



SUPPLEMENTAL DECLARATION OF HARRY NISKA

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

I, Harry Niska, declare and testify as follows:

1. My name is Harry Niska. I provide this supplemental declaration based on my personal knowledge of the facts set forth herein.

2. On January 30, 2025, in advance of the 3:30 PM floor session, Representative Lisa Demuth emailed Secretary Steve Simon and his staff. Among other information, Representative Demuth informed Secretary Simon that I would be seeking recognition during the 3:30 PM floor session and that it is our belief that as a ceremonial presiding officer Secretary Simon did not have the authority or ability to refuse recognition to duly elected members. A true and correct copy of this email message is attached hereto as Exhibit C.

3. When the House convened at 3:30 PM on January 30, I presented the same motion to compel attendance of absent members and proscribing penalties, as authorized by Article IV, Section 13 of the Minnesota Constitution, which I had offered the previous day, and which was attached as Exhibit B to my previous declaration submitted in this case.

4. A copy of my motion was presented at the front desk, the customary manner for offering written motions.

5. At the conclusion of the quorum call on January 30, I rose seeking recognition to make motions provided by Article IV, Section 13 of the Minnesota Constitution. I stood by the podium at which the Republican caucus leader stands to be recognized to speak regarding points of order, motions, or other matters.

6. Secretary Simon refused to recognize me or acknowledge the motion that I had presented to him. Instead, Simon purported to adjourn the House unilaterally until February 3, 2025, at 3:30 PM without ever allowing motions or vote.

7. On February 3, 2025, the House convened at 3:30 PM, I again presented the same motion to compel attendance of absent members and proscribing penalties, as specifically authorized by Article IV, Section 13 of the Minnesota Constitution.

8. A copy of my motion was presented at the front desk in the same, customary manner for written motions.

9. At the conclusion of the quorum call, I rose seeking recognition to make motions provided by Article IV, Section 13 of the Minnesota Constitution.

10. Secretary Simon, again, refused to recognize me or acknowledge the motion I had presented to him. Instead, Simon purported to unilaterally adjourn the House until February 4, 2025, at 3:30 PM.

11. On February 4, 2025, when the House convened that day at 3:30 PM, I, again, presented the same motion to compel attendance of absent members and proscribing penalties, as specifically authorized by Article IV, Section 13 of the Minnesota Constitution.

12. A copy of my motion was presented at the front desk in the same, customary manner for written motions as I had on previous days.

13. At the conclusion of the quorum call, I rose seeking recognition to make motions provided by Article IV, Section 13 of the Minnesota Constitution. On that day, I verbally requested recognition to make my motion.

14. Secretary Simon refused to recognize me or acknowledge the motion I had presented to him. Instead, Simon purported to unilaterally adjourn the House until February 5, 2025, at 3:30 PM.

15. Video of these session showing me standing and attempting to be recognized by Secretary Simon is available via the Minnesota House of Representatives' website at: https://www.house.mn.gov/htv/archivesHFS.asp?ls_year=94/.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: February 4, 2025



Representative Harry Niska

Exhibit C
to Supplemental Declaration
of Rep. Harry Niska

Harry Niska

From: Lisa Demuth
Sent: Thursday, January 30, 2025 2:49 PM
To: Strother, Julie (OSS); steve.simon@state.mn.us
Cc: Harry Niska; Jeremiah Wingstedt; Paul Carlson; Andrew Wagner; Bethke, Lauren (OSS); Pat Murphy; McCollough, Matt (OSS)
Subject: RE: Proposed House Meeting Schedule

Secretary Simon,

As indicated by Julie, your proposed schedule of Monday through Thursday 3:30PM sessions next week is acceptable.

Additionally, I wanted to alert you that Representative Niska will be seeking recognition during today's floor session. It is our belief that as a ceremonial presiding officer you do not have the authority or ability to refuse recognition to duly elected members.

Thank you,

Lisa

From: Strother, Julie (OSS) <julie.strother@state.mn.us>
Sent: Thursday, January 30, 2025 11:41 AM
To: Lisa Demuth <rep.Lisa.Demuth@house.mn.gov>
Cc: Harry Niska <Rep.Harry.Niska@house.mn.gov>; Jeremiah Wingstedt <Jeremiah.Wingstedt@house.mn.gov>; Paul Carlson <Paul.Carlson@house.mn.gov>; Andrew Wagner <Andrew.Wagner@house.mn.gov>; Bethke, Lauren (OSS) <Lauren.Bethke@state.mn.us>; Pat Murphy <Pat.Murphy@house.mn.gov>; McCollough, Matt (OSS) <matt.mccollough@state.mn.us>
Subject: RE: Proposed House Meeting Schedule

Representative Demuth,

I'm reaching out to check in again on the schedule for convening the House of Representatives in the event there is no quorum present. If there is no quorum present today, Secretary Simon will adjourn to Monday, February 3, 2025, at 3:30. If there is no quorum on Monday, our assumption is that you'd like Secretary Simon to adjourn to the next day, and continue adjourning to the next day at 3:30 until Thursday, February 6, 2025, and on that date if there is no quorum adjourn to Monday, February 10, 2025.

Is that schedule agreeable, or would you prefer something else?

Thank you.

Sincerely,

Julie Strother

Chief of Staff/Deputy Secretary of State

Pronouns: she, her, hers

Office of Minnesota Secretary of State, Steve Simon

We've moved!

Veterans Service Building, 20 W 12th Street, Suite 210, St. Paul, MN 55155

Ph: 651-201-1342

Website: www.sos.mn.gov

From: Strother, Julie (OSS) <julie.strother@state.mn.us>

Sent: Tuesday, January 28, 2025 3:10 PM

To: Lisa Demuth <rep.Lisa.Demuth@house.mn.gov>

Cc: Harry Niska <Rep.Harry.Niska@house.mn.gov>; Jeremiah Wingstedt <Jeremiah.Wingstedt@house.mn.gov>; Paul Carlson <Paul.Carlson@house.mn.gov>; Andrew Wagner <Andrew.Wagner@house.mn.gov>; Bethke, Lauren (OSS) <Lauren.Bethke@state.mn.us>

Subject: Re: Proposed House Meeting Schedule

Representative Demuth,

Thank you for the quick response. Secretary Simon agrees with this schedule and will plan accordingly.

Julie

From: Lisa Demuth <rep.Lisa.Demuth@house.mn.gov>

Sent: Tuesday, January 28, 2025 2:15 PM

To: Strother, Julie (OSS) <julie.strother@state.mn.us>

Cc: Harry Niska <Rep.Harry.Niska@house.mn.gov>; Jeremiah Wingstedt <Jeremiah.Wingstedt@house.mn.gov>; Paul Carlson <Paul.Carlson@house.mn.gov>; Andrew Wagner <Andrew.Wagner@house.mn.gov>; Bethke, Lauren (OSS) <Lauren.Bethke@state.mn.us>

Subject: Re: Proposed House Meeting Schedule

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Julie,

Our expectation would be that absent a quorum, Secretary Simon would adjourn today until Wednesday at 3:30, and then again until Thursday at 3:30, followed by an adjournment until Monday at 3:30.

From: Strother, Julie (OSS) <julie.strother@state.mn.us>

Sent: Tuesday, January 28, 2025 12:45 PM

To: Lisa Demuth <rep.Lisa.Demuth@house.mn.gov>

Cc: Harry Niska <Rep.Harry.Niska@house.mn.gov>; Jeremiah Wingstedt <Jeremiah.Wingstedt@house.mn.gov>; Paul Carlson <Paul.Carlson@house.mn.gov>; Andrew Wagner <Andrew.Wagner@house.mn.gov>; Bethke, Lauren (OSS) <Lauren.Bethke@state.mn.us>

Subject: Proposed House Meeting Schedule

Representative Demuth,

Secretary Simon has asked that I follow up on the issue of a meeting schedule for convening the House of Representatives. If there is no quorum today when Secretary Simon convenes the House at 3:30, would you and your caucus agree to Secretary Simon adjourning to Thursday, January 30, 2025 at 3:30? And then on Thursday if there is no quorum, adjourning to Monday, February 3, 2025 at 3:30?

If there is no agreement, if the quorum requirement is not met today, Secretary Simon will adjourn until the next day at 3:30.

If you could let me know by 3:00 PM today, that would be appreciated.

Sincerely,

Julie Strother

Chief of Staff/Deputy Secretary of State

Pronouns: she, her, hers

Office of Minnesota Secretary of State, Steve Simon

We've moved!

Veterans Service Building, 20 W 12th Street, Suite 210, St. Paul, MN 55155

Ph: 651-201-1342

Website: www.sos.mn.gov

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