

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FOURTH LEGISLATURE

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FIRST DAY

St. Paul, Minnesota, Tuesday, January 4, 2005

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 Chaplain, Rev. Rob Lubben.

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

The Lieutenant Governor appointed Richard J. Cohen 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 . . . . .	Carrie Ruud
Fifth District . . . . .	David J. Tomassoni
Sixth District . . . . .	Thomas M. Bakk
Seventh District . . . . .	Yvonne Prettner Solon
Eighth District . . . . .	Becky Lourey
Ninth District . . . . .	Keith Langseth
Tenth District . . . . .	Cal Larson
Eleventh District . . . . .	Dallas C. Sams
Twelfth District . . . . .	Paul Koering
Thirteenth District . . . . .	Dean E. Johnson
Fourteenth District . . . . .	Michelle L. Fischbach
Fifteenth District . . . . .	Dave Kleis
Sixteenth District . . . . .	Betsy Wergin
Seventeenth District . . . . .	Sean Nienow
Eighteenth District . . . . .	Steve Dille
Nineteenth District . . . . .	Mark Ourada
Twentieth District . . . . .	Gary W. Kubly
Twenty-first District . . . . .	Dennis R. Frederickson
Twenty-second District . . . . .	Jim Vickerman
Twenty-third District . . . . .	John C. Hottinger
Twenty-fourth District . . . . .	Julie A. Rosen
Twenty-fifth District . . . . .	Thomas M. Neuville
Twenty-sixth District . . . . .	Dick Day
Twenty-seventh District . . . . .	Daniel Sparks
Twenty-eighth District . . . . .	Steve Murphy
Twenty-ninth District . . . . .	David H. Senjem
Thirtieth District . . . . .	Sheila M. Kiscaden

Thirty-first District . . . . .	Bob Kierlin
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 . . . . .	Mike McGinn
Thirty-ninth District . . . . .	James P. Metzen
Fortieth District . . . . .	William V. Belanger, Jr.
Forty-first District . . . . .	Geoff Michel
Forty-second District . . . . .	David Hann
Forty-third District . . . . .	David Gaither
Forty-fourth District . . . . .	Steve P. Kelley
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 . . . . .	Michele M. Bachmann
Fifty-third District . . . . .	Mady E. Reiter
Fifty-fourth District . . . . .	John Marty
Fifty-fifth District . . . . .	Charles W. Wiger
Fifty-sixth District . . . . .	Brian LeClair
Fifty-seventh District . . . . .	Sharon Marko
Fifty-eighth District . . . . .	Linda I. Higgins
Fifty-ninth District . . . . .	Lawrence J. Pogemiller
Sixtieth District . . . . .	D. Scott Dibble
Sixty-first District . . . . .	Linda Berglin
Sixty-second District . . . . .	Wesley J. Skoglund
Sixty-third District . . . . .	Jane B. Ranum
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.

### ELECTION OF PRESIDENT

Senator Berglin nominated Senator James P. Metzen for President.

The roll was called. The following Senators voted for James P. Metzen:

Anderson	Frederickson	Kiscaden	McGinn	Pariseau
Bachmann	Gaither	Kleis	Metzen	Ranum
Bakk	Gerlach	Koering	Michel	Reiter
Belanger	Hann	Kubly	Moua	Rest
Berglin	Higgins	Langseth	Murphy	Robling
Betzold	Hottinger	Larson	Neuville	Rosen
Cohen	Johnson, D.E.	LeClair	Nienow	Ruud
Day	Johnson, D.J.	Limmer	Olson	Sams
Dibble	Jungbauer	Lourey	Ortman	Saxhaug
Fischbach	Kelley	Marko	Ourada	Scheid
Foley	Kierlin	Marty	Pappas	Senjem

Skoe  
Skoglund

Solon  
Sparks

Stumpf  
Tomassoni

Vickerman  
Wergin

Wiger

Senator James P. Metzen received 64 votes of the members of the Senate and was duly elected President of the Senate.

### OATH OF OFFICE

The President-elect subscribed to the oath of office as administered by the Honorable David L. Knutson, District Court Judge.

