

Points of order raised under “Mason’s Manual of Legislative Procedure”

Section 124 (Personalities not Permitted in Debate)

1973 to the present

Compiled by Deb McKnight, House Research Department
March 13, 2000

Reuter
Rhodes
Rifenberg
Rostberg

Seagren
Seifert
Smith
Stanek

Stang
Sviggum
Swenson, D.
Swenson, H.

Sykora
Tingelstad
Tompkins
Vickerman

Weaver
Westfall
Westrom
Wolf

Workman

The bill was passed and its title agreed to.

* Monday, March 10, 1997

The Speaker resumed the Chair.

MOTIONS AND RESOLUTIONS

Paymar moved that the name of Rhodes be added as an author on H. F. No. 205. The motion prevailed.

Paymar moved that the name of Rhodes be added as an author on H. F. No. 206. The motion prevailed.

Sviggum moved that the name of Kalis be added as an author on H. F. No. 211. The motion prevailed.

Dawkins moved that the name of Peterson be added as an author on H. F. No. 245. The motion prevailed.

Opatz moved that the name of Folliard be added as an author on H. F. No. 304. The motion prevailed.

Molnau moved that the name of McElroy be added as an author on H. F. No. 421. The motion prevailed.

Orfield moved that the name of Pawlenty be added as an author on H. F. No. 423. The motion prevailed.

Goodno moved that the name of Mulder be added as an author on H. F. No. 608. The motion prevailed.

Rukavina moved that the name of Wagenius be added as chief author on H. F. No. 707. The motion prevailed.

Rifenberg moved that the name of Nornes be added as an author on H. F. No. 732. The motion prevailed.

Greenfield moved that the name of Luther be added as an author on H. F. No. 1057. The motion prevailed.

Abrams moved that the name of Mulder be added as an author on H. F. No. 1095. The motion prevailed.

Milbert moved that his name be stricken as an author on H. F. No. 1201. The motion prevailed.

Boudreau moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Wednesday, March 5, 1997, when the vote was taken on the final passage of H. F. No. 266." The motion prevailed.

POINT OF ORDER

Sviggum raised a point of order pursuant to section 124, paragraph 3, of "Mason's Manual of Legislative Procedure" relating to **personalities not permitted in debate**. The Speaker ruled the point of order not well taken.

Rifenberg moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Wednesday, March 5, 1997, when the vote was taken on the final passage of H. F. No. 266." The motion prevailed.

Otremba	Pugh	Rukavina	Solberg	Trimble	Wejcman	Spk. Anderson, I.
Perlt	Rest	Sarna	Stanek	Tunheim	Wenzel	
Peterson	Rice	Skoglund	Tomassoni	Wagenius	Winter	

The motion prevailed and the amendment was adopted.

Molnau moved to amend S. F. No. 2857, the unofficial engrossment, as amended, as follows:

Page 2, delete lines 38 to 44

Correct the section totals and the summaries by fund accordingly

A roll call was requested and properly seconded.

The question was taken on the Molnau amendment and the roll was called. There were 57 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abrams	Daggett	Haas	Leppik	Olson, M.	Stanek	Wolf
Anderson, B.	Davids	Hackbarth	Lindner	Onnen	Sviggum	Worke
Bettermann	Dempsey	Harder	Lynch	Osskopp	Swenson, D.	Workman
Bishop	Erhardt	Holsten	Macklin	Paulsen	Swenson, H.	
Boudreau	Finseth	Johnson, V.	Mares	Pawlenty	Tuma	
Bradley	Frerichs	Knight	McElroy	Pellow	Van Dellen	
Broecker	Girard	Koppendrayner	Molnau	Rhodes	Van Engen	
Carlson, S.	Goodno	Kraus	Mulder	Seagren	Vickerman	
Commers	Gunther	Krinkie	Ness	Smith	Weaver	

Those who voted in the negative were:

Anderson, R.	Delmont	Jefferson	Leighton	Munger	Perlt	Sykora
Bakk	Dorn	Jennings	Lieder	Murphy	Peterson	Tomassoni
Bertram	Entenza	Johnson, A.	Long	Olson, E.	Pugh	Trimble
Brown	Farrell	Johnson, R.	Lourey	Opatz	Rest	Tunheim
Carlson, L.	Garcia	Kahn	Luther	Orenstein	Rice	Wagenius
Carruthers	Greenfield	Kalis	Mahon	Orfield	Rostberg	Warkentin
Clark	Greiling	Kelley	Mariani	Osthoff	Rukavina	Wejcman
Cooper	Hasskamp	Kelso	Marko	Ostrom	Sarna	Wenzel
Dauner	Hausman	Kinkel	McCollum	Otremba	Schumacher	Winter
Dawkins	Huntley	Knoblach	McGuire	Ozment	Skoglund	Spk. Anderson, I.
Dehler	Jaros	Larsen	Milbert	Pelowski	Solberg	

The motion did not prevail and the amendment was not adopted.

Girard moved to amend S. F. No. 2857, the unofficial engrossment, as amended, as follows:

Pages 23 to 26, delete section 38

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Sviggum raised a point of order pursuant to section 124, paragraph 3, of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order not well taken.

* Wednesday,
February 28, 1996

Mr. Speaker:

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

H. F. No. 219, A bill for an act relating to insurance; health plans; requiring coverage for treatment of Lyme disease; requiring a study; amending Minnesota Statutes 1994, section 62A.136; proposing coding for new law in Minnesota Statutes, chapter 62A.

PATRICK E. FLAHAVEN, Secretary of the Senate

Murphy moved that the House concur in the Senate amendments to H. F. No. 219 and that the bill be repassed as amended by the Senate.

Sviggum moved that the House refuse to concur in the Senate amendments to H. F. No. 219, 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.

POINT OF ORDER

Carruthers raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order well taken.

The question recurred on the Sviggum motion and the roll was called. There were 81 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hackbarth	Krinkie	Ness	Rostberg	Van Dellen
Anderson, B.	Dehler	Harder	Larsen	Olson, M.	Rukavina	Van Engen
Bettermann	Dempsey	Hausman	Leppik	Ornen	Seagren	Vickerman
Bishop	Entenza	Holsten	Lindner	Orfield	Smith	Warkentin
Boudreau	Erhardt	Jaros	Lynch	Osskopp	Stanek	Weaver
Bradley	Finseth	Jefferson	Macklin	Osthoff	Sviggum	Wejcman
Broecker	Frerichs	Johnson, V.	Mares	Ozment	Swenson, D.	Wolf
Carlson, S.	Girard	Kahn	Mariani	Paulsen	Swenson, H.	Worke
Clark	Goodno	Knight	McCullum	Pawlenty	Sykora	Workman
Commers	Greenfield	Knoblach	McElroy	Pellow	Tomassoni	
Daggett	Gunther	Koppendrayner	Molnau	Rhodes	Tompkins	
Dauids	Haas	Kraus	Mulder	Rice	Tuma	

Those who voted in the negative were:

Anderson, R.	Delmont	Johnson, A.	Long	Murphy	Peterson	Tunheim
Bakk	Dorn	Johnson, R.	Lourey	Olson, E.	Pugh	Wagenius
Bertram	Farrell	Kalis	Luther	Opatz	Rest	Wenzel
Brown	Garcia	Kelley	Mahon	Orenstein	Sarna	Winter
Carlson, L.	Greiling	Kelso	Marko	Ostrom	Schumacher	Spk. Anderson, I.
Carruthers	Hasskamp	Kinkel	McGuire	Otremba	Skoglund	
Cooper	Huntley	Leighton	Milbert	Pelowski	Solberg	
Dunier	Jennings	Lieder	Munger	Perlt	Trimble	

The motion prevailed.

Pellow moved to amend H. F. No. 1056, the first engrossment, as amended, as follows:

Page 3, line 14, after the period insert "However, the council may not cancel any route or transit service where there are, on the average, 20 or more riders per vehicle, in each direction of the route."

POINT OF ORDER

Goodno raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order not well taken.

The question recurred on the Pellow amendment to H. F. No. 1056, the first engrossment, as amended. The motion did not prevail and the amendment was not adopted.

Garcia moved that H. F. No. 1056, as amended, be continued on Special Orders. The motion prevailed.

H. F. No. 628, A bill for an act relating to the family; creating a presumption of refusal or neglect of parental duties in certain termination of parental rights cases; amending Minnesota Statutes 1994, section 260.221, subdivision 1.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Leighton	Munger	Peterson	Tomassoni
Anderson, B.	Delmont	Hugoson	Leppik	Murphy	Pugh	Tompkins
Bakk	Dempsey	Huntley	Lieder	Ness	Rest	Trumble
Bertram	Dorn	Jefferson	Lindner	Olson, E.	Rhodes	Tuma
Bettermann	Entenza	Jennings	Long	Olson, M.	Rice	Tunheim
Bishop	Erhardt	Johnson, A.	Lourey	Onnen	Rostberg	Van Dellen
Boudreau	Farrell	Johnson, R.	Luther	Opatz	Rukavina	Van Engen
Bradley	Finseth	Johnson, V.	Lynch	Orenstein	Sarna	Vickerman
Broecker	Frerichs	Kahn	Macklin	Orfield	Schumacher	Wagenius
Brown	Garcia	Kalis	Mahon	Osskopp	Seagren	Warkentin
Carlson	Girard	Kelley	Mares	Osthoft	Sumoneau	Weaver
Carruthers	Goodno	Kelso	Mariani	Ostrom	Skoglund	Weicman
Clark	Greenfield	Kinkel	Marko	Ottremba	Smith	Wenzel
Commers	Greiling	Knight	McCollum	Ozment	Soiberg	Winter
Cooper	Haas	Knoblach	McElroy	Paulsen	Stanek	Wolf
Daggett	Hackbarth	Koppendrayner	McGuire	Pawlenty	Svigum	Worke
Dauner	Harder	Kraus	Milbert	Pellow	Swenson, D.	Workman
Davids	Hasskamp	Krinkie	Molnau	Pelowski	Swenson, H.	Spk. Anderson, I.
Dawkins	Hausman	Larsen	Mulder	Perlt	Sykora	

The bill was passed and its title agreed to.

S. F. No. 893, A bill for an act relating to insurance; the comprehensive health association; changing benefits; changing the association's enrollment freeze date; amending Minnesota Statutes 1994, sections 62E.12; and 62Q.18, subdivision 8.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bertram	Boudreau	Brown	Clark	Daggett	Dawkins
Anderson, B.	Bettermann	Bradley	Carlson	Commers	Dauner	Dehler
Bakk	Bishop	Broecker	Carruthers	Cooper	Davids	Delmont

POINT OF ORDER

Carruthers raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order well taken.

POINT OF ORDER

Sviggum raised a point of order pursuant to Article III of the Minnesota Constitution relating to the distribution of the powers of government. The Speaker ruled the point of order not in order.

H. F. No. 2278, A bill for an act relating to state government; requiring the governor to develop a plan to create a secretarial system of executive branch organization.

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

The question was taken on the passage of the bill and the roll was called. There were 82 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Clark	Huntley	Lasley	Murphy	Peterson	Steensma
Asch	Cooper	Jacobs	Lieder	Neary	Pugh	Sviggum
Battaglia	Dauner	Jaros	Long	Nelson	Reding	Tomassoni
Bauerly	Dawkins	Jefferson	Lourey	Olson, E.	Rest	Trimble
Beard	Delmont	Jennings	Luther	Olson, K.	Rice	Tunheim
Bergson	Dorn	Johnson, A.	Mahon	Opatz	Rodosovich	Vellenga
Bertram	Evans	Johnson, R.	Mariani	Orenstein	Rukavina	Wejcman
Bishop	Farrell	Kahn	McCollum	Orfield	Sarna	Wenzel
Brown, C.	Garcia	Kalis	McGuire	Osthoff	Sekhon	Winter
Brown, K.	Goodno	Kelley	Milbert	Ostrom	Simoneau	Spk. Anderson, I.
Carlson	Gutknecht	Kinkel	Mosel	Pelowski	Smith	
Carruthers	Hasskamp	Klinzing	Munger	Perlt	Solberg	

Those who voted in the negative were:

Abrams	Frerichs	Kelso	Lindner	Ozment	Tompkins	Worke
Bettermann	Girard	Knickerbocker	Lynch	Pauly	Van Delien	Workman
Commers	Greenfield	Knight	Macklin	Pawlenty	Van Engen	
Davids	Gruenes	Koppendrayar	Molnau	Rhodes	Vickerman	
Denier	Haukoos	Krinkie	Morrison	Seagren	Wagenius	
Dempsey	Holsten	Krueger	Ness	Skoglund	Waltman	
Erhardt	Hugoson	Leppik	Olson, M.	Stanisus	Weaver	
Finseth	Johnson, V.	Limmer	Onnen	Swenson	Wolf	

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

Carruthers moved that the remaining bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Carruthers moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Greiling moved that the name of Asch be added as an author on H. F. No. 664. The motion prevailed.

Dawkins moved that the name of Wejcman be added as an author on H. F. No. 2644. The motion prevailed.

The question recurred on the Welle amendment, as amended, to the proposed rules, as amended, and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albano	Dauner	Haukoos	Krinkie	Munger	Peterson	Tompkins
Anderson, I.	Dauids	Hausman	Krueger	Murphy	Pugh	Trimble
Anderson, R.	Dawkins	Holsten	Lasley	Neary	Reding	Tunheim
Auch	Dehler	Hugoson	Leppik	Nelson	Rest	Van Dellen
Battaglia	Delmont	Huntley	Lieder	Ness	Rhodes	Vellenga
Bearry	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Beard	Dorn	Jefferson	Lindner	Olson, K.	Sarna	Wagenius
Bergan	Erhardt	Jennings	Lourey	Olson, M.	Seagren	Waltman
Bertram	Evans	Johnson, A.	Luther	Onnen	Sekhon	Weaver
Bertram, R.	Farrell	Johnson, R.	Lynch	Opatz	Simoneau	Wejcmann
Bishop	Frenchs	Johnson, V.	Macklin	Orenstein	Skoglund	Welle
Bitz	Garcia	Kahn	Mahon	Orfield	Smith	Wenzel
Brown, C.	Girard	Kalis	Mariani	Osthoff	Solberg	Winter
Brown, K.	Goodno	Kelley	McCollum	Ostrom	Sparby	Wolf
Carlson	Greenfield	Kelso	McGuire	Ozment	Stanisus	Worke
Caruthers	Greiling	Kinkel	Milbert	Pauly	Steensma	Workman
Clark	Gruenes	Klinzing	Molnau	Pawlenty	Sviggum	Spk. Long
Connors	Gutknecht	Knickerbocker	Morrison	Pelowski	Swehson	
Cooper	Hasskamp	Koppendrayner	Mosel	Perlt	Tomassoni	

The motion prevailed and the amendment, as amended, was adopted.

Bishop moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 9, lines 24 and 25, delete the new language

The motion prevailed and the amendment was adopted.

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

Sviggum moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 20, lines 17 to 19, delete the new language and restore the stricken language

Page 20, line 20, restore the stricken "sets" and delete "set"

Page 20, after line 31, insert:

"Any amendment raising appropriations or taxes must be balanced with an equal amendment of appropriation or ~~an~~ increase or decrease to keep the bill within the budget resolution. Amendments may provide for the appropriation decrease or increase from other bills that are being considered by the House."

A roll call was requested and properly seconded.

POINT OF ORDER

Sviggum raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order not well taken.

ay
78th Day]

MONDAY, MARCH 16, 1992

9919

Trimble moved that H. F. No. 2586, now on Technical General Orders, be re-referred to the Committee on Governmental Operations. The motion prevailed.

Trimble moved that H. F. No. 1453, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

McGuire moved that H. F. No. 2437, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Dawkins moved that H. F. No. 2643, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Reding moved that H. F. No. 2848 be recalled from the Committee on Labor-Management Relations and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Runbeck moved that H. F. No. 2864 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Gutknecht moved that S. F. No. 1716, now on General Orders, be re-referred to the Committee on General Legislation, Veterans Affairs and Gaming.

A roll call was requested and properly seconded.

POINT OF ORDER

Sviggum raised a point of order pursuant to section 125 of "Mason's Manual of Legislative Procedure" relating to personal disputes between members. The Speaker ruled the point of order not well taken.

The question recurred on the Gutknecht motion and the roll was called. There were 76 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Abrams
Anderson, R.

Anderson, R. H.
Battaglia

Begich
Bettermann

Blatz
Bodahl

Boo
Dauner

Peterson
Price
Reding
Rest
Rice
Riveness

Rodosovich
Rukavina
Sarna
Scheid
Segal
Simoneau

Skoglund
Solberg
Sparby
Steensma
Trimble
Tunheim

Vellenga
Voss
Wagenius
Welle
Wenzel
Winter

Wynia
Spk. Vanasek

The motion did not prevail and the amendment was not adopted.

Clausnitzer offered an amendment to the second portion of House Resolution No. 49.

POINT OF ORDER

Wynia raised a point of order pursuant to rule 3.9 that the Clausnitzer amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

POINT OF ORDER

Rodosovich raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order not well taken.

POINT OF ORDER

Marsh raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order not well taken.

X Thursday, February 25, 1938

POINT OF ORDER

Dempsey raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order not well taken.

Pauly and Sviggum were excused for the remainder of today's session.

The question recurred on the second portion of House Resolution No. 49 as divided by Poppenhagen.

Pursuant to rule 2.5, Thiede requested that he be excused from

Protests and Dissents

Minnesota House of Representatives

Biennium	Number of Protests and Dissents	Journal Page Nos.
1971	0	
1973 - '74	2	595; 4191
1975 - '76	0	
1977 - '78	0	
1979 - '80	5	2449; 3606; 3616; 7384
1981 - '82	0	
1983 - '84	2	1520; 3868
1985 - '86	4	242; 297; 2072; 4943
1987 - '88	5	1059; 4413; 5024; 5488; 12,979
1989 - '90	3	339; 9226; 9228
1991 - '92	1	8755
1993 - '94	1	202
1995 - '96	2	199 7853
1997 - '98	3	8318 8689; 10,294
1999 - 2000	4 (so far)	145; 805; 1427 5979

4 regarding remarks in debate:

Monday, March 6, 2000

2/13/95 HJ 199
 2/29/96 HJ 7853
 3/13/98 HJ 8318
 2/23/00 HJ 5979

* Provided to
 Committee by
 Chief Clerk's office

Buesgens moved that H. F. No. 3162 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Rostberg moved that H. F. No. 3199 be recalled from the Committee on Ways and Means and be re-referred to the Committee on Capital Investment. The motion prevailed.

