

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SIXTH LEGISLATURE

FIRST DAY

St. Paul, Minnesota, Tuesday, January 6, 2009

This being the day designated by the Constitution and Laws of the State of Minnesota for the assembling of the Legislature, the Senators met in the Senate Chamber of the Capitol and were called to order at 12 o'clock noon by the Lieutenant Governor, Carol Molnau.

Prayer was offered by the Rev. Kevin McDonough.

The Lieutenant Governor and the Senators gave the pledge of allegiance to the flag of the United States of America.

The Lieutenant Governor appointed Gen Olson as Clerk Pro Tem.

The Clerk Pro Tem called the roll by legislative districts in numerical order.

First District	LeRoy A. Stumpf
Second District	Rod Skoe
Third District	Tom Saxhaug
Fourth District	Mary Olson
Fifth District	David J. Tomassoni
Sixth District	Thomas M. Bakk
Seventh District	Yvonne Prettner Solon
Eighth District	Tony Lourey
Ninth District	Keith Langseth
Tenth District	Dan Skogen
Eleventh District	Bill Ingebrigtsen
Twelfth District	Paul E. Koering
Thirteenth District	Joseph R. Gimse
Fourteenth District	Michelle L. Fischbach
Fifteenth District	Tarryl L. Clark
Sixteenth District	Lisa A. Fobbe
Seventeenth District	Rick Olseen
Eighteenth District	Steve Dille
Nineteenth District	Amy T. Koch
Twentieth District	Gary W. Kubly
Twenty-First District	Dennis R. Frederickson
Twenty-Second District	Jim Vickerman
Twenty-Third District	Kathy Sheran
Twenty-Fourth District	Julie A. Rosen
Twenty-Fifth District	Kevin Dahle
Twenty-Sixth District	Dick Day
Twenty-Seventh District	Dan Sparks

Twenty-Eighth District	Steve Murphy
Twenty-Ninth District	David H. Senjem
Thirtieth District	Ann Lynch
Thirty-First District	Sharon Erickson Ropes
Thirty-Second District	Warren Limmer
Thirty-Third District	Gen Olson
Thirty-Fourth District	Julianne E. Ortman
Thirty-Fifth District	Claire A. Robling
Thirty-Sixth District	Pat Pariseau
Thirty-Seventh District	Chris Gerlach
Thirty-Eighth District	Jim Carlson
Thirty-Ninth District	James P. Metzen
Fortieth District	John Doll
Forty-First District	Geoff Michel
Forty-Second District	David Hann
Forty-Third District	Terri Bonoff
Forty-Fourth District	Ron Latz
Forty-Fifth District	Ann H. Rest
Forty-Sixth District	Linda Scheid
Forty-Seventh District	Leo T. Foley
Forty-Eighth District	Michael J. Jungbauer
Forty-Ninth District	Debbie J. Johnson
Fiftieth District	Satveer Chaudhary
Fifty-First District	Don Betzold
Fifty-Second District	Ray Vandever
Fifty-Third District	Sandy Rummel
Fifty-Fourth District	John Marty
Fifty-Fifth District	Charles W. Wiger
Fifty-Sixth District	Kathy Saltzman
Fifty-Seventh District	Katie Sieben
Fifty-Eighth District	Linda Higgins
Fifty-Ninth District	Lawrence J. Pogemiller
Sixtieth District	D. Scott Dibble
Sixty-First District	Linda Berglin
Sixty-Second District	Patricia Torres Ray
Sixty-Third District	Ken Kelash
Sixty-Fourth District	Richard J. Cohen
Sixty-Fifth District	Sandra L. Pappas
Sixty-Sixth District	Ellen R. Anderson
Sixty-Seventh District	Mee Moua

The Lieutenant Governor declared a quorum present.

MEMBERS EXCUSED

Senators Foley and Torres Ray were excused from the Session of today.

ELECTION OF PRESIDENT

Senator Berglin nominated Senator James P. Metzen for President.

Senator Hann nominated Senator Michelle L. Fischbach for President.

The question was taken on the election of the President. The roll was called.