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

### ELECTION OF OFFICERS

Senator Johnson, D.E. nominated Mr. Patrick E. Flahaven for Secretary of the Senate.

The roll was called. The following Senators voted for Mr. Patrick E. Flahaven:

Anderson	Gaither	Kubly	Neuville	Sams
Bachmann	Gerlach	Langseth	Nienow	Saxhaug
Bakk	Hann	Larson	Olson	Scheid
Belanger	Higgins	LeClair	Ortman	Senjem
Berglin	Hottinger	Limmer	Ourada	Skoe
Betzold	Johnson, D.E.	Lourey	Pappas	Skoglund
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Cohen	Jungbauer	Marty	Ranum	Sparks
Day	Kelley	McGinn	Reiter	Stumpf
Dibble	Kierlin	Metzen	Rest	Tomassoni
Fischbach	Kiscaden	Michel	Robling	Vickerman
Foley	Kleis	Moua	Rosen	Wergin
Frederickson	Koering	Murphy	Ruud	Wiger

Mr. Patrick E. Flahaven received 65 votes of the members of the Senate and was duly elected Secretary of the Senate.

### OATH OF OFFICE

The Secretary-elect advanced to the Bar of the Senate and subscribed to the oath of office as administered by the Honorable David L. Knutson.

### ELECTION OF OFFICERS - CONTINUED

Senator Johnson, D.E. 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 Patrice Dworak for First Assistant Secretary.

Senator Vickerman nominated Colleen Pacheco for Second Assistant Secretary.

Senator Stumpf nominated Catherine Morrison for Engrossing Secretary.

Senator Cohen nominated Sven Lindquist for Sergeant at Arms.

Senator Marty nominated Marilyn Hall for Assistant Sergeant at Arms.

Senator Johnson, D.E. nominated Rev. Rob Lubben for Chaplain.

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

Anderson	Gaither	Langseth	Olson	Senjem
Bachmann	Gerlach	Larson	Ortman	Skoe
Bakk	Hann	LeClair	Ourada	Skoglund
Belanger	Higgins	Limmer	Pappas	Solon
Berglin	Hottinger	Lourey	Pariseau	Sparks
Betzold	Johnson, D.E.	Marko	Pogemiller	Stumpf
Chaudhary	Johnson, D.J.	Marty	Reiter	Tomassoni
Cohen	Jungbauer	McGinn	Rest	Vickerman
Day	Kelley	Metzen	Robling	Wergin
Dibble	Kierlin	Michel	Rosen	Wiger
Dille	Kiscaden	Moua	Ruud	
Fischbach	Kleis	Murphy	Sams	
Foley	Koering	Neuville	Saxhaug	
Frederickson	Kubly	Nienow	Scheid	

The above nominees received 66 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 David L. Knutson.

### MOTIONS AND RESOLUTIONS

#### Senators Johnson, D.E. and Day 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 Dean E. Johnson. The Senate Minority Leader is Dick Day.

Senator Johnson, D.E. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

#### Senators Johnson, D.E. and Day introduced--

**Senate Resolution No. 2:** A Senate resolution relating to rules; adopting temporary rules for the 84th session of the Legislature.

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

The permanent rules of the Senate for the 83rd session of the Legislature are adopted as the temporary rules of the 84th session, to be effective until February 28, 2005, subject to the following conditions:

A bill may not be introduced on the first day.

The rules referred to above are amended as follows:

### 9. STANDING COMMITTEES

The standing committees of the Senate are as follows:

Agriculture, Veterans and Gaming

Capital Investment

Commerce

Crime Prevention and Public Safety  
 Education  
 Elections  
 Environment and Natural Resources  
 Finance  
 Health and Family Security  
 Jobs, Energy and Community Development  
 Judiciary  
 Rules and Administration  
 State and Local Government Operations  
 Taxes  
Transportation

