

OATH OF OFFICE

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

Paulsen offered the following resolution and moved its adoption:

Be It Resolved by the House of Representatives of the State of Minnesota that the Temporary Rules of the House for this session, the 84th Regular Session, are the same as the Temporary Rules of the House for the last session, the 83rd Regular Session, as they existed on May 16, 2004, with the following exceptions:

Rule 1.10 shall read:

1.10 INTRODUCTION OF BILLS AND RESOLUTIONS. A bill or resolution must be submitted to the Speaker at least 24 hours before the convening of the daily session at which it is to be introduced.

A bill or resolution must be introduced in ~~quadruplicate~~ triplicate and each copy must bear the signature of the member or the name of the committee introducing it.

In regular session, a bill prepared by a department or agency of state government must be introduced and given its first reading at least ten days before the date of the first committee deadline.

Rule 4.03 shall read:

4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS. The Committee on Ways and Means must hold hearings as necessary to determine state expenditures and revenues for the fiscal biennium.

Within 20 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt and report a budget resolution, in the form of a House resolution. The budget resolution must set: (a) the maximum limit on net expenditures for the next fiscal biennium for the general fund, excluding any increased expenditures for tax reduction and relief; and (b) an amount or amounts to be set aside as a budget reserve and a cash flow account. The House budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (a) and (b). After the House adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the House, acting upon a subsequent report of the Committee on Ways and Means, adopts a different limit or limits for the same fiscal biennium. During the regular session in the even-numbered year, before the Committee on Ways and Means reports a bill containing net increases or decreases in expenditures as compared to general fund expenditures in the current fiscal biennium estimated by the most recent state budget forecast, the Committee must adopt a budget resolution that accounts for the net changes in expenditures. After the Committee adopts the budget resolution, it is effective during the regular session that year, unless the Committee adopts a different or amended resolution.

Within 14 days after the House or the Committee on Ways and Means adopts a budget resolution, the Committee must adopt, by resolution, limits for each budget category represented by the major finance and revenue bills identified in this Rule. The Committee may also, by resolution, set limits for funds other than the general fund.

After the Committee adopts a resolution, the limits in the resolution are the maximums effective during the regular session in the year in which the resolution is adopted, unless the Committee subsequently adopts different or amended limits for the same fiscal biennium.

The Committee on Ways and Means may not combine any of the major finance or revenue bills.

Major finance and revenue bills are:

~~the agriculture and rural development finance bill;~~

the higher education finance bill;

the ~~K-12~~ education finance bill;

~~the family and early childhood education finance bill;~~

the agriculture, environment, and natural resources finance bill;

the health and human services finance bill;

the state government finance bill;

the jobs and economic ~~development~~ opportunity finance bill;

the transportation finance bill;

the ~~judiciary~~ public safety finance bill;

the omnibus capital investment bill; and

the omnibus tax bill.

After the adoption of a resolution by the House or by the Committee on Ways and Means, each finance committee, the Committee on Capital Investment, and the Committee on Taxes must reconcile each finance and revenue bill described in Rule 4.10 and Rule 4.11 with the resolution or resolutions. When reporting a bill, the committee must provide to the Committee on Ways and Means a fiscal statement on the bill and a written statement certifying that the committee has reconciled the fiscal effect of the bill with the resolution or resolutions and that the bill, as reported by the committee, together with other bills reported and expected to be reported by the committee, does not and will not exceed the limits specified in the resolution or resolutions.

After the adoption of a resolution by the House or the Committee on Ways and Means, the Committee on Ways and Means must reconcile finance and revenue bills with the resolution or resolutions. When reporting a bill, the chair of the Committee must certify to the House that the Committee has reconciled the bill with the resolution or resolutions and that the bill, as reported by the Committee, together with other bills reported and expected to be reported by the Committee, does not and will not exceed the limits specified in the resolution or resolutions.

After the adoption of a resolution by the House or the Committee on Ways and Means, an amendment to a bill is out of order if it would cause any of the limits specified in the resolution or resolutions to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided on the Floor by the Speaker or other presiding officer and in committee by the person chairing the committee meeting. In making the determination, the Speaker or other presiding officer or the committee chair may consider: (1) the limits in a resolution; (2) the effect of

existing laws on revenues and expenditures; (3) the effect of amendments previously adopted to the bill under consideration; (4) the effect of bills previously recommended by a committee or bills previously passed in the legislative session by the House or by the legislature; (5) whether expenditure increases or revenue decreases that would result from the amendment are offset by decreases in other expenditures or increases in other revenue specified by the amendment; and (6) other information reasonably related to expenditure and revenue amounts.

