reconciled the bill with the resolution.
- (h) After the adoption of a resolution by the Committee on Ways and Means, an amendment to a bill is out of order if it would cause any of the limits specified in the resolution to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided on the Floor by the Speaker or other presiding officer and in Committee or Division by the person chairing the Committee or Division meeting. In making the determination, the Speaker or other presiding officer or the Committee or Division chair may consider: (1) the limits in a resolution; (2) the effect of existing laws on revenues and expenditures; (3) the effect of amendments previously adopted to the bill under consideration; (4) the effect of bills previously recommended by a Committee or Division or bills previously passed in the legislative session by the House or by the legislature; (5) whether expenditure increases or revenue decreases that would result from the amendment are offset by decreases in other expenditures or increases in other revenue specified by the amendment; and (6) other information reasonably related to expenditure and revenue amounts.
- (i) After a resolution is adopted by the Committee on Ways and Means, the Committee must make available a summary of the estimated fiscal effect on the general fund of each bill that has been referred to the Committee on Ways and Means by the <u>a</u> finance committee or a division of the <u>a</u> finance committee, or the Committee on Taxes and of each bill that has been reported by the Committee on Ways and Means.

Rule 4.10 shall read:

- 4.10 BILLS AFFECTING STATE REVENUES AND EXPENDITURES. (a) Except as provided in Rule 1.15, a House or Senate bill that directly, substantially, and specifically affects any present or future financial obligation, budget policy, or revenue of the State must be referred as provided in paragraphs (b) and (c) to the appropriate Finance or Tax committee before the bill receives its second reading. A bill that negligibly affects any present or future financial obligation, budget policy, or revenue of the State is not subject to mandatory referral under this rule.
- (b) A bill subject to paragraph (a) reported by a finance committee division must, if recommended to pass, be subsequently referred to the Finance Committee on Ways and Means, unless the bill has a negligible fiscal impact and is subject to direct reference to the Floor under Rule 6.05. Bills subject to paragraph (a) reported by the Finance Committee must be referred to the Committee on Ways and Means.
- (c) A bill with a substantial impact on the tax revenues or tax policies of the State must be referred to the Committee on Taxes. A bill reported by the Committee on Taxes containing a substantial fiscal impact must be referred to the Committee on Ways and Means. For purposes of this paragraph, "tax" excludes any fee, charge, exaction, or assessment, a primary purpose of which is to recover direct or indirect costs incurred by the state or other governmental entity or as a payment for benefits received.
- (d) The chairs of the Committees on Taxes, <u>and</u> Ways and Means, and Finance shall advise the Speaker on the application of this rule and may determine whether or not any given piece of legislation must be referred to the committee they chair.

Rule 4.12 shall read:

4.12 BILLS AFFECTING DEBT AND CAPITAL PROJECTS. The Finance Committee Division on Capital Investment has jurisdiction over legislation affecting debt obligations issued by the state and capital projects of the state, including the planning, acquiring and bettering of public lands and buildings and other state projects of a capital nature. Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects debt obligations or capital projects of the state must be referred to the Finance Committee Division on Capital Investment before the bill receives its second reading.

Referral is not required by this Rule if the bill deals primarily with the financing of state capital facilities using trunk highway funds, with transportation projects financed without debt obligations of the state, or with the local financing of capital facilities of local governments. Referral is not required by this Rule if the bill has a negligible effect on debt obligations and capital projects of the state as determined by the chair of the Committee on Finance Ways and Means, in conjunction with the chair of the Division Committee on Capital Investment, with the concurrence of the chair of the Committee on Ways and Means. Referral is not required by this Rule if the bill is a major finance or revenue bill identified in Rule 4.03, unless the bill directly and specifically affects debt obligations of the state, but if a major finance or revenue bill contains a provision that directly and specifically affects capital projects of the state, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Finance Ways and Means and the chair of the Division Committee on Capital Investment of the provision before the bill is considered by the House.

The Speaker, by announcement, must assign to each finance committee the appropriate jurisdiction for recommendations on debt obligations and capital projects of the state. Divisions of the Finance Committee committees must submit recommendations within their jurisdiction to the Division Committee on Capital Investment for further disposition.