Senator Johnson, D.E. 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Olson	Senjem
Bachmann	Gerlach	Larson	Ortman	Skoe
Bakk	Hann	LeClair	Ourada	Skoglund
Belanger	Higgins	Limmer	Pappas	Solon
Berglin	Hottinger	Lourey	Pariseau	Sparks
Betzold	Johnson, D.E.	Marko	Pogemiller	Stumpf
Chaudhary	Johnson, D.J.	Marty	Reiter	Tomassoni
Cohen	Jungbauer	McGinn	Rest	Vickerman
Day	Kelley	Metzen	Robling	Wergin
Dibble	Kierlin	Michel	Rosen	Wiger
Dille	Kiscaden	Moua	Ruud	
Fischbach	Kleis	Murphy	Sams	
Foley	Koering	Neuville	Saxhaug	
Frederickson	Kubly	Nienow	Scheid	

The motion prevailed. So the resolution was adopted.

**Senators Johnson, D.E. and Day 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 84th session have the membership shown in this resolution.

COMMITTEE ON AGRICULTURE, VETERANS AND GAMING (14)

Vickerman, Chair	Johnson, D.E.	Rest
Skoe, Vice Chair	Koering	Sams
Day	Lourey	Solon
Dille	Murphy	Wergin
Hann	Nienow	

## COMMITTEE ON CAPITAL INVESTMENT (22)

Langseth, Chair	Higgins	Pappas
Kiscaden, Vice Chair	Johnson, D.E.	Robling
Berglin	Kierlin	Ruud
Chaudhary	Koering	Sams
Cohen	Larson	Senjem
Frederickson	Metzen	Skoglund
Gaither	Murphy	Stumpf
Gerlach		

## COMMITTEE ON COMMERCE (16)

Scheid, Chair	Larson	Pappas
Sparks, Vice Chair	LeClair	Pogemiller
Anderson	Lourey	Reiter
Belanger	Metzen	Rest
Gaither	Michel	Sams
Kiscaden		

## COMMITTEE ON CRIME PREVENTION AND PUBLIC SAFETY (9)

Foley, Chair	Betzold	Neuville
Skoglund, Vice Chair	Kleis	Ranum
Berglin	McGinn	Ruud

## COMMITTEE ON EDUCATION (9)

Kelley, Chair	Hann	Saxhaug
Skoe, Vice Chair	Michel	Stumpf
Bachmann	Olson	Tomassoni

## COMMITTEE ON ELECTIONS (10)

Wiger, Chair	Kleis	Marty
Fischbach	Limmer	Pariseau
Higgins	Marko	Scheid
Hottinger		

## COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES (11)

Marty, Chair	Frederickson	Olson
Saxhaug, Vice Chair	Hottinger	Pariseau
Bakk	Jungbauer	Stumpf
Chaudhary	Nienow	

## COMMITTEE ON FINANCE (23)

Cohen, Chair	Kierlin	Ourada
Chaudhary, Vice Chair	Kiscaden	Pappas
Berglin	Langseth	Pariseau
Dille	Larson	Ranum
Fischbach	Metzen	Sams
Frederickson	Murphy	Stumpf
Gerlach	Neuville	Wiger
Hottinger	Olson	

## COMMITTEE ON HEALTH AND FAMILY SECURITY (11)

Lourey, Chair	Higgins	Moua
Berglin	Kelley	Nienow
Fischbach	Kiscaden	Wergin
Foley	LeClair	

## COMMITTEE ON JOBS, ENERGY AND COMMUNITY DEVELOPMENT (16)

Anderson, Chair	Kelley	Rosen
Bakk, Vice Chair	Kubly	Ruud
Bachmann	Metzen	Saxhaug
Dibble	Ourada	Senjem
Gaither	Pappas	Sparks
Gerlach		

## COMMITTEE ON JUDICIARY (9)

Betzold, Chair	Hann	Neuville
Skoglund, Vice Chair	Limmer	Ortman
Chaudhary	Marty	Rest

## COMMITTEE ON RULES AND ADMINISTRATION (25)

Johnson, D.E., Chair	Kiscaden	Ourada
Rest, Vice Chair	Kleis	Pappas
Belanger	Langseth	Pariseau
Berglin	Larson	Pogemiller
Cohen	Marty	Ranum
Day	Metzen	Sams
Dille	Neuville	Stumpf
Frederickson	Olson	Vickerman
Hottinger		