The following Senators voted for James P. Metzen:

Anderson	Dibble	Latz	Pogemiller	Skogen
Bakk	Doll	Lourey	Prettner Solon	Sparks
Berglin	Erickson Ropes	Lynch	Rest	Stumpf
Betzold	Fobbe	Marty	Rummel	Tomassoni
Bonoff	Frederickson	Metzen	Saltzman	Vickerman
Carlson	Higgins	Moua	Saxhaug	Wiger
Chaudhary	Kelash	Murphy	Scheid	
Clark	Koering	Olseen	Sheran	
Cohen	Kubly	Olson, M.	Sieben	
Dahle	Langseth	Pappas	Skoe	

The following Senators voted for Michelle L. Fischbach:

Dille	Hann	Koch	Ortman	Senjem
Fischbach	Ingebrigtsen	Limmer	Pariseau	Vandevveer
Gerlach	Johnson	Michel	Robling	
Gimse	Jungbauer	Olson, G.	Rosen	

Senator James P. Metzen received 46 votes of the members of the Senate and was duly elected President of the Senate.

Senator Michelle L. Fischbach received 18 votes of the members of the Senate.

OATH OF OFFICE

President-elect James P. Metzen subscribed to the oath of office as administered by the Honorable Edward Lynch, District Court Judge.

Senator Metzen then briefly addressed the Senate in accepting the office of President.

ELECTION OF OFFICERS

Senator Pogemiller nominated Peter S. Wattson for Secretary of the Senate (Legislative) and JoAnne M. Zoff, Secretary of the Senate (Administrative) for Secretaries of the Senate.

Senator Hann raised a point of order that the Pogemiller nominations were not in order under Minnesota Statutes, section 3.06, subdivision 1.

The President ruled the point of order not well taken, so the Pogemiller nominations were in order.

Senator Limmer appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 46 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Bakk	Betzold	Bonoff	Carlson
----------	------	---------	--------	---------

Chaudhary	Frederickson	Marty	Rest	Sparks
Clark	Higgins	Metzen	Rummel	Stumpf
Cohen	Kelash	Moua	Saltzman	Tomassoni
Dahle	Koering	Murphy	Saxhaug	Vickerman
Dibble	Kubly	Olseen	Scheid	Wiger
Dille	Langseth	Olson, M.	Sheran	
Doll	Latz	Pappas	Sieben	
Erickson Ropes	Lourey	Pogemiller	Skoe	
Fobbe	Lynch	Prettner Solon	Skogen	

Those who voted in the negative were:

Day	Hann	Koch	Ortman	Senjem
Fischbach	Ingebrigtsen	Limmer	Pariseau	Vandevveer
Gerlach	Johnson	Michel	Robling	
Gimse	Jungbauer	Olson, G.	Rosen	

So the decision of the President was sustained.

Senator Senjem nominated Dan Wolf for Secretary of the Senate.

Senator Pogemiller moved that nominations be closed. The motion prevailed.

The question was taken on the election of the Secretaries of the Senate. The roll was called.

The following Senators voted for Peter S. Wattson and JoAnne M. Zoff:

Anderson	Dahle	Latz	Pogemiller	Skoe
Bakk	Dibble	Lourey	Prettner Solon	Skogen
Berglin	Doll	Lynch	Rest	Sparks
Betzold	Erickson Ropes	Marty	Rummel	Stumpf
Bonoff	Fobbe	Metzen	Saltzman	Tomassoni
Carlson	Higgins	Moua	Saxhaug	Vickerman
Chaudhary	Kelash	Olseen	Scheid	Wiger
Clark	Kubly	Olson, M.	Sheran	
Cohen	Langseth	Pappas	Sieben	

The following Senators voted for Dan Wolf:

Day	Gimse	Koch	Ortman	Vandevveer
Dille	Hann	Koering	Pariseau	
Fischbach	Ingebrigtsen	Limmer	Robling	
Frederickson	Johnson	Michel	Rosen	
Gerlach	Jungbauer	Olson, G.	Senjem	

Peter S. Wattson and JoAnne M. Zoff received 43 votes of the members of the Senate and were duly elected Secretaries of the Senate.

Dan Wolf received 21 votes of the members of the Senate.

OATH OF OFFICE

The Secretaries-elect advanced to the Bar of the Senate and subscribed to the oath of office as administered by the Honorable Edward Lynch.

ELECTION OF OFFICERS - CONTINUED

Senator Pogemiller moved that the election to other elective offices be made on one roll call unless there should be more than one nomination for any office. The motion prevailed.

Senator Langseth nominated Colleen J. Pacheco for First Assistant Secretary.

Senator Vickerman nominated Michael R. Linn for Second Assistant Secretary.

Senator Stumpf nominated Melissa Mapes for Engrossing Secretary.

Senator Cohen nominated Sven Lindquist for Sergeant at Arms.

Senator Marty nominated Marilyn Logan Hall for Assistant Sergeant at Arms.

Senator Pogemiller nominated Rev. Kevin McDonough for Chaplain.

The roll was called. The following Senators voted for the nominees:

Anderson	Doll	Koch	Olseen	Saxhaug
Bakk	Erickson Ropes	Koering	Olson, G.	Scheid
Berglin	Fischbach	Kubly	Olson, M.	Senjem
Betzold	Fobbe	Langseth	Ortman	Sheran
Bonoff	Frederickson	Latz	Pappas	Sieben
Carlson	Gerlach	Limmer	Pariseau	Skoe
Chaudhary	Gimse	Lourey	Pogemiller	Skogen
Clark	Hann	Lynch	Prettner Solon	Sparks
Cohen	Higgins	Marty	Rest	Stumpf
Dahle	Ingebrigtsen	Metzen	Robling	Tomassoni
Day	Johnson	Michel	Rosen	Vanderveer
Dibble	Jungbauer	Moua	Rummel	Vickerman
Dille	Kelash	Murphy	Saltzman	Wiger

The above nominees received 65 votes of the members of the Senate and were duly elected to their respective offices.

OATH OF OFFICE

The First Assistant Secretary, the Second Assistant Secretary, the Engrossing Secretary, the Sergeant at Arms, the Assistant Sergeant at Arms and the Chaplain advanced to the Bar of the Senate and subscribed to the oath of office as administered by the Honorable Edward Lynch.

MOTIONS AND RESOLUTIONS

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 1: A Senate resolution naming a Majority Leader and a Minority Leader.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Senate Majority Leader is Lawrence J. Pogemiller. The Senate Minority Leader is David H. Senjem.

Senator Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 2: A Senate resolution relating to rules; adopting temporary rules for the 86th session of the Legislature.

BE IT RESOLVED by the Senate of the State of Minnesota:

The permanent rules of the Senate for the 85th session of the Legislature are adopted as the temporary rules for the 86th session, to be effective until the adoption of permanent rules by a majority vote of the Senate, subject to the following conditions:

A bill may not be introduced on the first day.

The rules referred to above are amended as follows:

Insert a new rule to read:

54.7 Until the election by the Senate of a single Secretary of the Senate, the Committee on Rules and Administration shall allocate the duties of the Secretary of the Senate between two individuals: the Secretary of the Senate (Legislative) and the Secretary of the Senate (Administrative).

Senator Senjem moved to amend Senate Resolution No. 2 as follows:

Page 1, after line 8, insert:

"Rule 7.2 is amended to read:

7.2 Within ~~30~~ seven days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, and after receiving from the Committee on Taxes a resolution containing its recommendation on the maximum limit on revenues and an amount to be set aside as a budget reserve and a cash flow account, the Committee on Finance must adopt and report to the Senate a budget resolution, in the form of a Senate resolution. The budget resolution must set: (1) the maximum limit on revenues and net appropriations for the next fiscal biennium for the general fund; and (2) an amount or amounts to be set aside as a budget reserve and a cash flow account. The budget resolution must not specify, limit, or prescribe revenues or appropriations by any category other than those specified in clauses (1) and (2). If the Committee on Finance recommends a maximum limit on revenues or an amount for the budget reserve or cash flow account that differs from the amount recommended by the Committee on Taxes, the recommendation of the Committee on Finance must be referred to the Committee on Rules and Administration before it may be considered by the Senate.

Rule 7.4 is amended to read:

7.4 Within ~~14~~ seven days after the Senate or the Committee on Finance adopts a budget resolution, the ~~Committee~~ Senate must adopt, by resolution, limits for each major appropriation bill identified in this Rule. After the ~~Committee~~ Senate adopts the resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the ~~Committee~~ Senate subsequently adopts different or amended limits for the same fiscal biennium. If the Committee on Finance or the Senate combines two or more major appropriation bills into one bill, the limits in the ~~Committee~~ Senate resolution pertaining to those bills are also combined, and the sum of the combined limits applies to the combined bill."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 44, as follows:

Those who voted in the affirmative were:

Day
Dille

Fischbach
Frederickson

Gerlach
Gimse

Hann
Ingebrigtsen

Johnson
Jungbauer

Koch	Michel	Pariseau	Senjem
Koering	Olson, G.	Robling	Vandevier
Limmer	Ortman	Rosen	