A bill with a fiscal effect reported by the <u>Division Committee</u> on Capital Investment must be accompanied by a statement of its fiscal effect, is exempt from the referral required by Rule 4.10, is subject to the same committee deadlines as the <u>Finance Committee on Ways and Means</u>, and must be referred to the Committee on Ways and Means. This referral is not required if the bill has a negligible fiscal effect, as determined by the chair of the <u>Division Committee</u> on Capital Investment with the concurrence of the chair of the Committee on Ways and Means.

Rule 4.13 shall read:

- 4.13 BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE. The Committee on State and Local Government Operations Reform, Technology Government Operations and Elections has jurisdiction over a House or Senate bill that:
- (a) establishes or reestablishes a department, agency, commission, board, task force, advisory committee or council, or bureau, or other like entity;
- (b) delegates rulemaking authority to, or exempts from rulemaking, a department or agency of state government; or
- (c) substantially changes the organization of a department or agency of state government or substantially changes, vests or divests the official rights, powers, or duties of an official, department or agency of state government or an institution under its control.

Except as otherwise provided in this Rule and Rule 1.15, a bill that is within the jurisdiction of the Committee on State and Local Government Operations Reform, Technology Government Operations and Elections must be referred to that Committee before it receives its second reading. A committee or division (other than the Committee on State and Local Government Operations Reform, Technology Government Operations and Elections) reporting such a bill must recommend its re-referral to the Committee on State and Local Government Operations Reform, Technology Government Operations and Elections if reporting before the deadline for action on the bill by that Committee; if reporting after the deadline, the committee or division must recommend re-referral to the Committee on Rules and Legislative Administration.

The re-referral requirements of this Rule do not apply to the major finance and revenue bills identified in Rule 4.03. If a major finance or revenue bill contains a provision specified in clause (a) or (b) of the definition in this Rule, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Rules and Legislative Administration before the bill is considered by the House.

The re-referral requirements of this Rule do not apply to other bills reported by a finance committee or division or the tax committee or division, except bills that contain a provision specified in clauses (a) and (b) of the definition in this Rule.

Rule 4.31 shall read:

4.31 TIME LIMIT TO CONSIDER BILLS. If 20 legislative days after a bill has been referred to a committee or division (other than the Committee on Ways and Means, the Committee on Taxes, the Finance Committee, or a division of one of those committees) a report has not been made on it by the committee or division, its chief author may request that it be returned to the House. The request must be entered in the Journal.

The committee or division must vote on the bill requested within ten calendar days after the day of the request.

If the committee or division fails to vote on it within ten days, the chief author may present a written demand to the Speaker for its immediate return to the House. The demand must be presented within five calendar days after the day that the committee or division is required to vote. If the demand is presented in the time allowed, it must be entered in the Journal and is the demand of the House. The bill is then considered to be in the possession of the House and must be given its second reading and placed on the General Register.

The bill may be re-referred by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or on the next House legislative day, the motion takes precedence over all other motions except privileged motions and is in order at any time.

Rule 6.01 shall read:

6.01 COMMITTEES AND DIVISIONS. Standing committees and divisions of the House must be appointed by the Speaker as follows:

Agriculture, Rural Economies and Veterans Affairs

Veterans Affairs Division

Civil Justice

Commerce and Labor

Labor and Consumer Protection Division

Telecommunications Regulation and Infrastructure Division

Environment Policy and Oversight

Game, Fish and Forestry Division

Ethics

Finance

Agriculture, Rural Economies and Veterans Affairs Finance Division

Capital Investment Finance Division

Cultural and Outdoor Resources Finance Division

Early Childhood Finance and Policy Division

Energy Finance and Policy Division

Environment and Natural Resources Finance Division

Health Care and Human Services Finance Division

Higher Education and Workforce Development Finance and Policy Division

Bioscience and Workforce Development Policy and Oversight Division

Housing Finance and Policy and Public Health Finance Division

K 12 Education Finance Division

Public Safety Finance Division

State Government Finance Division

Transportation Finance and Policy Division

Transportation and Transit Policy and Oversight Division

Health Care and Human Services Policy and Oversight

Licensing Division

K 12 Education Policy and Oversight

Public Safety Policy and Oversight

Crime Victims/Criminal Records Division

Rules and Legislative Administration

State and Local Government Operations Reform, Technology and Elections

Local Government Division

Taxes

Property and Local Sales Tax Division

Ways and Means

Agriculture and Rural Development Policy and Finance

Capital Investment

Civil Law

Commerce and Regulatory Reform

Education Finance

Education Reform

Environment, Energy and Natural Resources Policy and Finance

Legacy Funding Division

Ethics

Government Operations and Elections

Health and Human Services Finance

Health and Human Services Reform

Higher Education Policy and Finance

Jobs and Economic Development Finance

Judiciary Policy and Finance

Public Safety and Crime Prevention Policy and Finance

Redistricting

Rules and Legislative Administration

State Government Finance

Veterans Services Division

Taxes

Property and Local Tax Division

Transportation Policy and Finance

Ways and Means

Rule 8.01 shall read:

