



# Minnesota Constitution

House | Senate | Legislation & Bill Status | Laws, Statutes & Rules | Joint Depts. & Commissions

## ARTICLE IV LEGISLATIVE DEPARTMENT

Section 1. **COMPOSITION OF LEGISLATURE.** The legislature consists of the senate and house of representatives.

Sec. 2. **APPORTIONMENT OF MEMBERS.** The number of members who compose the senate and house of representatives shall be prescribed by law. The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.

Sec. 3. **CENSUS ENUMERATION APPORTIONMENT; CONGRESSIONAL AND LEGISLATIVE DISTRICT BOUNDARIES; SENATE DISTRICTS.** At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts. Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series.

Sec. 4. **TERMS OF OFFICE OF SENATORS AND REPRESENTATIVES; VACANCIES.** Representatives shall be chosen for a term of two years, except to fill a vacancy. Senators shall be chosen for a term of four years, except to fill a vacancy and except there shall be an entire new election of all the senators at the first election of representatives after each new legislative apportionment provided for in this article. The governor shall call elections to fill vacancies in either house of the legislature.

Sec. 5. **RESTRICTION ON HOLDING OFFICE.** No senator or representative shall hold any other office under the authority of the United States or the state of Minnesota, except that of postmaster or of notary public. If elected or appointed to another office, a legislator may resign from the legislature by tendering his resignation to the governor.

Sec. 6. **QUALIFICATION OF LEGISLATORS; JUDGING ELECTION RETURNS AND ELIGIBILITY.** Senators and representatives shall be qualified voters of the state, and shall have resided one year in the state and six months immediately preceding the election in the district from which elected. Each house shall be the judge of the election returns and eligibility of its own members. The legislature shall prescribe by law the manner for taking evidence in cases of contested seats in either house.

Sec. 7. **RULES OF GOVERNMENT.** Each house may determine the rules of its proceedings, sit upon its own adjournment, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member; but no member shall be expelled a second time for the same offense.

Sec. 8. **OATH OF OFFICE.** Each member and officer of the legislature before entering upon his duties shall take an oath or affirmation to support the Constitution of the United States, the constitution of this state, and to discharge faithfully the duties of his office to the best of his judgment and ability.

Sec. 9. **COMPENSATION.** The compensation of senators and representatives shall be prescribed by law. No increase of compensation shall take effect during the period for which the members of the existing house of representatives may have been elected.

Sec. 10. **PRIVILEGE FROM ARREST.** The members of each house in all cases except treason, felony and breach of the peace, shall be privileged from arrest during the session of their respective houses and in going to or returning from the same. For any speech or debate in either house they shall not be questioned in any other place.

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Sec. 11. **PROTEST AND DISSENT OF MEMBERS.** Two or more members of either house may dissent and protest against any act or resolution which they think injurious to the public or to any individual and have the reason of their dissent entered in the journal.

Sec. 12. **BIENNIAL MEETINGS; LENGTH OF SESSION; SPECIAL SESSIONS; LENGTH OF ADJOURNMENTS.** The legislature shall meet at the seat of government in regular session in each biennium at the times

prescribed by law for not exceeding a total of 120 legislative days. The legislature shall not meet in regular session, nor in any adjournment thereof, after the first Monday following the third Saturday in May of any year. After meeting at a time prescribed by law, the legislature may adjourn to another time. "Legislative day" shall be defined by law. A special session of the legislature may be called by the governor on extraordinary occasions.

Neither house during a session of the legislature shall adjourn for more than three days (Sundays excepted) nor to any other place than that in which the two houses shall be assembled without the consent of the other house.

Sec. 13. **QUORUM.** A majority of each house constitutes a quorum to transact business, but a smaller number may adjourn from day to day and compel the attendance of absent members in the manner and under the penalties it may provide.

Sec. 14. **OPEN SESSIONS.** Each house shall be open to the public during its sessions except in cases which in its opinion require secrecy.

Sec. 15. **OFFICERS; JOURNALS.** Each house shall elect its presiding officer and other officers as may be provided by law. Both houses shall keep journals of their proceedings, and from time to time publish the same, and the yeas and nays, when taken on any question, shall be entered in the journals.

Sec. 16. **ELECTIONS VIVA VOCE.** In all elections by the legislature members shall vote viva voce and their votes shall be entered in the journal.

Sec. 17. **LAWS TO EMBRACE ONLY ONE SUBJECT.** No law shall embrace more than one subject, which shall be expressed in its title.

Sec. 18. **REVENUE BILLS TO ORIGINATE IN HOUSE.** All bills for raising revenue shall originate in the house of representatives, but the senate may propose and concur with the amendments as on other bills.

Sec. 19. **REPORTING OF BILLS.** Every bill shall be reported on three different days in each house, unless, in case of urgency, two-thirds of the house where the bill is pending deem it expedient to dispense with this rule.

Sec. 20. **ENROLLMENT OF BILLS.** Every bill passed by both houses shall be enrolled and signed by the presiding officer of each house. Any presiding officer refusing to sign a bill passed by both houses shall thereafter be disqualified from any office of honor or profit in the state. Each house by rule shall provide the manner in which a bill shall be certified for presentation to the governor in case of such refusal.

Sec. 21. **PASSAGE OF BILLS ON LAST DAY OF SESSION PROHIBITED.** No bill shall be passed by either house upon the day prescribed for adjournment. This section shall not preclude the enrollment of a bill or its transmittal from one house to the other or to the executive for his signature.

Sec. 22. **MAJORITY VOTE OF ALL MEMBERS TO PASS A LAW.** The style of all laws of this state shall be: "Be it enacted by the legislature of the state of Minnesota." No law shall be passed unless voted for by a majority of all the members elected to each house of the legislature, and the vote entered in the journal of each house.

Sec. 23. **APPROVAL OF BILLS BY GOVERNOR; ACTION ON VETO.** Every bill passed in conformity to the rules of each house and the joint rules of the two houses shall be presented to the governor. If he approves a bill, he shall sign it, deposit it in the office of the secretary of state and notify the house in which it originated of that fact. If he vetoes a bill, he shall return it with his objections to the house in which it originated. His objections shall be entered in the journal. If, after reconsideration, two-thirds of that house agree to pass the bill, it shall be sent, together with the governor's objections, to the other house, which shall likewise reconsider it. If approved by two-thirds of that house it becomes a law and shall be deposited in the office of the secretary of state. In such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered in the journal of each house. Any bill not returned by the governor within three days (Sundays excepted) after it is presented to him becomes a law as if he had signed it, unless the legislature by adjournment within that time prevents its return. Any bill passed during the last three days of a session may be presented to the governor during the three days following the day of final adjournment and becomes law if the governor signs and deposits it in the office of the secretary of state within 14 days after the adjournment of the legislature. Any bill passed during the last three days of the session which is not signed and deposited within 14 days after adjournment does not become a law.