Those who voted in the negative were:

Anderson	Dahle	Latz	Pappas	Sieben
Bakk	Dibble	Lourey	Pogemiller	Skoe
Berglin	Doll	Lynch	Prettner Solon	Skogen
Betzold	Erickson Ropes	Marty	Rest	Sparks
Bonoff	Fobbe	Metzen	Rummel	Stumpf
Carlson	Higgins	Moua	Saltzman	Tomassoni
Chaudhary	Kelash	Murphy	Saxhaug	Vickerman
Clark	Kubly	Olseen	Scheid	Wiger
Cohen	Langseth	Olson, M.	Sheran	

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

Senator Fischbach moved to amend Senate Resolution No. 2 as follows:

Page 1, delete lines 9 to 13

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 41 as follows:

Those who voted in the affirmative were:

Dille	Hann	Koch	Murphy	Robling
Fischbach	Ingebrigtsen	Koering	Olson, G.	Rosen
Gerlach	Johnson	Limmer	Ortman	Senjem
Gimse	Jungbauer	Michel	Pariseau	Vandevier

Those who voted in the negative were:

Anderson	Dahle	Latz	Prettner Solon	Sparks
Bakk	Dibble	Lourey	Rummel	Stumpf
Berglin	Doll	Lynch	Saltzman	Tomassoni
Betzold	Fobbe	Marty	Saxhaug	Vickerman
Bonoff	Frederickson	Moua	Scheid	Wiger
Carlson	Higgins	Olseen	Sheran	
Chaudhary	Kelash	Olson, M.	Sieben	
Clark	Kubly	Pappas	Skoe	
Cohen	Langseth	Pogemiller	Skogen	

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

Senator Pogemiller moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 48 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Dahle	Higgins	Moua	Saltzman
Bakk	Day	Kelash	Olseen	Saxhaug
Berglin	Dibble	Kubly	Olson, M.	Scheid
Betzold	Dille	Langseth	Pappas	Sheran
Bonoff	Doll	Latz	Pogemiller	Sieben
Carlson	Erickson Ropes	Lourey	Prettner Solon	Skoe
Chaudhary	Fobbe	Lynch	Rest	Skogen
Clark	Frederickson	Marty	Rosen	Sparks
Cohen	Gimse	Metzen	Rummel	Stumpf

Tomassoni Vickerman Wiger

Those who voted in the negative were:

Fischbach	Johnson	Limmer	Ortman	Vandevier
Gerlach	Jungbauer	Michel	Pariseau	
Hann	Koch	Murphy	Robling	
Ingebrigtsen	Koering	Olson, G.	Senjem	

The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Concurrent Resolution No. 1: A Senate concurrent resolution relating to the adoption of temporary joint rules.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

The temporary Joint Rules of the Senate and the House of Representatives for the 85th session are adopted as the temporary joint rules for the 86th session, to be effective until the adoption of Permanent Joint Rules by the Senate and House of Representatives.

Senator Pogemiller moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 60 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Dille	Koch	Olseen	Saxhaug
Bakk	Doll	Koering	Olson, G.	Scheid
Berglin	Erickson Ropes	Kubly	Olson, M.	Senjem
Betzold	Fischbach	Langseth	Ortman	Sheran
Bonoff	Fobbe	Latz	Pappas	Sieben
Carlson	Frederickson	Lourey	Pogemiller	Skoe
Chaudhary	Gimse	Lynch	Prettner Solon	Skogen
Clark	Higgins	Marty	Rest	Sparks
Cohen	Ingebrigtsen	Metzen	Robling	Stumpf
Dahle	Johnson	Michel	Rosen	Tomassoni
Day	Jungbauer	Moua	Rummel	Vickerman
Dibble	Kelash	Murphy	Saltzman	Wiger

Those who voted in the negative were:

Gerlach Hann Limmer Vandevier

The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 3: A Senate resolution relating to standing committees.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The standing committees of the Senate for the 86th session have the membership shown in this resolution.

