

**MOTIONS AND RESOLUTIONS - CONTINUED**

Pursuant to Rule 26, Senator Johnson, D.E., Chair of the Committee on Rules and Administration, designated S.F. No. 1116 a Special Order to be heard immediately.

**SPECIAL ORDER**

**S.F. No. 1116:** A bill for an act relating to natural resources; requiring lifejackets for children aboard watercraft; amending Minnesota Statutes 2004, section 86B.501, by adding a subdivision.

Senator Frederickson moved to amend S.F. No. 1116 as follows:

Page 1, line 19, after "A" insert "first"

The motion prevailed. So the amendment was adopted.

Senator Wergin moved to amend S.F. No. 1116 as follows:

Page 1, line 18, after the period, insert "Paragraph (a) also does not apply if the watercraft is anchored for the purpose of swimming or diving."

The motion prevailed. So the amendment was adopted.

S.F. No. 1116 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 50 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Langseth	Ortman	Senjem
Bachmann	Frederickson	Limmer	Pappas	Skoe
Bakk	Higgins	Lourey	Pogemiller	Skoglund
Berglin	Hottinger	Marko	Ranum	Solon
Betzold	Johnson, D.E.	Marty	Rest	Sparks
Chaudhary	Jungbauer	McGinn	Robling	Stumpf
Cohen	Kelley	Metzen	Rosen	Tomassoni
Dibble	Kiscaden	Moua	Sams	Vickerman
Dille	Kleis	Murphy	Saxhaug	Wergin
Fischbach	Kubly	Olson	Scheid	Wiger

Those who voted in the negative were:

Belanger	Hann	Larson	Nienow	Ruud
Day	Johnson, D.J.	LeClair	Ourada	
Gaither	Kierlin	Michel	Pariseau	
Gerlach	Koering	Neuville	Reiter	

So the bill, as amended, was passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Senator Johnson, D.E. moved that Senate Resolution No. 45 be taken from the table. The motion prevailed.

**Senate Resolution No. 45:** A Senate resolution adopting Permanent Rules of the Senate.

**CALL OF THE SENATE**

Senator Rest imposed a call of the Senate for the balance of the proceedings on Senate Resolution No. 45. The Sergeant at Arms was instructed to bring in the absent members.

Senator Kleis moved to amend Senate Resolution No. 45 as follows:

Page 8, line 2, strike "all standing committees" and insert "each standing committee and division"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Bachmann	Gaither	Koering	Neuville	Reiter
Belanger	Gerlach	Larson	Nienow	Robling
Day	Johnson, D.J.	LeClair	Olson	Rosen
Dille	Jungbauer	Limmer	Ortman	Ruud
Fischbach	Kierlin	McGinn	Ourada	Senjem
Frederickson	Kleis	Michel	Pariseau	Wergin

Those who voted in the negative were:

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

The motion did not prevail. So the amendment was not adopted.

Senator Neuville moved to amend Senate Resolution No. 45 as follows:

Page 11, after line 8, insert:

"12.12 Beginning in 2006, in each year of a regular session, the majority and minority groups may each designate three bills as priority bills. The designation must be made within two weeks after the Senate convenes in either year of a biennial session, or within one week after the Senate adopts permanent rules for the biennial session, whichever is later. A caucus may withdraw the designation of a priority bill but may not substitute a new one. A bill that appropriates money or increases or decreases a tax may not be designated a priority bill. Each committee to which a priority bill has been referred must schedule it for hearing ahead of any bills that have not been designated a priority, unless the chief author of the priority bill agrees otherwise. A committee may recommend amendments to a priority bill only with the consent of its chief author. The committee must act on the bill and report its recommendation to the Senate. If the recommendation is that the bill do not pass, upon adoption of the committee report the bill must be given its second reading and placed on General Orders. If a motion is made in Committee of the Whole that a priority bill do pass and the motion is defeated, the priority bill loses its status as a priority bill."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Bachmann	Gerlach	Larson	Nienow	Robling
Day	Johnson, D.J.	LeClair	Olson	Rosen
Dille	Jungbauer	Limmer	Ortman	Ruud
Fischbach	Kierlin	McGinn	Ourada	Senjem
Frederickson	Kleis	Michel	Pariseau	Wergin
Gaither	Koering	Neuville	Reiter	

Those who voted in the negative were:

Anderson	Berglin	Cohen	Higgins	Kelley
Bakk	Betzold	Dibble	Hottinger	Kiscaden
Belanger	Chaudhary	Foley	Johnson, D.E.	Kubly

Langseth  
Lourey  
Marko  
Marty  
Metzen

Moua  
Murphy  
Pappas  
Pogemiller  
Ranum

Rest  
Saxhaug  
Scheid  
Skoe  
Skoglund

Solon  
Sparks  
Stumpf  
Tomassoni  
Vickerman

Wiger

The motion did not prevail. So the amendment was not adopted.

Senator Reiter moved to amend Senate Resolution No. 45 as follows:

Page 12, after line 35, insert:

"15.10 When a member-elect is sworn in, the member-elect may request that one guest be admitted until the member-elect has been sworn in."

The motion prevailed. So the amendment was adopted.

Senator Cohen moved to amend Senate Resolution No. 45 as follows:

Page 6, after line 4, insert:

"A major appropriation or tax bill may not be divided."

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend Senate Resolution No. 45 as follows:

Page 12, line 32, after the period, insert "The Senate Chamber may not be used for any commercial purpose."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 58 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson  
Bachmann  
Berglin  
Betzold  
Chaudhary  
Cohen  
Day  
Dibble  
Dille  
Fischbach  
Foley  
Frederickson

Gaither  
Gerlach  
Hann  
Higgins  
Hottinger  
Johnson, D.E.  
Johnson, D.J.  
Jungbauer  
Kelley  
Kiscaden  
Kleis  
Koering

Kubly  
Langseth  
Larson  
LeClair  
Limmer  
Lourey  
Marko  
Marty  
McGinn  
Metzen  
Michel  
Moua

Neuville  
Nienow  
Olson  
Ortman  
Ourada  
Pappas  
Pariseau  
Pogemiller  
Ranum  
Reiter  
Rest  
Robling

Rosen  
Ruud  
Scheid  
Skoglund  
Solon  
Sparks  
Stumpf  
Vickerman  
Wergin  
Wiger

Those who voted in the negative were:

Bakk  
Belanger

Kierlin  
Murphy

Saxhaug

Skoe

Tomassoni

The motion prevailed. So the amendment was adopted.

Senator Nienow moved to amend Senate Resolution No. 45 as follows:

Page 25, line 10, before "The" insert "46.1"

Page 25, after line 17, insert:

"46.2 Notwithstanding Joint Rule 2.06, a written copy of a report of a conference committee must be placed on the desk of each member of the Senate 24 hours before action on the report by the Senate."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Bachmann	Johnson, D.J.	Marty	Olson	Robling
Day	Jungbauer	McGinn	Ortman	Rosen
Fischbach	Kleis	Michel	Ourada	Ruud
Gaither	Larson	Moua	Pappas	Wergin
Gerlach	LeClair	Neuville	Pariseau	
Hann	Limmer	Nienow	Reiter	

Those who voted in the negative were:

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

The motion did not prevail. So the amendment was not adopted.

Senator Nienow moved to amend Senate Resolution No. 45 as follows:

Page 25, line 10, before "The" insert "46.1"

Page 25, after line 17, insert:

"46.2 Notwithstanding Joint Rule 2.06, after the last Thursday on which the Legislature can meet in regular session in odd-numbered years, and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Joint Rule 2.03, to meet in regular session in even-numbered years, a written copy of a report of a conference committee must be placed on the desk of each member of the Senate a length of time equal to at least one minute for each page of the report before action on the report by the Senate."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Koering	Michel	Reiter
Belanger	Johnson, D.J.	Larson	Neuville	Robling
Day	Jungbauer	LeClair	Nienow	Rosen
Fischbach	Kierlin	Limmer	Olson	Ruud
Gaither	Kiscaden	Marty	Ortman	Solon
Gerlach	Kleis	McGinn	Pariseau	Wergin

Those who voted in the negative were:

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

The motion did not prevail. So the amendment was not adopted.

Senator Rest moved the adoption of Senate Resolution No. 45, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 44 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Langseth	Pappas	Skoglund
Bakk	Frederickson	Lourey	Pogemiller	Solon
Belanger	Higgins	Marty	Ranum	Sparks
Berglin	Hottinger	McGinn	Reiter	Stumpf
Betzold	Johnson, D.E.	Metzen	Rest	Tomassoni
Chaudhary	Kelley	Moua	Rosen	Vickerman
Cohen	Kiscaden	Murphy	Saxhaug	Wergin
Dibble	Koering	Neuville	Scheid	Wiger
Dille	Kubly	Ourada	Skoe	

Those who voted in the negative were:

Bachmann	Gerlach	Kierlin	Limmer	Ortman
Day	Hann	Kleis	Michel	Pariseau
Fischbach	Johnson, D.J.	Larson	Nienow	Robling
Gaither	Jungbauer	LeClair	Olson	Ruud

The motion prevailed. So the resolution, as amended, was adopted.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

#### **Senators Belanger; Kierlin; Johnson, D.J.; Tomassoni and Pogemiller introduced--**

**S.F. No. 1338:** A bill for an act relating to taxation; providing filing requirements for use tax; limiting the de minimus exemption; providing instructions to the commissioner; amending Minnesota Statutes 2004, sections 289A.11, subdivision 1; 289A.18, subdivision 4, by adding a subdivision; 297A.67, subdivision 21; 297A.83, subdivision 1.

Referred to the Committee on Taxes.

#### **Senators Hottinger, Marty and Marko introduced--**

**S.F. No. 1339:** A bill for an act relating to education finance; restoring funding for certain early childhood education programs; assuring access to full-day kindergarten for at-risk students; appropriating money; amending Minnesota Statutes 2004, section 126C.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 124D; 126C.

Referred to the Committee on Education.

#### **Senators Kelley, Wiger, Gaither, Michel and Higgins introduced--**

**S.F. No. 1340:** A bill for an act relating to education finance; authorizing school districts to replace state shortfalls in regular special education funding with local levy authority; authorizing a discretionary levy; amending Minnesota Statutes 2004, section 125A.76, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Education.

#### **Senators Bakk, Tomassoni and Saxhaug introduced--**

**S.F. No. 1341:** A bill for an act relating to taxation; clarifying the production tax rate of certain direct reduced ore; amending Minnesota Statutes 2004, section 298.24, subdivision 1.

Referred to the Committee on Taxes.

#### **Senators Bakk, Tomassoni and Saxhaug introduced--**

**S.F. No. 1342:** A bill for an act relating to natural resources; modifying certain exemptions for