

SPECIAL SESSION**NINETEENTH DAY**

St. Paul, Minnesota, Saturday, July 2, 2005

The Senate met at 9:00 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 the Chaplain, Rev. Kisten H. Thompson.

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

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

The President declared a quorum present.

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

Pursuant to Article IV, Section 11 of the Constitution of the State of Minnesota, Senator Nienow and other members presented a Protest and Dissent to be entered in the Journal.

The President ruled that the Protest and Dissent was not in order in that it did not meet the requirements of Article IV, Section 11 of the Constitution of the State of Minnesota.

Senator Nienow appealed the decision of the President.

CALL OF THE SENATE

Senator Nienow imposed a call of the Senate for the balance of the proceedings on the Appeal. The Sergeant at Arms was instructed to bring in the absent members.

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

Senator Betzold moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 32 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Marko	Sams	Stumpf
Bakk	Johnson, D.E.	Marty	Saxhaug	Tomassoni
Berglin	Kelley	Metzen	Scheid	Vickerman
Betzold	Kiscaden	Moua	Skoe	Wiger
Cohen	Kubly	Pogemiller	Skoglund	
Dibble	Langseth	Ranum	Solon	
Foley	Lourey	Rest	Sparks	

Those who voted in the negative were:

Bachmann	Gaither	LeClair	Olson	Rosen
Belanger	Gerlach	Limmer	Ourada	Ruud
Dille	Hann	McGinn	Pariseau	Senjem
Fischbach	Jungbauer	Michel	Reiter	Wergin
Frederickson	Kleis	Nienow	Robling	

So the decision of the President was sustained.

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 11:30 a.m. The motion prevailed.

The hour of 11:30 a.m. having arrived, the President called the Senate to order.

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.

MOTIONS AND RESOLUTIONS

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 88 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 88: A bill for an act relating to appropriations; appropriating money for continued, temporary operation of state government.

CALL OF THE SENATE

Senator Kubly imposed a call of the Senate for the balance of the proceedings on S.F. No. 88. The Sergeant at Arms was instructed to bring in the absent members.

S.F. No. 88 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

Senator Betzold moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 36 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Lourey	Rest	Stumpf
Bakk	Higgins	Marko	Sams	Tomassoni
Berglin	Hottinger	Marty	Saxhaug	Vickerman
Betzold	Johnson, D.E.	Metzen	Scheid	Wiger
Chaudhary	Kelley	Moua	Skoe	
Cohen	Kiscaden	Murphy	Skoglund	
Dibble	Kubly	Pogemiller	Solon	
Dille	Langseth	Ranum	Sparks	

Those who voted in the negative were:

Bachmann	Gerlach	Limmer	Pariseau	Senjem
Belanger	Hann	McGinn	Reiter	Wergin
Day	Jungbauer	Michel	Robling	
Fischbach	Kleis	Nienow	Rosen	
Frederickson	LeClair	Ourada	Ruud	

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Senator Limmer introduced--

S.F. No. 98: A bill for an act relating to health; providing an exception to the hospital construction moratorium; amending Minnesota Statutes 2004, section 144.551, subdivision 1.

Referred to the Committee on Rules and Administration.

MEMBERS EXCUSED

Senators Johnson, D.J.; Kierlin; Koering; Larson; Neuville; Ortman and Pappas were excused from the Session of today. Senator Moua was excused from the Session of today from 9:00 to 9:20 a.m. Senators Chaudhary, Hottinger and Murphy were excused from the Session of today from 9:00 to 9:25 a.m. Senators Gaither and Olson were excused from the Session of today at 11:30 a.m.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 1:00 p.m., Tuesday, July 5, 2005.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 32 and nays 22, as follows:

Those who voted in the affirmative were:

Bakk	Higgins	Lourey	Ranum	Sparks
Belanger	Hottinger	Marko	Rest	Stumpf
Berglin	Johnson, D.E.	Marty	Saxhaug	Tomassoni
Betzold	Kelley	Metzen	Scheid	Vickerman
Dille	Kiscaden	Moua	Skoe	
Foley	Kubly	Murphy	Skoglund	
Frederickson	Langseth	Pogemiller	Solon	

Those who voted in the negative were:

Bachmann	Day	Hann	LeClair	Michel
Chaudhary	Fischbach	Jungbauer	Limmer	Nienow
Cohen	Gerlach	Kleis	McGinn	Pariseau

Reiter
Robling

Rosen
Ruud

Senjem

Wergin

Wiger

The motion prevailed. So the Senate was adjourned.

Patrick E. Flahaven, Secretary of the Senate

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