COMMITTEE ON AGRICULTURE AND VETERANS (15)

Vickerman, Chair	Gimse	Langseth
Erickson Ropes, Vice Chair	Hann	Lourey
Chaudhary	Ingebrigtsen	Murphy
Dille	Koering	Skoe
Fobbe	Kubly	Skogen

COMMITTEE ON BUSINESS, INDUSTRY AND JOBS (17)

Metzen, Chair	Gerlach	Rosen
Saltzman, Vice Chair	Gimse	Scheid
Bakk	Koch	Skoe
Bonoff	Latz	Sparks
Carlson	Michel	Tomassoni
Day	Murphy	

COMMITTEE ON CAPITAL INVESTMENT (28)

Langseth, Chair	Johnson	Prettner Solon
Sieben, Vice Chair	Jungbauer	Robling
Berglin	Koering	Rosen
Chaudhary	Kubly	Scheid
Cohen	Lynch	Senjem
Day	Metzen	Sheran
Dille	Michel	Sparks
Foley	Murphy	Stumpf
Frederickson	Pappas	Tomassoni
Gerlach		

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION (11)

Scheid, Chair	Johnson	Prettner Solon
Sparks, Vice Chair	Marty	Skogen
Dahle	Metzen	Vandever
Gerlach	Olson, M.	

COMMITTEE ON EDUCATION (18)

Stumpf, Chair	Dahle	Olson, G.
---------------	-------	-----------

Wiger, Deputy Chair	Fobbe	Robling
Bonoff, Vice Chair - Budget	Gerlach	Saltzman
Rummel, Vice Chair - Policy	Hann	Saxhaug
Anderson	Koch	Skogen
Clark	Michel	Torres Ray

**COMMITTEE ON ENERGY, UTILITIES, TECHNOLOGY AND
COMMUNICATIONS (15)**

Prettner Solon, Chair	Dibble	Rummel
Doll, Vice Chair	Jungbauer	Senjem
Anderson	Koch	Sheran
Carlson	Olseen	Sparks
Dahle	Rosen	Vandever

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES (16)

Chaudhary, Chair	Frederickson	Saxhaug
Skogen, Vice Chair	Ingebrigtsen	Sheran
Anderson	Kelash	Sieben
Dibble	Olson, G.	Stumpf
Dille	Pariseau	Vickerman
Fobbe		

COMMITTEE ON FINANCE (20)

Cohen, Chair	Foley	Pariseau
Anderson	Frederickson	Robling
Berglin	Higgins	Stumpf
Betzold	Metzen	Tomassoni
Day	Murphy	Vickerman
Dille	Olson, G.	Wiger
Fischbach	Pappas	

COMMITTEE ON HEALTH, HOUSING AND FAMILY SECURITY (13)

Marty, Chair	Fischbach	Koering
Torres Ray, Vice Chair	Hann	Lourey
Berglin	Higgins	Lynch

Erickson Ropes
Doll

Johnson

Prettner Solon

COMMITTEE ON HIGHER EDUCATION (13)

Pappas, Chair
Sheran, Vice Chair
Clark
Cohen
Erickson Ropes

Koering
Latz
Lynch
Michel

Robling
Senjem
Tomassoni
Wiger

COMMITTEE ON JUDICIARY (9)

Moua, Chair
Olson, M., Vice Chair
Betzold

Foley
Higgins
Limmer

Ortman
Pariseau
Scheid

COMMITTEE ON RULES AND ADMINISTRATION (10)

Pogemiller, Chair
Clark, Vice Chair
Bakk
Berglin

Cohen
Frederickson
Langseth

Metzen
Olson, G.
Senjem

**COMMITTEE ON STATE AND LOCAL GOVERNMENT
OPERATIONS AND OVERSIGHT (13)**

Rest, Chair
Lourey, Vice Chair
Betzold
Carlson
Day

Gerlach
Gimse
Marty
Olseen

Pappas
Robling
Sieben
Vickerman

COMMITTEE ON TAXES (13)

Bakk, Chair
Skoe, Vice Chair
Dibble
Johnson
Langseth

Limmer
Marty
Moua
Ortman

Pogemiller
Rest
Scheid
Senjem

COMMITTEE ON TRANSPORTATION (20)

Murphy, Chair	Gimse	Olson, G.
Carlson, Vice Chair	Jungbauer	Ortman
Bonoff	Kelash	Rest
Day	Koch	Saltzman
Dibble	Langseth	Sieben
Doll	Moua	Skoe
Fischbach	Olseen	

Senator Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 4: A Senate resolution relating to the schedule of standing committee meetings.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The standing committees shall meet during the 86th Legislature according to the following schedule:

SENATE COMMITTEE SCHEDULE**COMMITTEE/CHAIR**

Office Room	Phone 296-	Meeting Day	Room No.	Hour
Agriculture and Veterans/Vickerman				
226	7405	T, Th	107	3:00-5:30 p.m.
Business, Industry and Jobs/Metzen				
322	5307	M, W	123	12:30-2:45 p.m.
Capital Investment/Langseth				
122	9612	On call		
Commerce and Consumer Protection/Scheid				
G-9	5776	T, Th	112	12:30-2:45 p.m.
Education/Stumpf				
208	5312	M, T, W, Th, F	112	8:30-11:00 a.m.

Energy, Utilities, Technology and Communications/Prettner Solon

G-9	7593	T, Th	123	3:00-5:30 p.m.
-----	------	-------	-----	----------------

Environment and Natural Resources/Chaudhary

205	2962	M, W	107	12:30-2:45 p.m.
-----	------	------	-----	-----------------

Finance/Cohen

121	5308	M, T, W, Th, F	123	8:30-11:00 a.m.
-----	------	----------------	-----	-----------------

Health, Housing and Family Security/Marty

328	5712	M, W	15	12:30-2:45 p.m.
-----	------	------	----	-----------------

Higher Education/Pappas

120	1802	T, Th	123	12:30-2:45 p.m.
-----	------	-------	-----	-----------------

Judiciary/Moua

120	4842	T, Th	15	3:00-5:30 p.m.
-----	------	-------	----	----------------

Rules and Administration/Pogemiller

235	2577	On call		
-----	------	---------	--	--

State and Local Government Operations and Oversight/Rest

205	1113	M, W	123	3:00-5:30 p.m.
-----	------	------	-----	----------------

Taxes/Bakk

226	5640	M, T, W, Th, F	15	8:30-11:00 a.m.
-----	------	----------------	----	-----------------

Transportation/Murphy

325	1738	T, Th	15	12:30-2:45 p.m.
-----	------	-------	----	-----------------

Senator Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senate Resolution No. 5: A Senate resolution relating to postage.

BE IT RESOLVED, by the Senate of the State of Minnesota:

For the 2009 session of the 86th Legislature, the Secretary of the Senate may purchase postage to furnish each member of the Senate 5,500 stamps. Each member named as chair of a standing committee in the Senate resolution designating committee assignments may be furnished with an additional 1,000 stamps for the necessary business of the committee.

An additional postage allowance of 1,000 stamps is authorized for the Senate Minority Leader; five other members of the minority designated by the Senate Minority Leader; and five members of the majority designated by the Senate Majority Leader.

Each member of the Senate shall receipt to the Secretary of the Senate for the postage received.

Senator Koch moved to amend Senate Resolution No. 5 as follows:

Page 1, line 5, delete "5,500" and insert "3,500"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 38, as follows:

Those who voted in the affirmative were:

Dahle	Gimse	Koering	Pariseau	Stumpf
Day	Hann	Michel	Robling	Tomassoni
Dille	Ingebrigtsen	Olseen	Rosen	Vandev eer
Fischbach	Johnson	Olson, G.	Senjem	
Fobbe	Jungbauer	Olson, M.	Sheran	
Gerlach	Koch	Ortman	Sieben	

Those who voted in the negative were:

Anderson	Cohen	Langseth	Murphy	Scheid
Bakk	Dibble	Latz	Pappas	Skoe
Berglin	Doll	Limmer	Pogemiller	Skogen
Betzold	Erickson Ropes	Lourey	Prettner Solon	Sparks
Bonoff	Frederickson	Lynch	Rest	Vickerman
Carlson	Higgins	Marty	Rummel	Wiger
Chaudhary	Kelash	Metzen	Saltzman	
Clark	Kubly	Moua	Saxhaug	

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

Senator Pogemiller moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 54 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Dibble	Kubly	Olson, M.	Senjem
Bakk	Dille	Langseth	Ortman	Sieben
Berglin	Doll	Latz	Pappas	Skoe
Betzold	Erickson Ropes	Lourey	Pogemiller	Skogen
Bonoff	Fobbe	Lynch	Prettner Solon	Sparks
Carlson	Frederickson	Marty	Rest	Stumpf
Chaudhary	Higgins	Metzen	Rosen	Tomassoni
Clark	Johnson	Moua	Rummel	Vandev eer
Cohen	Jungbauer	Murphy	Saltzman	Vickerman
Dahle	Kelash	Olseen	Saxhaug	Wiger
Day	Koering	Olson, G.	Scheid	

