

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-SECOND LEGISLATURE

ONE HUNDRED SIXTEENTH DAY

St. Paul, Minnesota, Monday, May 20, 2002

The Senate met at 9:30 a.m. and was called to order by the President.

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Dr. Paul Dovre.

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

The roll was called, and the following Senators answered to their names:

Anderson	Higgins	Langseth	Pogemiller	Scheevel
Berg	Hottinger	Lessard	Price	Scheid
Berglin	Johnson, Dave	Lourey	Ranum	Schwab
Betzold	Johnson, Dean	Marty	Rest	Solon, Y.P.
Chaudhary	Johnson, Debbie	Metzen	Ring	Stumpf
Cohen	Johnson, Doug	Moe, R.D.	Robertson	Terwilliger
Dille	Kelley, S.P.	Moua	Robling	Tomassoni
Foley	Kiscaden	Murphy	Sabo	Vickerman
Fowler	Knutson	Oliver	Sams	Wiener
Frederickson	Krentz	Pappas	Samuelson	Wiger

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

## MEMBERS EXCUSED

Senators Bachmann, Belanger, Day, Fischbach, Kierlin, Kinkel, Kleis, Larson, Lesewski, Limmer, Neuville, Olson, Orfield, Ourada, Pariseau, Reiter and Stevens were excused from the Session of today.

## MOTIONS AND RESOLUTIONS

Senator Moe, R.D. moved that Senate Resolution No. 221 be taken from the table. The motion prevailed.

**Senate Resolution No. 221:** A Senate resolution commemorating the lives and work of deceased Senators.

The Honorable Betty Adkins, 1983-1995

The Honorable Marvin Bursch, 1967-1970  
The Honorable Thomas Greig, 1967-1970  
The Honorable C.R. "Baldy" Hanson, 1967-1976  
The Honorable Roger Laufenberger, 1963-1980  
The Honorable Raphael Salmore, 1951-1966  
The Honorable Sam Solon, 1973-2001

WHEREAS, those in public office need an uncommon dedication to meet the demands upon their time, resources, and talents; and

WHEREAS, in the history of the Minnesota Senate, there have been countless Senators who have left a heritage of noble deeds, thoughts, and acts; and

WHEREAS, in their endeavors to legislate for the public good of this state, they strove to represent fairly the rights of the people; and

WHEREAS, their spirits continually challenge, enlighten, and encourage those who remain to honestly and diligently exercise the work of government for the public good; and

WHEREAS, Senators of today take courage and inspiration from those noble servants of another time who believed it was better to serve than to be served; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it recognizes the tremendous contributions of the following deceased Senators: the Honorable Betty Adkins, 1983-1995; the Honorable Marvin Bursch, 1967-1970; the Honorable Thomas Greig, 1967-1970; the Honorable C.R. "Baldy" Hanson, 1967-1976; the Honorable Roger Laufenberger, 1963-1980; The Honorable Raphael Salmore, 1951-1966; and the Honorable Sam Solon, 1973-2001. Their dedication to the public good is a source of inspiration to, and is worthy of emulation by, their present-day colleagues.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Chair of the Senate Rules and Administration Committee, and present it to appropriate relatives of those commemorated by this resolution.

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

**Senators Moe, R.D. and Day introduced--**

**Senate Resolution No. 260:** A Senate resolution relating to notifying the House of Representatives the Senate is about to adjourn sine die.

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

That the Secretary of the Senate shall notify the House of Representatives the Senate is about to adjourn sine die.

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

**Senators Moe, R.D. and Day introduced--**

**Senate Resolution No. 261:** A Senate resolution relating to notifying the Governor the Senate is about to adjourn sine die.

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

That the Secretary of the Senate shall notify The Honorable Jesse Ventura, Governor of the State of Minnesota, the Senate is ready to adjourn sine die.

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

**Senators Moe, R.D. and Day introduced--**

**Senate Resolution No. 262:** A Senate resolution relating to conduct of Senate business during the interim between Sessions.

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

The powers, duties, and procedures set forth in this resolution apply during the interim between the adjournment sine die of the 82nd Legislature, 2002 Session, and the convening of the 83rd Legislature, 2003 Session.

The Committee on Rules and Administration may, from time to time, assign to the various committees and subcommittees of the Senate, in the interim, matters brought to its attention by any member of the Senate for study and investigation. The standing committees and subcommittees may study and investigate all subjects that come within their usual jurisdiction, as provided by Minnesota Statutes, Section 3.921. A committee shall carry on its work by subcommittee or by committee action as the committee from time to time determines. Any study undertaken by any of the standing committees, or any subcommittee thereof, shall be coordinated to the greatest extent possible with other standing committees or subcommittees of the Senate and House of Representatives, and may, if the committee or subcommittee so determines, be carried on jointly with another committee or subcommittee of the Senate or House of Representatives.

The Subcommittee on Committees of the Committee on Rules and Administration shall appoint persons as necessary to fill any vacancies that may occur in committees, commissions, and other bodies whose members are to be appointed by the Senate authorized by rule, statute, resolution, or otherwise. The Subcommittee on Committees may appoint members of the Senate to assist in the work of any committee.