Mulder moved that H. F. No. 3451 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Mares moved that H. F. No. 3567 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Pelowski moved that H. F. No. 3583 be recalled from the Committee on Health and Human Services Finance and be re-referred to the Committee on Higher Education Finance. The motion prevailed.

Olson moved that H. F. No. 3629 be recalled from the Committee on Health and Human Services Policy and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Wenzel moved that H. F. No. 3670 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Molnau moved that H. F. No. 3674 be recalled from the Committee on Education Policy and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Smith moved that S. F. No. 2510 be recalled from the Committee on Civil Law and together with H. F. No. 3220, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Constitution of the State of Minnesota the following members of the Minnesota State House of Representatives file a formal dissent and protest as a result of the remarks of Representative Arlon Lindner on February 23, 2000.

On this day Representative Lindner defamed people of the Jewish faith by calling them irreligious and impugning the sincerity of their religious beliefs.

Article I, Section 16, of the Minnesota State Constitution protects the freedom of religion in the State of Minnesota. Representative Lindner's remarks do damage to the tradition of religious tolerance that we enjoy in the State of Minnesota and we must forcefully protest and dissent.

Submitted by:

TOM PUGH
BETTY FOLLIARD
MINDY GREILING
STEVE WENZEL
BILL HILTY
TIM MAHONEY
DALE SWAPENSKI
ROB LEIGHTON
MARY MURPHY
TOM OSTHOFF

MATT ENTENZA
STEVE TRIMBLE
KAREN CLARK
ALICE JOHNSON
WES SKOGLUND
TOM HUNTLEY
GENE PELOWSKI
GARY KUBLY
DAVID TOMASSONT
JOHN DORN

SHARON MARKO
JEAN WAGENTUS
LEN BIERNAT
LOREN SOLBERG
LUANNE KOSKINEN
LOREN JENNINGS
BETTY MCCOLLUM
BOB MILBERT
DOUG PETERSON
ALICE HAUSMAN

LYNDON CARLSON
ANN LENCZEWSKI
IRV ANDERSON
GREGORY GRAY
JOE OPATZ
ANN H. REST
LEE GREENFIELD
JOE MULLERY
RON ERHARDT
JIM RHODES
HARRY MARES
JULIE STORM

PHYLLIS KAHN
ROD SKOE
BERNIE LIEDER
DARLENE LUTHER
MYRON ORFIELD
M. JAROS
MARY MCGUIRE
PEG LARSEN
RON ABRAMS
DAN DORMAN
TONY KIELKUCKI

SATVEER CHAUDHARY
MICHAEL PAYMAR
DAN LARSON
KRIS HASSKAMP
CARLOS MARIANI
ANDY DAWKINS
HENRY KALIS
PEGGY LEPPIK
DAVE BISHOP
BILL KUISLE
JIM CLARK

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, February 24, 2000. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, February 24, 2000.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Seifert, M., moved that H. F. No. 1845 be recalled from the Committee on Education Policy and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Trimble moved that H. F. No. 2216 be recalled from the Committee on Governmental Operations and Veterans Affairs Policy and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Solberg moved that S. F. No. 1012 be recalled from the Committee on Local Government and Metropolitan Affairs and together with H. F. No. 673, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Olson moved that H. F. No. 2162 be returned to its author. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we, the undersigned members of the House, register our protest and dissent regarding the failure of Representative David Bishop, Chair of the Committee on Ways and Means, Representative Tim Pawlenty, Chair of the Committee on Rules and Legislative Administration and Speaker of the House Steve Sviggum, to permit the House to act upon the 2000-01 biennial budget resolution.

House Rule 4.03 requires the Committee on Ways and Means to report a budget resolution to the House "within fifteen days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session. . . ." The 2000-01 forecast was made available by the Office of the Governor on Friday, February 26, 1999, and therefore the fifteen-day period expired on Saturday, March 13, 1999.

Representative Bishop has thus far failed to present a resolution that complies with all the requirements of the Permanent Rules of the House, in violation of House Rule 4.03. By his failure, Representative Bishop has caused the House to be in violation of Rule 4.03.

Speaker Sviggum, as presiding officer, and Representative Pawlenty, as Majority Leader, have failed to exercise their power over the flow of business before the House in a manner that would ensure compliance with Rule 4.03, with respect to the time limit for reporting a biennial budget resolution. They have willfully failed to permit such a resolution to be reported to the House at any time since March 11, 1999.

The acts, omissions and failures of Representative Bishop, Representative Pawlenty and Speaker Sviggum have impeded the orderly flow of business in the House. The Committee on Ways and Means has been prevented from adopting limits for finance and revenue bills as required by Rule 4.03. Because the Committee on Ways and Means cannot lawfully act, no finance committee of the House may act upon major revenue or finance legislation. This cascade of failures imperils the ability of the House to fulfill its constitutional duties and likewise imperils the ability of the Members of the House and the citizens of Minnesota to learn the contents of, and to comment or testify upon, such measures.

Signed:

THOMAS PUGH
IRV ANDERSON
LOREN A. SOLBERG
LYNDON R. CARLSON
THOMAS E. HUNTLEY
THOMAS RUKAVINA
TED WINTER
MARY MURPHY
DAVID TOMASSONI

GREGORY GRAY
MARGARET ANDERSON KELLIHER
ANN LENCZEWSKI
MARY ELLEN OTREMBIA
MYRON ORFIELD
SHARON MARKO
KAREN CLARK
MARK S. GLEASON
SATVEER CHAUDHARY

JOE MULLERY
ROB LEIGHTON
BETTY MCCOLLUM
BOB MILBERT
TIM MAHONEY
LOREN JENNINGS
BETTY FOLLIARD
LINDA WEICMAN
MIKE JAROS
PHYLLIS KAHN
JIM TUNHEIM
ALAN R. JUHNKE
BERNIE LIEDER
DAN LARSON
ROD SKOE
GARY W. KLBLY
HENRY J. KALIS
LESLIE SCHUMACHER
MARY JO MCGUTRE
ALICE HAUSMAN
LEE GREENFIELD

KRIS HASSKAMP
GENE PELOWSKI
JOE OPATZ
DARLENE LUTHER
CARLOS MARIANI
MATT ENTENZA
THOMAS BAKK
LEN BIERNAT
WES SKOGLUND
ALICE JOHNSON
ANN H. REST
MINDY GREILING
DOUG PETERSON
STEVE WENZEL
JOHN DORN
STEVE TRIMBLE
BILL HILTY
MICHAEL PAYMAR
LUANNE KOSKINEN
ANDY DAWKINS

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 25, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 25, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Knoblach moved that the name of Dorman be added as an author on H. F. No. 1645. The motion prevailed.

Seifert, M., moved that H. F. No. 144 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Local Government and Metropolitan Affairs. The motion prevailed.

Tingelstad moved that H. F. No. 863, now on the General Register, be re-referred to the Committee on Health and Human Services Policy. The motion prevailed.

Seifert, M., moved that H. F. No. 1036 be recalled from the Committee on Agriculture and Rural Development Finance and be re-referred to the Committee on Higher Education Finance. The motion prevailed.

Boudreau moved that H. F. No. 1038 be recalled from the Committee on Jobs and Economic Development Policy and be re-referred to the Committee on Civil Law. The motion prevailed.

Molnau moved that H. F. No. 1090 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Judiciary Finance. The motion prevailed.

Buesgens moved that H. F. No. 1366 be recalled from the Committee on Education Policy and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Fuller moved that H. F. No. 1480 be recalled from the Committee on Judiciary Finance and be re-referred to the Committee on Crime Prevention. The motion prevailed.

Ozment moved that H. F. No. 1555 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Dawkins moved that H. F. No. 1773 be recalled from the Committee on Family and Early Childhood Education Finance and be re-referred to the Committee on K-12 Education Finance. The motion prevailed.

Holberg moved that S. F. No. 98 be recalled from the Committee on Crime Prevention and be re-referred to the Committee on Civil Law. The motion prevailed.

Workman moved that H. F. No. 1319 be returned to its author. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members, register our protest and dissent regarding the actions of Representative Arlon Lindner as chair of the Committee on Jobs and Economic Development Policy in a hearing on House File No. 663 on Tuesday, March 9, 1999, and regarding the negligence of Speaker of the House Steve Sviggum in permitting the committee to operate in a closed and undignified manner.

In his conduct of this hearing, Representative Lindner unfairly limited the ability of members of the public to testify by imposing an unreasonable and entirely artificial 30-minute time limit for public testimony. Representative Lindner unfairly denied 15 citizens of Minnesota an opportunity to speak against the proposed legislation, as is their right. Representative Lindner denied members of the committee their right to ask questions and have those questions answered. Representative Lindner refused to recognize committee members seeking to raise points of order and points of parliamentary inquiry. Representative Lindner appeared to direct the committee secretary to record a member as voting "no" when that member had not yet responded to the calling of the roll. Representative Lindner permitted the author of the bill to manipulate committee rules in a manner designed to deny committee members their right to offer amendments to the legislation. Representative Lindner's lack of openness in the conduct of this hearing brought opprobrium upon the committee, the House of Representatives and the Minnesota Legislature, fostering cynicism and public alienation from the House and their elected representatives.

The evidence of the March 9 hearing of the Committee on Jobs and Economic Development Policy indicates that Speaker Sviggum has failed to exercise his duty as presiding officer of the House to ensure that committees operate in an open, fair and just manner. Speaker Sviggum has permitted Representative Lindner to create committee rules which squelch rather than encourage open debate and public testimony. Speaker Sviggum has failed to counsel Representative Lindner on the proper manner of conducting public hearings on legislation.

We, the undersigned members of the House of Representatives, request that Representative Arlon Lindner make a public apology to the House and to the members of the public who were denied their right to testify on House File No. 663, that said apology be duly entered in the Journal of the Minnesota House of Representatives, and that House File No. 663 be returned to the Committee on Jobs and Economic Development Policy to afford members of the public the opportunity to testify in a full and complete public hearing. We further request that Speaker Sviggum ask the Committee on Rules and Legislative Administration to conduct public hearings on the rules promulgated by committee chairs, and amend those rules where appropriate to ensure full, public and open consideration of legislation.

Signed:

ANDY DAWKINS
IRV ANDERSON
ROB LEIGHTON
THOMAS RUKAVINA
MIKE JAROS

STEVE TRIMBLE
KAREN CLARK
GREGORY GRAY
GARY W. KUBLY
SATVEER CHAUDHARY

ADJOURNMENT

Molnau moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 11, 1999. The motion prevailed.

Molnau moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 11, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Krinkie moved that the names of Vandever, Westerberg, Workman and Trimble be added as authors on H. F. No. 184. The motion prevailed.

Luther moved that H. F. No. 38 be returned to its author. The motion prevailed.

Anderson, I., moved that H. F. No. 18 be recalled from the Committee on Education Policy and be re-referred to the Committee on Capital Investment. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the action taken to change House Rule 1.01 on January 11, 1999 by the Minnesota House of Representatives.

The old House Rule 1.01 preserved foundational religious liberties freely exercised through prayer in this body since territorial days. If the new House rule 1.01 is enforced in the Minnesota House, whether it be through deference from the minority or by the majority will of the body, the effect will be to eliminate the free exercise of religion and destroy our foundational religious liberties which have kept this state and nation under God.

To require that all prayers be non-denominational and represent all diverse religious beliefs is impossible. To further establish this demand for every day there is an exercise of prayer before the House has the effect of requiring that one single homogeneous religious belief be represented for all members. The new Rule 1.01 eliminates our freedom of speech and religion established under the First Amendment to the United States Constitution.

The long-standing custom and usage under the old House Rule 1.01 has reflected the religious diversity of this body. We, the undersigned, therefore request members to consider every citizen's duty to preserve the long-standing foundational religious liberties and continue that which made America great.

Signed:

MARK OLSON
JOHN TUMA
JIM KNOBLACH
JIM SEIFERT
MARY LIZ HOLBERG
JIM ABELER
MICHELLE RIFENBERG
JIM CLARK
CAROL MOLNAU
PHILIP KRINKIE
TONY KIELKUCKI
ARLON W. LINDNER
BUD NORNES
RICHARD MULDER
DENNIS OZMENT
MARTY SEIFERT
HOWARD SWENSON
JERRY DEMPSEY
TORREY WESTROM
WILLIAM HAAS
MARK BUESGENS
HARRY MARES

MIKE OSSKOPP
SONDRA ERICKSON
PEG LARSEN
ELAINE HARDER
SHERRY BROECKER
GREG DAVIDS
TIM PAWLENTY
CHRIS GERLACH
ANDREW WESTERBERG
DOUG REUTER
STEVE DEHLER
GEORGE W. CASSELL
STEVE SMITH
BOB NESS
BOB GUNTHER
WILLIAM KUTSLE
DOUG FULLER
BOB WESTFALL
DOUG STANG
TIM WILKIN
BRUCE ANDERSON

4/20/98

MOTIONS AND RESOLUTIONS

Tunheim moved that the name of Skoglund be added as an author on H. F. No. 2. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members of the Minnesota House of Representatives register our protest and dissent regarding the following actions:

On Thursday, April 9, 1998, a motion was made by Representative Solberg to reconsider the action whereby the Conference Committee report on S. F. No. 3353 had not been adopted. Representative Abrams rose to a point of order under Rule 3.04. That rule provides that the motion to reconsider is in order "provided that such motion is made either on the same day the vote was taken or within the following two days of actual session of the House." Five days had passed between the time the motion to adopt the Conference Report was defeated and the motion to reconsider. Representative Opatz was in the Chair and ruled that the Point of Order was not well taken. We the undersigned believe that the ruling was clearly and blatantly in conflict with the rules of the House and is injurious to the public interest. Therefore, we the undersigned request that this Protest and Dissent be duly entered into the Journal of the Minnesota House of Representatives.

Signed:

DAN MCELROY
PEGGY LEPIK
JIM KNOBLACH
BARB SYKORA
RON ERHARDT
CAROL MOLNAU
RON ABRAMS
JERRY DEMPSEY
FRANCIS A. BRADLEY
R. W. STANEK
KATHY TINGELSTAD
TORREY WESTROM
ELAINE HARDER
WILLIAM HAAS
LYNDA BOUDREAU
SHERRY BROECKER
DENNIS OZMENT

MIKE OSSKOPP
PHIL KRINKIE
DOUG REUTER
BUD NORNES
STEVEN B. DEHLER
KEN WOLF
BRUCE D. ANDERSON
WILLIAM KUISLE
BILL MACKLIN
BOB GUNTHER
MARK OLSON
T. WORKMAN
CHARLIE WEAVER
SONDRA ERICKSON
STEVE SVIGGUM
RICHARD MULDER
KEVIN GOODNO

ARLON W. LINDNER
JIM ROSTBERG
HOWARD SWENSON
JAMES T. CLARK
DOUGLAS D. STANG
ERIK PAULSEN
TONY KIELKUCKI
MICHELLE RIFENBERG
STEVE SMITH
HENRY VAN DELLEN
MARK HOLSTEN
ROXANN DAGGETT
ALICE SEAGREN
EILEEN TOMPKINS
RAY VANDEVEER

ADJOURNMENT

Winter moved that when the House adjourns today it adjourn until 9:00 a.m., Tuesday, April 21, 1998. The motion prevailed.

Winter moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Tuesday, April 21, 1998.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2118:

Jefferson, Mullery and Leppik

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2256:

Greiling, Skoglund and Abrams.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the action of Speaker Phil Carruthers on the floor of the House, Thursday, March 26, 1998, when the Speaker locked the voting board and refused to allow members to vote during the roll call on Senate File No. 41, the bill calling for a Constitutional Amendment Declaring the Right to Hunt, Fish and Take Game in the State of Minnesota.

The offensive action took place on the second portion of the Sviggum amendment which would have changed the word of the constitutional amendment to declare it a "right" and not merely a "privilege" to hunt, fish and take game in the State of Minnesota. Speaker Carruthers, who was opposed to this amendment, locked and refused to reopen the voting board when the tally indicated to him that he had sufficient votes to defeat the amendment. Contrary to custom and usage in the House of Representatives, the Speaker refused to recognize members wishing to vote or change their vote even though those members were properly standing at their desks and were requesting to be recognized.

Such abuse of power in not recognizing and not allowing members to vote is self-serving, arrogant, heavy-handed and disenfranchises members from representing their constituencies. This outrageous, dictatorial behavior cannot and must not be tolerated in our representative form of government.

We, the undersigned Members of the House of Representatives, therefore, request that Speaker Carruthers publicly apologize to the Members of the House who wished to vote or change their vote on the Sviggum amendment but were prevented from doing so because the voting board was locked. We further request that the apology be duly entered into the Journal of the Minnesota House of Representatives.

Signed:

STEVE SVIGGUM
EILEEN TOMPKINS
HILDA BETTERMANN
SHERRY BROECKER
KEVIN GOODNO
DOUG RELTER
RON ABRAMS
JIM ROSTBERG
BRUCE D. ANDERSON
ARLON W. LINDNER
BARBARA J. SYKORA
M. OSSKOPP
SONDRA ERICKSON
BUD NORNES
STEVE SMITH
KATHY TINGELSTAD

ALICE M. SEAGREN
MICHELLE RIFENBERG
ERIK PAULSEN
WILLIAM KUISLE
KEN WOLF
R. MULDER
HENRY VAN DELLEN
STEVEN B. DEHLER
BOB GUNTHER
DAN C. McELROY
MARK OLSON
T. WORKMAN
DOUG STANG
PHILIP KRINKIE
JERRY DEMPSEY
TONY KIELKUCKI

CAROL MOLNAU
FRAN BRADLEY
BOB WESTFALL
TIM FINSETH
ROXANNE DAGGETT
PEGGY LEPIK
TIM PAWLENTY
RAY VANDEVEER
DENNIS OZMENT
PEG LARSEN
HOWARD SWENSON
WILLIAM HAAS
RON KRAUS
GREG DAVIDS

CHARLIE WEAVER
DAVE BISHOP
MARTY SEIFERT
BILL MACKLIN
LYNDA BOUDREAU
RON ERHARDT
H. MARES
BOB NESS
MARK HOLSTEN
ELAINE HARDER
JIM KNOBLACH
TIM COMMERS
R. W. STANEK
TORREY WESTROM

ADJOURNMENT

Winter moved that when the House adjourns today it adjourn until 9:00 a.m., Tuesday, March 31, 1998. The motion prevailed.

Winter moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Tuesday, March 31, 1998.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Marko	Nornes	Pelowski	Seifert	Sykora	Wejzman
McCollum	Olson, E.	Peterson	Sekhon	Tingelstad	Wenzel
McElroy	Olson, M.	Pugh	Skare	Tomassoni	Westfall
McGuire	Opatz	Rest	Skoglund	Tompkins	Westrom
Milbert	Orfield	Reuter	Slawik	Trimble	Winter
Molnau	Osskopp	Rhodes	Smith	Tuma	Wolf
Mulder	Ottremba, M.	Rifenberg	Solberg	Tunheim	Spk. Carnuthers
Mullery	Ozment	Rostberg	Stanek	Van Dellen	
Munger	Paulsen	Rukavina	Stang	Vandeveer	
Murphy	Pawlenty	Schumacher	Sviggum	Wagenius	
Ness	Paymar	Seagren	Swenson, H.	Weaver	

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

GENERAL ORDERS

Winter moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mahon moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Thursday, March 12, 1998, when the vote was taken on the final passage of S. F. No. 2316." The motion prevailed.

Mahon moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Thursday, March 12, 1998, when the vote was taken on the final passage of S. F. No. 2372." The motion prevailed.

Workman moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Thursday, March 12, 1998, when the vote was taken on the final passage of S. F. No. 2372." The motion prevailed.

Mahon moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Thursday, March 12, 1998, when the vote was taken on the final passage of S. F. No. 2447, as amended." The motion prevailed.

Workman moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Thursday, March 12, 1998, when the vote was taken on the final passage of S. F. No. 2447, as amended." The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members, register our protest and dissent regarding the comments made by the Minority Leader, Steve Sviggum, on the floor of the House in arguing against House File 3843, the Capital Investment bill, on Thursday, March 12, 1998.

Representative Sviggum repeatedly and publicly asserted that members who would vote for the bonding bill had been "bought and paid for." He also made several references to "bribes" associated with provisions of the bill. These remarks could be interpreted as implying that members were acting outside the law, and were perhaps even guilty of acts constituting bribery, a felony under Minnesota Statutes 609.42. The reckless and repeated use of this accusatory language, without foundation in fact, casts unwarranted aspersions upon those subsequently voting "aye" for passage of the bill.

Representative Sviggum's intemperate invective, and the public venue of their utterance, are injurious to the institution of the House of Representatives and defamatory to its members. Statements such as his foster cynicism and alienation of the public from their elected representatives.

We undersigned members of the House of Representatives request that Representative Sviggum make public apology to the 28 Republican and 68 DFL members who cast "aye" votes for the passage of H. F. No. 3843 and that said apology be duly entered into the Journal of the Minnesota House of Representatives.

Signed:

DEE LONG
LEE GREENFIELD
ALICE JOHNSON
JOHN DORN
KRIS HASSKAMP
BECKY KELSO
GERI EVANS
GENE PELOWSKI
ALAN R. JUHNKE
SATVEER CHAUDHARY
DOUG PETERSON
ANDY DAWKINS
RUTH JOHNSON
MIKE JAROS
WES SKOGLUND

JEAN WAGENTUS
DAVE TOMASSONI
MICHAEL PAYMAR
ALICE HAUSMAN
MARY JO MCGUTRE
MIKE DELMONT
NORA SLAWIK
SHARON MARKO
KATHLEEN SEKHON
LESLIE SCHUMACHER
ANTHONY G. KINKEL
TOM HUNTLEY
LUANNE KOSKINEN
TED WINTER
BETTY FOLLARD

ADJOURNMENT

Winter moved that when the House adjourns today it adjourn until 9:00 a.m., Monday, March 16, 1998. The motion prevailed.

Winter moved that the House adjourn. The motion prevailed, and Speaker pro tempore Wejcman declared the House stands adjourned until 9:00 a.m., Monday, March 16, 1998.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Sykora moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Wednesday, February 28, 1996, when the vote was taken on the final passage of S. F. No. 2009, as amended." The motion prevailed.

Paulsen moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Tuesday, February 27, 1996, when the vote was taken on the final passage of S. F. No. 2802." The motion prevailed.

Larsen moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Wednesday, February 28, 1996, when the vote was taken on the Krinkie amendment to S. F. No. 2849, as amended." The motion prevailed.

Stanek moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Wednesday, February 28, 1996, when the vote was taken on the Krinkie amendment to S. F. No. 2849, as amended." The motion prevailed.

Hackbarth moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Wednesday, February 28, 1996, when the vote was taken on the final passage of S. F. No. 2857, as amended." The motion prevailed.

Stanek moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Wednesday, February 28, 1996, when the vote was taken on the Ozment amendment to S. F. No. 2857, the unofficial engrossment." The motion prevailed.

Carruthers moved that H. F. No. 3243 be recalled from the Senate for further consideration by the House. The motion prevailed.

NOTICE PURSUANT TO RULE 1.16

Pursuant to Rule 1.16, Olson, M., gave notice that he is requesting the return to the House of H. F. No. 1944 from the Committee on Rules and Legislative Administration.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11 of the Minnesota Constitution, we the undersigned members, register our protest and dissent regarding the statements made by Representative Arlon Lindner on the floor of the House in defense of his amendment 747 to House File No. 2818.

Representative Lindner stated that he wanted to send a message to the Commissioner of Health. Unfortunately, his message went beyond the acceptable standards of debate in this House. The Code of Conduct of the House of Representatives requires that a member "treat everyone with respect, fairness and dignity." Instead, during public floor debate, Representative Lindner referred to the private, consensual activities of a substantial proportion of Minnesota citizens as "perverted." It is the duty of members of the House to treat both members and the public with respect and that was clearly violated by statements Representative Lindner made characterizing a whole group of Minnesota citizens in degrading terms based on their sexual orientation.

The House Code of Conduct also requires that a member "exercise sound judgment by deciding issues on their merits." Instead, Representative Lindner asked members to vote based on an offensive, false stereotype. It is incontrovertible that Minnesotans who are homosexual in their sexual orientation bring dignity to our communities through service as clergy, teachers, parents and in any number of other professional or volunteer activities.

Both in tone and in content, the words of Representative Lindner were offensive. Whether deliberate or not, his comments served to exclude, rather than include, those citizens as respected members of our communities. Such comments are hostile and hurtful not only to those individuals among us who are being so characterized but they also do harm to the level of debate within the House and to the regard with which House members are held by the public.

MOTIONS AND RESOLUTIONS

Sviggum moved that the name of Ostrom be added as an author on H. F. No. 280. The motion prevailed.

Smith moved that the name of Van Dellen be added as an author on H. F. No. 349. The motion prevailed.

Trimble moved that the name of Entenza be added as an author on H. F. No. 462. The motion prevailed.

Olson, E., moved that the names of Kinkel; Johnson, R., and Tunheim be added as authors on H. F. No. 505. The motion prevailed.

Dawkins moved that H. F. No. 33 be recalled from the Committee on Health and Human Services and be referred to the Committee on Judiciary. The motion prevailed.

Carruthers introduced:

House Concurrent Resolution No. 5, A house concurrent resolution relating to adjournment for more than three days.

SUSPENSION OF RULES

Carruthers moved that the rules be so far suspended that House Concurrent Resolution No. 5 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 5

A house concurrent resolution relating to adjournment for more than three days.

Be It Resolved by the House of Representatives of the State of Minnesota, the Senate concurring:

1. Upon its adjournment on February 16, 1995, the Senate may set its next day of meeting more than three days after the day of adjournment.
2. Pursuant to the Minnesota Constitution, Article IV, Section 12, the House of Representatives consents to the adjournment of the Senate for more than three days.

Carruthers moved that House Concurrent Resolution No. 5 be now adopted. The motion prevailed and House Concurrent Resolution No. 5 was adopted.

PROTEST AND DISSENT

Because of the indecorous remarks made by the member from District 40B during the debate in the floor session of the Minnesota House of Representatives on February 9, 1995, we, the undersigned members of the Minnesota House of Representatives, have an obligation to the people of Minnesota to register our protest of his actions and to express herewith, pursuant to Article IV, Section 11, of the Minnesota Constitution, our dissent.

The member's actions were not only an insult to the international guests present in the Chamber but also a cause for embarrassment to the people of this state. We hope that this protest serves as a reminder to all of us that our devotion to ardent discussion of legislative proposals grants us no impunity for discourtesy.

Signed: February 13, 1995

Ann H. Rest
Irvin N. Anderson
Jean Wagenius
Andy Dawkins

Loren Jennings
Dee Long
Richard H. Jefferson
Tom Huntley

Don Ostrom
Carlos Mariani
David J. Tomassoni
Sharon Marko

Steve Kelley
Marv Dauner
Steve Trimble
Willard Munger

2/18/93

Simoneau moved that H. F. No. 356 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Judiciary. The motion prevailed.

Jacobs moved that H. F. No. 411 be recalled from the Committee on Governmental Operations and Gambling and be re-referred to the Committee on Regulated Industries and Energy. The motion prevailed.

PROTEST AND DISSENT

In light of the deliberate abuse of power by the leadership of the majority caucus in abridging the rights of the minority by eliminating the requirement that a budget resolution be brought before the entire House of Representatives for consideration, we, the undersigned members of the Minnesota House of Representatives, have an obligation to the people of Minnesota and to the spirit of fair and representative democracy to register our protest of this action and to express herewith, pursuant to Article IV, Section 11, of the Minnesota Constitution, our dissent.

As a result of changes to the Permanent Rules of the House, the budget resolution is now to be adopted by the Ways and Means Committee, instead of the full House of Representatives. Consequently, only 27, instead of 134, members of the House will have the opportunity to consider, debate, and cast a vote on the spending priorities which will bind our activities throughout the session.

Each of us was elected to serve the people of Minnesota and one of the most important tasks is the prudent appropriation of public dollars. Eliminating the consideration of the budget resolution by the full membership of the House severely limits our right to set forth the spending priorities of the Minnesotans we represent.

The amendment to House Rule 5.12 is an unfortunate step toward consolidation of power and serves to unfairly limit the role of the full House in setting spending priorities.

We are disappointed by the actions of the DFL leadership in this matter and we are confident that the people of Minnesota will not long tolerate this arrogant abuse of power.

Signed: February 18, 1993

Steve Sviggum
Gil Gutknecht
Gene Hugoson
Teresa Lynch
Steve Dehler
Ron Abrams
Tim Commers
Bob Waltman
Ron Erhardt
Don Frerichs
Mark Holsten
Doug Swenson
Hilda Bettermann

Jerry Knickerbocker
Arlon W. Lindner
Ken Wolf
Bill Macklin
Kevin Goodno
Jim Girard
Tony Onnen
Jim Rhodes
H. Todd Van Dellen
Alice Seagren
Barb Vickerman
Connie Morrison
Mark Olson

Gary Worke
LeRoy Koppendrayner
Eileen Tompkins
Steve Smith
Greg Davids
Tim Pawlenty
Dennis Ozment
Jerry Dempsey
Peggy Leppik
Bob Ness
Bob Haukoos
Brad Stanius
Virgil Johnson

Tom Workman
David B. Gruenes
Philip Krinkie
Sid Pauly
Warren Limmer
Charlie Weaver
Carol Molnau
Kathleen Blatz
Dave Bishop
Loren Jennings

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 22, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 22, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1991	Date Filed 1991
	90	105	5:12 p.m. May 17	May 20
635		109	5:15 p.m. May 19	May 20
	1006	110	5:24 p.m. May 19	May 20
	87	111	5:28 p.m. May 19	May 20
	466	112	7:12 p.m. May 19	May 20
	146	113	7:16 p.m. May 19	May 20
	121	114	5:30 p.m. May 19	May 20
	525	115	5:32 p.m. May 19	May 20
437		116	7:18 p.m. May 19	May 20
531		117	7:21 p.m. May 19	May 20
691		118	5:35 p.m. May 19	May 20
953		119	7:25 p.m. May 19	May 20
636		120	7:28 p.m. May 19	May 20
1032		121	5:41 p.m. May 19	May 20

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Robert E. Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1991 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1991	Date Filed 1991
958		108	9:18 p.m. May 20	May 21
355		122	5:02 p.m. May 20	May 21

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

PROTEST AND DISSENT

5/20/91

In light of the deliberate breach of faith and abuse of power by the leadership of the majority caucus and the DFL members of the committee on redistricting in rushing the passage of S. F. No. 1571/H. F. No. 1699 at the end of this session, we, the undersigned members of the Minnesota House of Representatives, have an obligation to the people of Minnesota and to the spirit of fair and representative democracy to register our protest of this action and to express herewith, pursuant to Article IV, Section 11, of the Minnesota Constitution, our dissent.

From the beginning of this session, both the majority and minority caucuses in the House of Representatives worked cooperatively and deliberatively toward the goal of producing a bipartisan plan for redrawing Minnesota's legislative and congressional districts. The Speaker took the unprecedented step of appointing a member of the minority caucus to serve as the redistricting committee's vice-chairman. Considerable expense was incurred by both houses of the legislature to provide nonpartisan staff and technical support for the creation of a deliberate and fair redistricting process. Timetables were agreed upon for the drafting of a plan during the late Spring and Summer of 1991 for consideration of the legislature in a possible special session later this year or in the 1992 regular session. Bipartisan comity appeared to prevail over what has historically been a partisan task.

Three weeks ago, organized goodwill and bipartisan cooperation gave way to partisanship when the DFL leadership in both the House and Senate suddenly reversed itself and suggested that a "fair" plan could be passed by the legislature during the remaining days of this regular session. Notwithstanding major and material flaws in the validity of census data currently available and the lack of adequate public comment, the majority caucus's leadership pressed forward with its hasty, blatantly partisan, and inadequately reviewed redistricting bill. At the same time, the majority caucus

deliberately impeded the minority caucus's ability to produce its own alternative plan and bill, let alone participate as an active participant in the writing of the DFL bill.

The redistricting bill which the House passed on May 18, 1991, is unfair, partisan in intent, and devoid of public scrutiny, so much so that virtually all IR and several DFL members in both the House and the Senate voted against its passage.

Although we are disappointed by the actions of the DFL leadership in this matter, we are confident that the people of Minnesota will see through the transparency of this bill's intent.

Signed: May 20, 1991

Terry Dempsey
Sally Olsen
Ron Abrams
Bill Macklin
Jerry Knickerbocker
Bill Schreiber
Peggy Leppik
Don Frerichs
Eileen Tompkins
Greg Davids
Ray Welker
Phil Heir
Philip Krinkie
Sylvester Uphus
Dean Hartle
Gary Schafer
Virgil Johnson
Dick Pellow
Art Seaberg
Bob Waltman
Kevin P. Goodno
Sidney Pauly
Dave Bishop
Connie Morrison
Joyce Henry
David B. Gruenes

Steve Sviggum
Harriet McPherson
Gil Gutknecht
Charlie Weaver
S. Dille
Brad Stanius
Jim Girard
Bob Haukoos
LeRoy Koppendrayer
Bernie Omann
Gene Hugoson
Paul C. Hufnagle
Marcus Marsh
Marcel "Sal" Frederick
Linda Runbeck
Dennis Newinski
Donald J. Valento
Doug Swenson
Steve Smith
Warren Limmer
Ben Boo
Ron Erhardt
Tony Onnen
Kathleen Blatz
Lisa Lynch
Linda Bettermann

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 21, 1991

The Honorable Robert E. Vanasek
Speaker of the House of Representatives
The State of Minnesota

Dear Mr. Speaker:

I have vetoed Chapter 132, House File No. 378/Senate File No. 306, a bill authorizing a land exchange between the State and a resident of the City of Aitkin. I have taken this action because careful review and research indicate that the legislation is unconstitutional.

The bill attempts to exempt this particular land exchange from Minnesota Statutes, Sections 94.341 through 94.349. These sections implement the requirements of Article XI, Section 10 of the State Constitution, which establishes that unanimous approval of the Land Exchange Board is necessary to make these kinds of State land transactions. Thus, by allowing the Legislature to cause this transaction to happen without the consent of the Land Exchange Board, the State would be engaging in an unconstitutional act.

Sincerely,

ARNE H. CARLSON
Governor

[NOTE: Pursuant to Joint Rule 3.2(c), the above vetoed bill (chapter 132) which was returned to the House by the Governor with his objections was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 21, 1991

The Honorable Robert E. Vanasek
Speaker of the House of Representatives
The State of Minnesota

Dear Mr. Speaker:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

F. No. 934, relating to motor vehicles; prohibiting registration on vehicle for which salvage certificate of title is issued.

subdivision 1; and 340, article 1, section 17; repealing Laws 1989, chapter 209, article 1, section 6.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

This is to notify you that the Senate is about to adjourn the Special Session sine die.

PATRICK E. FLAHAVER, Secretary of the Senate

MOTIONS AND RESOLUTIONS

Long moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 1989 Special Session, for today, Friday, September 29, 1989, and that he be authorized to include in the Journal for today any subsequent proceedings and any appointments to legislative interim committees or commissions created by legislative action or by law. The motion prevailed.

Long moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 1989 Special Session sine die. The motion prevailed.

Bennett moved that the name of Schreiber be added as an author on H. F. No. 19. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members of the Minnesota House of Representatives do hereby protest and dissent the recent actions of the DFL leadership which barred the public, the media, and the minority caucus from participation in negotiating the compromise Property Tax Reform Bill of 1989.

Ten Democrats and zero Republicans were appointed on May 4, 1989, to the Tax Conference Committee that reconciled the Omnibus Tax Bill. The bill was vetoed June 2 but ultimately formed the core of the compromise Tax Bill introduced in the September 27 Special Session.

On August 18, a "Reconciliation Team" was appointed in which Republicans were outnumbered 20 to 4. During seven meetings and

20 hours of discussion, public testimony and efforts by Republicans to discuss tax reform goals were squelched.

From September 19 to September 22, House Speaker Bob Vanasek, House Majority Leader Dee Long, Senate Majority Leader Roger Moe, Senate Tax Committee Chair Douglas Johnson, and Governor Rudy Perpich met to negotiate differences in the vetoed bill and the Governor's proposal. The public was barred from the meetings. The news media was barred from the meetings. Republican leaders were barred from the meetings. However, two paid lobbyists were summoned into the meetings in the early morning of September 22, and an agreement was subsequently reached.

We hereby protest the actions of the leaders of the House, Senate, and Governor's office—all under control by the same political party—to conspire to negotiate a major bill but bar the public, media, and minority caucus from the negotiating process.

The closed-door, one-party meetings were followed with an attempt to ramrod the Tax Bill through the special legislative session. The 397-page bill was made available to legislators on September 25, and DFL leadership unsuccessfully attempted to suspend the Rules in order to pass it in a one-day session on September 27. The hasty timetable leaves insufficient time for legislators of either political party to adequately research the bill and leaves virtually no opportunity for the public and local officials to study its impact and comment publicly on it.

These actions, born forth from the arrogance of a one-party system, clearly run contrary to the principles of an open, representative democracy, and contrary to Minnesota's tradition of clean and honest government.

Signed:

K. J. McDonald
Harriet McPherson
Gary Schafer
Douglas Swenson
Jim Girard
Eileen Tompkins
Joyce Henry
Mary Forsythe
Dick Pellow
Don Frerichs
Don Richter
Steve Dille
Gil Gutknecht
Tony Onnen
Dennis J. Poppenhagen

Linda Runbeck
Bob Haukoos
Charlie Weaver
Marcus Marsh
Art Seaberg
Donald J. Valento
Steve Sviggum
David B. Gruenes
Dean Hartle
Howard Miller
Terry Dempsey
Brad Stanius
Jerry Knickerbocker
Ben Boo
Bob Waltman

Elton Redalen
Warren E. Limmer
Tony Bennett
Bernie Omann
Connie Morrison
John Himle
Sylvester Uphus
Sidney Pauly
Dave Bishop
Sally Olsen
Marcel Frederick

Jim Heap
Teresa Lynch
Bill Macklin
John Burger
Kathleen Blatz
Chris Tjornhom
Gene Hugoson
Ron Abrams
Virgil Johnson
Bill Schreiber

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we, the undersigned members of the Minnesota House of Representatives, do hereby protest and dissent the contention by the House Republican minority that the public, the media, and the minority caucus were barred from participation in negotiating the compromise Property Tax Reform Bill of 1989, and we protest the fact that Republicans, while in control of the House during 1985 and 1986, banned the public, the media, and the minority caucus from input on major tax and budget bills.

The vetoed tax bill, which formed the core of the compromise tax bill, received five months of public hearings and public testimony prior to passage. The media, public, House minority caucus, Senate, and Executive Branch were all involved in the formulation of the 1989 regular session tax bill. In addition, the compromise tax bill presented in Special Session received over 119 hours of public testimony, minority caucus participation, and media coverage between the House, the Senate, and the Governor's Office during 36 meetings held from June to September, 1989. In addition, the House DFL held six teleconferences and six press conferences and press briefings on taxes from June to September, 1989, plus innumerable interviews with individual representatives of the media.

The Republican minority caucus in the House and/or Senate had access to and were allowed input in the following:

Governor's Hearings: 20 hours (10 meetings)
House Ways and Means Meeting: 3 hours
House Appropriations Meeting: 3 hours
House Tax Committee on Governor's Veto and Proposal:
9 hours (3 meetings)
Winona/Rochester Tax Meetings: 3 hours
Winona Town Meeting: 3 hours (including questions following meeting)

Senate Tax Hearings: 6 hours (2 meetings)
House/Senate Reconciliation Team: 21 hours (7 meetings)
Reconciliation Team Working Groups: 20 hours (5 meetings)
House Tax and Appropriations Meetings (9/25-9/28):
21 hours (4 meetings)
Senate Tax Meetings (9/25-9/28): 6 hours (3 meetings)
Meetings Between House DFL and IR Leaders on the tax bill:
4 hours

During the week of Special Session and following the introduction of the compromise tax bill, 27 hours of public meetings were held in the House and Senate during which time minority caucuses in both bodies received copies of the bill and were allowed to introduce amendments.

Therefore, the House Majority made every effort to include Minority Party and public input and media access, and the contents of and the bipartisan vote on the compromise tax bill demonstrate this fact.

In contrast, we protest the House Republican process of closed government and the process by which they offered tax and budget bills during the 1985 and 1986 sessions while they controlled the House.

The Republican tax bill in 1985 was pushed through after closed door sessions and "no effort to conduct public negotiations" (St. Paul Pioneer Press, 6/85). The minority (DFL members) did not receive a copy of the bill until Thursday, June 20, 1985, the day the floor vote was taken, and even then, copies were given to every other member only.

During 1986, the Republican Budget Balancing Bill was conceived in the dead of night on a legal holiday, with no public, media, or minority participation, although the bill made major changes in public services and the operation of state government and made 30 percent reductions in income maintenance payments to poor children and the disadvantaged.

We also protest objections by the minority party to legislative sessions held around the state which encourage public input and access and the Republican rejection of a DFL amendment to permit public testimony on all bills before committees in 1986. We believe these objections are contrary to their supposed adherence to open government and representative democracy.

Elton Redalen
Warren E. Limmer
Tony Bennett
Bernie Omann
Connie Morrison
John Himle
Sylvester Uphus
Sidney Pauly
Dave Bishop
Sally Olsen
Marcel Frederick

Jim Heap
Teresa Lynch
Bill Macklin
John Burger
Kathleen Blatz
Chris Tjornhom
Gene Hugoson
Ron Abrams
Virgil Johnson
Bill Schreiber

PROTEST AND DISSENT

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The vetoed tax bill, which formed the core of the compromise tax bill, received five months of public hearings and public testimony prior to passage. The media, public, House minority caucus, Senate, and Executive Branch were all involved in the formulation of the 1989 regular session tax bill. In addition, the compromise tax bill presented in Special Session received over 119 hours of public testimony, minority caucus participation, and media coverage between the House, the Senate, and the Governor's Office during 36 meetings held from June to September, 1989. In addition, the House DFL held six teleconferences and six press conferences and press briefings on taxes from June to September, 1989, plus innumerable interviews with individual representatives of the media.

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21 hours (4 meetings)
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4 hours

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Therefore, the House Majority made every effort to include Minority Party and public input and media access, and the contents of and the bipartisan vote on the compromise tax bill demonstrate this fact.

In contrast, we protest the House Republican process of closed government and the process by which they offered tax and budget bills during the 1985 and 1986 sessions while they controlled the House.

The Republican tax bill in 1985 was pushed through after closed door sessions and "no effort to conduct public negotiations" (St. Paul Pioneer Press, 6/85). The minority (DFL members) did not receive a copy of the bill until Thursday, June 20, 1985, the day the floor vote was taken, and even then, copies were given to every other member only.

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We also protest objections by the minority party to legislative sessions held around the state which encourage public input and access and the Republican rejection of a DFL amendment to permit public testimony on all bills before committees in 1986. We believe these objections are contrary to their supposed adherence to open government and representative democracy.

The House majority party thus protests the false statements made by the House minority party.

Signed:

Dee Long
Don Ostrom
Loren A. Solberg
Andy Steensma
Paul A. Ogren
Tony Kinkel
Kathleen Vellenga
Bob Johnson
Bernie Lieder
Jerry R. Janeczich
Patrick Beard
John Sarna
Bob Milbert
Ann H. Rest
Joseph R. Begich
Joel Jacobs
Todd Otis
Wes Skoglund
Len Price
Joe Quinn
John Dorn
Howard Orenstein
Steven C. Trimble
Marvin Dauner
Jeff Bertram
Mike Jaros
Wally Sparby
Bob McEachern
Wayne Simoneau
Andy Dawkins
Mary Murphy
Peter G. Rodosovich
Alan Welle
Richard Jefferson
Jerome Peterson
Ted Winter
Willard Munger

Jean Wagenius
Henry J. Kalis
Gene Pelowski
Edgar Olson
Kris Hasskamp
Sandra L. Pappas
Clair L. Nelson
Duane Wray Williams
Richard A. Krueger
Jeff Conway
Alice Johnson
Mary Jo McGuire
Tom Osthoff
Tom Rukavina
Lee Greenfield
Harold Lasley
Leo Reding
Dick Kostohryz
Rich O'Connor
Lyndon R. Carlson
Phyllis Kahn
Steve Wenzel
Roger Cooper
Tom Pugh
Jerry J. Bauerly
Randy Kelly
Ken Nelson
David P. Battaglia
Loren Jennings
Glen H. Anderson
Phil Carruthers
Charles Brown
Peter McLaughlin
Bob Neuenschwander
Becky Kelso
Gloria Segal
Jim Rice

MOTION TO ADJOURN SPECIAL SESSION SINE DIE

Long moved that the House adjourn sine die for the 1989 Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 1989 Special Session.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

COMMUNICATIONS AND ANNOUNCEMENTS RECEIVED SUBSEQUENT TO ADJOURNMENT OF THE 1989 SPECIAL SESSION

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

October 3, 1989

The Honorable Robert E. Vanasek
Speaker of the House
The State of Minnesota

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 1, relating to the financing and operation of government in Minnesota; changing tax rates and bases; modifying the administration, collection, and enforcement of taxes; imposing taxes; creating tax exemptions; changing the computation, administration, and payment of aids, credits, and refunds; providing new aids and credits; making technical corrections and clarifications; changing proposed property tax notice provisions; changing levy limits and other local government powers and duties; allowing certain units of local governments to impose taxes; changing tax increment financing provisions; providing that the state will be supplier of gambling equipment; authorizing establishment of an economic development authority in the city of Otsego and in Kandiyohi county; exempting Itasca county from a levy limit penalty and authorizing a special levy; modifying the levy authority of the Red River watershed management district; authorizing an appropriation by Aitkin county; providing for payment of certain aid to the cities of Falcon Heights and Lauderdale; extending the duration of tax increment financing districts in the cities of Moorhead and Chanhassen; exempting a redevelopment district in the city of Minneapolis from certain requirements; allowing certain cities or towns in Pine county to become part of the North Pine area hospital district; granting certain powers to towns; modifying certain bond allocation procedures; requiring studies of state and local finance issues; requiring the governor to recommend spending reductions; setting the amount of the budget reserve; establishing plans and programs to reduce waste generated, recycle waste, develop markets for recyclables, address materials that cause special problems in the waste stream, prevent, control, and abate litter, inform and educate the public on proper waste management; requiring a mechanism to fund certain mental health services; providing procedures for allocating costs of

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Vanasek in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. No. 68 was recommended to pass.

On the motion of Wynia the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Kostohryz moved that the name of Quinn be shown as chief author and the name of Vanasek be shown as fourth author on H. F. No. 66. The motion prevailed.

Pelowski moved that the name of Bishop be added as an author on H. F. No. 165. The motion prevailed.

Clark moved that the name of Nelson, K., be added as an author on H. F. No. 259. The motion prevailed.

Poppenhagen moved that his name be stricken as an author on H. F. No. 283. The motion prevailed.

Simoneau moved that the name of Olsen, S., be added as an author on H. F. No. 334. The motion prevailed.

Simoneau moved that the name of Olsen, S., be added as an author on H. F. No. 335. The motion prevailed.

Simoneau moved that the name of Olsen, S., be added as an author on H. F. No. 336. The motion prevailed.

Kahn moved that the names of Segal, Scheid and Pappas be added as authors on H. F. No. 356. The motion prevailed.

Bertram moved that the name of Sparby be added as an author on H. F. No. 391. The motion prevailed.

Johnson, R., moved that the name of Solberg be stricken and the name of Nelson, C., be added as an author on H. F. No. 392. The motion prevailed.

Kahs moved that the name of Olsen, S., be added as an author on H. F. No. 419. The motion prevailed.

Vellenga moved that the name of Clark be added as an author on H. F. No. 423. The motion prevailed.

Uphus moved that the name of McPherson be added as an author on H. F. No. 453. The motion prevailed.

PROTEST AND DISSENT

The conduct of some majority party members regarding the amendment to the proposed permanent rules of the House of Representatives requires the registration of a strong protest and dissent under the Minnesota Constitution, article IV, section 11.

On February 2, 1989, as debate began on the proposed permanent rules of the House of Representatives, Representative K.J. McDonald and a bipartisan group of ten other representatives proposed an amendment to have the pledge of allegiance to the flag of the United States of America said on the first day of each week. The proposal was made in the widely-held spirit that the members of the House would want to support this regular display of patriotism.

Later, another representative from the majority party filed the identical amendment. The Speaker then called up that amendment first and it passed. The Speaker then suggested that Representative McDonald's amendment would be out of order as a duplicate of the one considered and passed. Those actions were carried out despite the fact that Representative McDonald's amendment was filed first. The effect of the procedure was to permit one legislator to preempt the idea of the group that originally filed the proposal.

The public who elect all the representatives expect each representative to be able to offer his or her ideas without prejudice to where he or she happens to live in the state or what political party he or she belongs to. The actions by the Speaker and the representative sponsoring the second amendment was a direct frustration of that will of the people.

This action was also particularly inappropriate since the debate included consideration of imposing ethical constraints on members of the legislature. The plagiarism of an amendment as well as the engineering of the consideration of the plagiarized amendment first is a flagrant abuse of power and of the common understanding of the ethical norms of the House.

The Speaker and the member who plagiarized the McDonald amendment should publicly apologize.

Signed:

Bill Schreiber
Steve Sviggum
Howard Miller
Terry Dempsey
Donald J. Valento
Bernie Omann
Sally Olsen
Steve Dille
Gary Schafer
Harriet McPherson
Connie Morrison
Brad Stanius
Kathleen Blatz
Joyce Henry
Dick Pellow
Bill Macklin

Ron Abrams
Jim Girard
Warren E. Limmer
Teresa Lynch
John Himle
John Burger
Don Frerichs
David B. Gruenen
Gil Gutknecht
Tony Onnen
Marcel "Sal" Frederick
Bob Haukoos
Sylvester Uphus
Ben Boo
Jim Heap
Dean Hartle

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following committee assignments:

Governmental Operations: Add the name of Runbeck.

Health and Human Services: Add the name of Runbeck.

Insurance: Add the name of Runbeck.

Local Government and Metropolitan Affairs: Add the name of Runbeck.

Regulated Industries: Add the name of Carlson, D.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 13, 1989. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 13, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

There were 108 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Battaglia	Gruenes	Lasley	Orenstein	Shaver
Bauerly	Hartle	Lieder	Otis	Skoglund
Beard	Heap	McEachern	Ozment	Solberg
Begich	Jacobs	McKasy	Pappas	Sparby
Bennett	Jaros	McLaughlin	Pelowski	Steenama
Bertram	Jefferson	McPherson	Peterson	Swiggum
Boo	Jennings	Milbert	Poppenhagen	Swenson
Brown	Jensen	Minne	Price	Tompkins
Burger	Johnson, A.	Morrison	Quinn	Trimble
Carlson, D.	Johnson, R.	Munger	Redalen	Tunheim
Carlson, L.	Johnson, V.	Murphy	Reding	Uphus
Carruthers	Kahn	Nelson, C.	Rest	Vellenga
Cooper	Kalis	Nelson, D.	Riveness	Voss
Dauner	Kelly	Nelson, K.	Rodosovich	Wagenius
Dawkins	Kelso	Neuenschwander	Rose	Waltman
DeBlieck	Kinkel	O'Connor	Rukavina	Welle
DeRaad	Kludt	Ogren	Sarna	Wenzel
Dille	Knickerbocker	Olsen, S.	Schafer	Winter
Dorn	Knuth	Olson, E.	Scheid	Wynia
Forsythe	Kostohryz	Olson, K.	Schreiber	Spk. Vanasek
Frederick	Krueger	Omann	Seaberg	
Greenfield	Larsen	Onnen	Segal	

Those who voted in the negative were:

Anderson, G.	Gutknecht	Marsh	Quist	Tjornhom
Clark	Haukoos	McDonald	Rice	Valento
Clausnitzer	Himle	Miller	Richter	
Dempsey	Hugoson	Osthoff	Stanius	
French	Long	Pauly	Thiede	

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

MOTIONS AND RESOLUTIONS

McLaughlin moved that the name of Clark be added as an author on House Advisory No. 99. The motion prevailed.

Osthoff moved that the name of Olsen, S., be stricken and the name of Larsen be added as an author on H. F. No. 4. The motion prevailed.

Quinn moved that the names of Milbert and Jacobs be added as authors on H. F. No. 2255. The motion prevailed.

O'Connor moved that his name be stricken as an author on H. F. No. 1403. The motion prevailed.

McLaughlin moved that House Advisory No. 99 be recalled from the Committee on Transportation and be re-referred to the Committee on Metropolitan Affairs. The motion prevailed.

Kostohryz moved that the following statement be printed in the permanent Journal of the House:

"It was my intention to vote in the affirmative when the final vote was taken on the passage of H. F. No. 2245, as amended by Conference Committee." The motion prevailed.

Wynia moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 75th Session sine die. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the actions of the school aids conference committee report of April 25, 1988.

This conference committee deleted an amendment that had been placed by majority vote on both the House school aids bill and the Senate school aids bill. The language was identical in both bills.

For a conference committee to delete an amendment that was part of both the House and Senate bills is a clear violation of the House rules. "Mason's Manual of Legislative Procedure," for example, says (section 770, paragraph 2) "a report of a conference committee is objectionable in form if the committee has not confined itself to differences of opinion between the two Houses."

Since majority rule is the cornerstone of representative government, the action mentioned above is also an affront to the democratic process. In this case the clear will of the majority was undermined by a small minority—the ten member conference committee. In addition, the vote or amendment of an individual member of the House is meaningless if the majority can be subjugated by a conference committee.

We the undersigned request that this abuse of power be corrected.