After a resolution is adopted by the House or the Committee on Ways and Means, the Committee must cause to be published a summary of the estimated fiscal effect on the general fund of each bill that has been referred to the Committee on Ways and Means by a finance committee, the Capital Investment Committee, or the Committee on Taxes and of each bill that has been reported by the Committee on Ways and Means.

Rule 4.13 shall read:

4.13 **BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE.** The Committee on Governmental Operations and Veterans Affairs ~~Policy~~ has jurisdiction over a House or Senate bill that:

(a) establishes or reestablishes a department, agency, commission, board, task force, advisory committee or council, or bureau, or other like entity;

(b) delegates rulemaking authority to, or exempts from rulemaking, a department or agency of state government; or

(c) substantially changes the organization of a department or agency of state government or substantially changes, vests or divests the official rights, powers, or duties of an official, department or agency of state government or an institution under its control.

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

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

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

Rule 6.01 shall read:

6.01 **COMMITTEES.** Standing committees of the House must be appointed by the Speaker as follows:

Agriculture and Rural Development

Capital Investment

Civil Law and Elections

Commerce and Financial Institutions

Technology, Bio-Sciences and Medical Products Division

Tourism Division

Education Policy and Reform

Environment and Natural Resources

Ethics

Governmental Operations and Veterans Affairs

Local Government

Regulated Industries

Gaming Division

Rules and Legislative Administration

Taxes

Property and Local Tax Division

Transportation

Ways and Means

Agriculture, Environment and Natural Resources Finance

Education Finance

Health Policy and Finance

Health Care Cost Containment Division

Higher Education Finance

Jobs and Economic Opportunity Policy and Finance

Public Safety Policy and Finance

State Government Finance

Transportation Finance

The Temporary Rules of the House for the 84th Regular Session apply until the Committee on Rules and Legislative Administration to be appointed by the Speaker has made its report and the House has adopted new permanent rules.

Olson moved to amend the proposed Temporary Rules for the 84th session as reported in the resolution as follows:

Page 6, after line 24, insert "The committee shall make its report and the House shall adopt permanent rules by February 15, 2005."

The motion prevailed and the amendment was adopted.

Entenza moved to amend the proposed Temporary Rules for the 84th session as reported in the resolution as follows:

Rule 6.02 is amended to read:

6.02 COMMITTEE MEMBERSHIP. At least 30 days before the start of a regular session of the Legislature, the Speaker-designate must provide the minority political party caucuses with a list of the standing committees proposed for the session. The Speaker-designate must prescribe the number of minority caucus members to be appointed to each committee and may require general membership guidelines to be followed in the selection of committee members.

If the minority leader submits to the Speaker-designate, at least 15 days before the start of the session, a list of proposed committee assignments for the minority caucus that complies with the numbers and guidelines provided, the Speaker must make the proposed assignments with the purpose of attaining proportionate representation on the committees for the minority caucus.

A committee of the House must not have exclusive membership from one profession, occupation or vocation. During the 84th Legislature, the number of members assigned to each committee of the House from the majority caucus must not exceed by more than one the number of members assigned from the minority caucus.

A member must not serve as the chair of the same standing committee, or a standing committee with substantially the same jurisdiction, during more than three consecutive regular biennial sessions that the member's caucus is in the majority, even if the sessions are not otherwise consecutive. This Rule does not apply to service as chair of the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Entenza amendment and the roll was called. There were 67 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carlson	Dill	Eken	Fritz	Hansen
Atkins	Clark	Dittrich	Ellison	Goodwin	Hausman
Bernardy	Davnie	Dorn	Entenza	Greiling	Hilstrom

Hilty	Kahn	Lillie	Olson	Ruud	Thissen
Hornstein	Kelliher	Loeffler	Opatz	Sailer	Wagenius
Hortman	Koenen	Mahoney	Otremba	Scalze	Walker
Hosch	Larson	Mariani	Paymar	Sertich	Welti
Huntley	Latz	Marquart	Pelowski	Sieben	
Jaros	Lenczewski	Moe	Peterson, A.	Simon	
Johnson, R.	Lesch	Mullery	Peterson, S.	Slawik	
Johnson, S.	Liebling	Murphy	Poppe	Solberg	
Juhnke	Lieder	Nelson, M.	Rukavina	Thao	

Those who voted in the negative were:

Abeler	Davids	Gazelka	Krinkie	Peterson, N.	Vandever
Abrams	Dean	Gunther	Lanning	Powell	Wardlow
Anderson, B.	DeLaForest	Hackbarth	Magnus	Ruth	Westerberg
Beard	Demmer	Hamilton	McNamara	Samuelson	Westrom
Blaine	Dempsey	Heidgerken	Meslow	Seifert	Wilkin
Bradley	Dorman	Holberg	Nelson, P.	Severson	Zellers
Brod	Eastlund	Hoppe	Newman	Simpson	Spk. Sviggum
Buesgens	Emmer	Howes	Nornes	Smith	
Charron	Erhardt	Johnson, J.	Ozment	Soderstrom	
Cornish	Erickson	Klinzing	Paulsen	Sykora	
Cox	Finstad	Knoblach	Penas	Tingelstad	
Cybart	Garofalo	Kohls	Peppin	Urdahl	

The motion did not prevail and the amendment to the proposed Temporary Rules was not adopted.

