

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FOURTH LEGISLATURE

SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Tuesday, May 24, 2005

The Senate met at 12:01 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by Senator Steve Dille.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The Secretary called the roll by legislative districts in numerical order as follows:

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 President declared a quorum present.

**STATE OF MINNESOTA
PROCLAMATION FOR SPECIAL SESSION 2005**

WHEREAS: The Eighty-Fourth Legislature will adjourn from its 2005 session without enacting legislation essential to the health, well-being and safety of the citizens of Minnesota; and

WHEREAS: The unfinished matters of the Legislature include essential laws regarding agriculture, economic development, education, environment, health, human services, transportation, taxes, and the orderly functioning of state government; and

WHEREAS: After the time permitted by law for passage of such legislation during the 2005

regular session expires, an extraordinary occasion as envisioned by Article IV, Section 12 of the Minnesota Constitution is thereby created; and

WHEREAS: The people of Minnesota are best served by avoidance of a government shutdown and a prompt conclusion of legislative business.

NOW THEREFORE, I, TIM PAWLENTY, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session one minute after the last house of the Legislature adjourns its regular session on Monday, May 23, 2005, pursuant to Article IV, Section 12, at the State Capitol in St. Paul, Minnesota.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this twenty-third day of May in the year of our Lord two thousand and five, and of the State the one hundred forty-seventh.

Tim Pawlenty
GOVERNOR

Mary Kiffmeyer
SECRETARY OF STATE

MOTIONS AND RESOLUTIONS

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

Senate Resolution No. 1: A Senate resolution relating to organization and operation of the Senate during the Special Session.

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

The Senate is organized under Minnesota Statutes, sections 3.073 and 3.103.

The Rules of the Senate for the 84th Legislature are the Rules for the Special Session, except that Rules 3.5, 5 and 9 are not operative other than as provided in this resolution.

The Committee on Rules and Administration is established in the same manner and with the same powers as in the 84th Legislature.

With respect to Rule 30, Reconsideration, a notice of intention to move for reconsideration is not in order, but a motion to reconsider may be made, and when made has priority over other business except a motion to adjourn.

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

Saxhaug
Scheid
Senjem

Skoe
Skoglund
Solon

Sparks
Stumpf

Tomassoni
Vickerman

Wergin
Wiger

The motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

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

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor 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 and the Governor that the Senate is now duly organized under the Minnesota Constitution and Minnesota Statutes.

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 Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is now duly organized for the 2005 Special Session pursuant to law.

Albin A. Mathiowetz, Chief Clerk, House of Representatives
Transmitted May 24, 2005

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 9:00 a.m., Friday, May 27, 2005. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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