Signed:

Allen Quist
Paul Thiede
Harriet McPherson
Gil Gutknecht
Virgil Johnson
Craig Shaver
Dale Clausnitzer

Bob Waltman
Gary Schafer
Gene Hugoson
Donald J. Valento
Arthur Seaberg
Bert McKasy
Don Richter

Sidney Pauly
Chris Tjornhom
Bernie Omann
Gene Hugoson
Dave Bishop
Craig Shaver
Gil Gutknecht
Howard Miller
Don Richter
Connie Morrison
Marcel "Sal" Frederick
Dennis J. Poppenhagen
Bert J. McKasy

Dennis Ozment
John Burger
Sally Olsen
Jerry Knickerbocker
Jim Heap
Terry Dempsey
Don Frerichs
Mary Forsythe
Steve Dille
John Rose
Brad Stanius
Ben Boo
Art Seaberg

ADJOURNMENT

Riveness moved that when the House adjourns today it adjourn until 10:00 a.m., Saturday, May 16, 1987. The motion prevailed.

Riveness moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Saturday, May 16, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION — 1987

FIFTY-FOURTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, MAY 16, 1987

The House of Representatives convened at 10:00 a.m. and was called to order by Wayne Simoneau, Speaker pro tempore of the House.

Prayer was offered by the Reverend Larry Mens, United Methodist Church, Minneapolis Native American Ministries, Minneapolis, Minnesota.

The roll was called and the following members were present:

Anderson, G.	Greenfield	Larsen	Orenstein	Seaberg
Anderson, R.	Gruenes	Lasley	Osthoff	Segal
Battaglia	Gutknecht	Lieder	Otis	Shaver
Bauerly	Hartle	Long	Ozment	Simoneau
Beard	Haukoos	Marsh	Pappas	Skoglund
Begich	Heap	McDonald	Pauly	Solberg
Bennett	Himle	McEachern	Pelowski	Sparby
Bertram	Hugoson	McLaughlin	Peterson	Stanius
Bishop	Jacobs	McPherson	Poppenhagen	Steenasma
Blatz	Jaros	Milbert	Price	Sviggum
Boo	Jefferson	Miller	Quinn	Swenson
Brown	Jennings	Minne	Quist	Thiede
Burger	Jensen	Morrison	Redalen	Trimble
Carlson, L.	Johnson, A.	Munger	Reding	Tunheim
Carruthers	Johnson, R.	Murphy	Reed	Uphus
Clark	Johnson, V.	Nelson, C.	Rice	Valento
Clausnitzer	Kahn	Nelson, D.	Richter	Vellenga
Cooper	Kalis	Nelson, K.	Riveness	Voss
Dauner	Kelly	Neuenchwander	Rodosovich	Waltman
DeBliock	Kelso	O'Connor	Rose	Welle
Dempsey	Kinkel	Ogren	Rukavina	Wenzel
Dille	Kludt	Olsen, S.	Serna	Winter
Dorn	Knickerbocker	Olsen, E.	Schafer	Wynia
Forsythe	Knuth	Olsen, K.	Scheid	Spk. Norton
Frederick	Kostohryz	Omann	Schoenfeld	
Frerichs	Krueger	Onnen	Schreiber	

A quorum was present.

McKasy and Tompkins were excused.

Tjornhom was excused until 10:45 a.m. Wagenius was excused until 11:15 a.m. Vannoy was

Be It Resolved by the House of Representatives of the State of Minnesota, the Senate concurring, that it officially recognizes the 60th anniversary of the epic flight of Charles Lindbergh in the Spirit of St. Louis and pays tribute to a hero son whose heritage is forever indelible in our history and whose legacy is the vitally important work being carried on throughout the world by those who believe in his vision and ideals.

Be It Further Resolved that the Chief Clerk of the House of Representatives is hereby directed to prepare enrolled copies of this resolution, to be authenticated by his signature and those of the Speaker, the Secretary of the Senate, and the Chairman of the Senate Rules and Administration Committee, and that they be presented to Anne Morrow Lindbergh and the Lindbergh Interpretive Center.

Wenzel moved that House Concurrent Resolution No. 10 be now adopted. The motion prevailed and House Concurrent Resolution No. 10 was adopted.

PROTEST AND DISSENT

On May 11, 1987, the Speaker of this body ruled a report from a minority of the members of the appropriations committee to be non-germane. The recommendation of the minority in the form of a minority report has never been so treated in the history of this institution.

The ruling was made in an arbitrary exercise of the power of the chair. It was made in violation of those authorities historically governing legislative conduct within this body. It was without precedent within the custom and usage of this body.

The purpose for the institutional abuse is clear. The Speaker violated both rule and tradition for simple political expedience. During the course of the session, the majority has repeatedly demanded that the minority come forward with responsible alternatives. It is the height of hypocrisy for the Speaker to endorse those demands and then bar discussion on just such an alternative.

Pursuant to Article IV, Section 11, of the Minnesota Constitution, We the undersigned members individually and on behalf of all minority members register our protest, and dissent from the decision of the Speaker of this body to break from tradition and disallow discussion of a minority report. We submit, as an element of the protest, the text of the minority report censored by action of the Speaker.

MINORITY REPORT

May 9, 1987

We, the undersigned, being a minority of the Committee on Appropriations recommend that S. F. No. 1 pass with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

RURAL DEVELOPMENT

Section 1. [120.86] [MILK PROGRAM.]

Subdivision 1. [LEGISLATIVE INTENT.] The legislature finds that it is helpful to the health and well-being of the school children in the state that they receive a minimum amount of milk. The purpose of this section is to assure that school districts will be able to provide milk to all children attending school in the state.

Subd. 2. [ESTABLISHMENT.] Each common, independent, and special school district choosing to participate in this program shall provide one-half pint of milk on each school day to all elementary and secondary pupils attending a public or nonpublic school in the district. No child is required to accept the milk that is provided by the district.

Subd. 3. [REIMBURSEMENT.] The department of education shall reimburse school districts for one-half of the cost of providing milk under subdivision 2, except that school districts located wholly or partly within rural economic protection zones, as defined in section 2, must be reimbursed for the entire cost of providing milk under subdivision 2. The commissioner of education shall establish procedures and application forms for reimbursement.

Sec. 2. [124A.029] [RURAL ECONOMIC PROTECTION ZONE; VALUATION REDUCTION FOR SCHOOL PURPOSES.]

Subdivision 1. [ZONE CREATED.] The rural economic protection zone is created. The zone consists of all counties constituting distressed counties for purposes of section 297A.257, subdivision 1.

Subd. 2. [REDUCED ADJUSTED ASSESSED VALUATION.] Notwithstanding section 124A.02, subdivision 3a, the adjusted assessed valuation of all property in a school district shall be reduced by ten percent if at least 50 percent of the assessed valuation of

Sec. 9. [116N.09] [AUDIT REQUIRED.]

The board of directors of a rural development corporation shall annually audit the corporation's books, records, and operations. The audit shall be performed by an independent financial auditor. Each annual audit shall be submitted to the state auditor and the legislative auditor. Data contained in audit reports submitted to the state auditor and the legislative auditor are private data with regard to data on individuals under section 13.02, subdivision 12, or nonpublic data with regard to data not on individuals under section 13.02, subdivision 9. The state auditor shall initiate an audit of a rural development corporation that fails to submit to an annual audit.

Sec. 10. [116N.10] [REPORTS TO THE LEGISLATURE.]

Subdivision 1. [LEGISLATIVE AUDITOR.] The legislative auditor shall annually report to the legislature on the financial condition and volume of activity conducted by corporations incorporated under sections 1 to 10. To the extent permissible under chapter 13, the report shall summarize data contained in annual audit reports submitted to the legislative auditor by each corporation.

Subd. 2. [COMMISSIONER OF ENERGY AND ECONOMIC DEVELOPMENT.] The commissioner of energy and economic development shall annually report to the legislature on the purpose and volume of rural development grants awarded to rural development corporations.

Sec. 11. [APPROPRIATIONS.]

\$5,000,000 is appropriated from the general fund to the commissioner of energy and economic development for awards to rural development corporations in the form of matching grants to be available until June 30, 1989.

Amend the title accordingly

We regret that the Speaker does not wish the minority to offer any concrete alternative to his legislative program. We regret that he would abuse the process simply to insulate majority members from a vote on those alternatives.

We also regret that this action will impair the ability of any minority to be heard within the legislative body from this day forward. It represents a rejection of the two-party system, and of the principles of free speech.

It must be viewed as the single most destructive ruling ever made and upheld by this body.

We protest and dissent.

Signed:

Bill Schreiber	Elton Redalen
Paul Thiede	John Burger
Craig Shaver	Tony Onnen
Jim Heap	Carlson, D.
Howard Miller	K. J. McDonald
Steve Sviggum	Eileen Tompkins
Gil Gutknecht	Dean Hartle
Dale Clausnitzer	Dennis Ozment
Steve Dille	John Rose
Donald J. Valento	Sylvester Uphus
Chris Tjornhom	Brad Stanius
Bernie Omann	Harriet McPherson
Gene Hugoson	Virgil Johnson
Connie Morrison	Gary Schafer
Dennis J. Poppenhagen	Bert J. McKasy
Don Richter	Allen Quist
Art Seaberg	Sally Olsen
Doug Swenson	Don Frerichs
Bob Haukoos	Tony Bennett
Mary Forsythe	Ben Boo
David B. Gruenes	Bob Waltman
John Himle	Terry Dempsey
Kathleen A. Blatz	Sidney Pauly
Marcus Marsh	Marcel Frederick
Gerald Knickerbocker	

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, May 14, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Thursday, May 14, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Pappas moved that the name of Anderson, G., be added as chief author on H. F. No. 1315. The motion prevailed.

Gutknecht moved that H. F. No. 1092 be returned to its author. The motion prevailed.

Gutknecht moved that H. F. No. 1490 be returned to its author. The motion prevailed.

Pappas, Trimble, Rukavina, Swenson and Segal introduced:

House Resolution No. 44, A House resolution proclaiming Sunday, May 17, as Ethnic American Day in the State of Minnesota.

The resolution was referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 854:

Orenstein, Kelly and Dempsey.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 89:

Schoenfeld, Sparby, Steensma, Dille and Olson, E.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 94:

Bauerly, Bertram and Omann.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1515:

Carlson, L.; Price; Orenstein; Rose and Dorn.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1516:

Rice, Lieder, Sarna, Kalis and Seaberg.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 674:

Blatz, Kelly and Swenson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 282:

Nelson, K.; McLaughlin; Kalis; Segal and Olsen, S.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 80:

McLaughlin, Quinn and Milbert.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 243:

Wynia; Greenfield; Rodosovich; Anderson, R., and Jennings.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the actions of Speaker of the House Fred Norton who removed two Tax Committee members, Rep. Linda Scheid, DFL-Brooklyn Park, and Rep. Tom Osthoff, DFL-St. Paul, because they did not vote for the DFL Tax Bill on the House floor April 29, 1987.

Speaker Norton cuts at the very heart of Democracy in punishing two veteran Tax Committee members for voting on behalf of their constituents and not supporting the DFL Tax Bill. The people of Districts 66A and 47A, like people in every District, have the right to be represented in the House of Representatives. And in turn, Rep. Osthoff and Rep. Scheid have a sworn duty to uphold in casting votes in the best interest of the people they serve.

Reps. Osthoff and Scheid felt the DFL Tax Bill would hurt their constituents so they upheld their oath of office and voted no. Speaker Norton contends DFL Tax Committee members are obliged to vote for majority party tax bills on the House floor and that obligation is a long-standing committee tradition, therefore Osthoff and Scheid deserve punishment. We the undersigned disagree and suggest Speaker Norton is the guilty party for flagrantly disregarding fundamental provisions of the Minnesota Constitution by attempting to stifle the thoughts and expressions of two representatives who seek to effectively serve the people of their districts.

Furthermore, Speaker Norton clearly did not have the best interest of Minnesotans in mind when he ousted Reps. Osthoff and Scheid from the Tax Committee. The two knowledgeable, veteran panel members served this state well and should be rewarded for their actions instead of disciplined in such an abusive and dictatorial manner.

It truly is a dark day at the Capitol when the wishes and desires of one man can come between what is fair and equitable for the people of this great state. Speaker Norton's actions are unbecoming of the title he holds and he owes Minnesotans an apology.

Signed:

Bill Schreiber	Gary Schafer
Paul Thiede	Bob Waltman
Dale Clausnitzer	Virgil Johnson
Craig Shaver	Sylvester Uphus
Don Valento	Sally Olsen
John Himle	Eileen Tompkins
Kathleen Blatz	K. J. McDonald
Don Frerichs	Doug Carlson
Bob Haukoos	John Rose
Marcus Marsh	Tony Bennett
Jim Heap	Tony Onnen
Mary Forsythe	Steve Sviggum
Brad Stanius	Harriet McPherson
Gene Hugoson	Terry Dempsey
Dennis Poppenhagen	Elton R. Redalen
Marcel "Sal" Frederick	John Burger
Chris Tjornhom	Steve Dille
Howard Miller	Allen Quist
Don Richter	Gil Gutknecht
Bert J. McKasy	Dean Hartle
Doug Swenson	Gerald Knickerbocker

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, May 6, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Wednesday, May 6, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION — 1987

FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 6, 1987

The House of Representatives convened at 11:00 a.m. and was called to order by Fred C. Norton, Speaker of the House.

Prayer was offered by Father Leroy Kremer, Christ the King Church, Browerville, Minnesota.

The roll was called and the following members were present:

Anderson, G.	Frerichs	Krueger	Omann	Schreiber
Anderson, R.	Greenfield	Larsen	Onnen	Seaberg
Battaglia	Gruenes	Lasley	Orenstein	Segal
Bauerly	Gutknecht	Lieder	Osthoff	Shaver
Beard	Hartle	Long	Otis	Simoneau
Begich	Haukoos	Marsh	Ozment	Skoglund
Bennett	Heap	McDonald	Pappas	Solberg
Bertram	Himle	McEachern	Pauly	Sparby
Bishop	Hugoson	McKasy	Pelowaki	Stanius
Blatz	Jacobs	McLaughlin	Peterson	Steenasma
Boo	Jaros	McPherson	Poppenhagen	Sviggum
Brown	Jefferson	Milbert	Price	Swenson
Burger	Jennings	Miller	Quinn	Thuede
Carlson, D.	Jensen	Minne	Quist	Tjornhom
Carlson, L.	Johnson, A.	Morrison	Redalen	Tompkins
Carruthers	Johnson, R.	Munger	Rest	Trimble
Clark	Johnson, V.	Murphy	Rice	Uphus
Clausnitzer	Kahn	Nelson, C.	Richter	Valento
Cooper	Kalis	Nelson, D.	Riveness	Vanasek
Dauner	Kelly	Nelson, K.	Rodosovich	Vellenga
DeBlieck	Kelso	Neuenschwander	Rose	Wagenius
Dempsey	Kinkel	O'Connor	Rukavina	Waltman
Dille	Kludt	Ogren	Sarna	Welle
Dorn	Knickerbocker	Olsen, S.	Schafer	Wenzel
Forsythe	Knuth	Olson, E.	Schoenfeld	Winter
Frederick	Kostohryz	Olson, K.		Wynia
				Spk. Norton

A quorum was present.

Tunheim was excused.

Reding was excused until 1:50 p.m. Voss was excused until 2:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Skoglund moved that further reading of the Journal be dis-

Swenson, Dille, Hugoson, Richter and Thiede introduced:

House Concurrent Resolution No. 7, A House concurrent resolution prohibiting fundraising during the legislative session with certain exceptions.

The concurrent resolution was referred to the Committee on Rules and Legislative Administration.

McDonald and Redalen moved that the House conferees on H. F. No. 1 be discharged and that the Speaker reappoint the same five members on the part of the House, and that the Senate be requested to discharge the Senate conferees and that new Senate conferees be appointed.

A roll call was requested and properly seconded.

The question was taken on the McDonald and Redalen motion and the roll was called. There were 55 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frericha	Marsh	Onnen	Seaberg
Bennett	Gruenes	McDonald	Ozment	Shaver
Bishop	Gutknecht	McEachern	Pauly	Stanis
Blatz	Hartle	McKasy	Poppenhagen	Sviggum
Boo	Haukoos	McPherson	Quist	Swenson
Burger	Heap	Miller	Redalen	Thiede
Clausnitzer	Himle	Morrison	Richter	Tjornhom
Dempsey	Hugoson	O'Connor	Rose	Tompkins
Dille	Johnson, V.	Olson, S.	Sarna	Uphus
Forsythe	Kludt	Olson, E.	Schafer	Valento
Frederick	Knickerbocker	Omann	Schreiber	Waltman

Those who voted in the negative were:

Anderson, G.	Greenfield	Lasley	Otis	Solberg
Battaglia	Jacobs	Lieder	Pelowski	Sparby
Bauerly	Jefferson	Long	Peterson	Steenma
Beard	Jennings	McLaughlin	Price	Trimble
Begich	Jensen	Milbert	Quinn	Tunheim
Bertram	Johnson, A.	Minne	Rest	Vanasek
Brown	Johnson, R.	Murphy	Rice	Voss
Carlson, L.	Kahn	Nelson, C.	Rodovovich	Wagenius
Carruthers	Kelso	Nelson, K.	Rukavina	Welle
Clark	Kink	Neuenschwander	Scheid	Wenzel
Cooper	Knuth	Ogren	Schoenfeld	Winter
Dauner	Knuth	Olson, K.	Segal	Spk. Norton
DeBlick	Kostohryz	Orenstein	Simoneau	
Dorn	Larsen	Osthoff	Skoglund	

The motion did not prevail.

Schreiber moved that House Resolution No. 12 be recalled from the Committee on Ways and Means and be placed upon its immediate adoption.

A roll call was requested and properly seconded.

The question was taken on the Schreiber motion and the roll was called. There were 49 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Bennett	Frericha	Marsh	Pauly	Stanis
Bishop	Gruenes	McDonald	Poppenhagen	Sviggum
Blatz	Gutknecht	McKasy	Quist	Swenson
Boo	Hartle	McPherson	Redalen	Thiede
Burger	Haukoos	Miller	Richter	Tjornhom
Clausnitzer	Heap	Morrison	Rose	Tompkins
Dempsey	Himle	Olson, S.	Schafer	Uphus
Dille	Hugoson	Omann	Schreiber	Valento
Forsythe	Johnson, V.	Onnen	Seaberg	Waltman
Frederick	Knickerbocker	Ozment	Shaver	

Those who voted in the negative were:

Anderson, G.	Jefferson	McEachern	Pelowski	Steenma
Battaglia	Jennings	McLaughlin	Peterson	Trimble
Bauerly	Jensen	Milbert	Price	Tunheim
Beard	Johnson, A.	Minne	Quinn	Vanasek
Begich	Johnson, R.	Murphy	Rest	Vellenga
Bertram	Kahn	Nelson, C.	Rice	Voss
Brown	Kelly	Nelson, D.	Rodovovich	Wagenius
Carlson, L.	Kelso	Nelson, K.	Rukavina	Welle
Carruthers	Kink	Neuenschwander	Sarna	Wenzel
Clark	Kludt	O'Connor	Scheid	Winter
Cooper	Knuth	Ogren	Schoenfeld	Wynia
Dauner	Kostohryz	Olson, E.	Segal	Spk. Norton
DeBlick	Larsen	Olson, K.	Simoneau	
Dorn	Lasley	Orenstein	Skoglund	
Greenfield	Lieder	Osthoff	Solberg	
Jacobs	Long	Otis	Sparby	

The motion did not prevail.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the actions of Speaker of the House Fred Norton for obstructing Representative Marcus Marsh in his attempt to vote on H. F. No. 3 on Monday, March 23, 1987.

Representative Marcus Marsh was in the House Chamber when this vote was taken and repeatedly attempted to vote. Speaker Norton failed to recognize Representative Marsh as he was standing at his desk requesting to be recognized so that he could tell the Speaker his vote was not registering on the voting board.

While refusing to recognize Representative Marsh as he stood at his desk, Speaker Norton recognized the Majority Leader, who moved to excuse non-voting members. The motion prevailed and

Speaker Norton closed the voting board, still continuing his refusal to recognize Representative Marsh.

By refusing to recognize Representative Marsh, Speaker Norton not only violated Representative Marsh's right to vote under House Rule 2.5, but also denied Representative Marsh's constituents their right to be represented.

While this action constitutes one of the most arrogant abuses of the power of the Speaker this body has witnessed, it has been only one of many such experiences we have encountered since the 1987 session began.

We protest and dissent the flagrant abuse of the Speaker's powers in refusing to recognize Minority Caucus members in their attempt to vote on legislation, while at the same time recognizing members of the Majority Party for the same purposes.

No citizen of this state should be denied representation in the Minnesota House of Representatives by an arbitrary and arrogant Speaker of the House who refuses to permit members to vote solely on the basis of party affiliation.

The Speaker owes House members, as well as the citizens of Minnesota, an apology for his improper actions.

Signed:

Bill Schreiber
 Marcus Marsh
 Gary Schafer
 Dean Hartle
 Bob Waltman
 Bob Haukoos
 Donald J. Valento
 Terry Dempsey
 Eileen Tompkins
 Tony Bennett
 Jim Heap
 Tony Onnen
 Dennis Ozment
 Elton Redalen
 Bernie Omann
 Brad Stanius
 John Rose
 Kathleen Blatz
 Howard Miller
 Chris Tjornhom
 Virgil Johnson
 Sylvester Uphus
 Steve Dille

Connie Morrison
 Mary Forsythe
 Don Richter
 Gene Hugoson
 Ben Boo
 Doug Swenson
 Jerry Knickerbocker
 Harriet McPherson
 Sal Frederick
 Dennis J. Poppenhagen
 Gil Gutknecht
 Steve Sviggum
 Paul Thiede
 K. J. McDonald
 Bert McKasy
 Sid Pauly
 John Burger
 David B. Gruenes
 Doug Carlson
 Allen Quist
 John Himle
 Art Seaberg

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 30, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 30, 1987.

EDWARD A. BORDICK, Chief Clerk, House of Representatives

Whereas, he was awarded the Nobel Prize for literature in 1930 and was the first American to be so honored; and

Whereas, his works still have much to teach and always have the ability to entertain; and

Whereas, he always maintained his Minnesota heritage, using it as the setting for many of his novels and choosing his old hometown of Sauk Centre as his final resting place; and

Whereas, it is appropriate to encourage the interest of Minnesota citizens in the works of Sinclair Lewis, their fellow Minnesotan; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it joins with all Minnesotans to commemorate Sinclair Lewis upon the occasion of the 100th anniversary of his birth. It notes with pride his many literary works and the honors he received for them. It calls upon all Minnesotans to renew their interest in his work.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare enrolled copies of this resolution, to be authenticated by his signature and that of the Speaker, and present them to public libraries in Minnesota.

The motion prevailed and House Resolution No. 5 was adopted.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11 of the Constitution of the State of Minnesota, we, the undersigned members of the Minnesota House of Representatives, do hereby protest and dissent the actions of Minority Leader Fred Norton and members of his DFL House Caucus for obstructing and impeding the work and progress of the Minnesota Legislature. By continually trying to suspend the state Constitution, intending to pass legislation that has not received the benefit of public committee hearings, Norton *et al.* have disrupted the legislative process and brought shame to this great institution.

We see the DFL Caucus' attempts as sheer demagoguery, intended to further politicize and partisanize the legislative process. The obstructionist behavior of the minority caucus is dilatory. It is delaying dealing with the very issues they claim they want addressed. House members have spent many hours in the chamber, wrangling over parliamentary procedure.

Such obstructionist behavior polarizes House members along party lines, making it more difficult to arrive at bipartisan solutions to the problems facing our state. The public is best served if Republicans and Democrats work together, to make necessary

changes. Obstructing the business of the House is creating animosity that will hinder chances for reconciliation in April and May, when it is needed most.

Most of all, the DFL Caucus' attempts to rush through legislation, without the benefit of committee hearings, denies the public the chance to influence the laws that will govern their lives. Citizens and taxpayers deserve the chance to testify for, and against, proposed legislation. It is ironic that DFLers, who claim their party is the "party of openness," want to close the process by passing laws without public hearings. It is a question of basic fairness and common sense. The underpinnings of our democracy dictate that citizens be allowed to question and comment on public policy before it is adopted.

It is unfortunate that the new House minority caucus, apparently unaccustomed to its current role, is engaging in political brinksmanship at the expense of good public policy and fairness to Minnesota citizens. It is our hope that such unconscionable acts will cease, and that the Minnesota House will be allowed to conduct the public's business in a fair, open and honest manner.

Signatures:

John Himle
Ralph R. Kiffmeyer
Sidney Pauly
Craig Shaver
Dave Gruenes
Chuck Halberg
Bob Waltman
Gaylin DenOuden
John Rose
Donald J. Valento
Gil Gutknecht
Dennis Ozment
Kathleen Blatz
Dave Fjoslien
Sally Olsen
John Burger
Don Frerichs
John Hartinger
Bob Haukoos
Wendell Erickson
Sylvester Uphus
Ben Omann
Marcel "Sal" Frederick
Gordon Backlund
Brad Stanius
Jim Heap
Chuck Dimler
Gary Schafer
Howard Miller
Connie Levi

Dave Jennings
Art Seaberg
Adolph Kvam
Tony Bennett
Merlyn O. Valan
Mary Forsythe
K. J. McDonald
Steve Sviggum
Chris Tjornhom
Dennis J. Poppenhagen
Bill Schreiber
Tony Onnen
Carol Dyke
Maurice Zaffke
Ted Thorson
Terry Dempsey
Elton Redalen
Don Richter
Bert McKasy
Jim Boerboom
Virgil Johnson
Dennis C. Frederickson
Dale Clausnitzer
Lynn Becklin
Dean Hartle
Eileen Tompkins
Mark Piepho
Allen Quist
Gerald Knickerbocker
Bob Anderson

Those who voted in the affirmative were:

Anderson, R.	Dyke	Johnson	Ozment	Sparby
Backlund	Erickson	Kalia	Pauly	Stannus
Becklin	Ejostien	Kiffmeyer	Piepho	Swiggum
Bennett	Foraythe	Knickerbocker	Poppenhagen	Thorsen
Bishop	Frederick	Knuth	Quist	Tjornhom
Blatz	Frederickson	Krueger	Redalen	Tompkins
Buerboom	Frerichs	Kvam	Ries	Uphus
Boo	Gruenes	Levi	Rost	Valan
Brinkman	Gutknecht	Lieder	Richter	Valento
Brown	Halberg	Marsh	Rivencus	Welle
Burger	Hartinger	McDonald	Rose	Wenzel
Carlson, J.	Hartle	McKasy	Schafer	Spk. Jennings, D.
Clausnitzer	Haukoos	McPherson	Schoenfeld	
Cohen	Heap	Nelson, D.	Schreiber	
Dempsey	Himle	Olson, S.	Seuberg	
Dimler	Jacobs	Onnen	Shaver	

Those who voted in the negative were:

Anderson, C.	Greenfield	Munger	Peterson	Staten
Battaglia	Jaros	Murphy	Piper	Tunheim
Beard	Jennings, L.	Nelson, K.	Price	Vanasek
Begich	Kahn	Neuenschwander	Quinn	Vellenga
Brandl	Kelly	Norton	Rice	Voss
Carlson, D.	Kostohryz	Ogren	Rodosovich	Wynia
Carlson, L.	McEachern	Olson, E.	Sherman	Zaffke
Clark	McLaughlin	Osthoff	Simoneau	
DonOuden	Miller	Otis	Skoglund	
Eloff	Minne	Pappas	Solberg	

The motion prevailed and House Resolution No. 3, as amended by the Committee on Budget, was adopted.

There being no objection the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House File was introduced:

McEachern; Nelson, K.; Olsen, S.; Kostohryz and Erickson introduced:

H. F. No. 445, A bill for an act relating to education; enabling the state board of education to authorize school boards to permanently transfer money from one fund to another when unforeseeable events occur within a district; requiring review and recommendations by the advisory council on uniform financial accounting and reporting standards; amending Minnesota Statutes 1984, section 121.912, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 121.

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

CALL OF THE HOUSE LIFTED

Valento moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members, register our protest and dissent to the adoption by the Independent Republican majority of the portions of Rule 5.10 which give the Speaker authority to stop, without debate, consideration of bills or amendments.

Debate is essential to a legislature. As documented in "Mason's Manual of Legislative Procedure" it is a fundamental rule of parliamentary practice that opportunity to debate is the right of any member and that right cannot be deprived by the arbitrary will of one member or even of the majority.

Likewise, it is the purpose of a legislature to introduce, debate, consider, and pass bills. No single member can be allowed to thwart that purpose.

Finally, the rights of members of a legislature are founded upon the absolute equality of its members. Every member has the same right to introduce questions and to be heard. No one member has superior rights that infringe on others.

Rule 5.10 deprives members of equality, deprives the body of the right to debate, and obstructs the very purpose for which the legislature was created. We protest enactment of Rule 5.10.

Signatures:

Gordon O. Voss
Lona Minne
Wayne Simoneau
Robert Vanasek
Loren A. Solberg

ADJOURNMENT

Levi moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 18, 1985. The motion prevailed.

Levi moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 18, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Whereas, he assisted in the development of a foreign exchange program by which local and European police officers receive training in each others countries; and

Whereas, he has served as president or chairman of a large number of professional, community, and service organizations; and

Whereas, he helped to develop the Battered Women's Shelter and the Homeward Bound Shelter; and

Whereas, he has been selected by the Minnesota Chiefs of Police Association as the 1984 Police Officer of the Year; *Now, Therefore,*

Be It Resolved by the House of Representatives of the State of Minnesota that it congratulates Sgt. Arthur Hogenson not only for being selected Police Officer of the Year but for the accomplishments represented by that award.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and present it to Sgt. Arthur Hogenson.

Carlson, L., moved that House Resolution No. 22 be now adopted. The motion prevailed and House Resolution No. 22 was adopted.

Redalen, Valan, Johnson, Sparby and Kalis introduced:

House Resolution No. 23, A house resolution stating the sense of the House of Representatives that adequate funding for the Soil Conservation Service and the Agricultural Stabilization and Conservation Service should be restored.

The resolution was referred to the Committee on Agriculture.

POINT OF ORDER

Osthoff raised a point of order pursuant to rule 1.7 relating to progressing bills on General Orders. The Speaker ruled the point of order not well taken.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11 of the Minnesota Constitution, we herewith register our formal protest and dissent on behalf of the members of the House of Representatives, our constituents, and the people of Minnesota, all of whom are affected by

the actions which took place in the House Tax Committee on Thursday, April 11, 1985.

H. F. No. 450 was brought up in the Tax Committee in violation of the intent of House Rule 6.3 which states that "the chairman of each committee or subcommittee shall, as far as practicable, give three days' notice of any meeting." The rule further states that the notice *shall include* the agenda for the meeting.

The Chairman of the Tax Committee did willfully ignore the spirit and intent of the Rules of the House by placing on the committee agenda H. F. No. 450 without providing notice to the general public.

We further protest that, in the conduct of the Tax Committee meeting on April 11, 1985, there were several violations of provisions of "Mason's Manual of Legislative Procedure" "whose purpose is to ensure that every deliberative body be governed by rules of procedure in order that the will of a majority of its members may be determined and revealed in an orderly manner." Just as important, "Mason's Manual of Legislative Procedure" exists and is used to protect minorities from unfair treatment on the part of the majority.

Attempts were made in the course of the Tax Committee meeting by the majority to deny several fundamental rights of the members of the minority, including the following:

Section 120 of "Mason's Manual of Legislative Procedure." Equality of members in debate. "The rights and duties of members of a legislative body are derived from and founded upon the absolute equality of the members. Every member has the same right as any other member to present questions for consideration and has the same right to be heard." The Chairman and the majority members of the Tax Committee attempted to deny this basic right of equality to minority members of the committee.

Section 60 of "Mason's Manual of Legislative Procedure." The right to debate. "Before the members of any group can reach informed decisions it is necessary that they understand the subject upon which they are making a decision and the effect of any decisions they are making. To accomplish these purposes, *an opportunity is given for debate* on all questions of business to be decided. As an essential part of this free discussion, *every person must have a right to present his own views for the consideration of other members of the group*, to have the opportunity to persuade them to his way of thinking and to be able to listen to the arguments of others."

The majority attempted to deny this fundamental right of individual members in the Tax Committee on April 11, 1985, from

which breach of the honored and orderly legislative process we most vigorously protest and dissent.

Section 90 of "Mason's Manual of Legislative Procedure." The right to debate questions states that "it is a fundamental right of parliamentary practice given to all deliberative assemblies, that the opportunity to deliberate and, if possible, to convince their fellows in *the right of the minority*, which right they cannot be deprived of by the arbitrary will of the majority."

Section 80 of "Mason's Manual of Legislative Procedure." In talking about the purpose of debate states that "debate is one of the most fundamental characteristics of a legislative body." The majority also attempted to stifle debate, in violation of Section 130 and 132 of "Mason's Manual of Legislative Procedure", which states that "the right of members to debate and make motions cannot be cut off by the presiding officer by bringing a question up for a vote while there are still members wishing to speak."

What went on in the Tax Committee this morning was a travesty of the legislative process. What was the purpose of these actions by the majority? The chief author stated that one objective of her bill was to generate greater public awareness of child abuse. Why were members not informed that H. F. No. 450 was going to be taken up? Why was the public not notified of the hearing so that they could testify on the bill? Even the people most concerned about child abuse were not notified, and were not there to discuss how they felt about the method of funding in H. F. No. 450.

How can we, as members of the House, how can those in the news media, how can the general public have any confidence in committee schedules?

When we tried to represent those people who were not notified and could not be heard, when we tried to have discussion and debate on some of the points in contention, when we tried to better understand the ramifications of the bill, when we tried to offer amendments, the majority attempted to cut us off.

No member of this House can be proud of what took place in the Tax Committee on April 11, 1985.

Robert Vanasek
Fred Norton
Joe Begich
Gordon O. Voss
C. Thomas Osthoff
John Tomlinson
John E. Brandl

B. J. Brinkman
Wesley J. Skoglund
Joel Jacobs
Bob Neuenschwander
Linda Scheid
Lona Minne

ADJOURNMENT

Levi moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 15, 1985. The motion prevailed.

Levi moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 15, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Shaver, Rose, Osthoff, Fjoslien and Kiffmeyer introduced:

H. F. No. 12, A bill for an act relating to charitable gambling; exempting certain organizations from regulation and tax; amending Minnesota Statutes 1984, sections 297A.25, by adding a subdivision; and 349.214, subdivision 2.

The bill was read for the first time. There being no objection, H. F. No. 12 was laid on the table.

Hartinger, Hartle, Wenzel, Zaffke and Poppenhagen introduced:

H. F. No. 13, A bill for an act relating to higher education; status of certain institutions for scholarship and grant-in-aid purposes.

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

MOTIONS AND RESOLUTIONS

Segal introduced:

House Resolution No. 1, A house resolution congratulating Keith Dawson of Saint Louis Park on 27 years of effective and dedicated assistance to youth in Saint Louis Park schools.

The resolution was referred to the Committee on Rules and Legislative Administration.

Sparby, Lieder, Brown and Olson, E., introduced:

House Resolution No. 2, A house resolution congratulating the Rural Electric Cooperative Association on 50 years of service to rural Minnesotans.

The resolution was referred to the Committee on Rules and Legislative Administration.

Segal introduced:

House Resolution No. 3, A house resolution commemorating Memorial Day 1985.

The resolution was referred to the Committee on Rules and Legislative Administration.

Anderson, G., introduced:

House Resolution No. 4, A house resolution wishing Theodor S. Slen a happy 100th birthday.

The resolution was referred to the Committee on Rules and Legislative Administration.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members of the Minnesota House of Representatives, do hereby protest and dissent the actions of Majority Leader Connie Levi and members of the Independent-Republican House Caucus for preventing open government on the floor of the Minnesota House of Representatives. By refusing to allow consideration of a motion to enable members to have available and read proposed legislation before it is voted upon, they are denying members the opportunity to make informed decisions on matters of critical importance to the people of Minnesota.