**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 FOLIARD  
MINDY GREILING  
STEVE WENZEL  
BILL HILTY  
TIM MAHONEY  
DALE SWAPINSKI  
ROB LEIGHTON  
MARY MURPHY  
TOM OSTHOFF

MATT ENTENZA  
STEVE TRIMBLE  
KAREN CLARK  
ALICE JOHNSON  
WES SKOGLUND  
TOM HUNTLEY  
GENE PELOWSKI  
GARY KUBLY  
DAVID TOMASSONI  
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 WENTER  
 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



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 RUKAVYNA  
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 BLUESGENS  
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 KUISLE  
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 LEPPIK  
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

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## 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. OSSKOPF  
SONDRA ERICKSON  
BUD NORNES  
STEVE SMITH  
KATHY TINGELSTAD

ALICE M. SEAGREN  
MICHELLE RIFENBERG  
ERIK PAULSEN  
WILLIAM KLISLE  
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 LEPPIK  
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  
ELADNE 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	Otremba, M.	Rifenberg	Solberg	Tunheim	Spk. Carruthers
Mulvey	Ozment	Rostberg	Stanek	Van Dellen	
Munger	Paulsen	Rukavina	Stang	Vandever	
Murphy	Pawenty	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 CHALDHARY  
DOUG PETERSON  
ANDY DAWKINS  
RUTH JOHNSON  
MIKE JAROS  
WES SKOGLUND

JEAN WAGENTUS  
DAVE TOMASSONI  
MICHAEL PAYMAR  
ALICE HAUSMAN  
MARY JO MCGUIRE  
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 Wejman 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





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
635	90	105	5:12 p.m. May 17	May 20
	1006	109	5:15 p.m. May 19	May 20
	87	110	5:24 p.m. May 19	May 20
	466	111	5:28 p.m. May 19	May 20
	146	112	7:12 p.m. May 19	May 20
	121	113	7:16 p.m. May 19	May 20
	525	114	5:30 p.m. May 19	May 20
437		115	5:32 p.m. May 19	May 20
531		116	7:18 p.m. May 19	May 20
691		117	7:21 p.m. May 19	May 20
693		118	5:35 p.m. May 19	May 20
636		119	7:25 p.m. May 19	May 20
1032		120	7:28 p.m. May 19	May 20
		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. Vanusek  
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. Time tables 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' 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 Ferricks  
Eileen Tompkins  
Greg Davids  
Ray Welker  
Phil Heir  
Philip Krinkie  
Sylvester Uphus  
Dean Hartle  
Gary Schafer  
Virgil Johnson  
Dick Pellow  
Art Seaberg  
Bob Walman  
Kevin P. Goodno  
Sidney Pauly  
Dave Bishop  
Connie Morrison  
Joyce Henry  
David B. Guenes

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,  
ANNE 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.

sa Lynch  
sada Beltermann

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

PATRICK E. PLATAVSKA, 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. PLATAVSKA, Secretary of the Senate

#### MOTIONS AND RESOLUTIONS

Lang 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.

Lang 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 reworked 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 Vanask, House Majority Leader Doc Lang, 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 busy 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	Linda Runbeck
Harriet McPherson	Bob Haukoos
Gary Schafar	Charlie Weaver
Douglas Swenson	Marcus Marsh
Jim Girard	Art Seabery
Eileen Tompkins	Donald J. Valento
Joyce Henry	Steve Sviggum
Mary Forsythe	David B. Gruenens
Dick Fallow	Dawn Hardle
Don Prenzels	Howard Miller
Don Richler	Terry Dempsey
Steve Dille	Brad Stamus
Gil Galknecht	Jerry Knickerbocker
Tony Omern	Ben Boo
Dennis J. Joppenhagen	Bob Walman

9228

SPECIAL SESSION

1st Day

Elton Redden  
 Warren E. Limmer  
 Tony Bennett  
 Bernie Omann  
 Jonnie Morrison  
 John Himle  
 Sylvester Uplhus  
 Sidney Pauly  
 Dave Bishop  
 Sally Olsen  
 Marcel Frederick

Jim Hrap  
 Teresa Lynch  
 Bill Macklin  
 John Burger  
 Kathleen Blatz  
 Chris Thornhom  
 Gene Hugson  
 Ian 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 vetted 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)

1st Day

Monday, September 29, 1989

9229

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, 6/65). 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 convened 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.

Eilon Kedalen  
Warren K. Limmer  
Tony Bennett  
Bernie Omann  
(Connie Morrison)  
John Hirle  
Sylvester Uphus  
Sidney Pauly  
Dave Bishop  
Sally Olsen  
Marcel Frederick

Jim Heap  
Teresa Lynch  
Bill Macklin  
John Burger  
Kathleen Blatz  
Chris Tjornhom  
(Gene Hogson)  
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.

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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 R Leaders on the tax bill:  
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.

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.



9230

SPECIAL SESSION

13rd Day

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

Signed:

Dee Lang	Jean Wagerius
Don Ostrom	Henry J. Kalis
Loren A. Solberg	Gene Polowski
Andy Stevens	Edgar Olson
Paul A. Ogren	Kris Hasskamp
Tony Kinkel	Sandra L. Pappas
Kathleen Wellenga	Charl L. Nelson
Bob Johnson	Diane Wray Williams
Bernie Jieder	Richard A. Krueger
Jerry R. Jannetich	Jeff Conway
Patrick Beard	Alice Johnson
John Sarma	Mary Jo McGuire
Bob Milbert	Tom Oshoff
Ann H. Best	Tom Rukavina
Joseph R. Beyrich	Harold Jastley
Joel Jacobs	Lae Greenfield
Todd Otis	Lao Reding
Wes Skoglund	Dick Kosobryz
Len Price	Rich O'Connor
Joe Quinn	Lynlon R. Carlson
John Doorn	Phyllis Kahn
Howard Orenslein	Steve Wenzel
Steven C. Trimble	Roger Cooper
Marvin Dauner	Tom Pugh
Jeff Bertram	Jerry J. Bauerly
Mike Jaros	Randy Kelly
Wally Sparty	Ken Nelson
Bob McEachern	David P. Battaglia
Wayne Simoncua	Loren Jennings
Andy Dawkins	Glen H. Anderson
Mary Murphy	Phil Carrubers
Peter G. Redosovich	Charles Brown
Alan Welle	Peter McLaughlin
Richard Jefferson	Bob Neuenstwander
Jerome Peterson	Beecky Kolso
Red Winker	Gloria Segal
Willard Munger	Jim Rice