## COMMITTEE ON STATE AND LOCAL GOVERNMENT OPERATIONS (14)

Higgins, Chair	Johnson, D.J.	Solon
Wiger, Vice Chair	Kubly	Tomassoni
Day	Marko	Vickerman
Dibble	Robling	Wergin
Fischbach	Senjem	

## COMMITTEE ON TAXES (12)

Pogemiller, Chair	Betzold	McGinn
Tomassoni, Vice Chair	Johnson, D.J.	Moua
Bakk	Limmer	Ortman
Belanger	Marty	Skoe

## COMMITTEE ON TRANSPORTATION (18)

Murphy, Chair	Jungbauer	Reiter
Moua, Vice Chair	Langseth	Rest
Chaudhary	Marko	Robling
Day	McGinn	Senjem
Dibble	Ortman	Vickerman
Johnson, D.E.	Ourada	Wiger

Senator Johnson, D.E. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

**Senators Johnson, D.E. and Day 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 84th Legislature according to the following schedule:

**SENATE COMMITTEE SCHEDULE**

**COMMITTEE/CHAIR**

Office Room	Phone 296-	Meeting Day	Room No.	Hour
<b>Agriculture, Veterans and Gaming/Vickerman</b>				
226	7405	M, W	112	3:00-5:30 p.m.
<b>Capital Investment/Langseth</b>				
122	3205	M, W	123	3:00-5:30 p.m.
<b>Commerce/Scheid</b>				
303	8869	M, W	15	12:00-2:30 p.m.
<b>Crime Prevention and Public Safety/Foley</b>				
G-24	4878	T, Th	107	3:00-5:30 p.m.
<b>Education/Kelley</b>				
205	2962	T, Th	112	3:00-5:30 p.m.
<b>Elections/Wiger</b>				
301	6820	M, W	107	3:00-5:30 p.m.
<b>Environment and Natural Resources/Marty</b>				
323	5712	M, W	107	12:00-2:30 p.m.
<b>Finance/Cohen</b>				
317	4839	M, T, W, Th, F	123	9:00-11:30 a.m.
<b>Health and Family Security/Lourey</b>				
G-24	7593	T, Th	15	12:00-2:30 p.m.
<b>Jobs, Energy and Community Development/Anderson</b>				
120	1767	M, W	15	3:00-5:30 p.m.



**Judiciary/Betzold**

111                      4167                      T, Th                      112                      12:00-2:30 p.m.

**Rules and Administration/Johnson, D.E.**

208                      2577                      On call

**State and Local Government Operations/Higgins**

328                      4150                      M, W                      123                      12:00-2:30 p.m.

**Taxes/Pogemiller**

235                      7809                      M, T, W, Th, F                      15                      9:00-11:30 a.m.

**Transportation/Murphy**

306                      1738                      T, Th                      15                      3:00-5:30 p.m.

Senator Johnson, D.E. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

**Senators Johnson, D.E. and Day introduced--**

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

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

For the 2005 session of the 84th 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 Johnson, D.E. 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	Gaither	Kubly	Neuville	Sams
Bakk	Gerlach	Langseth	Nienow	Saxhaug
Belanger	Hann	Larson	Olson	Scheid
Berglin	Higgins	LeClair	Ortman	Senjem
Betzold	Hottinger	Limmer	Ourada	Skoe
Chaudhary	Johnson, D.E.	Lourey	Pappas	Skoglund
Cohen	Johnson, D.J.	Marko	Pariseau	Solon
Day	Jungbauer	Marty	Pogemiller	Sparks
Dibble	Kelley	McGinn	Reiter	Stumpf
Dille	Kierlin	Metzen	Rest	Tomassoni
Fischbach	Kiscaden	Michel	Robling	Vickerman
Foley	Kleis	Moua	Rosen	Wergin
Frederickson	Koering	Murphy	Ruud	Wiger

The motion prevailed. So the resolution was adopted.

