

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SIXTH LEGISLATURE

FORTY-SIXTH DAY

St. Paul, Minnesota, Monday, May 4, 2009

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Pogemiller 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. Kevin McDonough.

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

September 11, 2007

The Honorable James P. Metzen
President of the Senate

Robling	Saxhaug	Skoe	Tomassoni	Wiger
Rosen	Scheid	Skogen	Torres Ray	
Rummel	Senjem	Sparks	Vandever	
Saltzman	Sheran	Stumpf	Vickerman	

So the bill passed and its title was agreed to.

S.F. No. 1887: A bill for an act relating to civil law; releasing information to health care agents; providing access to health care agents; amending Minnesota Statutes 2008, sections 13.384, subdivisions 2, 3; 144.225, subdivision 7; 144.419, subdivision 5; 169.09, subdivision 13; 246.70; 253B.10, subdivision 3; 253B.14; 253B.16, subdivision 2; 256B.48, subdivision 8.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Erickson Ropes	Koering	Olson, G.	Senjem
Bakk	Fischbach	Kubly	Olson, M.	Sheran
Berglin	Fobbe	Langseth	Pappas	Skoe
Betzold	Foley	Latz	Pariseau	Skogen
Bonoff	Frederickson	Limmer	Pogemiller	Sparks
Carlson	Gerlach	Lourey	Prettner Solon	Stumpf
Clark	Gimse	Lynch	Rest	Tomassoni
Cohen	Hann	Marty	Robling	Torres Ray
Dahle	Higgins	Metzen	Rosen	Vandever
Day	Ingebrigtsen	Michel	Rummel	Vickerman
Dibble	Jungbauer	Moua	Saltzman	Wiger
Dille	Kelash	Murphy	Saxhaug	
Doll	Koch	Olseen	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 97: A bill for an act relating to health; providing for the **medical use of marijuana**; providing civil and criminal penalties; **appropriating money**; amending Minnesota Statutes 2008, section 13.3806, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 152.

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 35 and nays 29, as follows:

Those who **voted in the affirmative** were:

Anderson	Dahle	Koering	Murphy	Scheid
Bakk	Dibble	Latz	Pappas	Sheran
Berglin	Doll	Lourey	Pogemiller	Sieben
Betzold	Erickson Ropes	Marty	Prettner Solon	Skoe
Carlson	Foley	Metzen	Rest	Tomassoni
Clark	Higgins	Michel	Rummel	Torres Ray
Cohen	Kelash	Moua	Saltzman	Wiger

Those who voted in the negative were:

Bonoff	Dille	Fobbe	Gerlach	Hann
Day	Fischbach	Frederickson	Gimse	Ingebrigtsen

Jungbauer	Limmer	Olson, M.	Saxhaug	Stumpf
Koch	Lynch	Pariseau	Senjem	Vandever
Kubly	Olseen	Robling	Skogen	Vickerman
Langseth	Olson, G.	Rosen	Sparks	

So the bill passed and its title was agreed to.

S.F. No. 538: A bill for an act relating to public safety; addressing the consideration of a job applicant's criminal history during the public employment hiring process; proposing coding for new law in Minnesota Statutes, chapter 364.

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 49 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Latz	Pappas	Senjem
Berglin	Erickson Ropes	Lourey	Pariseau	Sheran
Betzold	Fobbe	Lynch	Pogemiller	Sieben
Bonoff	Foley	Marty	Prettner Solon	Skogen
Carlson	Frederickson	Metzen	Rest	Sparks
Clark	Gimse	Moua	Robling	Stumpf
Cohen	Higgins	Murphy	Rosen	Tomassoni
Dahle	Kelash	Olseen	Rummel	Torres Ray
Dibble	Kubly	Olson, G.	Saxhaug	Wiger
Dille	Langseth	Olson, M.	Scheid	

Those who voted in the negative were:

Day	Hann	Koch	Michel	Vickerman
Fischbach	Ingebrigtsen	Koering	Saltzman	
Gerlach	Jungbauer	Limmer	Vandever	

So the bill passed and its title was agreed to.

S.F. No. 574: A bill for an act relating to utilities; authorizing Public Utilities Commission to order refunds of unlawful utility rate revenues; amending Minnesota Statutes 2008, section 216B.23, by adding a subdivision.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Kelash	Moua	Rummel
Bakk	Erickson Ropes	Koch	Murphy	Saltzman
Berglin	Fischbach	Koering	Olseen	Saxhaug
Betzold	Fobbe	Kubly	Olson, G.	Scheid
Bonoff	Foley	Langseth	Olson, M.	Senjem
Carlson	Frederickson	Latz	Pappas	Sheran
Clark	Gerlach	Limmer	Pariseau	Sieben
Cohen	Gimse	Lourey	Pogemiller	Skoe
Dahle	Hann	Lynch	Prettner Solon	Skogen
Day	Higgins	Marty	Rest	Sparks
Dibble	Ingebrigtsen	Metzen	Robling	Stumpf
Dille	Jungbauer	Michel	Rosen	Tomassoni