The Committee on Rules and Administration shall establish positions, set compensation and benefits, appoint employees, and authorize expense reimbursement as it deems proper to carry out the work of the Senate.

The Committee on Rules and Administration may authorize members of the Senate and personnel employed by the Senate to travel and to attend courses of instruction or conferences for the purpose of improving and making more efficient Senate operation and may reimburse these persons for the costs thereof out of monies appropriated to the Senate for the standing committees.

All members of activated standing committees or subcommittees of the Senate, and staff, shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties during the interim in the manner provided by law. Payment shall be made by the Secretary of the Senate out of monies appropriated to the Senate for the standing committees. The Committee on Rules and Administration shall determine the amount and manner of reimbursement for living and other expenses of each member of the Senate incurred in the performance of Senate duties when the Legislature is not in regular session.

The Secretary of the Senate shall continue to perform his duties during the interim. During the interim, but not including time which may be spent in any special session, the Secretary of the Senate shall be paid for services rendered the Senate at the rate established for that position for the 2002 regular session, unless otherwise directed by the Committee on Rules and Administration, plus travel and subsistence expense incurred incidental to his Senate duties, including salary and travel expense incurred in attending meetings of the American Society of Legislative Clerks and Secretaries and the National Conference of State Legislatures.

Should a vacancy occur in the position of Secretary of the Senate, by resignation or other

causes, the Committee on Rules and Administration shall appoint an acting Secretary of the Senate who shall serve in that capacity during the remainder of the interim under the provisions herein specified.

The Secretary of the Senate is authorized to employ after the close of the session the employees necessary to finish the business of the Senate at the salaries paid under the rules of the Senate for the 2002 regular session. He is authorized to employ the necessary employees to prepare for the 2003 session at the salaries in effect at that time.

The Secretary of the Senate shall classify as eligible for benefits under Minnesota Statutes, Sections 3.095 and 43A.24, those Senate employees heretofore or hereafter certified as eligible for benefits by the Committee on Rules and Administration.

The Secretary of the Senate, as authorized and directed by the Committee on Rules and Administration, shall furnish each member of the Senate with postage and supplies, and may reimburse each member for telecommunication expenses upon proper verification of the expenses incurred, and for other expenses authorized from time to time by the Committee on Rules and Administration.

The Secretary of the Senate shall correct and approve the Journal of the Senate for those days that have not been corrected and approved by the Senate, and shall correct printing errors found in the Journal of the Senate for the 82nd Legislature. He may include in the Senate Journal proceedings of the last day, appointments by the Subcommittee on Committees to interim commissions created by legislative action, permanent commissions or committees established by statute, standing committees, official communications and other matters of record received on or after adjournment sine die.

The Secretary of the Senate may pay election and litigation costs as authorized by the Committee on Rules and Administration.

The Secretary of the Senate, with the approval of the Committee on Rules and Administration, shall secure bids and enter into contracts for the printing of the bills and binding of the permanent Senate Journal, shall secure bids and enter into contracts for remodeling, improvement and furnishing of Senate office space, conference rooms and the Senate Chamber and shall purchase all supplies, equipment and other goods and services necessary to carry out the work of the Senate. Any contracts in excess of \$10,000 shall be signed by the Chair of the Committee on Rules and Administration and another member designated by the Committee on Rules and Administration.

The Secretary of the Senate shall draw warrants from the legislative expense fund in payment of the accounts herein referred to.

All Senate records, including committee books, are subject to the direction of the Committee on Rules and Administration.

The Senate Chamber, retiring room, committee rooms, all conference rooms, storage rooms, Secretary of the Senate's office, Rules and Administration office, and any and all other space assigned to the Senate shall be reserved for use by the Senate and its standing committees only and shall not be released or used for any other purpose except upon authorization of the Secretary of the Senate with the approval of the Committee on Rules and Administration, or the Chair thereof.

The custodian of the Capitol shall continue to provide parking space through the Secretary of the Senate for members and staff of the Minnesota State Senate on Aurora Avenue and other areas as may be required during the interim. The Secretary of the Senate may deduct from the check of any legislator or legislative employee a sum adequate to cover the exercise of the parking privilege herein defined in conformity with the practice of the department of Administration.

Senator Moe, R.D. 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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Langseth	Price	Scheid
Berg	Higgins	Marty	Ranum	Schwab
Berglin	Hottinger	Metzen	Rest	Solon, Y.P.
Betzold	Johnson, Dean	Moe, R.D.	Ring	Stumpf
Chaudhary	Johnson, Debbie	Moua	Robertson	Terwilliger
Cohen	Kelley, S.P.	Murphy	Robling	Tomassoni
Dille	Kiscaden	Oliver	Sabo	Vickerman
Foley	Knutson	Pappas	Sams	Wiener
Fowler	Krentz	Pogemiller	Samuelson	

The motion prevailed. So the resolution was adopted.

### **RECESS**

Senator Hottinger moved that the Senate do now recess to honor the work of the Senators who will be retiring at the end of this term and to recognize the former Senators who have joined us today. The motion prevailed.

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

### **MEMBERS EXCUSED**

Senator Scheevel was excused from the Session of today from 9:30 to 10:30 a.m.

### **ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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