**Senators Johnson, D.E. and Day 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 Johnson, D.E. 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 46 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Marko	Pappas	Solon
Bakk	Higgins	Marty	Pogemiller	Sparks
Belanger	Hottinger	McGinn	Rest	Stumpf
Berglin	Johnson, D.E.	Metzen	Robling	Tomassoni
Betzold	Kelley	Moua	Sams	Vickerman
Chaudhary	Kiscaden	Murphy	Saxhaug	Wiger
Day	Koering	Neuville	Scheid	
Dibble	Kubly	Olson	Senjem	
Dille	Langseth	Ortman	Skoe	
Foley	Lourey	Ourada	Skoglund	

Those who voted in the negative were:

Bachmann	Gerlach	Kierlin	Limmer	Reiter
Cohen	Hann	Kleis	Michel	Rosen
Fischbach	Johnson, D.J.	Larson	Nienow	Ruud
Gaither	Jungbauer	LeClair	Pariseau	Wergin

The motion prevailed. So the resolution was adopted.

**Senators Johnson, D.E. and Day 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 2005 session of the 84th 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 \$50 during each week the Legislature is in session.

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 the Legislature is in session.

The Secretary of the Senate may reimburse up to two volunteer law clerks working in the Office of Senate Counsel and Research for the cost of meals and transportation incurred by them in their work, up to a maximum of \$50 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 Johnson, D.E. 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Olson	Scheid
Bachmann	Gerlach	Larson	Ortman	Senjem
Bakk	Hann	LeClair	Ourada	Skoe
Belanger	Higgins	Limmer	Pappas	Skoglund
Berglin	Hottinger	Lourey	Pariseau	Solon
Betzold	Johnson, D.E.	Marko	Pogemiller	Sparks
Chaudhary	Johnson, D.J.	Marty	Ranum	Stumpf
Cohen	Jungbauer	McGinn	Reiter	Tomassoni
Day	Kelley	Metzen	Rest	Vickerman
Dibble	Kierlin	Michel	Robling	Wergin
Dille	Kiscaden	Moua	Rosen	Wiger
Fischbach	Kleis	Murphy	Ruud	
Foley	Koering	Neuville	Sams	
Frederickson	Kubly	Nienow	Saxhaug	

The motion prevailed. So the resolution was adopted.

#### **Senators Johnson, D.E. and Day 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 Sandra L. Pappas.

Senator Johnson, D.E. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

#### **Senators Johnson, D.E. and Day 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 83rd session are adopted as the temporary joint rules for the 84th session, to be effective until the adoption of Permanent Joint Rules by the Senate and the House of Representatives.

Senator Johnson, D.E. 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Belanger	Cohen	Fischbach	Gaither
Bachmann	Betzold	Day	Foley	Gerlach
Bakk	Chaudhary	Dille	Frederickson	Hann

Higgins	Langseth	Moua	Ranum	Skoe
Hottinger	Larson	Murphy	Reiter	Skoglund
Johnson, D.E.	LeClair	Neuville	Rest	Solon
Johnson, D.J.	Limmer	Nienow	Robling	Sparks
Jungbauer	Lourey	Olson	Rosen	Stumpf
Kelley	Marko	Ortman	Ruud	Tomassoni
Kierlin	Marty	Ourada	Sams	Vickerman
Kleis	McGinn	Pappas	Saxhaug	Wergin
Koering	Metzen	Pariseau	Scheid	Wiger
Kubly	Michel	Pogemiller	Senjem	

The motion prevailed. So the resolution was adopted.

**Senators Johnson, D.E. and Day 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 84th 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 84th 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 Johnson, D.E. 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gerlach	Larson	Olson	Saxhaug
Bachmann	Hann	LeClair	Ortman	Scheid
Bakk	Higgins	Limmer	Ourada	Senjem
Belanger	Hottinger	Lourey	Pappas	Skoe
Betzold	Johnson, D.E.	Marko	Pariseau	Skoglund
Chaudhary	Johnson, D.J.	Marty	Pogemiller	Solon
Cohen	Jungbauer	McGinn	Ranum	Sparks
Day	Kelley	Metzen	Reiter	Stumpf
Dille	Kierlin	Michel	Rest	Tomassoni
Fischbach	Kleis	Moua	Robling	Vickerman
Foley	Koering	Murphy	Rosen	Wergin
Frederickson	Kubly	Neuville	Ruud	Wiger
Gaither	Langseth	Nienow	Sams	

The motion prevailed. So the resolution was adopted.