8.01 BUDGET AND FINANCIAL AFFAIRS. The House Controller must prepare a biennial budget for the House. The budget must be approved by the Committee on Rules and Legislative Administration before it is submitted to the State Government Finance Division Committee. By the 15th day of April, July, October, and January of each year, the Controller must submit a detailed report of House expenditures during the previous quarter to the Speaker and the Committee on Rules and Legislative Administration.

The House Controller must arrange for the purchase of goods and services for the House. The Controller must seek the lowest possible prices consistent with satisfactory quality and dependability. A contract of the House, or an amendment to a contract, authorizing an expenditure of more than \$500 must be signed by the Speaker or the Controller. A contract, or an amendment to a contract, authorizing an expenditure of up to \$500 may be executed by an employee authorized and directed in writing by the Controller to act for the Controller on the contract or contracts of its type. A contract or amendment to a contract entered into in violation of this Rule is not binding on the House. The House Controller must consult with an adaptive technology expert to identify commercially available upgrades for computers and Internet technology that are compatible with adaptive speech technology prior to purchasing upgrades.

Employees of the House must be reimbursed for actual expenses in the same manner as state employees.

During session, for travel away from the Capitol, members must be reimbursed for actual expenses, in addition to per diem expense allowances, in the manner and amount prescribed by the Committee on Rules and Legislative Administration.

The Temporary Rules of the House for the 87th Session shall apply until the Committee on Rules and Legislative Administration to be appointed by the Speaker shall have made its report and new Permanent Rules have been adopted.

Thissen moved to amend the proposed Temporary Rules of the House for the 87th Session as reported in the resolution as follows:

Page 6, after line 12, insert:

"Rule 4.15 is amended to read:

4.15 BILLS PROPOSING CONSTITUTIONAL AMENDMENTS. A House or Senate bill that proposes a constitutional amendment must be referred to the Committee on Rules and Legislative Administration before it receives its second reading. When reporting such a bill, a committee or division, other than the Committee on Rules and Legislative Administration, must recommend re-referral to the Committee on Rules and Legislative Administration.

During an odd-numbered year, a House or Senate bill that proposes a constitutional amendment must not be considered in a committee or on the calendar for the day, the fiscal calendar, or any other floor calendar until bills necessary to provide a balanced general fund budget for the biennium beginning on July 1 of that year have been enacted into law. During an even-numbered year, if the most recent forecast of state revenues and expenditures predicts a deficit for the biennium ending on June 30 of the next odd-numbered year, a House or Senate bill that proposes a constitutional amendment must not be considered in a committee or on the calendar for the day, the fiscal calendar, or any other floor calendar until bills necessary to eliminate that projected deficit have been enacted into law."

A roll call was requested and properly seconded.

Dean moved that the Thissen amendment to the proposed Temporary Rules of the House for the 87th Session be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Dean motion and the roll was called. There were 74 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Bills	Davids	Drazkowski	Gottwalt
Anderson, B.	Banaian	Buesgens	Dean	Erickson	Gruenhagen
Anderson, D.	Barrett	Cornish	Dettmer	Fabian	Gunther
Anderson, P.	Beard	Crawford	Doepke	Franson	Hackbarth
Anderson, S.	Benson, M.	Daudt	Downey	Garofalo	Hamilton

Hancock	Kriesel	McDonald	O'Driscoll	Scott	Wardlow
Holberg	Lanning	McElfatrick	Pelowski	Shimanski	Westrom
Hoppe	Leidiger	McFarlane	Peppin	Smith	Woodard
Howes	LeMieur	McNamara	Petersen, B.	Stensrud	Spk. Zelle
Kelly	Lohmer	Murdock	Quam	Swedzinski	
Kieffer	Loon	Murray	Runbeck	Torkelson	
Kiel	Mack	Myhra	Sanders	Urdahl	
Kiffmeyer	Mazorol	Nornes	Schomacker	Vogel	

