

OATH OF OFFICE

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

Sertich 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 85th Regular Session, are the same as the Permanent Rules of the House for the last session, the 84th Regular Session, as they existed on May 21, 2006, with the following exceptions:

Rule 1.01 shall read:

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

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

Rule 2.40 shall read:

2.40 ADMITTANCE TO FLOOR. No person other than a member may be admitted to the House Chamber, except: properly authorized employees; the Chief Executive and ex-governors of the State of Minnesota; members of the Senate; heads of departments of the state government; judges of the Supreme Court, Court of Appeals, and District Courts; members of Congress; those persons invited to address the body or a joint convention of the house and senate, and guests for such an address or joint convention; and properly accredited representatives of radio and television stations, newspapers and press associations, as provided for in these Rules.

Any other person may be issued a permit by the Speaker good for the day, but that person must be seated near the Speaker's rostrum, and must not engage in conversation that disturbs the business of the House. Before issuing a permit, the Speaker must make certain that the person does not seek the floor of the House to influence decisions of the House.

The alcoves in the Chambers are for the use of members only, and the Sergeant at Arms must keep them clear of others.

From one hour before the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room is reserved for the exclusive use of the members and employees of the House. As long as the Senate prohibits entry of House members into its retiring room, no Senators may enter the House retiring room during the time it is reserved for exclusive use of members and employees. A committee meeting must not be held there except emergency meetings authorized by the Speaker. The Sergeant at Arms must strictly enforce this provision.

Unless an extraordinary condition exists the Speaker must not entertain a request to suspend this Rule or present the request of a member for unanimous consent to suspend this Rule.

Rule 4.10 shall read:

4.10 FINANCE BILLS. Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects any present or future financial obligation on the part of the State must be referred to the Finance Committee or the appropriate division of the Finance Committee before the bill receives its second reading.

A finance bill reported by ~~a~~ the Finance Committee or a division of the Finance Committee must be referred to the Committee on Ways and Means.

Referral is not required by this Rule if the bill has a negligible fiscal effect, as determined by the chair of the Finance Committee with the concurrence of the chair of the Committee on Ways and Means.

Rule 4.12 shall read:

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

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

The Speaker, by announcement, must assign to each finance committee the appropriate jurisdiction for recommendations on debt obligations and capital projects of the state. Divisions of the Finance Committee must submit recommendations within its jurisdiction to the ~~committee~~ Division on Capital Investment for further disposition. The ~~Committee~~ Division on Capital Investment must enter in the committee record the recommendations of each division of the Finance Committee that submits recommendations. If a recommendation of a division of the Finance Committee with jurisdiction expressly disapproves appropriations or the issuance of debt obligations for a specific capital project, the Division on Capital Investment ~~Committee~~ may not report a bill authorizing appropriations or the issuance of debt for that project.

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

Rule 4.13 shall read:

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

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

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

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

Except as otherwise provided in this Rule and Rule 1.15, a bill that is within the jurisdiction of the Committee on Governmental Operations ~~and Veterans Affairs, Reform, Technology and Elections~~ must be referred to that Committee before it receives its second reading. A committee (other than the Committee on Governmental Operations ~~and Veterans Affairs, Reform, Technology and Elections~~) reporting such a bill must recommend its re-referral to the Committee on Governmental Operations ~~and Veterans Affairs, Reform, Technology and Elections~~ 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~~ clause (a) or (b) of the definition in this Rule, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Rules and Legislative Administration before the bill is considered by the House.

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

Rule 4.31 shall read:

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

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

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

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

Rule 6.01 shall read:

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

~~Agriculture and Rural Development~~ Economics and Veterans Affairs

~~Capital Investment~~ Veterans Affairs Division

Public Safety and Civil Law and Elections Justice

Crime Victims Subcommittee

Commerce and ~~Financial Institutions~~ Labor

~~Technology, Bio Sciences and Medical Products Division~~

~~Tourism Division~~ Labor and Consumer Protection Division

Telecommunications Regulation and Infrastructure Division

E-12 Education ~~Policy and Reform~~

Environment and Natural Resources

Game, Fish and Forestry Division

Ethics

Health and Human Services

Mental Health Division

Licensing Subcommittee

Governmental Operations ~~and Veterans Affairs~~, Reform, Technology and Elections

Local Government and Metropolitan Affairs

~~Regulated Industries~~

~~Gaming Division~~ Biosciences and Emerging Technology

Rules and Legislative Administration

Taxes

Property ~~and Local~~ Tax Relief and Local Sales Tax Division

~~Transportation~~

Ways and Means

Finance

Agriculture, ~~Environment and Natural Resources Finance~~ Rural Economies and Veterans Affairs Finance Division