Those who voted in the negative were:

Fischbach	Gimse	Ingebrigtsen	Limmer	Robling
Gerlach	Hann	Koch	Michel	Sheran

The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Concurrent Resolution No. 2: A Senate concurrent resolution relating to parking space

in the capitol area for members of the Legislature and staff.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

The Commissioner of Administration shall reserve all parking space necessary on the Capitol grounds, Capitol Approach, and Aurora Avenue, in the State Office Building ramp, and elsewhere in the capitol area for the use of the members and staff of the Legislature for the 86th session of the Legislature, allowing reasonable space for parking to the general public having business at the Capitol. The Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House of Representatives may designate necessary personnel to work with the Commissioner of Administration in this matter.

The Secretary of the Senate and the Controller of the House of Representatives may deduct from the check of any legislator or legislative employee in each year of the 86th session of the Legislature a sum adequate to cover the exercise of the parking privilege defined in this resolution in conformity with the practice of the Commissioner of Administration.

Senator Pogemiller moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Koch	Olseen	Saxhaug
Bakk	Erickson Ropes	Koering	Olson, G.	Scheid
Berglin	Fischbach	Kubly	Olson, M.	Senjem
Betzold	Fobbe	Langseth	Ortman	Sheran
Bonoff	Frederickson	Latz	Pappas	Sieben
Carlson	Gerlach	Limmer	Pariseau	Skoe
Chaudhary	Gimse	Lourey	Pogemiller	Skogen
Clark	Hann	Lynch	Prettner Solon	Sparks
Cohen	Higgins	Marty	Rest	Stumpf
Dahle	Ingebrigtsen	Metzen	Robling	Tomassoni
Day	Johnson	Michel	Rosen	Vandever
Dibble	Jungbauer	Moua	Rummel	Vickerman
Dille	Kelash	Murphy	Saltzman	Wiger

The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 6: A Senate resolution relating to the attendance of members of standing committees at meetings and seminars; providing for the payment of expenses.

BE IT RESOLVED, by the Senate of the State of Minnesota:

Members of a standing committee or subcommittee of the Senate, and employees thereof, upon approval of the Committee on Rules and Administration or its chair, may attend meetings and seminars, including but not limited to meetings of the National Conference of State Legislatures and the Council of State Governments and their committees, on subjects within the jurisdiction of the standing committee or subcommittee.

Expenses incurred in attending these meetings and seminars must be paid by the Secretary of

the Senate with warrants drawn on the Senate legislative expense fund.

Senator Vandever moved to amend Senate Resolution No. 6 as follows:

Page 1, delete lines 10 and 11

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 45, as follows:

Those who voted in the affirmative were:

Dille	Hann	Koering	Olson, M.	Rosen
Fischbach	Ingebrigtsen	Limmer	Ortman	Senjem
Gerlach	Johnson	Michel	Pariseau	Sheran
Gimse	Koch	Olson, G.	Robling	Vandever

Those who voted in the negative were:

Anderson	Dahle	Kelash	Murphy	Scheid
Bakk	Day	Kubly	Olseen	Sieben
Berglin	Dibble	Langseth	Pappas	Skoe
Betzold	Doll	Latz	Pogemiller	Skogen
Bonoff	Erickson Ropes	Lourey	Prettner Solon	Sparks
Carlson	Fobbe	Lynch	Rest	Stumpf
Chaudhary	Frederickson	Marty	Rummel	Tomassoni
Clark	Higgins	Metzen	Saltzman	Vickerman
Cohen	Jungbauer	Moua	Saxhaug	Wiger

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

Senator Pogemiller moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 51 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Dibble	Latz	Pariseau	Skoe
Bakk	Doll	Lourey	Pogemiller	Skogen
Berglin	Erickson Ropes	Lynch	Prettner Solon	Sparks
Betzold	Fobbe	Marty	Rest	Stumpf
Bonoff	Frederickson	Metzen	Rosen	Tomassoni
Carlson	Higgins	Moua	Rummel	Vickerman
Chaudhary	Jungbauer	Murphy	Saltzman	Wiger
Clark	Kelash	Olseen	Saxhaug	
Cohen	Koering	Olson, M.	Scheid	
Dahle	Kubly	Ortman	Sheran	
Day	Langseth	Pappas	Sieben	

Those who voted in the negative were:

Fischbach	Hann	Koch	Robling
Gerlach	Ingebrigtsen	Limmer	Senjem
Gimse	Johnson	Michel	Vandever

The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 7: A Senate resolution relating to expenses of interns and law clerks.