Those who voted in the negative were:

Anzelc	Falk	Hornstein	Lenczewski	Mullery	Scalze
Benson, J.	Fritz	Hortman	Lesch	Murphy, E.	Sertich
Brynaert	Gauthier	Hosch	Liebling	Murphy, M.	Simon
Carlson	Greene	Huntley	Lillie	Nelson	Slawik
Champion	Greiling	Johnson	Loeffler	Norton	Slocum
Clark	Hansen	Kahn	Mahoney	Paymar	Thissen
Davnie	Hausman	Kath	Mariani	Persell	Tillberry
Dill	Hayden	Knuth	Marquart	Peterson, S.	Wagenius
Dittrich	Hilstrom	Koenen	Moran	Poppe	Ward
Eken	Hilty	Laine	Morrow	Rukavina	Winkler

The motion prevailed and the Thissen amendment to the proposed Temporary Rules was referred to the Committee on Rules and Legislative Administration.

The question recurred on the adoption of the Temporary Rules of the House for the 87th Session and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler Anderson, B.	Dean Dettmer	Hansen Hausman	Lanning Leidiger	Murdock Murphy, E.	Scott Sertich
Anderson, D.	Dill	Hayden	LeMieur	Murphy, M.	Shimanski
Anderson, P.	Dittrich	Hilstrom	Lenczewski	Murray	Simon
Anderson, S.	Doepke	Hilty	Lesch	Myhra	Slawik
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Anzelc	Downey	Hoppe	Liebling	Nelson	Slocum
Atkins	Eken	Hornstein	Lillie	Nornes	Smith
Banaian	Erickson	Hortman	Loeffler	Norton	Stensrud
Barrett	Fabian	Hosch	Lohmer	O'Driscoll	Swedzinski
Beard	Falk	Howes	Loon	Paymar	Thissen
Benson, J.	Franson	Huntley	Mack	Pelowski	Tillberry
Benson, M.	Fritz	Johnson	Mahoney	Peppin	Torkelson
Bills	Garofalo	Kahn	Mariani	Persell	Urdahl
Brynaert	Gauthier	Kath	Marquart	Petersen, B.	Vogel
Carlson	Gottwalt	Kelly	Mazorol	Peterson, S.	Wagenius
Champion	Greene	Kieffer	McDonald	Poppe	Ward
Clark	Greiling	Kiel	McElfatrick	Quam	Wardlow
Cornish	Gruenhagen	Kiffmeyer	McFarlane	Rukavina	Westrom
Crawford	Gunther	Knuth	McNamara	Runbeck	Winkler
Daudt	Hackbarth	Koenen	Moran	Sanders	Woodard
Davids	Hamilton	Kriesel	Morrow	Scalze	Spk. Zellers
Davnie	Hancock	Laine	Mullery	Schomacker	

Those who voted in the negative were:

Buesgens Drazkowski

The motion prevailed and the resolution relating to the Temporary Rules of the House for the 87th Session was adopted.

APPOINTMENT OF CHIEF SERGEANT AT ARMS

The Speaker announced the appointment of Troy Olsen as Chief Sergeant at Arms.

OATH OF OFFICE

The Speaker administered the oath of office to the Chief Sergeant at Arms.

Dean offered the following resolution and moved its adoption:

Resolved, that the Chief Clerk be instructed to inform the Senate by message that the House is duly organized pursuant to law.

The motion prevailed and the resolution was adopted.

Dean offered the following resolution and moved its adoption:

Resolved, that the Speaker appoint a committee of five members of the House to notify the Governor that the House of Representatives is now duly organized pursuant to law and ready to receive any message he may desire to give them.

The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to notify the Governor that the House is now organized and ready to receive any message he may desire to give them:

Scott, McNamara, Atkins, Simon and Moran.

Dean offered the following resolution and moved its adoption:

Resolved, that necessary employees as directed by the Committee on Rules and Legislative Administration be authorized by the House effective today, Tuesday, January 4, 2011, to better expedite the business of the House.