**Senators Johnson, D.E. and Day 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 Johnson, D.E. 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 Berglin, Dibble, Fischbach, Gaither, McGinn, Senjem, Skoe and Tomassoni.

### MOTIONS AND RESOLUTIONS - CONTINUED

#### Senators Johnson, D.E. and Day 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 Johnson, D.E. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Executive and Official Communications.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

May 28, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

#### WORKERS' COMPENSATION COURT OF APPEALS

William R. Pederson, 5117 Logan Ave. S., Minneapolis, in the county of Hennepin, effective June 2, 2004, for a term that expires on January 4, 2010.

David A. Stofferahn, 1032 Goodrich Ave., St. Paul, in the county of Ramsey, effective June 2, 2004, for a term that expires on January 5, 2009.

Debra A. Wilson, 510 Grand Ave., #202, St. Paul, in the county of Ramsey, effective June 2, 2004, for a term that expires on January 5, 2009.

(Referred to the Committee on Jobs, Energy and Community Development.)

June 14, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

CITIZENS ADVISORY COMMITTEE FOR THE ENVIRONMENT AND  
NATURAL RESOURCES TRUST FUND

John Dyke, 3661 Windtree Cir., Eagan, county of Dakota, effective June 21, 2004, for a term that expires on January 7, 2008.

Nancy Gibson, 2712 Glenhurst Ave., St. Louis Park, county of Hennepin, effective June 21, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Environment and Natural Resources.)

June 17, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

DEPARTMENT OF PUBLIC SAFETY  
COMMISSIONER

Michael Campion, 4236 Rice St., Vadnais Heights, in the county of Ramsey, effective June 17, 2004, for a term that expires on January 1, 2007.

(Referred to the Committee on Crime Prevention and Public Safety.)

June 30, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES  
AND UNIVERSITIES SYSTEM

Duane Benson, Rt. 2, Box 3, Lanesboro, in the county of Fillmore, effective July 1, 2004, for a term that expires on June 30, 2010.

David Olson, 14719 Rocksborough Rd., Minnetonka, in the county of Hennepin, effective July 1, 2004, for a term that expires on June 30, 2010.

Thomas Renier, 2909 Greysolon Rd., Duluth, in the county of St. Louis, effective July 1, 2004, for a term that expires on June 30, 2010.

Christopher Schultz, 17815 - 30th Ave. N., Plymouth, in the county of Hennepin, effective July 1, 2004, for a term that expires on June 30, 2006.

(Referred to the Committee on Education.)

July 1, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Mary Ives, 31055 Sunny Beach Rd., Grand Rapids, in the county of Itasca, effective July 2, 2004, for a term that expires on January 7, 2008.

Raymond VinZant, 605 S. Winthrop Ln., St. Paul, in the county of Ramsey, effective July 2, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Education.)

July 6, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA VETERANS HOMES BOARD

Robert Erickson, 8700 Walton Oaks Dr., Bloomington, in the county of Hennepin, effective July 7, 2004, for a term that expires on January 7, 2008.

Byron Opstad, 4209 W. 102nd St., Bloomington, in the county of Hennepin, effective July 7, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Agriculture, Veterans and Gaming.)

July 7, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF SCHOOL ADMINISTRATORS

Sanford Nelson, N. Buffalo Lake Rd., Box 91, Richwood, in the county of Becker, effective July 8, 2004, for a term that expires on January 3, 2005.

Ramraj Singh, 1204 Summit Oaks Dr., Burnsville, in the county of Dakota, effective July 8, 2004, for a term that expires on January 2, 2006.

Mary Mackbee, 9742 Russell Ave. S., Bloomington, in the county of Hennepin, effective July 8, 2004, for a term that expires on January 1, 2007.

(Referred to the Committee on Education.)

July 7, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA RURAL FINANCE AUTHORITY

Susan Meyer, 4333 - 280th St. W., New Prague, in the county of LeSueur, effective July 7, 2004, for a term that expires on January 1, 2007.

James Molenaar, 17032 - 72nd St. N.E., New London, in the county of Kandiyohi, effective July 7, 2004, for a term that expires on January 1, 2007.

(Referred to the Committee on Agriculture, Veterans and Gaming.)

July 16, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

PUBLIC UTILITIES COMMISSION

Thomas W. Pugh, 980 Terrace Ln., South St. Paul, in the county of Dakota, effective September 1, 2004, for a term that expires on January 3, 2005.

(Referred to the Committee on Jobs, Energy and Community Development.)

July 16, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

METROPOLITAN COUNCIL

Mary Krinkie, 1045 Lake Beach Dr., Shoreview, in the county of Ramsey, effective July 21, 2004, for a term that expires on January 1, 2007.

(Referred to the Committee on State and Local Government Operations.)

July 20, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA DEPARTMENT OF EDUCATION  
COMMISSIONER

Alice Seagren, 9730 Palmer Cir., Bloomington, in the county of Hennepin, effective September 1, 2004, for a term that expires on January 1, 2007.

(Referred to the Committee on Education.)

July 20, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:



HOUSING FINANCE AGENCY

Paul Gaston, 3925 Woodview Ct., Vadnais Heights, in the county of Ramsey, effective July 26, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Jobs, Energy and Community Development.)

July 27, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF SCHOOL ADMINISTRATORS

Robert Windel, 430 Rose Ln., Hutchinson, in the county of McLeod, effective August 2, 2004, for a term that expires on January 2, 2006.

(Referred to the Committee on Education.)

July 29, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

GAMBLING CONTROL BOARD

Tamara G. Garcia, 7269 Howard Ln., Eden Prairie, in the county of Hennepin, effective August 3, 2004, for a term that expires on June 30, 2008.

William B. Goede, 630 - 3rd Ave. N.W., Plainview, in the county of Wabasha, effective August 3, 2004, for a term that expires on June 30, 2008.

Shirleen Hoffman, 599 Marsh Dr., Delano, in the county of Wright, effective August 3, 2004, for a term that expires on June 30, 2006.

(Referred to the Committee on Agriculture, Veterans and Gaming.)

August 9, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF THE MINNESOTA STATE ACADEMIES

Walter Kramer, 425 N. 39th Ave. W., Duluth, in the county of St. Louis, effective January 5, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Education.)

September 30, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

**BOARD OF SCHOOL ADMINISTRATORS**

Barbara Troolin, 10760 Stonebridge Tr., Stillwater, in the county of Washington, effective September 29, 2004, for a term that expires on January 7, 2008.

(Referred to the Committee on Education.)

October 12, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

**MINNESOTA DEPARTMENT OF ADMINISTRATION  
COMMISSIONER**

Dana B. Badgerow, 1790 Irving Ave. S., Minneapolis, in the county of Hennepin, effective October 25, 2004, for a term that expires on January 1, 2007.

(Referred to the Committee on State and Local Government Operations.)

December 13, 2004

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

**PUBLIC UTILITIES COMMISSION**

Thomas W. Pugh, 980 Terrace Ln., South St. Paul, in the county of Dakota, effective January 3, 2005, for a term that expires on January 3, 2011.

(Referred to the Committee on Jobs, Energy and Community Development.)

Sincerely,  
Tim Pawlenty, Governor

**MEMBERS EXCUSED**

Senator Chaudhary was excused from the Session of today from 12:00 to 12:10 p.m. Senator Dille was excused from the Session of today from 12:00 to 12:15 p.m. Senator Pogemiller was excused from the Session of today from 12:15 to 12:30 p.m. Senator Ranum was excused from the Session of today from 12:30 to 12:45 p.m. Senator Kiscaden was excused from the Session of today at 12:45 p.m. Senator Dibble was excused from the Session of today from 12:45 to 12:55 p.m. Senator Berglin was excused from the Session of today from 12:45 to 1:00 p.m.

**ADJOURNMENT**

Senator Johnson, D.E. moved that the Senate do now adjourn until 9:00 a.m., Thursday, January 6, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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Tuesday, January 4, 2005

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