Rukavina moved to amend the proposed Temporary Rules for the 84th session as reported in the resolution as follows:

Rule 4.03 shall read:

4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS. The Committee on Ways and Means must hold hearings as necessary to determine state expenditures and revenues for the fiscal biennium.

Within 20 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt and report a budget resolution, in the form of a House resolution. The budget resolution must set: (a) the maximum limit on net expenditures for the next fiscal biennium for the general fund, excluding any increased expenditures for tax reduction and relief; and (b) an amount or amounts to be set aside as a budget reserve and a cash flow account. The House budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (a) and (b). After the House adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the House, acting upon a subsequent report of the Committee on Ways and Means, adopts a different limit or limits for the same fiscal biennium. During the regular session in the even-numbered year, before the Committee on Ways and Means reports a bill containing net increases or decreases in expenditures as compared to general fund expenditures in the current fiscal biennium estimated by the most recent state budget forecast, the Committee must adopt a budget resolution that accounts for the net changes in expenditures. After the Committee adopts the budget resolution, it is effective during the regular session that year, unless the Committee adopts a different or amended resolution.

Within 14 days after the House or the Committee on Ways and Means adopts a budget resolution, the Committee must adopt, by resolution, limits for each budget category represented by the major finance and revenue bills identified in this Rule. The Committee may also, by resolution, set limits for funds other than the general fund. After the Committee adopts a resolution, the limits in the resolution are the maximums effective during the regular session in the year in which the resolution is adopted, unless the Committee subsequently adopts different or amended limits for the same fiscal biennium.

The Committee on Ways and Means may not combine any of the major finance or revenue bills.

Major finance and revenue bills are:

~~the agriculture and rural development finance bill;~~

the higher education finance bill;

the ~~K-12~~ education finance bill;

~~the family and early childhood education finance bill;~~

the agriculture, environment, and natural resources finance bill;

the health ~~and human services~~ finance bill;

the state government finance bill;

the jobs and economic ~~development~~ opportunity finance bill;

the transportation finance bill;

the ~~judiciary~~ public safety finance bill;

the omnibus capital investment bill; and

the omnibus tax bill.

After the adoption of a resolution by the House or by the Committee on Ways and Means, each finance committee, the Committee on Capital Investment, and the Committee on Taxes must reconcile each finance and revenue bill described in Rule 4.10 and Rule 4.11 with the resolution or resolutions. When reporting a bill, the committee must provide to the Committee on Ways and Means a fiscal statement on the bill and a written statement certifying that the committee has reconciled the fiscal effect of the bill with the resolution or resolutions and that the bill, as reported by the committee, together with other bills reported and expected to be reported by the committee, does not and will not exceed the limits specified in the resolution or resolutions.

After the adoption of a budget resolution by the House or the Committee on Ways and Means, the Committee on Ways and Means must reconcile finance and revenue bills with the resolution ~~or resolutions~~. When reporting a bill, the chair of the Committee must certify to the House that the Committee has reconciled the bill with the budget resolution ~~or resolutions~~ and that the bill, as reported by the Committee, together with other bills reported and expected to be reported by the Committee, does not and will not ~~exceed~~ require a change in the limits or amounts specified in the resolution ~~or resolutions~~.

After the adoption of a resolution by the House or the Committee on Ways and Means, an amendment to a bill is out of order in a finance committee or tax committee if it would cause any of the limits specified in the resolution or resolutions to be exceeded. After the adoption of a budget resolution by the House or the Committee on Ways and Means, an amendment to a bill is out of order in the Committee on Ways and Means or on the House Floor if it would require a change in the limits or amounts specified in the budget resolution. Whether an amendment is out of order under this Rule is a question to be decided on the Floor by the Speaker or other presiding officer and in committee by the person chairing the committee meeting. In making the determination, the Speaker or other presiding officer or the committee chair may consider: (1) the limits in a resolution; (2) the effect of existing laws on revenues and expenditures; (3) the effect of amendments previously adopted to the bill under consideration; (4) the effect of bills previously recommended by a committee or bills previously passed in the legislative session by the House or by the legislature; (5) whether expenditure increases or revenue decreases that would result from the amendment are offset by decreases in other expenditures or increases in other revenue specified by the amendment; and (6) other information reasonably related to expenditure and revenue amounts.

