The Senate met at 2:00 p.m. and was called to order by the President.

CALL OF THE SENATE

Senator Senjem imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Phil Shaw.

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 district in numerical order as follows:

- First District: LeRoy A. Stumpf
- Second District: Rod Skoe
- Third District: Tom Saxhaug
- Fourth District: John J. Carlson
- Fifth District: David J. Tomassoni
- Sixth District: Thomas M. Bakk
- Seventh District: Roger J. Reinert
- Eighth District: Tony Lourey
- Ninth District: Keith Langseth
- Tenth District: Gretchen M. Hoffman
- Eleventh District: Bill G. Ingebrigtsen
- Twelfth District: Paul E. Gazelka
- Thirteenth District: Joe Gimse
- Fourteenth District: Michelle L. Fischbach
- Fifteenth District: John C. Pederson
- Sixteenth District: David M. Brown
- Seventeenth District: Sean R. Nienow
- Eighteenth District: Scott J. Newman
- Nineteenth District: Amy T. Koch
- Twentieth District: Lyle Koenen
- Twenty-First District: Gary H. Dahms
- Twenty-Second District: Doug Magnus
- Twenty-Third District: Kathy Sheran
- Twenty-Fourth District: Julie A. Rosen
The President declared a quorum present.
STATE OF MINNESOTA

PROCLAMATION FOR SPECIAL SESSION 2012

WHEREAS: The Minnesota Constitution allows the Governor to call a special session of the Legislature on "extraordinary occasions;" and

WHEREAS: From June 14 through June 21, 2012, severe storms and flooding occurred, causing historic damage to the Counties of Aitkin, Carlton, Cook, Crow Wing, Dakota, Goodhue, Kandiyohi, Lake, Meeker, Pine, Rice, Sibley, and Saint Louis, and to the Fond du Lac Band of Lake Superior Chippewa, Grand Portage Band of Lake Superior Chippewa, and the Mille Lacs Band of Ojibwe; and

WHEREAS: The Honorable Barack Obama, President of the United States of America, declared that a major disaster exists in the State of Minnesota, and granted federal aid for public infrastructure, but denied my request for individual assistance for residents whose homes, business, and lives were devastated by the terrible flooding; and

WHEREAS: I have exercised my emergency powers under existing law to direct agency resources to affected individuals and local governments; however, the immediate needs in the disaster areas far exceed available federal and state resources; and

WHEREAS: I have consulted with legislative leaders and have reached an agreement that immediate action by the State Legislature is necessary to provide assistance and aid to impacted local governments, business, and individuals; and

WHEREAS: The people of Minnesota are best served by a one-day special session with the limited agenda of passing a 2012 Disaster Relief Appropriations Bill; and

WHEREAS: Elected leaders of the Legislature have agreed upon an agenda and procedure to complete a special session within one legislative day.

NOW THEREFORE, I, Mark Dayton, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Friday, August 24, 2012, at 2:00 p.m. at the State Capitol in Saint 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 22nd day of August.

Sincerely,
Mark Dayton, Governor

Sincerely,
Mark Ritchie, Secretary of State
Senators Senjem and Bakk 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 87th 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 87th 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 Senjem 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 57 and nays 9, as follows:

Those who voted in the affirmative were:

- Bakk
- Benson
- Bonoff
- Brown
- Carlson
- Chamberlain
- Cohen
- Dahms
- Daley
- Dibble
- Dziedzic
- Eaton
- Fischbach
- Gazelka
- Gerlach
- Gimse
- Goodwin
- Harrington
- Hayden
- Higgins
- Ingebritsen
- Kelash
- Koch
- Koenen
- Kruse
- Langseth
- Latz
- Lillie
- Limmer
- Lourey
- Magnus
- Marty
- McGuire
- Metzen
- Michel
- Miller
- Nelson
- Olson
- Orman
- Pappas
- Pederson
- Reinert
- Rest
- Robling
- Saxhaug
- Senjem
- Sheran
- Sieben
- Skoe
- Sparks
- Stumpf
- Tomassoni
- Torres Ray
- Wiger
- Wolf

Those who voted in the negative were:

- DeKruif
- Hall
- Hoffman
- Jungbauer
- Newman
- Nienow
- Parry
- Thompson
- Vandeveer

The motion prevailed. So the resolution was adopted.
Senators Senjem and Bakk 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 Senjem 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

Madam President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is now duly organized for the 2012 Special Session pursuant to law.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted August 24, 2012

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Gimse, Howe, Carlson, Reinert and Lourey introduced–

S.F. No. 1: A bill for an act relating to disaster assistance; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale and issuance of state bonds; providing flood loss aid and property tax relief; transferring and cancelling prior appropriations; appropriating money for flood and windstorm relief; amending Minnesota Statutes 2010, sections 12A.07, by adding a subdivision; 12A.09, by adding a subdivision; 116J.8731, by adding subdivisions; Minnesota Statutes 2011 Supplement,
section 12A.07, subdivision 2; Laws 2009, chapter 172, article 4, section 2, subdivision 5; Laws 2011, First Special Session chapter 6, article 4, section 2, subdivision 6.

Senator Senjem moved that S.F. No. 1 be laid on the table. The motion prevailed.

**Senators Gimse and Latz introduced--**

**S.F. No. 2:** A bill for an act relating to disaster assistance; making miscellaneous corrections to the 2012 First Special Session flood relief legislation; amending Minnesota Statutes 2010, section 116J.8731, subdivision 9, as added if enacted; 2012 First Special Session H.F. 1, article 1, sections 5, if enacted; 10, subdivision 3, if enacted.

Senator Senjem moved that S.F. No. 2 be laid on the table. The motion prevailed.

**Senator Nelson introduced--**

**S.F. No. 3:** A bill for an act relating to emergency management; establishing a working group to study and report on criteria for grants.

Referred to the Committee on Rules and Administration.

**RECESS**

Senator Senjem 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.

**CALL OF THE SENATE**

Senator Senjem imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

**MESSAGES FROM THE HOUSE**

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted August 24, 2012
The following bill was read the first time.

**H.F. No. 1:** A bill for an act relating to disaster assistance; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale and issuance of state bonds; providing flood loss aid and property tax relief; transferring and cancelling prior appropriations; appropriating money for flood and windstorm relief; amending Minnesota Statutes 2010, sections 12A.07, by adding a subdivision; 12A.09, by adding a subdivision; 116J.8731, by adding subdivisions; Minnesota Statutes 2011 Supplement, section 12A.07, subdivision 2; Laws 2009, chapter 172, article 4, section 2, subdivision 5; Laws 2011, First Special Session chapter 6, article 4, section 2, subdivision 6.

**MOTIONS AND RESOLUTIONS - CONTINUED**

**SUSPENSION OF RULES**

Senator Senjem moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1 and that the rules of the Senate be so far suspended as to give H.F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1 was read the second time.

H.F. No. 1 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 7, as follows:

Those who voted in the affirmative were:

- Bakke
- Benson
- Bonoff
- Carlson
- Chamberlain
- Cohen
- Dahms
- Daley
- Dibble
- Dziedzic
- Eaton
- Fischbach
- Gazelka
- Gerlach
- Gimse
- Goodwin
- Hall
- Hann
- Harrington
- Hayden
- Higgins
- Hoffman
- Howe
- Ingebrigtsen
- Kelash
- Koch
- Koenen
- Kruse
- Langseth
- Latz
- Lillie
- Limmer
- Lourey
- Magnus
- Marty
- McGuire
- Metzen
- Michel
- Miller
- Nelson
- Olson
- Ortman
- Pappas
- Pederson
- Reinert
- Rest
- Robling
- Rosen
- Saxhaug
- Senjem
- Sheran
- Sieben
- Skoe
- Sparks
- Stumpf
- Tomassoni
- Torres Ray
- Vandeven
- Wiger
- Wolf

Those who voted in the negative were:

- Brown
- DeKruif
- Jungbauer
- Nienow
- Newman
- Parry
- Thompson

So the bill passed and its title was agreed to.
Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted August 24, 2012

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 2: A bill for an act relating to disaster assistance; making miscellaneous corrections to the 2012 First Special Session flood relief legislation; amending Minnesota Statutes 2010, section 116J.8731, subdivision 9, as added if enacted; 2012 First Special Session H.F. 1, article 1, sections 5, if enacted; 10, subdivision 3, if enacted.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Senjem moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2 and that the rules of the Senate be so far suspended as to give H.F. No. 2 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2 was read the second time.

H.F. No. 2 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Bakke  Cohen  Eaton  Hall  Howe
Benson  Dahms  Fischbach  Hann  Ingebrightsen
Bonoff  Daley  Gazelka  Harrington  Jungbauer
Brown  DeKruif  Gerlach  Hayden  Kelah
Carlson  Dibble  Gimse  Higgins  Koch
Chamberlain  Dziedziec  Goodwin  Hoffman  Koenen
So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Senjem and Bakk introduced –

Senate Resolution No. 3: A Senate resolution relating to adjournment of the Special Session.

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

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the Special Session.

Senator Senjem 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

Madam President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is about to adjourn the 2012 Special Session sine die.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted August 24, 2012

MEMBERS EXCUSED

Senator Rosen was excused from the Session of today from 2:00 to 2:15 p.m.
ADJOURNMENT

Senator Senjem moved that the Senate do now adjourn the Special Session sine die. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate
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Friday, August 24, 2012

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