The question was taken on the Dean motion and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Davnie	Hamilton	Koenen	Moran	Sanders
Anderson, B.	Dean	Hancock	Kriesel	Morrow	Scalze
Anderson, D.	Dettmer	Hansen	Laine	Mullery	Schomacker
Anderson, P.	Dill	Hausman	Lanning	Murdock	Sertich
Anderson, S.	Dittrich	Hayden	Leidiger	Murphy, E.	Shimanski
Anzelc	Doepke	Hilstrom	LeMieur	Murphy, M.	Slawik
Atkins	Downey	Hilty	Lenczewski	Murray	Slocum
Banaian	Drazkowski	Holberg	Lesch	Myhra	Smith
Barrett	Eken	Hoppe	Liebling	Nelson	Stensrud
Beard	Erickson	Hornstein	Lillie	Nornes	Swedzinski
Benson, J.	Fabian	Hortman	Loeffler	Norton	Thissen
Benson, M.	Falk	Hosch	Lohmer	O'Driscoll	Tillberry
Bills	Franson	Howes	Loon	Paymar	Torkelson
Brynaert	Fritz	Huntley	Mack	Pelowski	Urdahl
Buesgens	Garofalo	Johnson	Mahoney	Peppin	Vogel
Carlson	Gauthier	Kahn	Mariani	Persell	Wagenius
Champion	Gottwalt	Kath	Marquart	Petersen, B.	Ward
Clark	Greene	Kelly	Mazorol	Peterson, S.	Wardlow
Cornish	Greiling	Kieffer	McDonald	Poppe	Westrom
Crawford	Gruenhagen	Kiel	McElfatrick	Quam	Winkler
Daudt	Gunther	Kiffmeyer	McFarlane	Rukavina	Woodard
Davids	Hackbarth	Knuth	McNamara	Runbeck	Spk. Zellers

The motion prevailed and the resolution relating to employees was adopted.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of Representatives Davids, Holberg, Lanning and Westrom as Speakers pro tempore for the 2011–2012 Session.

The Speaker announced the appointment of the following members of the House to the Committee on Rules and Legislative Administration:

Dean, Chair; Daudt, Vice Chair; Anderson, S.; Banaian; Hamilton; Hoppe; Howes; Kelly; Mack; McNamara; Nornes; Peppin; Scott; Westrom; Benson, J.; Brynaert; Hilstrom; Knuth; Laine; Lillie; Murphy, E.; Norton; Paymar; Pelowski and Thissen.

Holberg offered the following resolution and moved its adoption:

Resolved, that the selection of permanent desks shall be as directed by the Speaker as follows:

(1) that the majority caucus shall occupy section 1, seats 1 to 19; section 2, seats 22 to 41; section 3, seats 42 to 68; section 4, seats 91 to 95. All members of the majority caucus shall be seated in the manner prescribed by the majority caucus.

(2) that the minority caucus shall occupy section 4, seats 70 to 90, and seats 96 and 97; section 5, seats 99 to 119; and section 6, seats 120 to 138. All members of the minority caucus shall be seated in the manner prescribed by the minority caucus.

The motion prevailed and the resolution was adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I have the honor to announce that the Senate of the State of Minnesota is now duly organized pursuant to law with the election of the following officers:

Michelle L. Fischbach, President

Cal R. Ludeman, Secretary of the Senate

Colleen J. Pacheco, First Assistant Secretary of the Senate

Michael R. Linn, Second Assistant Secretary of the Senate

Melissa Mapes, Engrossing Secretary

Sven Lindquist, Sergeant at Arms

Marilyn Logan Hall, Assistant Sergeant at Arms

Reverend David Hennen, Chaplain

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 3, A Senate concurrent resolution relating to the adjournment of the Senate and the House of Representatives on January 4, 2011.

CAL R. LUDEMAN, Secretary of the Senate

SUSPENSION OF RULES

Dean moved that the rules be so far suspended that Senate Concurrent Resolution No. 3 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 3

A Senate concurrent resolution relating to the adjournment of the Senate and the House of Representatives on January 4, 2011.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring, that upon adjournment on Tuesday, January 4, 2011, the Senate and House of Representatives may each adjourn for more than three days.

Dean moved that Senate Concurrent Resolution No. 3 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 3 was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following House committee assignments and committee meeting schedule for the 2011-2012 session. (NOTE: All scheduled House committee meetings are held in the State Office Building.)

2011-2012 HOUSE COMMITTEE ASSIGNMENTS

Agriculture and Rural Development Policy and Finance --

Tuesdays, Wednesdays and Thursdays, 10:15 A.M., Basement

Hamilton, Chair Eken (DFL Lead)

Anderson, P., Vice Chair Falk Anderson, B. Fritz Franson Hansen Hosch Kiel LeMieur Kath McElfatrick Morrow Schomacker Persell Shimanski Poppe Swedzinski Ward

Torkelson Vogel

Capital Investment --

Tuesdays and Wednesdays, 2:30 P.M., Room 10

Howes, Chair Hausman (DFL Lead)

Scott, Vice Chair Carlson Banaian Clark Bills Hansen Drazkowski Hayden Fabian Rukavina Hackbarth Scalze Kriesel Sertich Lanning Ward

Myhra Nornes Swedzinski

Civil Law --

Mondays and Wednesdays, 12:30 P.M., Room 10

Westrom, Chair Lesch (DFL Lead)

Drazkowski, Vice Chair Hilstrom
Gruenhagen Hilty
Holberg Hortman
Hoppe Mahoney
Mazorol Peterson, S.
Peppin Simon

Runbeck Scott Wardlow

Commerce and Regulatory Reform --

Tuesdays and Wednesdays, 2:30 P.M., Basement

Hoppe, Chair Atkins (DFL Lead)

Anzelc Sanders, Vice Chair Anderson, D. Dittrich Anderson, S. Johnson Crawford Lillie Daudt Mullery Davids Nelson Kieffer Slocum Loon Tillberry

Mazorol Murdock O'Driscoll Stensrud

Education Finance --

Tuesdays, Wednesdays and Thursdays, 12:30 P.M., Basement

Garofalo, Chair Greiling (DFL Lead)

Kelly, Vice Chair
Anzelc
Anderson, P.
Brynaert
Bills
Davnie
Downey
Dittrich
Erickson
Mariani
Fabian
Slocum
Loon
Ward

Myhra Petersen, B. Quam Woodard

Education Reform --

Tuesdays and Thursdays, 8:15 A.M., Basement

Erickson, Chair Mariani (DFL Lead)

Doepke, Vice Chair Benson, J. Barrett Carlson Crawford Davnie Kieffer Greiling Kiel Kath McFarlane Moran Murdock Norton Myhra Peterson, S.

O'Driscoll Petersen, B. Woodard

Environment, Energy and Natural Resources Policy and Finance --

Tuesdays, Wednesdays and Thursdays, 8:15 A.M., Room 5

McNamara, Chair Wagenius (DFL Lead - Environment)

Torkelson, Vice Chair Hilty (DFL Lead - Energy)

Anderson, P. Dill
Beard Falk
Drazkowski Hansen
Fabian Knuth
Hackbarth Persell

Hancock Quam Scott Legacy Funding Division/Environment, Energy and Natural Resources Policy and Finance -- Tuesdays and Wednesdays, 2:30 P.M., Room 5

Urdahl, Chair Dill (DFL Lead)

Kiel, Vice Chair Greene
Cornish Murphy, M.
McFarlane Wagenius
McNamara Winkler

Peppin Torkelson

Ethics --

Call of the Chair

Smith, Chair Paymar (DFL Lead)

Erickson Loeffler

Kelly, *Alternate* Atkins, *Alternate*

Government Operations and Elections --

Tuesdays, Wednesdays and Thursdays, 10:15 A.M., Room 5

Peppin, Chair Nelson (DFL Lead)

Murray, Vice ChairGreeneBeardHornsteinHancockScalzeMcFarlaneSimonO'DriscollWinkler

Quam Sanders Urdahl

Health and Human Services Finance --

Tuesdays, Wednesdays and Thursdays, 12:30 P.M., Room 200

Abeler, Chair Huntley (DFL Lead)

Kiffmeyer, Vice Chair Slawik (DFL Lead - Early Childhood)

Anderson, D. Fritz
Franson Hayden
Gottwalt Hosch
Hamilton Laine
Lanning Liebling
Lohmer Murphy, E.

Mack McDonald McElfatrick Schomacker

Health and Human Services Reform --

Tuesdays and Wednesdays, 2:30 P.M., Room 200

Gottwalt, Chair Liebling (DFL Lead)

Mack, Vice Chair Fritz Abeler Hosch Barrett Huntley Benson, M. Loeffler Franson Moran Gruenhagen Murphy, E. Kiffmeyer Norton Lohmer Peterson, S.

McDonald McElfatrick Quam

Higher Education Policy and Finance --

Tuesdays and Thursdays, 12:30 P.M., Basement

Nornes, Chair Rukavina (DFL Lead)

Dettmer, Vice Chair

Banaian

Benson, M.

Daudt

Doepke

Atkins

Morrow

Norton

Pelowski

Poppe

Hancock Mazorol Vogel

Jobs and Economic Development Finance --

Tuesdays and Thursdays, 12:30 P.M., Room 10

Gunther, Chair Mahoney (DFL Lead - Jobs)
McFarlane, Vice Chair Clark (DFL Lead - Housing)

Howes Dill
Kieffer Mullery
Leidiger Paymar
LeMieur Scalze
Murray Sertich

Sanders Stensrud Swedzinski

Judiciary Policy and Finance --

Tuesdays and Thursdays, 8:15 A.M., Room 10

Smith, Chair Johnson (DFL Lead)

Shimanski, Vice Chair Champion Anderson, D. Laine CornishLeschGruenhagenLieblingKrieselSlocumMazorolTillberry

Schomacker Vogel Wardlow

Public Safety and Crime Prevention Policy and Finance --

Tuesdays, Wednesdays and Thursdays, 10:15 A.M., Room 10

Cornish, Chair Mullery (DFL Lead)

Woodard, Vice Chair Gauthier
Gruenhagen Hilty
Kelly Johnson
Kieffer Mariani
Kriesel Moran
Leidiger Slocum

McDonald Nornes Smith

Redistricting --

Call of the Chair

Anderson, S., Chair Murphy, M. (DFL Lead)

Fabian, Vice Chair Clark
Daudt Hortman
Garofalo Marquart
Hoppe Poppe

Loon Scott

Rules and Legislative Administration --

Call of the Chair

Dean, Chair Pelowski (DFL Lead)

Daudt, Vice Chair Benson, J. Anderson, S. Brynaert Banaian Hilstrom Hamilton Knuth Hoppe Laine Howes Lillie Kelly Murphy, E. Norton Mack McNamara Paymar Thissen Nornes

Peppin Scott Westrom

State Government Finance --

Tuesdays, Wednesdays and Thursdays, 8:15 A.M., Room 200

Lanning, Chair Kahn (DFL Lead)

Benson, M., Vice Chair Gauthier Anderson, B. Greene Hayden Banaian Downey Lillie Gunther Murphy, M. Leidiger Simon Lohmer Slawik McElfatrick Winkler

Murray Stensrud Urdahl

Veterans Services Division/State Government Finance -- Mondays, 12:30 P.M., Basement

Anderson, B., Chair Koenen (DFL Lead)

Kriesel, Vice Chair Anzelc
Davids Falk
Dettmer Kahn
LeMieur Kath
Lohmer Persell

O'Driscoll

Taxes --

Tuesdays, Wednesdays and Thursdays, 10:15 A.M., Room 200

Davids, Chair Lenczewski (DFL Lead)

Loon, Vice Chair Davnie Anderson, S. Hortman Bills Knuth Buesgens Koenen Crawford Lesch Doepke Loeffler Downey Marquart Drazkowski Paymar Erickson Rukavina Garofalo Sertich Gottwalt Tillberry

Kiffmeyer Mack Myhra Runbeck Wardlow

Property and Local Tax Division/Taxes -- Wednesdays, 8:15 A.M., Room 10

Runbeck, Chair Marquart (DFL Lead)

Crawford, Vice Chair
Barrett
Daudt
Dettmer
Benson, J.
Dittrich
Koenen
Lenczewski

LeMieur Loeffler McDonald Mahoney

Petersen, B. Wardlow

Transportation Policy and Finance --

Mondays and Wednesdays, 12:30 P.M., Room 5

Beard, Chair Hornstein (DFL Lead)

Murdock, Vice Chair Champion
Benson, M. Eken
Buesgens Gauthier
Kiel Hausman
Leidiger Morrow
Murray Nelson

Sanders Shimanski Vogel

Ways and Means --

Mondays, 10:15 A.M., or Call of the Chair, Room 200

Holberg, Chair Carlson (DFL Lead)
Downey, Vice Chair Brynaert

Abeler Champion Anderson, B. Eken Anderson, S. Greiling Hornstein Beard Buesgens Huntley Cornish Kahn Davids Lenczewski Garofalo Pelowski Gunther Rukavina Hackbarth Sertich Hamilton Slawik Howes Wagenius

Kiffmeyer Lanning McNamara Nornes Smith Westrom

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Monday, January 10, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Monday, January 10, 2011.