The actions of the IR majority represent an irresponsible return to the closed door politics of the past. Since adjournment of the 1985 regular legislative session, decisions on key bills have been made in private closed-door meetings—out of view of not only the minority but of the public and the press.

Public perception—confirmed by Republican action this date—is that government is in the hands of back-door manipulators. A cloud of suspicion hangs over this body, undermining public confidence in the integrity of our members and the institutions of our democratic government.

The minority of this body asks that each member receive a copy of a bill in sufficient time to read it before voting on that bill. Responsible government demands no less. The Republican majority said "NO."

Minnesota *had* a reputation of clean, open government. Republican insistence on conducting government under the shroud of secrecy and without full participation by the public or those elected to serve is anathema to the citizens of Minnesota.

Signatures:

Robert Vanasek
Richard A. Krueger
Phyllis Kahn
Fred Norton
Sandra L. Pappas

Wayne Simoneau
Alan Welle
Bob Neuenschwander
Randy C. Kelly
John Tomlinson

Randy Staten
Gloria Segal
Lee Greenfield
Wes Skoglund
Wally Sparby
John E. Brandl
Kathleen Vellenga
Peter S. Rodosovich
Gordon O. Voss
Phillip J. Riveness
Darby Nelson
Todd Otis
Linda Scheid
Karen Clark
Lyndon R. Carlson
James P. Metzen
Edgar Olson
Ann Wynia
Robert Ellingson
Richard Cohen
Dee Long
Mary Murphy

Charles Brown
Joe Begich
Jim Rice
Jerome Peterson
Patrick W. Beard
Rich O'Connor
John Sarna
Paul A. Ogren
Bob McEachern
Loren Jennings
Joe Quinn
Bernie Lieder
Ann H. Rest
Jim Tunheim
Len Price
Dan Knuth
Pat Piper
Dick Kostohryz
Willard Munger
Peter McLaughlin
Jerry Schoenfeld
Glen H. Anderson

ADJOURNMENT

Levi moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, June 20, 1985. The motion prevailed.

Levi moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Thursday, June 20, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SPECIAL SESSION - 1985

SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, JUNE 20, 1985

The House of Representatives convened at 11:00 a.m. and was called to order by David M. Jennings, Speaker of the House.

Prayer was offered by Reverend Howard C. Gravrock, House Chaplain.

The roll was called and the following members were present:

Anderson, G.	Ellingson	Kvam	Ozment	Simoneau
Anderson, R.	Fjoslien	Levi	Pappas	Skoglund
Backlund	Forsythe	Lieder	Pauly	Solberg
Battaglia	Frederick	Long	Peterson	Sparby
Beard	Frederickson	Marsh	Piepho	Stanius
Bocklin	Frerichs	McDonald	Piper	Staten
Begich	Greenfield	McEachern	Poppenhagen	Sviggum
Bennett	Gruenes	McKasy	Price	Thiede
Bishop	Gutknecht	McLaughlin	Quinn	Thorson
Blatz	Halberg	McPherson	Quist	Tjornhom
Boerboom	Hartinger	Metzen	Redalen	Tomlinson
Boo	Hartle	Miller	Rees	Tompkins
Brandl	Haukoos	Minne	Rest	Tunheim
Briakman	Heap	Munger	Rice	Uphus
Brown	Himle	Murphy	Richter	Valan
Burger	Jacobs	Nelson, D.	Riveness	Valento
Carlson, D.	Jaros	Nelson, K.	Rodosovich	Vanasek
Carlson, J.	Jennings, L.	Neuenschwander	Rose	Vellenga
Carlson, L.	Johnson	Norton	Sarna	Voss
Clark	Kahn	O'Connor	Schafer	Waltman
Clausnitzer	Kalis	Ogren	Scheid	Welle
Cohen	Kelly	Olsen, S.	Schoenfeld	Wenzel
Dempsey	Kiffmeyer	Olson, E.	Schreiber	Wynia
DenOuden	Knickerbocker	Omman	Seaberg	Zaffke
Dimler	Knuth	Onnen	Segal	Spk. Jennings, D.
Dyke	Kostohryz	Osthoff	Shaver	
Elioff	Krueger	Otis	Sherman	

A quorum was present.

Frickson was excused.

The Chief Clerk proceeded to read the roll.

GENERAL ORDERS

Eken moved that the bills on General Orders for today be continued one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Levi moved that the name of Segal be added as an author on H. F. No. 1289. The motion prevailed.

Simoneau moved that the names of Skoglund and Segal be added as authors on H. F. No. 1301. The motion prevailed.

Greenfield moved that the name of Clark, K., be added as an author on H. F. No. 1303. The motion prevailed.

Clark, J., moved that the name of Segal be added as an author on H. F. No. 1304. The motion prevailed.

Begich moved that the name of Clark, K., be added as an author on H. F. No. 1307. The motion prevailed.

Rice moved that S. F. No. 606, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Clawson moved that H. F. No. 670 be returned to its author. The motion prevailed.

Rice moved that H. F. No. 1298 be returned to its author. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we herewith register our formal protest and dissent regarding the actions and conduct of the Speaker of the House, Harry Sieben, and the Majority Leader, Willis Eken, in their attempt to manipulate and deviate from the rules of the House on May 2, 1983.

The Speaker of the House, in collusion with the Majority Leader, did willfully ignore the rules of the House by calling an unannounced rules committee for the sole purpose of altering the floor schedule to avoid discussion on the issue of workers' compensation. With no prior notice to the public or to other legislators, and with no opportunity for input, a prearranged Special Orders Calendar was sent to the floor. This action and subsequent actions of the Speaker and Acting Speaker prohibited the members of the legislature from a free and open discussion of the workers' compensation issue.

The Speaker further compounded the inappropriateness of the rules committee action by ignoring the motion to lay the special orders calendar committee report on the table pursuant to House rule 1.14.

Later, State Representative Ann Wynia, charged with the temporary responsibility as presiding officer in the Minnesota House of Representatives, did on two separate occasions refuse to rule on valid points of order as is required by "Mason's Manual of Legislative Procedure." She would not acknowledge the breach of order called to her attention in the first instance, which in itself, became the second breach of order which was also called to her attention. Representative Wynia's failure to rule as presiding officer is a serious contravention of established parliamentary practice and constituted further deliberate action to prevent discussion of the issue of workers' compensation.

As offended members of this legislative body, we expect that the conventions of the House of Representatives will not continue to receive abusive treatment from any individual acting as Speaker.

Through their actions, the confidence in House rules and parliamentary procedure have been jeopardized. Their deliberate attempts to circumvent the will of the majority, and their abusive conduct is a denial of each members' rights and a direct attack on the tradition of the Minnesota House of Representatives.

Those charged with leadership responsibilities must rise above their own pettiness and partisanship to restore a tradition of evenhandedness and straightforwardness by following parliamentary procedure and House rules as has been done in the past.

Signatures:

Ray Welker
Dave Bishop
Sylvester Uphus
Mary Forsythe
Ben Omann
Terry Dempsey
Tony Onnen
Adolph Kvam
John Himle
Ellen Redalen
Dave B. Gruenes
D. H. Hoberg
Bert J. McKasy
Lon Heinritz
Sidney Pauly

Tim Sherman
Bill Schreiber
Donald Valente
Gerald Knickerbocker
Jim Heap
Rob Wallman
Gil Gulknecht
Dick Wigley
Dorothy Hokr
Craig Shaver
Charles C. Halberg
Mark Piepho
Dave Fjoslien
John Rose
Steve Stigum

Chuck Dimler
David M. Jennings
Gaylin DenOuden
Paul M. Thiede
Merlyn Valan
Robert W. Reif
K. J. McDonald
Gary L. Findlay
Gary Schafer
Connie Levi
Tony Stadum
Bob Haukoos

Sally Olsen
Tony Bennett
Cal R. Ludeman
Virgil Johnson
Don Frerichs
Kathleen Blatz
Maurice Zaffke
Wendell Erickson
Doug Carlson
John Burger
Allen Quist
Arthur Seaberg

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 1:00 p.m., Friday, May 13, 1983. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Friday, May 13, 1983.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-THIRD SESSION - 1983

FIFTY-THIRD DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 13, 1983

The House of Representatives convened at 1:00 p.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Pastor Dick Larson, Zion Lutheran Church, Thief River Falls, Minnesota.

The roll was called and the following members were present:

Anderson, B.	Evans	Kostohryz	Pauly	Solberg
Anderson, G.	Findlay	Krueger	Piepho	Sparby
Battaglia	Fjoslien	Kvam	Piper	Stadum
Beard	Forsythe	Larsen	Price	Staten
Begich	Graba	Levi	Quinn	Sviggum
Bergstrom	Greenfield	Long	Quist	Swanson
Berkelman	Gruenes	Ludeman	Redalen	Thiede
Bishop	Gustafson	Mann	Reif	Tomlinson
Blatz	Gutknecht	Marsh	Rice	Tunheim
Brandl	Halberg	McDonald	Riveness	Uphus
Brinkman	Haukoos	McEachern	Rodosovich	Valan
Burger	Heap	McKasy	Rodriguez, C.	Valento
Carlson, D.	Heinitz	Metzen	Rodriguez, F.	Vanasek
Carlson, L.	Himle	Minne	Rose	Vellenga
Clark, J.	Hoberg	Munger	St. Onge	Voss
Clark, K.	Hoffman	Murphy	Schafer	Waltman
Clawson	Hokr	Nelson, D.	Scheid	Welch
Cohen	Jacobs	Nelson, K.	Schoenfeld	Welker
Coleman	Jennings	Norton	Schreiber	Welle
Dempsey	Jensen	O'Connor	Seaberg	Wenzel
DenOuden	Johnson	Ogren	Segal	Wigley
Dimler	Kahn	Olsen	Shaver	Wynia
Eken	Kalis	Omann	Shea	Speaker Sieben
Elioff	Kelly	Onnen	Sherman	
Ellingson	Knickerbocker	Osthoff	Simoneau	
Erickson	Knuth	Otis	Skoglund	

A quorum was present.

Anderson, R.; Bennett; Frerichs; Neuenschwander; Peterson; Sarna and Zaffke were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. (The Chief Clerk read the Journal of the preceding day.)

Redalen moved that his name be stricken as an author on H. F. No. 722. The motion prevailed.

Schafer moved that the names of DenOuden and Kvam be added as authors on H. F. No. 738. The motion prevailed.

Beard moved that the name of Sarna be stricken and the name of Solberg be added as second author on H. F. No. 916. The motion prevailed.

Bishop moved that the name of Coleman be stricken and the name of Segal be added as an author on H. F. No. 1017. The motion prevailed.

Segal moved that the name of Norton be stricken and the name of Coleman be added as an author on H. F. No. 1018. The motion prevailed.

Anderson, G., moved that the name of Wenzel be added as an author on H. F. No. 1029. The motion prevailed.

Price moved that the name of Nelson, D., be stricken as an author on H. F. No. 1039. The motion prevailed.

Thiede moved that the name of Wenzel be added as an author on H. F. No. 1111. The motion prevailed.

Brinkman moved that the names of Heinitz and Valento be added as authors on H. F. No. 1127. The motion prevailed.

Riveness moved that the names of Blatz and Himle be added as authors on H. F. No. 1138. The motion prevailed.

Wenzel moved that the names of McEachern, Uphus and Graba be added as authors on H. F. No. 1158. The motion prevailed.

Tomlinson moved that he be shown as chief author, that Nelson, K., be shown as second author and that Olsen be added as an author on H. F. No. 771. The motion prevailed.

Jennings moved that H. F. No. 321 be returned to its author. The motion prevailed.

PROTEST AND DISSENT

A formal statement of protest and dissent is an unusual action and one not to be taken lightly. Unfortunately, the conduct of the closing debate on H. F. No. 89, during the Committee of the Whole, on Monday, April 4, 1983, leaves us with no alternative if we wish to set the official record straight.

Specifically, we must register a formal objection to the conduct of Representative Greenfield, Representative Brandl and Representative Cohen in those closing minutes of debate, and to the Speaker's refusal to recognize us to voice our objection at that time.

The effort by Representative Greenfield, to continue a one-sided harangue on a bill he intended to lay over, showed a remarkable lack of good judgment and, at the very least, seemed to reflect a lack of respect for customary legislative courtesy.

Representative Brandl's use, or rather abuse, of the "point of personal privilege" to carry the argument on, once the bill was laid over, displayed equally poor judgment.

It is, however, the comments of Representative Cohen that particularly need to be addressed in this statement. He is entitled to support or oppose any bill he wishes, for any reason he wishes. He is also obligated, however, to extend that same right to others. He has absolutely no right to question anyone's motives other than his own.

The bill in question is very controversial and many actions, by many people, on both sides of the issue, may have been a cause for concern. That does not, however, give Mr. Cohen, or anyone else, the right to launch the kind of sweeping, vitriolic personal attack we were subjected to on Monday, simply because we disagree.

Such judgments are simply not appropriate in the legislative process and the cause of good government can only be served if all members are allowed to vote their conscience without being subjected to the kind of self-righteous, inflammatory rhetoric that occurred on Monday.

REP. DAVID M. JENNINGS, REP. MARY FORSYTHE and REP. MARCUS MARSH.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 11, 1983. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 11, 1983.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

2. Article II, Section 9 appropriating \$150,000 to the Department of Education for a school transportation bus routing study and appearing on page 40, lines 24 through 28 of H. F. 1781.

3. Article VIII, Section 3 appropriating \$250,000 to the Department of Education for educational research and development and appearing on page 157, lines 11 through 16 of H. F. 1781.

The preceding items have been vetoed because of the uncertain economic conditions that face the state. As Governor, I have the legal responsibility to ensure that the state maintains a balanced budget. Thus, it has been necessary to examine every spending item to ensure that the state's budget will not be in deficit during this biennium.

Sincerely yours,

ALBERT H. QUIE
Governor

POCKET VETO

The following bill was pocket vetoed by Governor Albert H. Quie:

H. F. No. 1507.

PROTEST AND DISSENT

We, the undersigned members, protest and dissent from the unprincipled and disgraceful behavior of the Chairman of the Committee on Rules and Legislative Administration and several members of his caucus during the closing minutes of the 1979 regular legislative session.

In deliberately attempting to thwart any discussion on a resolution properly presented to the House, the Rules Chairman and a few other of his caucus members acted in reckless disregard of the House's parliamentary rules. A few of the more flagrant violations which we protest included:

1. Leaving the House after a call of the House without the permission of the Chair (House Rule 2.2);
2. Walking out of the House while the Speaker is putting a question before the body (House Rule 4.7);
3. Refusing to vote on a matter before the body when not excused from voting by a majority of the House (House Rule 2.5);
4. Improperly interrupting another member who was addressing the House (House Rule 4.2 and Mason's Section 121);

5. Using dilatory motions to intentionally obstruct the business of the House (House Rule 3.9 and Mason's Section 180);

6. Heckling and interrupting other members and the Speaker during debate (Mason's Section 61); and

7. Acting in a manner designed to deny other members of their right to free speech (Mason's Section 60 and 120).

Along with these violations of the rules, we also wish to protest the unruly and offensive conduct of a number of members. Such behavior is clearly inconsistent and contrary to every principle of order and decorum in the House of Representatives.

We strongly feel that the above-named actions not only violated basic provisions of the Rules of the House and parliamentary law, but also exhibited wholesale contempt for the democratic process. We are aware of no other single event in the history of the Minnesota House in which the legislative process was so blatantly abused.

Given this unsavory situation, we believe that the Speaker should be commended for his unfaltering patience and extraordinary efforts in attempting to complete the business of the House during the last 15 minutes of the regular 1979 Session.

JERRY KNICKERBOCKER
GARY LAIDIG

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 14, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1980	Date Filed 1980
	160	527	April 11	April 11
	251	528	April 11	April 11

4/12/80

H. F. No. 606, relating to controlled substances;

Sincerely yours,

ALBERT H. QUIE
Governor

3/21/79

PROTEST AND DISSENT

We, the undersigned, protest and dissent from the actions of the Speaker of the House in the closing minutes of the 1979 Regular Legislative Session and in particular, the actions at that time on a certain resolution relating to the Pavlak-Kempe election contest.

Within the last 15 minutes of that session the following Rules of the House and elements of parliamentary procedure were openly violated:

1. The Speaker passed over the Special Orders Calendar without any action by the body whatsoever.
2. The Speaker refused a request for roll call on a motion to dispense with further proceedings under a call of the House.
3. The Speaker refused to call the absentees on a vote when under call of the House.
4. The Speaker refused to recognize a motion to adjourn as a higher motion than the pending motion.
5. The Speaker failed to put the question on adopting a resolution before a roll call was taken.
6. The Speaker stated a matter was adopted when the vote on the matter indicated a quorum was not present.
7. The Speaker repeatedly and intentionally refused to recognize members in order to speak on motions and resolutions or to raise points of order and personal privilege.

In addition, we were also asked to violate that provision of the Minnesota Constitution, Article IV, Section 12, which prohibits the Legislature from meeting after a certain date.

The actions of the Speaker in this matter constitute the most blatant misuse of authority we have witnessed in our legislative experience. The events of that evening constitute a complete breakdown of the orderly legislative process and our concept of rule by law.

We believe the House of Representatives deserves an apology.

Irvin N. Anderson	Jim Pehler
Willis Eken	John Sarna
Buzz Anderson	Robert L. Ellingson
Dick Welch	John Corbid
Mike Jaros	Linda Berglin
Carl M. Johnson	Joseph R. Begich
Norm Prahl	David Battaglia
John Tomlinson	Leo Adams
Harry Sieben, Jr.	Lyn Carlson
Eugene Waldorf	James Casserly
Arlene Lehto	Janet Clark
Stanley A. Enebo	John Clawson
Gordon O. Voss	Glen Anderson
Stanley J. Fudro	Michael Sieben
Steve Wenzel	Wayne Simoneau
Ray Faricy	Tom Stoa
Dominic J. Elioff	James Swanson
Raymond J. Kempe	Bob Vanasek
Dee Long	Ann Wynia
Bob McEachern	Phyllis Kahn
Don Moe	Henry Kalis
Mary Murphy	Dick Kostohryz
Marlin Doc Nelsen	Carl Kroening
Ken Nelson	James Rice
Steven Novak	Paul McCarron
Tom Osthoff	Randy Kelly
Todd Otis	George Mann
Al Patton	Lona Minne

Those who voted in the negative were:

Anderson, R.	Den Ouden	McDonald	Simoneau	Thiede
Brinkman	Esau	Sherwood	Sviggum	Welker

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

PROTEST AND DISSENT

Per Article IV, Section 11 of the Minnesota Constitution, we the undersigned protest the action of the House of Representatives, on May 18, 1979 at 3:12 p.m. which expelled Representative Robert Pavlak. This action was done pursuant to Article IV, Section 6 in opposition to the Independent-Republican's position that expulsion should be regulated by Article IV, Section 7 which requires a two-thirds vote.