MOTION TO ADJOURN SPECIAL SESSION SINCE DIE

Lang 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. BURRICK, Chief Clerk, House of Representatives

SPECIAL SESSION

9231

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 Osago 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 Atkin 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 Chamasson; 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

Konathryz 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.

Palowski 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 Ojisen, S., be added as an author on H. F. No. 334. The motion prevailed.

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

Simoneau moved that the name of Ojisen, 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.

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

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

Liphus 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 Swiggum  
 Howard Miller  
 Terry Dempsey  
 Donald J. Valento  
 Bernie Omann  
 Sally Olsen  
 Steve Dille  
 Gary Schuler  
 Harriet McPherson  
 Connie Morrison  
 Brad Stannus  
 Kathleen Blatz  
 Joyce Henry  
 Dick Pellow  
 Bill Macklin

Ron Abrams  
 Jim Girard  
 Warren E. Limmer  
 Teresa Lynch  
 John Hirle  
 John Burker  
 Don Preerichs  
 David H. Grunow  
 Gil Gulknecht  
 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.

ERWARD A. BURMAN, Chief Clerk, House of Representatives

There were 108 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Battaglia	Grimes	Laaley	Orenstein	Shaver
Beard	Hartle	McEachern	Ozment	Shoglund
Beard	Harp	McClary	Pappas	Solberg
Bennett	Jacobs	McLaughlin	Pelowski	Sparby
Berrum	Jane	McPherson	Peterson	Svenama
Boo	Jefferson	Milbert	Poppenhagen	Svingum
Brown	Jennings	Minnesota	Price	Svenson
Burger	Johnson, A.	Morrison	Quinn	Tanplius
Carlson, D.	Johnson, R.	Murphy	Redalun	Trumble
Carlson, L.	Johnson, V.	Nelson, C.	Reidink	Tunheim
Carruthers	Kahn	Nelson, D.	Reverness	Uphus
Cooper	Kalle	Nelson, K.	Roberts	Uphus
Dauner	Kelly	Nelson, R.	Roberts	Uphus
Dawkins	Kelso	Nelson, R.	Roberts	Uphus
DeBlack	Kimel	O'Connor	Roberts	Uphus
DeLand	Kindel	Olsen	Sarna	Waller
Dille	Kudohoecker	Olsen, S.	Sarna	Waller
Dunn	Knuth	Olsen, E.	Scheid	Wenzel
Dorff	Koehryz	Olsen, K.	Schreiber	Winter
Dorff	Krueger	Oman	Schreiber	Wynia
Dorff	Larsen	Oman	Segal	Spt. Vanask

Those who voted in the negative were:

Anderson, G.	Gutrecht	Marb	Quiet	Ternhom
Clark	Haukoen	McDonald	Roe	Valento
Clausnitzer	Himle	Miller	Richter	
Dempsey	Hugson	Oathoff	Stenius	
Perrida	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.

Oathoff 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.

Koehlyz 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:           | Bob Waltman       |
| Allen Quiet       | Gary Schaffer     |
| Paul Thiede       | Gene Hugson       |
| Hartiet McPherson | Donald J. Valento |
| Gil Gutknecht     | Arthur Seaberg    |
| Virgil Johnson    | Bert McKasy       |
| Craig Shaver      | Don Richter       |
| Dale Clausnitzer  |                   |

Howard Miller	Tony Bennett
Steve Dille	Connie Morrison
Don Ferrichs	Sid Pauly
Jim Heap	Dennis J. Popenhagen
Dale DeRaad	Marcel "Sal" Frederick
John Rose	Doug Swenson
Doug Carlson	Terry Dempsey
Brad Stanius	Elton Redalen
K. J. McDonald	David B. Gruenes
Sylvester Lphus	John Hirnle
Dean P. Hartle	Ben Boo
Eileen Tompkins	Marcus Marsh
John Burger	Tony Onnen
Steve Sviggum	Mary Forythe
Bill Schreiber	Bernie Omann
Bob Haukoos	Chris Toornhom

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:  
This is to notify you that the Senate is about to adjourn the Seventy-Fifth Legislative Session sine die.

PATRICK E. FLAUBERN, Secretary of the Senate

MOTION TO ADJOURN SINE DIE

Wynia moved that the House adjourn sine die. The motion prevailed and the Speaker declared the House adjourned sine die.

EDWARD A. BURUNK, Chief Clerk, House of Representatives

COMMUNICATIONS AND ANNOUNCEMENTS RECEIVED  
SUBSEQUENT TO ADJOURNMENT SINE DIE

The following communications were received subsequent to adjournment sine die:

MESSAGES FROM THE SENATE

The following message was received from 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. 2590. A bill for an act relating to the financing of government in Minnesota; changing tax rates and bases; modifying the administration, collection, and enforcement of taxes; imposing taxes; changing the computation, administration, and payment of aids, credits, and refunds; limiting taxing powers; transferring and imposing governmental powers and duties; making technical corrections and clarifications; providing bonding authority to Hennepin county; Ramsey county, the city of Little Falls, and the city of Shaler; authorizing establishment of special service districts in the cities of Robbinsdale, Minneapolis, and White Bear Lake; imposing penalties; appropriating money and reducing appropriations; amending Minnesota Statutes 1986, sections 62E.13, by adding a subdivision; 69.031, subdivision 3; 183.411, subdivisions 1, 3, and by adding a subdivision; 183.466; 183.51, subdivisions 4, 7, and 10; 237.075, subdivision 8; 256.12; 256.81; 256.82, subdivision 1; 256.863; 256.871, subdivision 6; 256.935, subdivision 1; 256.991; 256B.041; subdivisions 5 and 7; 256B.05, subdivision 1; 256B.19, subdivision 2; 256D.03, subdivision 6; 256D.04; 256D.36, subdivision 1; 270.075, subdivision 2; 270.41; 270.70, subdivision 1; 271.01, subdivision 2; 273.01; 273.05, subdivision 1; 273.061, subdivision 2; 273.112, subdivisions 3 and 6; 273.121; 273.124, subdivisions 1 and 6; 273.13, by adding a subdivision; 273.1315; 273.40; 275.07, by adding a subdivision; 275.08, by adding subdivisions; 275.51, subdivision 3f; and by adding a subdivision; 277.05; 277.06; 279.01, subdivision 3; 287.21, by adding a subdivision; 290.01, by adding subdivisions; 290.06, by adding a subdivision; 290.067, subdivision 1; 290.39, by adding a subdivision; 290.50, subdivision 3; 290.92, subdivision 21; 290.931, subdivision 1; 290.934, subdivisions 1, 3, and by adding a subdivision; 290A.03, subdivision 7; 290A.04, by adding a subdivision; 297.01, by adding a subdivision; 297.04, subdivision 12, and by adding a subdivision; 297.041, subdivision 1; 297.06, subdivisions 1, 2, 3, and by adding a subdivision; 297.08, subdivision 1; 297.12, subdivision 1; 297.35, by adding a subdivision; 297A.15, subdivisions 1 and 5; 297A.16; 297A.17; 297A.21; 297A.22, subdivision 3, subdivision 5, and by adding subdivisions; 297A.24; 297A.25, subdivision 1.

taken on H. F. No. 715, as amended by the Senate. Had I been present, I would have voted yes." The motion prevailed.

Beard moved that S. F. No. 587 be recalled from the Committee on Appropriations and together with H. F. No. 578, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Munger moved that S. F. No. 841 be recalled from the Committee on Appropriations and together with H. F. No. 886, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Gruenes moved that the name of Bauerly be shown as chief author and the name of Gruenes be shown as second author on H. F. No. 57. The motion prevailed.

Pappas moved that H. F. No. 455 be returned to its author. The motion prevailed.

Vanasek introduced:

House Concurrent Resolution No. 11, A House concurrent resolution relating to adjournment of the Senate and House of Representatives until 1988.

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

#### PROTEST AND DISSENT

Minnesota House Speaker Fred Norton's dictatorial conduct on May 14, 1987, by gagging minority House members has compelled the undersigned to register this protest and dissent pursuant to Article IV, Section 11 of the Minnesota Constitution.

This abuse of power peaked during House floor debate on H. F. No. 756, a DFL bill to rig elections by highlighting DFL candidates' names in an appealing color on the ballots. Fifty members of the IR minority, joined by 21 DFLers, objected and the bill failed on a bipartisan vote of 60-71. The motion to reconsider the bill compelled IRs to renew the debate. We objected to making major revisions in election law that no committee has heard and no public groups have had opportunity to comment on. We objected to the unfair advantage that would give DFLers in state elections. We objected to the role that Attorney General Skip Humphrey, a likely candidate in next year's U. S. Senate elections, had in helping this bill take shape. We

objected to the self-serving DFL attempt to undercut Minnesota's tradition of conducting clean and honest elections. One IR member, Eilon Redalen of Fountain, firmly committed to opposing this method of legislating and this unfair election law proposal, held the floor for nearly five hours and vowed not to relinquish it until the DFL withdrew its bill.

The speeches and debate led by Representative Redalen were adoped when the DFL Majority Leader raised a point of order which the Speaker upheld without giving the IR Minority any opportunity to advise on or respond to. The majority then closed off debate with a motion that appears to have never been used before in the history of the House.

This "gag" on objections to a bill that would rig elections comes on the heels of other gags and oppressive actions by the Speaker. By stripping members of his own party of committee assignments for voting "No" on a major bill, he has told all DFL legislators they better toe the DFL Caucus line rather than vote in the interests of their districts or they, too, will be punished. More flagrantly abusive is the Speaker's recent bizarre ruling declaring a minority report out of order, thereby depriving us of the chance to offer alternatives.

Because the rights of the minority have been abused and the voices of dissent intimidated in this legislative session, the integrity of the democracy which has made this state strong has been seriously breached. We speak of the high principles of self-government, of the foundation of ethics, traditions and fundamental doctrines upon which our representative form of state government is based. We defend the right of every member to speak within the Rules of the House, and we defend Minnesotans' right to have their voices heard through ours.

But on May 14, 1987, the light of democracy in Minnesota was dimmed. The voices of legislators were silenced against their wills.

Signed:

Eilon Redalen	Doug Swenson
Bill Schreiber	Bob Waltman
John Himle	Virgil Johnson
Gary Schafer	Sylvester Uphus
Paul Thiede	Tony Onnen
Kathleen Blatz	Steve Swigum
K. J. McDonald	Harric McPherson
Eileen Tompkins	Allen Quist
Dean Hartle	Doug Carlson
Tony Bennett	Bob Haukoos
Donald J. Valento	Marcus Marsh
Dale Clausnitzer	Dave Gruenes

Sidney Pauly	Dennis Ozment
Chris Thormom	John Burger
Bernie Omann	Sally Olsen
Gene Hugoson	Jerry Knickerbocker
Dave Bishop	Jim Heap
Craig Shaver	Terry Dempsey
Gil Gutknecht	Don French
Howard Miller	Mary Forsythe
Don Richter	Steve Dille
Connie Morrison	John Rose
Marcel "Sal" Frederick	Brad Stenius
Dennie J. Poppenhagen	Ben Boo
Bert J. McKasy	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. Bunsick, 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	Larson	Ozment	Seaberg
Andersen, R.	Grunewald	Liedler	Orloff	Segal
Battaglia	Gutknecht	Long	Ola	Shaver
Bauerly	Hartle	Long	Ozment	Simonsen
Beard	Haukoos	Merrill	Pappas	Stanglund
Begich	Heap	McDonald	Pilly	Solberg
Bennett	Himle	McDonnell	Palomaki	Sperdy
Bertram	Hugoson	McLaughlin	Petersen	Stenius
Bishop	Jacobs	McPherson	Poppenhagen	Stenius
Blatz	Jarvis	Milbert	Price	Sorenson
Boo	Jefferson	Miller	Quinn	Sorenson
Brown	Jennings	Misne	Quinn	Sweeney
Carlson, L.	Jensen	Morrison	Redalin	Thibode
Carlson, A.	Johnson, A.	Murder	Reding	Trumble
Chad	Johnson, R.	Murphy, C.	Reed	Tynholm
Chauhan	Johnson, V.	Nelson, C.	Rice	Ubus
Cooper	Kahn	Nelson, D.	Richter	Valente
Danner	Kalin	Nelson, K.	Riveness	Vallenga
Dablick	Kelso	Nevenschwander	Rodowich	Voss
Dempsey	Kielbaso	O'Connor	Rose	Wallman
Dille	Kinkel	O'Gren	Rulavina	Walle
Dorn	Klink	Olsen, S.	Sarna	Waszall
Ferrybe	Knickerbocker	Olsen, E.	Schlar	Winter
Frederick	Kanuth	Olson, K.	Schlar	Wyria
French	Koehnig	Oman	Schoenfeld	Spk. Norton
	Krueger	Oman	Schreiber	

A quorum was present.

McKasy and Tompkins were excused.

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

*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 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, 1967, 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, 1967

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

RURAL DEVELOPMENT

Section 1. (120.861) MILK PROGRAM. 1

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.0291) RURAL ECONOMIC PROTECTION ZONE; VALUATION REDUCTION FOR SCHOOL PURPOSES. 1

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 annual audit shall be performed by an independent financial auditor. Each legislative auditor shall be submitted to the state auditor and the state auditor and the legislative auditor are private data with regard to data on individuals under section 13.02, subdivision 12, or 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.

51st Day]

WEDNESDAY, MAY 13, 1987

5095

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

We protest and dissent.

Signed:

Bill Schreiber	Eilon Redalen
Paul Thiede	John Burger
Craig Shaver	Tony Ornen
Jim Heap	Carlson, D.
Howard Miller	K. J. McDonald
Steve Svirkum	Eileen Tompkins
Gil Gutknecht	Dean Hartle
Dale Clausenitzer	Dennis Orment
Steve Dille	John Rose
Donald J. Valento	Sylvester Uphus
Chris Tjornhom	Brad Stannus
Bernie Omann	Harnet McPherson
Gene Hugeson	Virgil Johnson
Connie Morrison	Gary Schaler
Dennis J. Poppenhagen	Bert J. McKasy
Don Richter	Allen Quist
Art Seabery	Sally Olsen
Doug Swenson	Don Fretichs
Bob Haukoos	Tony Bennett
Mary Rorvthe	Ben Boo
David B. Gruenes	Bob Waltham
John Himle	Terry Dempsey
Kathleen A. Blatz	Sidney Pauly
Marcus Marsh	Marcel Frederick
Gerald Knickerbocker	

## ANNOUNCEMENT

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. Bunker, 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, Seensma, 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, Sarma, 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 flagrant disregard of 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. Oathoff 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  
Paul Thiede  
Dale Clausenizer  
Craig Shaver  
Don Valento  
John Himle  
Kathleen Blatz  
Don Fretichs  
Bob Haukoos  
Marcus Marsh  
Jim Heap  
Mary Forsythe  
Brad Stannus  
Gene Hugoson  
Dennis Poppenhagen  
Marcel "Sai" Frederick  
Chris Thornhom  
Howard Miller  
Don Richter  
Bert J. McKay  
Doug Swenson

Gary Schafer  
Bob Wallman  
Virgil Johnson  
Sylvester Uphus  
Sally Olsen  
Eileen Tompkins  
K. J. McDonald  
Doug Carlson  
John Rose  
Tony Bennett  
Tony Onnen  
Steve Sviggum  
Harriet McPherson  
Terry Dempsey  
Elton R. Redalen  
John Burger  
Steve Dille  
Allen Quist  
Gill Gutknecht  
Dean Harle  
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. Burkick, 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, Brownville, Minnesota.

The roll was called and the following members were present:

Anderson, G.	Pretcha	Krueger	Orama	Schreiber
Aueren, K.	Greenheid	Larson	Ornen	Selberg
Bastaglia	Grunnes	Lalloy	Oreuszin	Seegal
Bastys	Gutknecht	Lesler	Oshoff	Shaver
Bernd	Harle	Lang	Ous	Simonsen
Bergin	Haukoos	March	Ozment	Skoglund
Bernett	Heap	McDonald	Pappas	Sollberg
Bertram	Himle	McKernan	Pally	Speiby
Bishop	Hinson	McLaughlin	Petroni	Stewart
Blatz	Jockle	McPherson	Peterson	Stewart
Bow	Jones	McPherson	Pyperhagen	Stratton
Brown	Jennings	Miller	Quinn	Thompson
Burger	Jensen	Miller	Quinn	Thompson
Carlson, D.	Johnson, A.	Minnis	Quinn	Thompson
Carlson, L.	Johnson, R.	Morrison	Redalen	Tribble
Carruthers	Johnson, V.	Munger	Reed	Uphus
Clerk	Kahn	Murphy	Rice	Valento
Clausenizer	Kallis	Nelson, C.	Richter	Vanasek
Cooper	Kelly	Nelson, D.	Riverson	Wagner
Dauner	Kello	Nelson, K.	Rodowich	Wagner
DeBilock	Kelso	Neuenachwander	Rose	Waltman
Dempsey	Kimkel	O'Connor	Rulavira	Waltman
Diem	Knutson	Ogren	Sarna	Welle
Dorn	Knutson	Olsen, S.	Sarna	Werner
Forsythe	Kronin	Olsen, E.	Schuler	Winer
Frederick	Kronitz	Olsen, K.	Schoenfeld	Wynn
	Kronitz		Schoenfeld	Spl. Norton

A quorum was present.

Tunheim was excused.

Reading 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.

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.	Fericha	Marsh	Olsen	Seaberg
Bennett	Gruenes	McDonald	Ozment	Shaver
Bishop	Gutknecht	McEachern	Pauly	Stannus
Blatz	Hartle	McKary	Quinn	Swenson
Boo	Haukoew	McPherson	Richter	Thiede
Burger	Heap	Miller	Redalen	Thornham
Clausenlar	Himle	Morrison	Roose	Uppius
Derpsky	Hugoson	O'Connor	Sarna	Uppius
Dille	Johnson, V.	Olsen, S.	Sarna	Valento
Ferrydale	Johnson, E.	Olsen, E.	Schreiber	Waltman
Friedrick	Knickerbocker	Omann	Schreiber	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lanley	Ota	Solberg
Battaglia	Jensen	Lueder	Pelowski	Spearly
Bauerly	Jefferson	Lund	Peterson	Sveinma
Beard	Jennings	Loug	Price	Trimble
Begrich	Johnson	McLaughlin	Quinn	Tunheim
Berttram	Johnson, A.	Minne	Rice	Vanasek
Brown	Johnson, R.	Murphy	Rice	Vose
Carlson, L.	Kahn	Nelson, C.	Rodowich	Wagenius
Carruthers	Kelso	Nelson, K.	Sarna	Welle
Clark	Kinhal	Neunachwander	Schreib	Wenzel
Cooper	Knuth	Ogren	Schreib	Wintzer
Danner	Koehnlyz	Olsen, K.	Sorenson	Wintzer
DeBlick	Larsen	Orenstein	Storgund	Spl. Norton
Dorn		Osthoff	Storgund	

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	Fericha	Marsh	Pauly	Stannus
Bishop	Gruenes	McDonald	Poppenhagen	Stannus
Blatz	Gutknecht	McKary	Quinn	Swenson
Boo	Hartle	McPherson	Redalen	Thiede
Burger	Haukoew	Miller	Richter	Thornham
Clausenlar	Heap	Morrison	Roose	Uppius
Derpsky	Himle	Olsen, S.	Schaler	Uppius
Dille	Hugoson	Omann	Schreiber	Valento
Ferrydale	Johnson, V.	Omann	Schreiber	Waltman
Friedrick	Johnson, E.	Ozment	Shaver	
	Knickerbocker		Shaver	

Those who voted in the negative were:

Anderson, G.	Jefferson	McEachern	Pelowski	Sveinma
Battaglia	Jennings	McLaughlin	Peterson	Trimble
Bauerly	Jensen	Milbert	Price	Tunheim
Beard	Johnson, A.	Minne	Quinn	Vanasek
Begrich	Johnson, R.	Murphy	Rice	Vallengas
Berttram	Kahn	Nelson, C.	Rice	Wage
Brown	Kelso	Nelson, D.	Rodowich	Wagenius
Carlson, L.	Kinhal	Nelson, K.	Rukavina	Welle
Carruthers	Kinhal	Neunachwander	Sarna	Wenzel
Clark	Knuth	O'Connor	Schreib	Wintzer
Cooper	Knuth	Ogren	Schreib	Wintzer
Danner	Larsen	Olsen, E.	Sorenson	Wintzer
DeBlick	Lanley	Olsen, K.	Storgund	
Dorn	Lueder	Orenstein	Storgund	
Greenfield	Loug	Osthoff	Spl. Norton	
Jacobs		Ota		

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 Schaler  
 Dean Hartle  
 Bob Waltman  
 Bob Haukoos  
 Donald J. Valento  
 Terry Dempsey  
 Eileen Tompkins  
 Tony Bennett  
 Jim Heap  
 Tony Ornen  
 Dennis Orment  
 Elton Redalen  
 Bernie Omann  
 Brad Stanius  
 John Rose  
 Kathleen Blatz  
 Howard Miller  
 Chris Tyornhom  
 Virgil Johnson  
 Sylvester Uphus  
 Steve Dille

Connie Morrison  
 Mary Forsythe  
 Don Richter  
 Gene Hugoson  
 Ben Boo  
 Doug Swenson  
 Jerry Knickerbocker  
 Harriet McPherson  
 Sai 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. BONDURK, 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 brinkmanship 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	Dave Jennings
Ralph R. Kiffmeyer	Art Seaberg
Sidney Pauly	Adolph Kvam
Craig Shaver	Tony Bennett
Dave Gruener	Mervyn O. Valan
Chuck Halberg	Mary Forsythe
Bob Waltman	K. J. McDonald
Gaylin DenOuden	Steve Svigkum
John Rose	Chris Tjornhom
Donald J. Valento	Dennis J. Poppenhagen
Gil Gutknecht	Bill Schreiber
Dennis Ozment	Tony Onnen
Kathleen Platz	Carol Dyke
Dave Fjosslien	Maurice Zafire
Sally Olsen	Ted Thorson
John Burger	Terry Dempsey
Don Ferrich	Eilton Redalen
John Hartinger	Don Richter
Bob Hankoos	Bert McKay
Wendell Erickson	Jim Boerboom
Sylvester Uphus	Virgil Johnson
Pen Orman	Dennis C. Frederickson
Marcel "Sal" Frederick	Dale Clausnitzer
Gordon Backlund	Lynn Becklin
Red Stanis	Dean Hartle
Jim Heap	Eileen Tompkins
Chuck Dimler	Mark Piepho
Gary Schafer	Allen Quist
Howard Miller	Gerald Knickerbocker
Connie Levi	Bob Anderson

Those who voted in the affirmative were:

Anderson, R. Dyke Johnson Quaint Spahr
Bartland Erickson Kalla Pauli Stanton
Bercklin Fushion Kiffinger Perylin Swiggum
Bernett Fureyville Kunkerberker Quast Thorson
Lishop Frederickson Krueger Riedalen Tompkins
Blatt Friedrichson Kyun Rives Uffels
Hersblom Cervenka Level Kiewas Valan
Hersman Cronquist Linder Rickett Valerio
Hoson Hjalberg Marjohal Rose Schaefer
Burger Harris McFarland Moberg Weisel
Clouston J. Haulsoo McKeay Scherfeld
Cloustonz Haulsoo Nelson, D. Scherfeld
Cohen Heap Olmsted, S. Seiberler
Drenney Hincle Olson Shaver
Dimler Jacobs O'Brien Skolberg

Those who voted in the negative were:

Anderson, G. Greenfield Munger Peterson Staten
Bartfield Jensen Nordin Piper Vanhook
Bierd Nelson Quinn Fritze Vanhook
Berich Jennings, L. Kahn Nemeschwander Vanhook
Killy Killy Neron Quinn Yellenga
Carlson, D. Kosobryz Olmsted R. J. Yew
Carlson, L. McFarham Oshorn, F. Simonsen Zyffe
Chalk McLoughlin Oshorn, G. Skolberg
Dun-Oudus Miller Ota Skolberg
Elhoff Mine 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:

McBachern; Nelson, K.; Olsen, S.; Kosobryz 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 and 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 congratulate 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



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

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

37th Day]

THURSDAY, APRIL 11, 1985

2075

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

ADJOURNMENT

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 DISENT

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	Wayne Simoneau
Richard A. Krueger	Alan Welle
Phyllis Kahn	Bob Neuschwander
Fred Norton	Randy C. Kelly
Sandra L. Pappas	John Tomlinson

4944

SPECIAL SESSION

[1st Day]

Randy Staten  
 Gloria Segal  
 Lee Greenfield  
 Wes Skoglund  
 Wally Sparty  
 John E. Brandt  
 Kathleen Vellenga  
 Peter S. Rodosovich  
 Gordon O. Voss  
 Phillip J. Riveness  
 Darby Nelson  
 Todd Otis  
 Linda Scheid  
 Karen Clark  
 Lyndon R. Carlson  
 James P. Metzger  
 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 Sarra  
 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

2nd Day]

THURSDAY, JUNE 20, 1985

4945

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, C.	Fillingim	Kvam	Ument	Simoneau
Anderson, H.	Fjostien	Levi	Pappas	Skoglund
Bachlund	Ferrythe	Lieder	Pauly	Solberg
Bachuga	Fredrick	Long	Peterson	Sparty
Beard	Fredrickson	Marsh	Phelps	Stanus
Becklin	Frenchie	McDonald	Piper	Starn
Begich	Greenfield	McEachern	Pope	Stegum
Bennett	Gruenes	McKassy	Price	Thiede
Bishop	Gutknecht	McLaughlin	Quinn	Thomson
Blitz	Halberg	McPherson	Reidlen	Thomson
Boerboom	Hartler	Metzen	Rey	Tompson
Boz	Haugen	Miller	Rest	Tunheim
Brandt	Haukoos	Munne	Rice	Tunheim
Briakman	Hepp	Munger	Richer	Uphus
Brown	Himle	Murray	Richter	Valan
Burgert	Jacobs	Nelson, D.	Riveness	Valent
Carlson, D.	Jaro	Nelson, K.	Rodosovich	Vanasck
Carlson, J.	Jennings, L.	Neutrachwender	Roe	Vallenga
Clark	Johnson	Norron	Sarna	Vass
Clautenizer	Kahn	O'Connor	Schaler	Waltman
Cohn	Kallis	Ogren	Scheid	Welle
Cohen	Kelly	Olsen, S.	Schloenfeld	Wenzel
Dempsey	Kilmeier	Olsen, E.	Schreiber	Wynia
Demond	Knutkerlocker	Omman	Seaher	Zaffke
Dimler	Knuth	Omen	Segal	Slawer
Dyke	Kostohryz	Oshoff	Slawer	Spk. Jennings, D.
Eloff	Krueger	Ott	Sherman	

A quorum was present.

Frickson was excused.

The Chief Clerk was present.

## 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 "Masson'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	Tim Sherman
Dave Bishop	Bill Schreiber
Sylvester Upphus	Donald Valente
Mary Forsythe	Gerald Knickerbocker
Ran Orann	Jim Heap
Terry Dampsey	Bob Wallman
Tony Orann	Gil Culkrecht
Adolph Kyam	Dick Wigley
John Himle	Dorothy Holtr
Ellen Redalen	Craig Shaver
Dave B. Gruenes	Charles C. Halberg
D. H. Hoberg	Mark Piochro
Pert J. McKasy	Dave Pjoshien
Lon Heinitz	John Rose
Sidney Parly	...

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

Sally Olsen  
 Tony Bennett  
 Carl K. Ludeman  
 Virgil Johnson  
 Don Frierichs  
 Kathleen Platz  
 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	Kostohy'z	Pauly	Solberg
Anderson, C.	Findlay	Krieger	Fienbo	Sparty
Battaglia	Fjoelich	Kuom	Piper	Stadum
Beard	Jorsirhe	Larsen	Price	Stauri
Bergch	Graba	Levi	Quinn	Swegen
Bespstrom	Greenfield	Long	Quist	Swenson
Berkman	Cruens	Ludman	Kedalen	Thiede
Bishop	Custafson	Mann	Reif	Tomlinson
Blatz	Cutkrecht	Marsh	Rice	Tunheim
Brandl	Haukoos	McDonald	Rivness	Uphus
Brinkman	Heap	McKasay	Rodrosovich	Valan
Burger	Hicmitz	Metzen	Rodriguez, C.	Valentio
Carlson, D.	Holberg	Mime	Rodriguez, F.	Vansack
Carlson, L.	Clark, J.	Murphy	Rose	Vellanga
Clark, K.	Hoffman	Nelson, D.	St. Onge	Voss
Clawson	Hokr	Nelson, K.	Schaler	Waltman
Cohen	Jacobs	Norton	Scheid	Welch
Coleman	Jennings	O'Connor	Schoenfeld	Welker
Dempsey	Jensen	Ogren	Schreiber	Welle
DenOuden	Johnson	Olsen	Segal	Wendal
Dimler	Kahn	Oman	Shaver	Wigley
Eken	Kalis	Oman	Shes	Wynta
Elioff	Kelly	Omen	Sherman	Speaker Sieben
Ellingson	Knickerbocker	Ors	Simonson	
Erickson	Knuth		Skoglund	

A quorum was present.

Anderson, R.; Bennett; Frierichs; Neunenschwander; Peterson; Sarma and Zaffke were excused.

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

Rehlen 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 Kram be added as authors on H. F. No. 738. The motion prevailed.

Bearl 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 FORSTHE 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. 1607.

**POCKET 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 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 House's Section 121);

4/12/80

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 unflinching 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 55165

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

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

Sincerely yours,

ALBERT H. QUIE  
Governor

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.

3/21/79

I believe the House of Representatives deserves an apology.

- |                   |                     |
|-------------------|---------------------|
| Irvin N. Anderson | Jim Pehler          |
| Willis Eken       | John Sarma          |
| Buzz Anderson     | Robert L. Ellingson |
| Dick Welch        | John Corbid         |
| Mike Jaros        | Linda Berglin       |
| Carl M. Johnson   | Joseph R. Beglich   |
| Norm Prah         | David Battaglia     |
| John Tomlinson    | Leo Adams           |
| Harry Sieben, Jr. | Lyn Carlson         |
| Eugene Waldorf    | James Caserly       |
| Arlene Lehto      | Janet Clark         |
| Stanley A. Enebo  | John Clawson        |
| Gordon O. Voss    | Glen Anderson       |
| Stanley J. Fudro  | Michael Sieben      |
| Steve Wenzel      | Wayne Simonson      |
| Ray Farley        | Tom Stoa            |
| Dominic J. Elioff | James Swanson       |
| Raymond J. Kempe  | Bob Vanasek         |
| Dee Long          | Ann Wrynla          |
| 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          |



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JOURNAL OF THE HOUSE

[59th Day

Those who voted in the negative were:

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

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

MOVEMENT 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 8:12 p.m. which expelled Representative Robert Paviak. 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 Essau
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

59th Day]

MONDAY, MAY 21, 1979

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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 Fjoshien	Joe T. Niehaus
Richard Wigley	Meryn O. Valan
John S. Biersdorf	Gary W. Laidig
Mark Piepho	Steve Sviggum
Tom Rees	Mike Fritz
Tony Stadium	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.

Wiese, 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	Draw	Jude	Nelson, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Albrecht	Elliot	Kaley	Nibhaus	Sieben, M.
Anderson, B.	Ellingson	Kalis	Norman	Simonsen
Anderson, D.	Enbo	Kelly	Norton	Stadum
Anderson, G.	Ericson	Kempe	Novak	Stoa
Anderson, I.	Esau	Knickertpocker	Nysether	Sviggum
Anderson, R.	Evans	Kostohryz	Olsen	Swanson
Baistagis	Ewald	Kroening	Onnen	Thiede
Berg	Fariy	Kvam	Oshoff	Tomlinson
Bergin	Fjofallen	Laidig	Otis	Valento
Berkelman	Forythe	Lehto	Patton	Vanasak
Bierdorf	Friedrich	Levi	Pehler	Voss
Blatt	Fritz	Long	Peterson	Waldorf
Brinkman	Fudro	Ludeman	Piepho	Weaver
Byrne	Greenfield	Luknic	Pleasant	Walch
Carlson, D.	Halberg	Mann	Prahl	Walker
Carlson, L.	Haukoos	McCarron	Redlen	Wenzel
Casserty	Heep	McDonald	Reding	Wiese
Clark	Heintz	McEachern	Rees	Wigley
Clawson	Hoberg	Mehtkens	Relf	Wylys
Corrid	Hokanson	Metzen	Rice	Zubay
Crandall	Jacobs	Minne	Rose	Speaker Seatie
Dean	Jara	Moe	Rothenberg	
Dempsey	Jennings	Munger	Sarna	
Den Ouden	Johnson, C.	Murphy	Schreiber	
	Johnson, D.	Nelsen, B.	Seattie	

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.

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JOURNAL OF THE HOUSE

[64th Day

Sally Olsen	Gilbert Esau
Dwaine Hoberg	Glen Sherwood
Bob Haukoos	Tony Stadium
Elton R. Redalen	K. J. McDonald
Meryn O. Valan	Paul Thiede
Jim Heap	Don Valento
Tom Rees	Raymond J. Albrecht
Lyle Mehrens	Joe T. Niehaus
Marnie Luknic	Adolph L. Kvam
David M. Jennings	Bill Peterson
Connie Levi	Tony Onnen
Ray Walker	Bruce Nelsen
John Drew	Ray O. Pleasant
John L. Weaver	Delbert F. Anderson
Dick Kaley	Donald L. Friedrich
Dave Fjoshien	Paul D. Aasness
Mike Fritz	Doug Ewald
Robert W. Reif	William D. Dean
Steve Sviggum	John A. Ainley
Elliott Rothenberg	Cal R. Ludeman
O. J. Heinitz	Jim Evans
William A. Crandall	Gary W. Laidig
Jim Norman	Bill Schreiber
Kathleen Blatz	Warren T. Stowell
Bob Searles	Wendell O. Erickson
Dean E. Johnson	Mary Forsythe
Terry Dempsey	Chuck Halberg
Mark Pjepho	John Rose
John S. Bierdorf	Doug Carlson
Dick Wigley	Bob Anderson
Al Wieser, Jr.	Rod Searle
Myron Nysether	Jerry K. Kerbocker

54th Day]

TUESDAY, MAY 15, 1979

2451

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	Niehaus	Savelkoul	Stangeland
Parson	Mueler	Obstad	Schreiber	Weaver
Lombardi	Myrnes	Favak, R. L.	Searle	Wigley
	Newcome	Plesant	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 Parivy:

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. Reeson, 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. Reeson, 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-protected right of citizens to secure privately-owned premises from unwarranted callers.

Owners and occupants of condominiums, cooperatives, houses, apartments, religious residences and other community dwellings should be free to regulate the admittance of the unwelcome, be they proselytizers, peddlers or politicians. As the Court said in *Hatchtower 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 N.Y.S.2d 385, 393, affirmed 75 N.Y.S.2d 272 App. Div. 1083, appeal denied 297 N.Y.805, certiorari denied 69 D.C. 227, rehearing denied 69 S. Ct. 1799).

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. Dirham  
Thomas W. Newcome  
Gary W. Fakne  
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. Fjoshen  
O. J. Heinlitz  
Neil A. Wohlwend  
Robert L. Pavlak  
Robert E. Johnson  
Richard A. Andersen  
Tony Bennett  
Robert C. Bell

M. J. McGanley  
John S. Bersdorf  
Raymond O. Wolfert  
Ray O. Pleasant  
William H. Schreiber  
August B. Mueller  
Douglas W. Carlson  
Lynn H. Becklin  
James F. Ulland  
Jerry Kriekerbocker  
David Cleary  
Salisbury Adams  
Dale E. Fritahl  
Robert J. McFarlin  
Frank H. DeGroat  
Jerome J. Belisle  
Arne H. Carlson  
Robert J. Ferlter  
J. Beryl Clifford  
Delbert F. Anderson  
Rod Searie  
Carl Larson  
Joseph P. Graw  
Brandlee G. Pieper  
Walter K. Klaus  
Gilbert D. Esau

#### ADJOURNMENT

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

Mr. Anderson, I, 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. Sabbo  
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 525.381.

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 vesting 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 Wilmar; authorizing land acquisition and development to promote industry and alleviate unemployment.

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