BE IT RESOLVED, by the Senate of the State of Minnesota:

For the 2009 session of the 86th Legislature, each member of the Senate may be reimbursed for the cost of meals and transportation furnished by the member to any volunteer interns assisting with the member's work, up to a maximum of \$75 during each week, beginning Tuesday, January 6, 2009, and continuing until adjournment sine die of the 86th Legislature.

Each member of the Senate may be reimbursed for the cost of lodging furnished by the member to a volunteer intern assisting with the member's work, if the intern is enrolled in an intern program at a post-secondary institution outside the seven-county metropolitan area, up to a maximum of \$400 during each month, beginning January 2009 and continuing until adjournment sine die of the 86th Legislature.

The Secretary of the Senate may reimburse up to two volunteer law clerks working in the Office of Senate Counsel, Research, and Fiscal Analysis for the cost of meals and transportation incurred by them in their work, up to a maximum of \$75 during each week the Legislature is in session.

Requests for reimbursement must be submitted to the Secretary of the Senate monthly on forms provided for this purpose. Requests by a member must include a certification by the member that the amounts for which reimbursement is sought have been paid to the interns. Requests for lodging reimbursement must be accompanied by receipts or other suitable documentation.

The Secretary of the Senate shall prepare and issue warrants for payment of intern and law clerk expenses from the Senate legislative expense fund.

Senator Pogemiller moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 63 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Koering	Olson, G.	Scheid
Bakk	Erickson Ropes	Kubly	Olson, M.	Senjem
Berglin	Fischbach	Langseth	Ortman	Sheran
Betzold	Fobbe	Latz	Pappas	Sieben
Bonoff	Frederickson	Limmer	Pariseau	Skoe
Carlson	Gerlach	Lourey	Pogemiller	Skogen
Chaudhary	Gimse	Lynch	Prettner Solon	Sparks
Clark	Higgins	Marty	Rest	Stumpf
Cohen	Ingebrigtsen	Metzen	Robling	Tomassoni
Dahle	Johnson	Michel	Rosen	Vickerman
Day	Jungbauer	Moua	Rummel	Wiger
Dibble	Kelash	Murphy	Saltzman	
Dille	Koch	Olseen	Saxhaug	

Those who voted in the negative were:

Hann Vandever

The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 8: A Senate resolution naming a president pro tem.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The President Pro Tem of the Senate is Dennis R. Frederickson.

Senator Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 9: A Senate resolution relating to appointment of a committee to notify the Governor the Senate is organized.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The President of the Senate shall appoint a committee of eight to notify the Honorable Tim Pawlenty, Governor of the State of Minnesota, that the Senate is now organized under law and ready to receive any message he may desire to give them.

Senator Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

APPOINTMENTS

Pursuant to the foregoing resolution, the President made the following appointments:

Senators Fobbe, Gimse, Higgins, Kelash, Koering, Rosen, Sieben and Skogen.

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 10: A Senate resolution to notify the House of Representatives that the Senate is organized.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the House of Representatives that the Senate is now organized.

Senator Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senators Pogemiller and Senjem introduced –

Senate Concurrent Resolution No. 3: A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon its adjournment on Tuesday, January 6, 2009, the House of Representatives 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 Senate consents to the adjournment of the House of Representatives for more than three days.

Senator Pogemiller moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

RECESS

Senator Pogemiller moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MEMBERS EXCUSED

Senator Berglin was excused from the Session of today from 12:25 to 12:45 p.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Thursday, January 8, 2009. The motion prevailed.

Peter S. Wattson, Secretary of the Senate (Legislative)

INDEX TO DAILY JOURNAL

Tuesday, January 6, 2009

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
Sen. Con.			
No. 1	12		
Sen. Con.			
No. 2	18		
Sen. Con.			
No. 3	12		
Sen. Res.			
No. 1	9		
Sen. Res.			
No. 2	9		
Sen. Res.			
No. 3	22		
Sen. Res.			
No. 4	16		
Sen. Res.			
No. 5	17		
Sen. Res.			
No. 6	19		
Sen. Res.			
No. 7	20		
Sen. Res.			
No. 8	21		
Sen. Res.			
No. 9	22		
Sen. Res.			
No. 10	22		