We the undersigned contend that the Constitution of Minnesota, Article IV, Section 7 was violated. It is our contention that this violation is manifested by the unconstitutional expulsion of a member of the House of Representatives while he was hospitalized and unable to face his accusers, cross examine them or present testimony in his own behalf. We further contend that justice was not served and that due process was denied to the expelled member.

Dated: May 19, 1979

Ray O. Pleasant	Raymond J. Albrecht
Don Friedrich	Gilbert Esau
O. J. Heinitz	Ken Zubay
Al Wieser, Jr.	Dean E. Johnson
Elton Redalen	Kathleen A. Blatz
Doug Carlson	Ray Welker
Paul Thiede	Chuck Halberg
John Rose	William A. Crandall
John A. Ainley	Jim Norman
Bob Anderson	Dwaine Hoberg
Doug Ewald	Marnie Luknic
Jim Evans	Lyle Mehr

Mary Forsythe	Tony Onnen
Warren Thomas Stowell	Gaylin Den Ouden
Wendell O. Erickson	Kenneth J. McDonald
Sally Olsen	Myron Nysether
Connie Levi	Cal R. Ludeman
Dave Fjoslien	Joe T. Niehaus
Richard Wigley	Merlyn O. Valan
John S. Biersdorf	Gary W. Laidig
Mark Piepho	Steve Sviggum
Tom Rees	Mike Fritz
Tony Stadum	Delbert F. Anderson
Glen Sherwood	William H. Schreiber
Paul Aasness	Bruce Nelsen
Jerry Knickerbocker	Bill Peterson
Jim Heap	Don Valento
Elliot Rothenberg	John Drew
Dick Kaley	Adolph L. Kvam
John L. Weaver	Robert L. Searles
Bob Haukoos	Rod Searle
Dave Jennings	Terry Dempsey
Bob Reif	William D. Dean

Knickerbocker inquired of the chair what order of business was before the House. The Speaker declared the next order of business to be General Orders.

GENERAL ORDERS

Knickerbocker moved that General Orders be continued.

A roll call was requested.

Wieser, Sviggum, Brinkman, and Wenzel.

SPECIAL ORDERS, Continued

S. F. No. 622 was reported to the House.

There being no objection, S. F. No. 622 was continued on Special Orders for one day.

S. F. No. 363, A bill for an act relating to crimes; requiring reporting of firearm discharges by security guards.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Sviggum
Anderson, I.	Evans	Kostohryz	Olsen	Swanson
Anderson, R.	Ewald	Kroening	Onnen	Thiede
Battaglia	Faricy	Kvam	Osthoft	Tomlinson
Begrich	Fjoallen	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Patton	Vanasek
Berkelman	Friedrich	Levi	Pehler	Voss
Biersdorf	Fritz	Long	Peterson	Waldorf
Blatz	Fudro	Ludeman	Piepho	Weaver
Brinkman	Greenfield	Luknic	Pleasant	Welch
Byrne	Halberg	Mann	Prahl	Welker
Carlson, D.	Haukoos	McCarron	Redalen	Wenzel
Carlson, L.	Heap	McDonald	Reding	Wieser
Caaserly	Heinitz	McEachern	Rees	Wigley
Clark	Hoberg	Mehrkena	Reif	Wynla
Clawson	Hokanson	Metzen	Rice	Zubay
Corbid	Jacobs	Minne	Rose	Speaker Searle
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

S. F. No. 607 was reported to the House.

There being no objection, S. F. No. 607 was continued on Special Orders for one day.

Sieben, H., moved that the remaining bills on Special Orders for today be continued for one day immediately preceding General Orders. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders one day.

MOTIONS AND RESOLUTIONS

Halberg moved that H. F. No. 1094 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Patton moved that S. F. No. 1128 be recalled from the Committee on Governmental Operations and together with H. F. No. 1192, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Sherwood moved that the House conferees on H. F. No. 13 be discharged, that new conferees be appointed on the part of the House, that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to the Conference Committee, and that the Senate be requested to discharge its Conference Committee and appoint new conferees. The motion prevailed.

PROTEST AND DISSENT

We, the undersigned members of the Minnesota House of Representatives, submit this petition of protest and dissent to be entered in the Journal of the House.

We are protesting and dissenting the action taken by the DFL members of the House in two cases. First, we protest and dissent against the motion to require the House Committee on General Legislation and Veterans Affairs to meet and report by 6:00 p.m. Wednesday, May 16 on the election contest of Rep. Robert Pavlak and to further request the full house to act at 6:00 p.m. Wednesday, May 16 whether or not the committee has acted. Second, we protest and dissent the motion offered by Rep. Irv Anderson and Rep. Harry Sieben forbidding Rep. Pavlak from voting on any substantive or procedural votes relative to the issue of his election contest. This motion was ill-conceived in that it overruled the Speaker of the House who had earlier stated that he would rule upon Rep. Pavlak's eligibility to vote in these cases.

We believe that these actions were injurious to Rep. Pavlak and further that his rights to due process and equal protection of the law so stated under the 14th amendment of the United States Constitution have been denied.

Sally Olsen
Dwaine Hoberg
Bob Haukoos
Elton R. Redalen
Merlyn O. Valan
Jim Heap
Tom Rees
Lyle Mehrkens
Marnie Luknic
David M. Jennings
Connie Levi
Ray Welker
John Drew
John L. Weaver
Dick Kaley
Dave Fjoslien
Mike Fritz
Robert W. Reif
Steve Sviggum
Elliott Rothenberg
O. J. Heinitz
William A. Crandall
Jim Norman
Kathleen Blatz
Bob Searles
Dean E. Johnson
Terry Dempsey
Mark Piepho
John S. Biersdorf
Dick Wigley
Al Wieser, Jr.
Myron Nysether

Gilbert Esau
Glen Sherwood
Tony Stadum
K.J. McDonald
Paul Thiede
Don Valento
Raymond J. Albrecht
Joe T. Niehaus
Adolph L. Kvam
Bill Peterson
Tony Onnen
Bruce Nelsen
Ray O. Pleasant
Delbert F. Anderson
Donald L. Friedrich
Paul D. Aasness
Doug Ewald
William D. Dean
John A. Ainley
Cal R. Ludeman
Jim Evans
Gary W. Laidig
Bill Schreiber
Warren T. Stowell
Wendell O. Erickson
Mary Forsythe
Chuck Halberg
John Rose
Doug Carlson
Bob Anderson
Rod Searle
Jerry K. Eckerbocker

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, May 16, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, May 16, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

Kvam	Long	Niehau	Savelkoul	Stangeland
Larson	Mueller	Ohnstad	Schreiber	Weaver
Lindstrom, E.	Myrah	Pavlak, R. L.	Searle	Wigley
Lombardi	Newcome	Pleasant	Skaar	Wohlwend

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

S. F. No. 331 which it recommended to pass.

H. F. No. 576 upon which it recommended progress until Monday, March 19, 1973.

H. F. No. 646 upon which it recommended that the bill be returned to the author.

H. F. No. 9 upon which it recommended to pass with the following amendments:

Offered by Faricy:

The printed bill, as follows: page 3, line 7, after the words "it is", and before the words "a political" insert "*the State of Minnesota or*".

On page 3, after line 20, insert the following:

"Subd. 3. The provisions of subdivision 1 shall not apply with respect to any salesman, parts man, or mechanic primarily engaged in selling or servicing automobiles, trailers, trucks, or farm implements and paid on a commission or incentive basis, if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers."

Offered by Carlson, A.:

The printed bill, as follows: page 2, subdivision (7) add a new paragraph to read as follows:

"(10) any individual engaged in babysitting as a sole practitioner."

Offered by Cleary:

The printed bill, as follows: page 5, line 19, after the period insert "The regulations issued by the department shall provide that where a handicapped person is now performing or is being considered for employment where he will perform work which is equal to work performed by a non-handicapped person, such handicapped person shall be paid the same wage as a non-handicapped person with similar experience and skill."

On the motion of Mr. Anderson, I., the report of the Committee of the Whole was adopted.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Mr. Anderson, I., from the Committee on Rules and Legislative Administration, announced the following terminations and appointments:

Terminations:

Effective February 28, 1973:

Patricia L. Kohl, Assistant Sergeant I

Effective March 4, 1973:

Daniel J. Beeson, Assistant Sergeant I

Arlin B. Carlson, Administrative Assistant I

Appointments:

Effective March 1, 1973:

Donald F. Westhoff, Assistant Sergeant I

Effective March 5, 1973:

Arlin B. Carlson, Assistant Sergeant I

Effective March 5, 1973:

Daniel J. Beeson, Administrative Assistant I

PROTEST AND DISSENT

Pursuant to the provisions of Article 4, Section 16, of the Minnesota Constitution, the undersigned request that the following dissent and protest be entered in the Journal of the House.

The undersigned members of the House, dissent and protest the action of the House on H. F. No. 307, for the following reasons:

H. F. No. 307 is an unwarranted interference in the constitutionally-tested right of citizens to secure privately-owned premises from uninvited callers.

Owners and occupants of condominiums, cooperatives, hospitals, apartments, religious residences and other community dwellings should be free to regulate the admittance of the uninvited, be they proselytizers, peddlers or politicians. As the Court said in *Watchtower Bible and Tract Society v. Metropolitan Life Insurance Company*, "there is no invitation either expressed or implied, to the public to enter into the common hallways of an apartment house for the purpose of using them as a forum in which to air one's views on any subject, be it religious, political or anything else" (69 NYS 385,393, affirmed 75 NYS 81, 272 App. Div. 103, appeal denied 297 NY805, certiorari denied 69 D Ct. 232, rehearing denied 69 S. Ct. 479).

Also, governmental agencies (such as state colleges and universities) should be free to adopt reasonable rules and regulations regarding visits to campus living quarters by campaigning politicians.

Dated: March 8, 1973

Signed:

Joe Connors

Michas Ohnstad

Arne H. Carlson

Robert J. Ferderer

Ray O. Pleasant

Joe T. Niehaus

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 12, 1973. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 12, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1973

TWENTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 12, 1973

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Johnson, D.	Menke	Salchert
Andersen, R.	Dirlam	Johnson, J.	Miller, D.	Samuelson
Anderson, D.	Eckstein	Johnson, R.	Miller, M.	Sarna
Anderson, G.	Eken	Jopp	Moe	Savelkoul
Anderson, I.	Enebo	Jude	Mueller	Schreiber
Becklin	Erdahl	Kahn	Munger	Schulz
Belisle	Erickson	Kelly	Myrah	Searle
Bell	Esau	Kempe	Nelson	Sherwood
Bennett	Faricy	Klaus	Newcome	Sieben, H.
Berg	Ferderer	Knickerbocker	Niehaus	Sieben, M.
Berglin	Fjoalien	Kvam	Norton	Skaar
Biersdorf	Flakne	Laidig	Ohnstad	Smith
Boland	Forsythe	Larson	Ojala	Spanish
Braun	Fudro	LaVoy	Parish	Stangeland
Brinkman	Fugina	Lemke	Patton	Stanton
Carlson, A.	Graba	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, B.	Graw	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, D.	Growe	Lombardi	Pehler	Ulland
Carlson, L.	Hagedorn	Long	Peterson	Vanasek
Casserly	Hanson	Mann	Pieper	Vento
Clifford	Haugerud	McArthur	Pleasant	Voss
Connors	Heinitz	McCarron	Quirin	Weaver
Culhane	Hook	McCauley	Resner	Wenzel
Cummiskey	Jacobs	McEachern	Rice	Wohlwend
Dahl	Jaros	McFarlin	Ryan	Wolcott
DeGroat	Johnson, C.	McMillan	St. Onge	Mr. Speaker

A quorum was present.

Adams, S.; Cleary; and Wigley were excused. Prahl was excused until 4:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

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. 1308, A bill for an act relating to telegraph and telephone companies; regulating corporate bonds issued by telegraph and telephone companies; amending Minnesota Statutes 1971, Chapter 222, by adding a section; repealing Minnesota Statutes 1971, Section 222.14.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has moved to return the report of the Conference Committee on the following House File:

H. F. No. 835, A bill for an act relating to divorce; abolishing the action and substituting proceedings for dissolution; amending Minnesota Statutes 1971, Sections 518.001; 518.01; 518.03; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.15; 518.16; 518.17; 518.175, Subdivision 1; 518.25; 518.27; 518.54; 518.55; 518.551; 518.57; 518.58; 518.59; 518.62; 518.63; 518.64 and 518.66; repealing Minnesota Statutes 1971, Sections 518.08; 518.26 and 518.28.

And respectfully requests that the House reconsider the vote whereby the Conference Committee Report on H. F. No. 835 was adopted and H. F. No. 835 was repassed.

And further requests the House re-refer the subject matter of said bill to the Conference Committee, as formerly constituted, for further consideration.

Said House File and Conference Committee Report is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2580, A bill for an act relating to the metropolitan transit commission; setting tax levy; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

House Concurrent Resolution No. 10, A house concurrent resolution authorizing membership in the national conference of state legislative leaders, designating Minnesota's representatives therein and providing for the payment of membership fees, dues, and conference expenses.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

House Concurrent Resolution No. 11, A house concurrent resolution providing for adjournment of the legislature on May 21, 1973.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 377, A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

PROTEST AND DISSENT

Pursuant to Article IV, Section 16 of the Minnesota State Constitution, the undersigned request that the following protest and dissent be entered in the Journal of the House:

The entire 1973 Session of the Minnesota Legislature has been characterized by an alarming disregard for rules and procedures and an enthusiastic willingness to violate these rules whenever expediency was desired.

The Rules of the House were intended to protect the rights of the minority and to provide open and thoughtful consideration of important public matters. However, this session we have seen the rights of the minority ignored and the right of every member of this body to be free to express the feelings of their own conscience and constituents obfuscated. We protest this action.

Members of this body have been blatantly coerced by members of the Governor's staff, who were continuously permitted access to the floor of this chamber in violation of Rule 62. The illegal lobbying activity of these individuals was embraced by the

silence of the presiding officer of this body. We protest this inaction.

We protest the obvious violations of Rules 18 and 23 which not only prohibit discussion of the question while the yeas and nays are being taken, but prohibit members from remaining at the desk while a vote is in process.

The general decorum of this body has been reduced to perhaps the lowest level in the history of this state. We protest this.

The weak sometimes need the crutch of illegality to survive; however, the strong and fair need no such tool.

We, the undersigned, hereby give notice to the majority party of this body and the people of this state that any future measure passed by this body, during a time when overt acts of illegal lobbying by the Executive branch and others have taken place, will be contested in every possible way.

Aubrey W. Dirlam
Thomas W. Newcome
Gary W. Flakne
Charles R. Weaver
Verne E. Long
Mary Forsythe
Julian Hook
Ernee McArthur
Adolph L. Kvam
Ernie Lindstrom
Gary W. Laidig
John W. Johnson
Vincent Lombardi
Andy Skaar
Wendell O. Erickson
Ralph Jopp
Richard Wigley
Michas M. Ohnstad
Joe T. Niehaus
David O. Fjoslien
O. J. Heinitz
Neil A. Wohlwend
Robert L. Pavlak
Robert E. Johnson
Richard A. Andersen
Tony Bennett
Robert C. Bell

M. J. McCauley
John S. Biersdorf
Raymond O. Wolcott
Ray O. Pleasant
William H. Schreiber
August B. Mueller
Douglas W. Carlson
Lynn H. Becklin
James E. Ulland
Jerry Knickerbocker
David Cleary
Salisbury Adams
Dale E. Erdahl
Robert J. McFarlin
Frank H. DeGroat
Jerome J. Belisle
Arne H. Carlson
Robert J. Ferderer
J. Beryl Clifford
Delbert F. Anderson
Rod Searle
Cal Larson
Joseph P. Graw
Bradley G. Pieper
Walter K. Klaus
Gilbert D. Esau

ADJOURNMENT

Mr. Anderson, L. moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, January 15, 1974. The motion prevailed.

Mr. Anderson, L. moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Tuesday, January 15, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

COMMUNICATIONS AND ANNOUNCEMENTS RECEIVED SUBSEQUENT TO ADJOURNMENT

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

May 21, 1973

The Honorable Martin O. Sabo
Speaker of the House
Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following House Files:

H. F. No. 66, An act relating to the village of Roseville; procedure upon levy of certain special assessments.

H. F. No. 83, An act relating to licenses; prohibiting the issuance of licenses in certain instances.

H. F. No. 217, An act relating to the village of Roseville; firemen's relief association service pensions; amending Laws 1965, Chapter 598, Section 1, Subdivision 1.

H. F. No. 231, An act relating to the metropolitan sewer board; payment of annual credit to municipalities; amending Minnesota Statutes 1971, Section 473C.05, Subdivision 4.

H. F. No. 490, An act relating to decedent's estates; abolishing published notice of the hearing to settle and allow the final account; amending Minnesota Statutes 1971, Section 525.481.

H. F. No. 588, An act relating to trade regulations; hazardous toys and other articles; restricting the manufacture, sale, and other traffic of such articles in this state; granting regulatory, investigatory, and enforcement powers to the director of the consumer services section of the department of commerce; providing for the testing of such articles; providing penalties.

H. F. No. 622, An act relating to courts; grand juries; causes of challenge to a grand juror; amending Minnesota Statutes 1971, Section 628.54.

H. F. No. 659, An act relating to the city of Willmar; authorizing land acquisition and development to promote industry and alleviate unemployment.

H. F. No. 847, A act relating to taxes on and measured by