After a resolution is adopted by the House or the Committee on Ways and Means, the Committee must cause to be published a summary of the estimated fiscal effect on the general fund of each bill that has been referred to the Committee on Ways and Means by a finance committee, the Capital Investment Committee, or the Committee on Taxes and of each bill that has been reported by the Committee on Ways and Means.

A roll call was requested and properly seconded.

The question was taken on the Rukavina amendment and the roll was called. There were 66 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Huntley	Lesch	Nelson, M.	Scalze
Atkins	Fritz	Jaros	Liebling	Opatz	Sertich
Bernardy	Goodwin	Johnson, R.	Lieder	Otremba	Sieben
Carlson	Greiling	Johnson, S.	Lillie	Paymar	Simon
Clark	Hansen	Juhnke	Loeffler	Pelowski	Slawik
Davnie	Hausman	Kahn	Mahoney	Peterson, A.	Solberg
Dill	Hilstrom	Kelliher	Mariani	Peterson, S.	Thao
Dittrich	Hilty	Koenen	Marquart	Poppe	Thissen
Dorn	Hornstein	Larson	Moe	Rukavina	Wagenius
Eken	Hortman	Latz	Mullery	Ruud	Walker
Ellison	Hosch	Lenczewski	Murphy	Sailer	Welti

Those who voted in the negative were:

Abeler	Davids	Gazelka	Krinkie	Peppin	Urdahl
Abrams	Dean	Gunther	Lanning	Peterson, N.	Vandever
Anderson, B.	DeLaForest	Hackbarth	Magnus	Powell	Wardlow
Beard	Demmer	Hamilton	McNamara	Ruth	Westerberg
Blaine	Dempsey	Heidgerken	Meslow	Samuelson	Westrom
Bradley	Dorman	Holberg	Nelson, P.	Seifert	Wilkin
Brod	Eastlund	Hoppe	Newman	Severson	Zellers
Buesgens	Emmer	Howes	Nornes	Simpson	Spk. Sviggum
Charron	Erhardt	Johnson, J.	Olson	Smith	
Cornish	Erickson	Klinzing	Ozment	Soderstrom	
Cox	Finstad	Knoblach	Paulsen	Sykora	
Cybart	Garofalo	Kohls	Penas	Tingelstad	

The motion did not prevail and the amendment to the proposed Temporary Rules was not adopted.

The question recurred on the adoption of Temporary Rules and the roll was called. There were 68 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gazelka	Krinkie	Peppin	Urdahl
Abrams	Dean	Gunther	Lanning	Peterson, N.	Vandever
Anderson, B.	DeLaForest	Hackbarth	Magnus	Powell	Wardlow
Beard	Demmer	Hamilton	McNamara	Ruth	Westerberg
Blaine	Dempsey	Heidgerken	Meslow	Samuelson	Westrom
Bradley	Dorman	Holberg	Nelson, P.	Seifert	Wilkin
Brod	Eastlund	Hoppe	Newman	Severson	Zellers
Buesgens	Emmer	Howes	Nornes	Simpson	Spk. Sviggum
Charron	Erhardt	Johnson, J.	Olson	Smith	
Cornish	Erickson	Klinzing	Ozment	Soderstrom	
Cox	Finstad	Knoblach	Paulsen	Sykora	
Cybart	Garofalo	Kohls	Penas	Tingelstad	

Those who voted in the negative were:

Anderson, I.	Entenza	Huntley	Lesch	Nelson, M.	Sertich
Atkins	Fritz	Jaros	Liebling	Opatz	Sieben
Bernardy	Goodwin	Johnson, R.	Lieder	Otremba	Simon
Carlson	Greiling	Johnson, S.	Lillie	Paymar	Slawik
Clark	Hansen	Juhnke	Loeffler	Pelowski	Solberg
Davnie	Hausman	Kahn	Mahoney	Peterson, A.	Thao
Dill	Hilstrom	Kelliher	Mariani	Poppe	Thissen
Dittrich	Hilty	Koenen	Marquart	Rukavina	Wagenius
Dorn	Hornstein	Larson	Moe	Ruud	Walker
Eken	Hortman	Latz	Mullery	Sailer	Wolti
Ellison	Hosch	Lenczewski	Murphy	Scalze	

The motion prevailed and the resolution relating to the Temporary Rules for the 84th Session, as amended, was adopted.

Paulsen offered the following resolution and moved its adoption:

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

The motion prevailed and the resolution was adopted.

Paulsen offered the following resolution and moved its adoption:

Resolved, that the Speaker appoint a committee of five members of the House to notify the Governor that the House of Representatives is now duly organized pursuant to law.

The motion prevailed and the resolution was adopted.