Capital Investment Finance Division

Energy Finance and Policy Division

Environment and Natural Resources Finance Division

Education Finance and Economic Competitiveness Finance Division

Early Childhood Learning Finance Division

K-12 Finance Division

Higher Education and Work Force Development Policy and Finance Division

Health ~~Policy and Finance~~ Care and Human Services Finance Division

~~Health Care Cost Containment Division~~

~~Higher Education Finance~~

~~Jobs and Economic Opportunity Policy and Finance~~ Housing Policy and Finance and Public Health Finance Division

Minnesota Heritage Finance Division

Public Safety ~~Policy and Finance~~ Division

State Government Finance Division

Transportation Finance Division

Transportation and Transit Policy Subcommittee

~~The Committee shall make its report and the House shall adopt permanent rules by February 15, 2005.~~

Rule 6.02 shall 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.

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 the three immediately prior 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.

Rule 6.05 shall read:

6.05 DIVISIONS. (a) If the Speaker or the House refers a bill to a division, the bill remains in that division until the House moves the bill from the division or approves a report from the division that moved the bill from that division. A division report under this paragraph is subject to Rule 6.30.

(b) The chair of a committee may refer a bill within the possession of the committee to a division of that committee. When the chair refers a bill to a division under this paragraph, the chair may recall the bill from the division. A committee chair referring or recalling a bill under this paragraph must give written notice of the referral or recall as soon as possible to the Chief Clerk for publication. To the extent practical, the Chief Clerk must attempt to provide notice on the House Web site of referrals and recalls of bills under this paragraph.

(c) The chair of a division must cause division records to be kept in a manner consistent with Rule 6.24.

The Temporary Rules of the House for the 85th 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.

The question was taken on the adoption of Temporary Rules and the roll was called. There were 86 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Doty	Jaros	Madore	Paymar	Thao
Anzelc	Eken	Johnson	Mahoney	Pelowski	Thissen
Atkins	Faust	Juhnke	Mariani	Peterson, A.	Tillberry
Benson	Fritz	Kahn	Marquart	Peterson, S.	Tschumper
Bigham	Gardner	Kalin	Masin	Poppe	Wagenius
Bly	Greiling	Knuth	Moe	Rukavina	Walker
Brown	Hansen	Koenen	Morgan	Ruud	Ward
Brynaert	Hausman	Kranz	Morrow	Sailer	Welti
Bunn	Haws	Laine	Mullery	Scalze	Winkler
Carlson	Hilstrom	Lenczewski	Murphy, E.	Sertich	Wollschlager
Clark	Hilty	Lesch	Murphy, M.	Simon	Spk. Kelliher
Davnie	Hornstein	Liebling	Nelson	Slawik	
Dill	Hortman	Lieder	Norton	Slocum	
Dittrich	Hosch	Lillie	Olin	Solberg	
Dominguez	Huntley	Loeffler	Otremba	Swails	

Those who voted in the negative were:

Anderson, B.	Brod	DeLaForest	Emmer	Garofalo	Hamilton
Anderson, S.	Buesgens	Demmer	Erhardt	Gottwalt	Heidgerken
Beard	Cornish	Dettmer	Erickson	Gunther	Holberg
Berns	Dean	Eastlund	Finstad	Hackbarth	Hoppe

Howes	McFarlane	Ozment	Ruth	Simpson	Urdahl
Kohls	McNamara	Paulsen	Seifert	Smith	Wardlow
Lanning	Nornes	Peppin	Severson	Sviggum	Westrom
Magnus	Olson	Peterson, N.	Shimanski	Tingelstad	Zellers

The motion prevailed and the resolution relating to the Temporary Rules for the 85th Session was adopted.

APPOINTMENT OF CHIEF SERGEANT AT ARMS

The Speaker announced the appointment of Sandra A. Dicke as Chief Sergeant at Arms.

OATH OF OFFICE

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

Sertich 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.

Sertich 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.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to notify the Governor that the House is now organized:

Solberg, Brown, Madore, Ozment and McFarlane.

Sertich offered the following resolution and moved its adoption:

Resolved, that necessary employees as directed by the Committee on Rules and Legislative Administration be authorized by the House effective today, Wednesday, January 3, 2007, to better expedite the business of the House.

The question was taken on the adoption of the Sertich resolution relating to employees and the roll was called. There were 131 yeas and 3 nays as follows: