

2, 2007, for a term that expires on January 3, 2011.

(Referred to the Committee on Finance.)

Sincerely,
Tim Pawlenty, Governor

REPORTS OF COMMITTEES

Senator Scheid from the Committee on Commerce and Consumer Protection, to which was referred the following appointment:

DEPARTMENT OF COMMERCE
COMMISSIONER
Glenn Wilson, Jr.

Reports the same back with the recommendation that the appointment be confirmed.

Senator Pogemiller moved that the foregoing committee report be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Wiger moved that the names of Senators Clark and Hann be added as co-authors to S.F. No. 13. The motion prevailed.

Senator Cohen moved that the name of Senator Clark be added as a co-author to S.F. No. 25. The motion prevailed.

Senator Wiger moved that the name of Senator Hann be added as a co-author to S.F. No. 28. The motion prevailed.

Senator Day moved that the name of Senator Latz be added as a co-author to S.F. No. 95. The motion prevailed.

RECESS

Senator Pogemiller 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.

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Vandever, Ingebrigtsen, Hann, Gimse and Michel introduced –

Senate Resolution No. 24: A Senate resolution relating to the rate of reimbursement for

members' expenses.

SUSPENSION OF RULES

Senator Vandev eer moved that Rule 53.2 be suspended as to Senate Resolution No. 24.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 47, as follows:

Those who voted in the affirmative were:

Day	Hann	Koch	Olson, G.	Rosen
Fischbach	Ingebrigtsen	Limmer	Ortman	Senjem
Gerlach	Johnson	Michel	Pariseau	Vandev eer
Gimse	Jungbauer	Neuville	Robling	Wergin

Those who voted in the negative were:

Anderson	Dille	Latz	Pogemiller	Skogen
Bakk	Doll	Lourey	Prettner Solon	Sparks
Berglin	Erickson Ropes	Lynch	Rest	Stumpf
Betzold	Foley	Marty	Rummel	Tomassoni
Bonoff	Frederickson	Metzen	Saltzman	Torres Ray
Carlson	Higgins	Moua	Saxhaug	Vickerman
Chaudhary	Koering	Murphy	Scheid	Wiger
Clark	Kubly	Olseen	Sheran	
Cohen	Langseth	Olson, M.	Sieben	
Dibble	Larson	Pappas	Skoe	

The motion did not prevail.

Senate Resolution No. 24 was referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Betzold and Koering introduced—

S.F. No. 121: A bill for an act relating to animals; providing standards of care for dog and cat breeders; appropriating money; amending Minnesota Statutes 2006, sections 343.235, subdivisions 1, 3; 347.10; proposing coding for new law in Minnesota Statutes, chapter 347.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Carlson, Dibble, Ingebrigtsen, Foley and Dille introduced—

S.F. No. 122: A bill for an act relating to traffic regulations; requiring passenger restraint for children under the age of eight in motor vehicles; amending Minnesota Statutes 2006, section 169.685, subdivision 5.

Referred to the Committee on Transportation.

592. The motion prevailed.

Senator Lourey moved that the name of Senator Sieben be added as a co-author to S.F. No. 676. The motion prevailed.

Senator Tomassoni moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Saxhaug be shown as chief author to S.F. No. 804. The motion prevailed.

Senator Olson, M. moved that the name of Senator Olseen be added as a co-author to S.F. No. 834. The motion prevailed.

Senator Berglin moved that the name of Senator Rosen be added as a co-author to S.F. No. 847. The motion prevailed.

Senator Scheid moved that the name of Senator Rest be added as a co-author to S.F. No. 883. The motion prevailed.

Senator Olson, M. moved that the name of Senator Rosen be added as a co-author to S.F. No. 890. The motion prevailed.

Senator Betzold moved that the name of Senator Rest be added as a co-author to S.F. No. 892. The motion prevailed.

Senator Carlson moved that the name of Senator Sieben be added as a co-author to S.F. No. 897. The motion prevailed.

Senator Wergin moved that the names of Senators Metzen and Moua be added as co-authors to S.F. No. 298. The motion prevailed.

Senators Higgins, Scheid, Pappas, Latz and Lynch introduced –

Senate Resolution No. 40: A Senate resolution recognizing March 15, 2007, as Alpha Kappa Alpha Day at the State Capitol.

Referred to the Committee on Rules and Administration.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 41: A Senate resolution relating to per diem living expenses incurred by members of the Senate; ratifying action by the Committee on Rules and Administration.

Senator Pogemiller moved that Senate Resolution No. 41 be laid on the table. The motion prevailed.

Senators Pogemiller and Senjem introduced –

Senate Concurrent Resolution No. 5: A Senate concurrent resolution adopting deadlines for the 2007 regular session.

Senator Pogemiller moved that Senate Concurrent Resolution No. 5 be laid on the table. The motion prevailed.

Anderson	Erickson Ropes	Latz	Olseen	Saxhaug
Betzold	Foley	Limmer	Olson, G.	Scheid
Bonoff	Frederickson	Lourey	Olson, M.	Sheran
Carlson	Gimse	Lynch	Pappas	Sieben
Chaudhary	Higgins	Marty	Pogemiller	Skoe
Clark	Ingebrigtsen	Metzen	Prettner Solon	Skogen
Cohen	Jungbauer	Michel	Rest	Torres Ray
Day	Kubly	Moua	Robling	Vickerman
Dibble	Langseth	Murphy	Rummel	Wiger
Doll	Larson	Neuville	Saltzman	

Those who voted in the negative were:

Bakk	Hann	Ortman	Sparks	Wergin
Berglin	Johnson	Pariseau	Stumpf	
Fischbach	Koch	Rosen	Tomassoni	
Gerlach	Koering	Senjem	Vandevveer	

So the bill passed and its title was agreed to.

S.F. No. 463: A bill for an act relating to notaries public; increasing maximum fees; amending Minnesota Statutes 2006, section 357.17.

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 58 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Langseth	Ortman	Sieben
Berglin	Foley	Larson	Pappas	Skoe
Betzold	Frederickson	Latz	Pogemiller	Skogen
Bonoff	Gimse	Lynch	Prettner Solon	Sparks
Carlson	Hann	Marty	Rest	Stumpf
Chaudhary	Higgins	Metzen	Robling	Tomassoni
Clark	Ingebrigtsen	Michel	Rosen	Torres Ray
Cohen	Johnson	Moua	Rummel	Vickerman
Day	Jungbauer	Murphy	Saltzman	Wergin
Dibble	Koch	Neuville	Saxhaug	Wiger
Doll	Koering	Olseen	Scheid	
Erickson Ropes	Kubly	Olson, G.	Sheran	

Those who voted in the negative were:

Bakk	Limmer	Olson, M.	Vandevveer
Gerlach	Lourey	Senjem	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Pogemiller moved that Senate Resolution No. 41 be taken from the table. The motion prevailed.

Senate Resolution No. 41: A Senate resolution relating to per diem living expenses incurred by members of the Senate; ratifying action by the Committee on Rules and Administration.

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

1. The action of the Committee on Rules and Administration on January 10, 2007, setting the rate of per diem living expenses for each calendar day during the sessions of the 85th Legislature is ratified.

2. A member who votes in the affirmative on a roll call vote on the adoption of this resolution may be paid the per diem without further action on the part of the member.

3. A member who does not vote in the affirmative on a roll call vote on the adoption of this resolution may not be paid per diem living expenses in any amount without a written request stating the amount requested by the member, up to the maximum set by the Committee on Rules and Administration, signed by the member and submitted to the Secretary of the Senate.

4. This resolution is effective for per diem payments made after its adoption.

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate for the balance of the proceedings on Senate Resolution No. 41. The Sergeant at Arms was instructed to bring in the absent members.

Senator Neuville moved to amend Senate Resolution No. 41 as follows:

Delete everything after the resolving clause and insert:

"The rate of per diem living expenses is set at \$96 for each calendar day during a regular or special session of the 85th Legislature and for each calendar day during the interim between sessions on which the physical presence of the member was formally recorded at a meeting of a committee or other body to which the member was appointed by the Senate or before whom the member appears. No per diem living expenses may be paid for any other day."

Senator Pariseau moved to amend the Neuville amendment to Senate Resolution No. 41 as follows:

Page 1, line 3, delete "\$96" and insert "\$66"

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

The question recurred on the adoption of the Neuville amendment.

The roll was called, and there were yeas 18 and nays 48, as follows:

Those who voted in the affirmative were:

- | | | | | |
|--------------|--------------|-----------|----------|-----------|
| Fischbach | Hann | Limmer | Pariseau | Vandeveer |
| Frederickson | Ingebrigtsen | Neuville | Robling | Wergin |
| Gerlach | Johnson | Olson, G. | Rosen | |
| Gimse | Jungbauer | Ortman | Senjem | |

Those who voted in the negative were:

- | | | | | |
|-----------|----------------|----------|--------|----------------|
| Anderson | Clark | Higgins | Lourey | Olseen |
| Bakk | Cohen | Koch | Lynch | Olson, M. |
| Berglin | Day | Koering | Marty | Pappas |
| Betzold | Dibble | Kubly | Metzen | Pogemiller |
| Bonoff | Doll | Langseth | Michel | Prettner Solon |
| Carlson | Erickson Ropes | Larson | Moua | Rest |
| Chaudhary | Foley | Latz | Murphy | Rummel |

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Saltzman
Saxhaug
Scheid

Sheran
Sieben
Skoe

Skogen
Sparks
Stumpf

Tomassoni
Torres Ray
Vickerman

Wiger

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

Senator Hann moved to amend Senate Resolution No. 41 as follows:

Page 1, line 9, before the period, insert ", except that the member must address the Senate for at least ten minutes on why the member is worthy to be paid the per diem"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 5 and nays 61, as follows:

Those who voted in the affirmative were:

Fischbach

Gimse

Hann

Limmer

Vandev eer

Those who voted in the negative were:

Anderson
Bakk
Berglin
Betzold
Bonoff
Carlson
Chaudhary
Clark
Cohen
Day
Dibble
Doll
Erickson Ropes

Foley
Frederickson
Gerlach
Higgins
Ingebrigtsen
Johnson
Jungbauer
Koch
Koering
Kubly
Langseth
Larson
Latz

Lourey
Lynch
Marty
Metzen
Michel
Moua
Murphy
Neuville
Olseen
Olson, G.
Olson, M.
Ortman
Pappas

Pariseau
Pogemiller
Prettner Solon
Rest
Robling
Rosen
Rummel
Saltzman
Saxhaug
Scheid
Senjem
Sheran
Sieben

Skoe
Skogen
Sparks
Stumpf
Tomassoni
Torres Ray
Vickerman
Wergin
Wiger

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

Senator Vandev eer moved to amend Senate Resolution No. 41 as follows:

Page 1, delete lines 8 to 10

Page 1, line 11, delete "this resolution" and insert "2. A member"

Page 1, line 14, delete "4" and insert "3"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 46, as follows:

Those who voted in the affirmative were:

Day
Fischbach
Gerlach
Gimse

Hann
Ingebrigtsen
Johnson
Jungbauer

Koch
Limmer
Michel
Neuville

Olson, G.
Ortman
Pariseau
Robling

Rosen
Senjem
Vandev eer
Wergin

Those who voted in the negative were:

Anderson
Bakk
Berglin
Betzold

Bonoff
Carlson
Chaudhary
Clark

Cohen
Dibble
Doll
Erickson Ropes

Foley
Frederickson
Higgins
Koering

Kubly
Langseth
Larson
Latz

Lourey	Olseen	Rummel	Skoe	Vickerman
Lynch	Olson, M.	Saltzman	Skogen	Wiger
Marty	Pappas	Saxhaug	Sparks	
Metzen	Pogemiller	Scheid	Stumpf	
Moua	Prettner Solon	Sheran	Tomassoni	
Murphy	Rest	Sieben	Torres Ray	

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

Senator Fischbach moved to amend Senate Resolution No. 41 as follows:

Page 1, line 11, delete "request" and insert "statement of the amount to be paid to"

Page 1, line 12, delete "stating the amount requested by"

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

Senator Pogemiller 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 59 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Latz	Ortman	Sheran
Bakk	Foley	Limmer	Pappas	Sieben
Berglin	Frederickson	Lourey	Pogemiller	Skoe
Betzold	Gerlach	Lynch	Prettner Solon	Skogen
Bonoff	Gimse	Marty	Rest	Sparks
Carlson	Higgins	Metzen	Robling	Stumpf
Chaudhary	Johnson	Moua	Rosen	Tomassoni
Clark	Jungbauer	Murphy	Rummel	Torres Ray
Cohen	Koering	Neuville	Saltzman	Vickerman
Dibble	Kubly	Olseen	Saxhaug	Wergin
Doll	Langseth	Olson, G.	Scheid	Wiger
Erickson Ropes	Larson	Olson, M.	Senjem	

Those who voted in the negative were:

Day	Ingebrigtsen	Michel	Vandev eer
Hann	Koch	Pariseau	

The motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

CONFIRMATION

Senator Scheid moved that the report from the Committee on Commerce and Consumer Protection, reported January 18, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Scheid moved that the foregoing report be now adopted. The motion prevailed.

Senator Scheid moved that in accordance with the report from the Committee on Commerce and Consumer Protection, reported January 18, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of: